

CONCURRING STATEMENT OF
COMMISSIONER JAMES H. QUELLO
RE: LEAPFROGGING

This matter of "leapfrogging" is, it seems to me, currently one of probabilities and potentialities rather than one of demonstrable benefit or harm. Therefore, I have - warily and with some trepidation - agreed with the majority decision to permit the reach for distant signals to be limited only by economics and other marketplace constraints.

I want to make it clear, however, that my acquiescence in this issue does not signal a general indifference to the problems which can arise when cable and broadcasting coexist. The broadcaster -- particularly in smaller markets - can face real problems of audience fractionalization through the proliferation of cable. And, although I have no desire to retard the growth of cable, neither do I have any desire to see the broadcasting system be sacrificed to the newer medium in the name of expediency. It's quite clear that they must coexist so that each can provide the service for which it is best equipped. Cable must be given reasonable opportunity to demonstrate that it can provide that service.

In individual cases where broadcasters can make a specific showing as to harm resulting from the new policy, I believe the Commission should provide the necessary relief. Should there be evidence of a serious general problem, I believe the Commission should recognize the need to revisit the entire matter.

The leapfrogging issue, as I see it, is separate and distinct from many other issues which face both cable and broadcasting and our efforts to regulate them. Absent evidence of harm to the existing broadcasting system and assuming some benefit to the growth of cable, I believe our action is in the public interest.

Therefore, I concur.