

Channel	Zone	F(50,90) field strength (dBU)	Distance from reference point
2–6 .....	2 and 3 .....	28	128 km. (80 mi.)
7–13 .....	1 .....	36	101 km. (63 mi.)
7–13 .....	2 and 3 .....	36	123 km. (77 mi.)
14–51 .....	1, 2 and 3 .....	41	103 km. (64 mi.)

(1) DTV station zones are defined in § 73.609.

(2) *DTS reference point.* A station's DTS reference point is established in the FCC Order that created or made final modifications to the Post-Transition DTV Table of Allotments, § 73.622(i), and the corresponding facilities for the station's channel assignment as set forth in that FCC Order.

(d) *Determining DTS coverage.* The coverage for each DTS transmitter is determined based on the F(50,90) field strength given in the Table of Distances (in paragraph (c) of this section), calculated in accordance with § 73.625(b). The combined coverage of a DTS station is the logical union of the coverage of all DTS transmitters.

(e) *DTS protection from interference.* A DTS station must be protected from interference in accordance with the criteria specified in § 73.616. To determine compliance with the interference protection requirements of § 73.616, the population served by a DTS station shall be the population within the station's combined coverage contour, excluding the population in areas that are outside both the DTV station's authorized service area and the Table of Distances area (in paragraph (c) of this section). Only population that is predicted to receive service by the method described in § 73.622(e)(2) from at least one individual DTS transmitter will be considered.

(f) *Applications for DTS.* An application proposing use of a DTS will not be accepted for filing unless it meets all of the following conditions:

(1) The combined coverage from all of the DTS transmitters covers all of the applicant's authorized service area;

(2) Each DTS transmitter's coverage is contained within either the DTV station's Table of Distances area (pursuant to paragraph (c) of this section) or its authorized service area, except where such extension of coverage beyond the station's authorized service

area is of a minimal amount and necessary to meet the requirements of paragraph (f)(1) of this section;

(3) Each DTS transmitter's coverage is contiguous with at least one other DTS transmitter's coverage;

(4) The coverage from one or more DTS transmitter(s) is shown to provide principal community coverage as required in § 73.625(a);

(5) The "combined field strength" of all the DTS transmitters in a network does not cause interference to another station in excess of the criteria specified in § 73.616, where the combined field strength level is determined by a "root-sum-square" calculation, in which the combined field strength level at a given location is equal to the square root of the sum of the squared field strengths from each transmitter in the DTS network at that location.

(6) Each DTS transmitter must be located within either the DTV station's Table of Distances area or its authorized service area.

(g) All transmitters operating under a single DTS license must follow the same digital broadcast television transmission standard.

[73 FR 74063, Dec. 5, 2008, as amended at 83 FR 5022, Feb. 2, 2018]

**§ 73.635 Use of common antenna site.**

No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area and (a) which is not available for use by other television licensees; and (b) no other comparable site is available in the area; and (c) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a particular area or would unduly

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restrict competition among television stations.

[28 FR 13660, Dec. 14, 1963]

### § 73.641 Subscription TV definitions.

(a) *Subscription television.* A system whereby subscription television programs are transmitted and received.

(b) *Subscription television program.* A television broadcast program intended to be received in intelligible form for a fee or charge.

[52 FR 6154, Mar. 2, 1987]

### § 73.642 Subscription TV service.

(a) Subscription TV service may be provided by:

(1) Licensees and permittees of commercial and noncommercial TV stations, and

(2) Licensees and permittees of low power TV stations.

(b) A licensee or permittee of a commercial or noncommercial TV station or a low power TV station may begin subscription TV service upon installation of encoding equipment having advance FCC approval. However, the licensee or permittee of a TV broadcast station (not applicable to low power TV stations) must send a letter to the FCC in Washington, DC, that subscription TV service will commence at least 30 days prior to commencement of such service. In that letter, to be entitled "Notice of Commencement of STV Operations," the licensee or permittee is to state that it will comply with the provisions of paragraphs (e)(1) through (e)(3) and § 73.644(c) of this chapter and identify the make and type of encoding system to be used. A similar notice must be submitted if the licensee or permittee commences using another type of encoding system. (See section 644(h).) A notice must also be submitted to the FCC in Washington, DC, if encoded subscription TV service is to be discontinued, at least 30 days prior to such discontinuance.

(c) The station proof of system compliance measurement data (see § 73.644(c)) need not be submitted to the FCC, however, the measurement data must be available to the FCC upon request.

(d) The use of the visual vertical blanking interval or an aural subcar-

rier for transmitting subscriber decoder control code signals during periods of normal non-encoded programming may be used only upon specific FCC authorization. Letter requests to use either the video blanking intervals or aural subcarriers during periods of non-subscription programming are to be sent to the FCC in Washington, D.C.

(e) A licensee or permittee of a commercial or noncommercial TV broadcast or low power TV station may not transmit a subscription service if it has a contract, arrangement, or understanding expressed or implied, that:

(1) Prevents or hinders it from rejecting or refusing any subscription TV broadcast program that it reasonably believes to be unsatisfactory or unsuitable or contrary to the public interests; or substituting a subscription or conventional program that, in its opinion, is of greater local or national importance; or

(2) Delegates to any other person the right to schedule the hours of transmission of subscription programs. However, this rule does not prevent a licensee or permittee from entering into an agreement or arrangement whereby it agrees to schedule a specific subscription TV broadcast program at a specific time or to schedule a specific number of hours of subscription programs during the broadcast day (or segments thereof) or weeks; or

(3) Deprives it of the right of ultimate decision concerning the maximum amount of any subscription program charge or fee.

(4) Has provisions that do not comply with the following policies of the FCC:

(i) Unless a satisfactory signal is unavailable at the location where service is desired, subscription TV service must be provided to all persons desiring it within the Grade A contour of the station broadcasting subscription programs. Geographic or other reasonable patterns of installation for new subscription services is permitted and, for good cause, service may be terminated.

(ii) Charges, terms and conditions of service to subscribers must be applied uniformly. However, subscribers may be divided into reasonable classifications approved by the FCC, and the impositions of different sets of terms and