

from some subscribers and not of others; and, also for good cause, if a subscription system generally uses a credit-type decoder, cash operated decoders may be installed for some subscribers.

[48 FR 56392, Dec. 21, 1983, as amended at 52 FR 6154, Mar. 2, 1987; 66 FR 58982, Nov. 26, 2001]

**§ 73.643 Subscription TV operating requirements.**

The non-technical rules and policies applicable to regular TV broadcast stations are applicable to subscription TV operations, except where specifically exempted in the provisions of those rules and policies.

[48 FR 56392, Dec. 21, 1983]

**§ 73.644 Subscription TV transmission systems.**

(a) Licensees and permittees of commercial and noncommercial TV broadcast and low power TV stations may conduct subscription operations only by using an encoding system that has been approved in advance by the FCC. Such advance approval may be applied for and granted in accordance with the procedures given in subpart M part 2 of the Rules.

(b) The criteria for advance approval of subscription TV transmitting systems by the FCC are as follows:

(1) Spectral energy in the transmitted signal must not exceed the limitations given in § 73.687(e).

(2) No increase in width of the television broadcast channel (6 MHz.) is permitted.

(3) The technical system must enable stations to transmit encoded subscription TV programs without increasing the RMS output power from either the video or audio transmitters over that required to transmit the same program material using normal transmission standards.

(4) Modification of a type accepted TV broadcast or low power TV transmitter for encoded transmissions must not render transmitter incapable of operating in accordance with the operating specifications upon which type acceptance was granted. (See § 2.1001 (b), (k))

(5) Interference to reception of conventional television either of co-channel or adjacent channel stations must

not increase over that resulting from the transmission of programming with normal transmission standards.

(6) Subscriber decoder devices must meet the provisions, where required, of subpart H of part 15 of the FCC Rules for TV Interface Devices.

(c) Prior to commencing the transmission of encoded subscription programming, the licensee or permittee of a TV broadcast or low power TV station must perform such tests and measurements to determine that the transmitted encoded signal conforms to the radiated radio frequency and demodulated baseband and waveforms, transmitter operating power determination, and the occupied bandwidth limitations specified in the application for advance FCC approval of the system being used. A copy of the measurement data is to be maintained in the station files and made available to the FCC upon request.

(d) The licensee of a station transmitting an encoded subscription service must have at the transmitter control point the technical specifications for the system being used of both the aural and visual baseband signals and the transmitted radiofrequency signals, and have the necessary measuring and monitoring equipment, including transmitter output power measuring equipment, to determine that the transmissions conform to the advance approval specifications on file with the FCC. Full operating specifications for the system must be available to representatives of the FCC upon request.

(e) The operating power of the transmitters during encoded operations must be determined and maintained according to the procedures given in the application for advance approval.

(f) A station using an encoding system in accordance with the specifications filed with the application for advance approval is deemed to be exempted from those technical regulations of this subpart and subpart H to the extent they are specifically detailed in the application.

(g) No protection from interference of any kind will be afforded to reception of encoded subscription programming over that afforded reception of non-encoded signals.