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DBS policymaking in Japan

An interpretive history

Roya Akhavan-Majid

Despite Japan's successful experimentation with DBS technology, fundamental conflicts of interest between NHK and Japan's commercial broadcasters continue to chart an uncertain course for the future of Japan's DBS programme. This study traces the history of DBS policy-making in Japan, focusing on the role of the conflict between the two power groups in shaping Japanese DBS policy. The author highlights important policy considerations and discusses how the conflict between NHK and the commercial broadcasters must be resolved in order for Japan's DBS programme to be successfully implemented.

Since the inception of Japan's DBS programme in 1972, direct broadcast satellite policy-making in Japan has been fraught with strong clashes of interest between NHK¹ and Japan's commercial broadcasters. Despite partial compromises which have allowed direct satellite broadcasting to move forward in Japan, fundamental conflicts of interest between the two power groups continue to chart an uncertain course for the future of Japan's DBS programme.

In an effort to provide an interpretive framework for understanding Japanese direct broadcast satellite policy, this study focuses on an analysis of the conflicting interests which have shaped DBS policy in Japan throughout the 1972-88 period.

Outlined below are the basic directions of the interests of each relevant power group – NHK, the Ministry of Posts and Telecommunications, and the commercial broadcasters – in relation to direct broadcast satellite policies. A detailed account of the conflicts arising from these different interests appears in the context of the discussion on the policy-making process.

N H K

NHK's pioneering role in experimentation with and development of new broadcasting technologies has always been a major component of its national prestige. Policies most favourable to NHK, therefore, would be those enabling it to continue its present domination of direct broadcast satellite development and operation in Japan.

Ministry of Posts and Telecommunications (MPT)

As Japan's primary telecommunications authority, MPT would most benefit from policies that consolidate its position as the promoter and regulator of the new technology.

Among the major components of MPT's power and jurisdictional authority in Japanese broadcasting is its direct supervisory responsibility for the country's public service broadcasting system, NHK. A strong and prestigious NHK, therefore, may be considered as a source of power for MPT as the supervising authority.

It may thus be expected that in the policy-making process, MPT would support policies that lead to the successful development and utilization of DBS technology, and help to enhance NHK's status and prestige.

Commercial broadcasters

In theory, Japanese broadcasting is based on a local origination system. In actuality, however, Japan's local commercial stations function primarily as 'affiliates' to the five major Tokyo 'key' stations, their major reason for existence being to relay the 'network' programmes.² Because direct broadcast satellites can perform this relaying function in a much more efficient manner, they are considered to pose a serious threat to Japan's local commercial broadcasters.

Although this particular threat does not apply directly to the Tokyo key stations, a number of factors make DBS technology as threatening to the interests of Japanese 'network' stations as to those of their local affiliates.

The first reason is that the financial interests of the key stations cannot, in effect, be separated from those of the local stations because of the extensive interlocking which exists between the 'networks' and their 'affiliates' through the conglomerate ownership of the media in Japan.³

Media ownership in Japan is concentrated primarily in the hands of five major mass media conglomerates which own newspaper and broadcasting enterprises all over the country. The five major national newspapers, Yomiuri, Asahi, Mainichi, Nikkei, and Sankei, are tied in cross-media ownership to Tokyo's five key television stations NTV, TV Asahi, TBS, TV Tokyo, and Fuji TV respectively. Despite regulations,⁴ each of the five media conglomerates is headed by the same person who is often simultaneously the chairman of the key station and the president of the newspaper enterprise. In addition to the five national newspapers and broadcasting networks, media ownership in these conglomerates also extends to the local newspapers and television stations. Thus, although broadcasting regulations bar the key stations from owning shares in the local stations, an indirect interlocking between the interests of the Tokyo key stations and their local 'affiliates' is created

through extensive investments made by Japan's major newspapers in local television stations.⁵

Another threat posed by direct broadcast satellites to Japan's commercial broadcasters is in the area of advertising. With the intense interest of Japan's giant corporations in the type of nationwide advertising made possible by high definition satellite broadcasting technology,⁶ it is only natural for Japan's commercial broadcasters to fear a major loss of revenue to advertising-supported DBS channels.

It would thus be in the best interests of the Japanese commercial broadcasters either to halt the development of commercially operated direct broadcast satellites in Japan, or to dominate any such channels as the primary shareholders and programme providers.

The policy-making process

Japanese direct broadcast technology was developed by the Japan Space Development Committee and the National Space Development Agency (NASDA) as part of the country's national space development project.⁷ In the context of Japan's space programme, the primary objectives of the DBS programme were to enable Japan to participate in the full spectrum of world space activities, and secure for Japan a strong international position as a leading provider of space technology.

Japan's first experimental DBS project was initiated by the joint efforts of MPT and NHK in 1972. Launched in 1978, the experimental satellite (BSE) functioned until 1980 when a transponder failure brought a halt to the project. NHK, which bore 60% of the project's costs, used BSE to carry out various experiments including High Definition Television and multiplex sound broadcasting.⁸

Subsequent to the completion of the BSE project, plans were initiated for the development of Japan's first operational satellite, BS2, to be launched as two satellites BS2-a (1984) and BS2-b (1985).⁹ As in the case of the experimental satellite (BSE), BS2 was developed for exclusive use by NHK in fulfilling its mandate of providing nationwide coverage of its programmes and carrying out innovative technological experiments. With the launching of BS2-a in 1984, NHK was able to extend its geographical coverage to the 440 000 households which remained beyond the reach of NHK signals.¹⁰

NHK's close involvement in the development and exclusive use of Japan's first two direct broadcast satellites proved from the beginning to be a source of great anxiety for the country's commercial broadcasters,¹¹ an anxiety which did not seem to be relieved by NHK's repeated assurances that it intended to use the satellites only for nationwide coverage and experimental purposes.

The commercial broadcasters' general peril at the country's involvement in DBS technology, however, began to reach new heights in 1980, when MPT

announced its intention to launch a new four-channel satellite (BS3) in 1988, allocating one of the four channels for commercial broadcasting purposes. Of the three remaining channels, one would be allocated to the Ministry of Education for establishing a University of the Air, and two would continue to be used by NHK for nationwide coverage and experimental purposes.

The announcement by MPT of its plans met with the strong opposition of Japan's commercial broadcasters. Viewing DBS technology as a major threat to the reason for existence of the local stations, National Association of Commercial Broadcasters (NACB) chairman, Tadao Kunieda, publicly expressed his opposition to commercial use of DBS and insisted that neither the commercial broadcasters nor any other business entity should participate in the project.¹²

Subsequently, in order to adjust the intensely conflicting interests in the broadcasting community and to further develop its DBS policies, MPT established in July 1980 a Study Committee on the Diversification of Broadcasting. As is the norm in such cases, the committee consisted of representatives of all relevant elite interests including NHK, the National Association of Commercial Broadcasters (NACB), Japan Editors and Publishers Association (NSK), and Japan's largest advertising agency, Dentsu.¹³

Such semi-formal 'study committees' and 'advisory groups', bringing the parties to the conflict together for the purpose of achieving compromise, constitute the primary structures of telecommunications policy-making in Japan. Even in cases where changes in policy entail the passing of legislation by the Diet, the actual process of bargaining and decision-making takes place in far more informal 'policy study groups' representing the contending elite interests.¹⁴

In order to resolve the conflict and reach a compromise between the opposite views taken by the commercial broadcasters on the one hand and MPT and NHK on the other, the committee focused on finding a means of minimizing the adverse impact of the planned commercial DBS on the commercial broadcasters. In so doing, the committee made two specific recommendations. First, that the commercial channel be operated on the basis of a joint venture among existing commercial broadcasting entities and related interests and, second, that a system of pay-television rather than advertising be adopted as the source of revenue.¹⁵

Upon the issuance of the final report of the MPT Study Committee in 1982, a special committee, organized by the National Association of Commercial Broadcasters to finalize the Association's position in relation to the Committee's recommendations, concluded its deliberations as follows:

If a third party other than the existing commercial broadcasting companies starts commercial satellite broadcasting funded by revenue from advertising, the existing commercial broadcasting companies will be seriously affected. Thus, in order to prevent such an undesirable situation, the commercial broadcasting

companies consider it necessary to cooperate in satellite broadcasting . . . [The commercial broadcasters] intend to obtain one channel of the BS3 for commercial broadcasting, with revenue for its operation to be derived from pay- television . . . Capitalization of the joint venture company will be raised from [the commercial broadcasters as well as] other investors, but the combined share of the commercial broadcasters will be at least 51% of the total capital.¹⁶

Thus, ultimately, faced with MPT's determination to launch the satellite, and fearing competition from other businesses eager to invest in the project, the commercial broadcasters agreed to participate in BS3, assuming that there would be no advertising and that they would hold a majority of the shares of the proposed commercial channel.

Despite the seeming resolution of the conflicts at the time, however, several new developments followed which, once again, created problems for the commercial broadcasters and their participation in BS3's commercial channel.

First, as negotiations regarding the allocation of shares in the planned joint venture company progressed, it became apparent that there was a much larger number of businesses interested in investing in the new company than had been originally anticipated. By the time the process of negotiations ended, the commercial broadcasters were left with a mere 19% of the shares as opposed to the majority share they had expected.¹⁷ The rest of the shares were allocated as follows: the five major newspaper companies obtained 16%, other media-related businesses such as movie companies, publishers and advertising agencies received 4.6%, with the lion's share of over 60% going to a variety of big businesses, including Japan's major banks and trading houses.¹⁸ In agreeing to give up their demand for a majority of the shares, the commercial broadcasters were given full control over the marketing and programming affairs in the joint venture company.¹⁹ Nevertheless, a general sense of dissatisfaction continued to linger among the commercial broadcasters.²⁰

A further blow to the interests of the commercial broadcasters came in 1985, when NHK began considering plans to use one of the two DBS channels allocated to it to start a new NHK channel devoted to special DBS programming. (This move was formally authorized by MPT in June 1987, and the new service began a month later in July 1987.²¹) Taking advantage of its position as a public broadcaster supported by receiver fees, NHK later announced that it intended ultimately to finance the new DBS channel by charging an additional fee from all Japanese households equipped with a DBS dish antenna.²² By charging an additional receiver fee for the DBS service, much in the same manner as fees are charged to every household owning a television set, NHK would be able to guarantee for itself a minimum revenue commensurate with the number of DBS dish antennas sold in Japan.

The sudden change in NHK's DBS plans created a formidable threat of competition for the commercial broadcasters, a competition which would be especially difficult to beat because of NHK's ability as a public broadcaster

automatically to count the DBS-equipped households as 'subscribers' to its DBS service, leaving the commercial broadcasters with the task of soliciting additional subscriptions from the same pool of households.

Even more worrying to the commercial broadcasters, however, was the coupling of these aggressive moves with a growing tendency on the part of NHK to participate in a variety of commercial activities.

Since the late 1970s, because of the saturation in the number of television receivers, on the one hand, and the increasing programme production costs, on the other, NHK had been faced with a ballooning deficit.²³ Because of the political difficulty of raising the receiver fees every time a budget deficit threatens, NHK requested and received MPT's permission in 1982 to engage in a wider range of outside commercial activities to support its public service programming.²⁴ Legally, it is legitimate for a public broadcasting entity in Japan to engage in commercial activities as long as it does not actually air advertisements, which is the only commercial activity specifically ruled out in the context of the Broadcast Law.

Since then, to the horror of commercial broadcasters, NHK had continued to expand its commercial involvement through engaging in such activities as:

- The establishment in 1985 of NHK Enterprises, a profit-orientated subsidiary of NHK, mandated, among other things, to produce programmes for commercial distribution.²⁵
- Major investment in two out of the three commercial teletext services operating in Japan since 1985.²⁶
- Development of plans to invest in, as well as function as a major programme provider to, cable television.²⁷
- Consideration of the idea of accepting 'corporate image' (as opposed to 'product') advertising.²⁸
- Soliciting sponsorship by major Japanese manufacturers of posters and billboards advertising NHK programmes.²⁹

One such poster, sponsored by NEC, for example, advertised NHK's coverage of the viewing of Halley's Comet, while emphasizing NEC's role in developing the technology which made the viewing of the comet possible. Another poster sponsored by Fujitsu, advertised a series of other NHK programmes, while prominently displaying Fujitsu Company's identification.

NHK's growing contact with Japan's major manufacturers, and its increasing involvement in commercial activities, thus led Japan's commercial broadcasters to consider NHK's ultimate commercialization as an imminent possibility.

Should such fears of an ultimate NHK commercialization materialize, it would mean, among other things, that NHK would suddenly turn into a giant commercial entity in charge of two fully fledged high definition DBS channels

greatly sought after by major national advertisers,³⁰ a possible development that spells doom to Japan's commercial broadcasters.

Subsequently, the commercial broadcasters have tried, in a number of ways, to halt NHK's increasing tendency toward commercialization. Among the commercial broadcasters' efforts in countering such moves by NHK have been:

- Repeated appeals to MPT to limit the scope of NHK's involvement in new broadcasting activities³¹ which tend to increase its budget deficit and subsequently legitimize its involvement in commercial activities.
- Personal appeals to the president of NHK, requesting a halt to all forms of advertising-related activity, including manufacturer-sponsored posters.³²
- Private encouragement of the idea of government support for NHK as an alternative means of reducing NHK deficit.³³

Thus far, however, the commercial broadcasters have had little success, either in containing NHK's expanding activities, or in reversing its tendency towards commercialization. This, of course, is due primarily to the fact that the change in NHK's orientation is not so much a result of deliberate policy choices made within NHK, but rather a function of the growing – and largely irreversible – financial pressures which currently face not only NHK, but also a number of other public service broadcasting systems.

In the meantime, the general threat to the commercial broadcasters' interests has continued to grow as a result of NHK's success with its special DBS channel inaugurated in July 1987. The new round-the-clock 'Satellite TV No 1' channel – which can be received via a 45 cm dish antenna – has met with much public enthusiasm,³⁴ driving up the number of homes equipped to receive DBS in Japan from 230 000 in September 1987 to one million in December 1988.³⁵

Obviously, the lack of success on the part of the commercial broadcasters in obtaining a majority of the shares in the commercial DBS channel, and NHK's plans to compete in DBS programming coupled with its growing commercial activities, has created a situation in which it would be utterly self-destructive for the commercial broadcasters to participate in and actually promote DBS broadcasting in Japan. Thus, despite their formal consent in 1982 to participate in the joint venture DBS company (Japan Satellite Co), Japan's media conglomerates may be expected to continue, as they have, to try to stall the launching of BS3 – already postponed from 1988 to 1990 and recently again to March 1991 – until their predicament can be satisfactorily resolved.³⁶

In the meantime, joint reception via cable and communication satellites promises to compete with direct satellite broadcasting.³⁷ Although a high level of market uncertainty and lack of sufficient programme production capacity have, until recently, hampered the development of cable television in Japan, several large-scale CATV enterprises are now poised to enter the cablecasting market. Among them is a

giant big business-mass media joint venture, representing three major publishing houses, four media conglomerates, some of Japan's largest financial combines (Mitsubishi, Marubeni, Ito-Chu, and Nissho Iwai), and a variety of other media companies and prominent businesses.³⁸ Another is a joint venture between nearly 20 Japanese and American companies, including the Tokyo Broadcasting Company, NHK Enterprises, Dentsu (Japan's largest advertising company), and such US film giants as Viacom, HBO, Columbia Pictures, and Twentieth Century Fox.³⁹ While the ultimate success of these ventures is difficult to predict, it is true that the greater economic efficiency of joint reception via CS+CATV, arising from its ability to provide a much larger number of channels for considerably lower cost, gives joint reception a formidable competitive edge over direct satellite broadcasting. Should pay-cable ultimately grow into a healthy business in Japan by the time BS3 is scheduled to be launched in 1991, direct satellite broadcasting in Japan may come to face increasing questions of commercial feasibility.

Despite the obstacles posed in the path of DBS development in Japan by the conflict of interest between NHK and the commercial broadcasters (and the potential competition from CS+CATV), however, the role of Japan's DBS programme in serving the country's overall industrial policy continues to provide strong impetus to MPT's efforts toward its successful implementation.

Thus far, the programme has served the country's industrial objectives well. Not only has the DBS programme enabled Japan to develop extensively its space manufacturing capability, it has also resulted in the development by Japanese manufacturers of a variety of new DBS-related technologies, including smaller and more economical satellite dish antennas.

Another important technological component of the DBS programme has been NHK's successful experimentation with high-definition broadcasting via DBS. Using BS2a, in 1984 NHK pioneered a new system called MUSE (Multiple Sub-Nyquist Sampling Encoding), with which a single satellite channel can transmit high-definition programmes. Should NHK ultimately succeed in getting its standard adopted globally, this would give the Japanese manufacturers a considerable head-start in the competition to capture the world's lucrative HDTV market.

Based on these important industrial policy considerations, efforts towards DBS development in Japan are likely to continue full-force. Given the level of influence exercised by Japan's mass media conglomerates in all matters of Japanese media policy, however, an ultimate resolution of the conflict between NHK and the commercial broadcasters continues to remain a major prerequisite to the successful implementation of Japan's DBS programme.

Footnotes:

¹ The Broadcasting Corporation of Japan, NHK, was first established in 1926, and was reorganized in 1950 based on a new Broadcast Law designed to insulate it from government control. The new law provided for a 12-member board of governors and established a receiver fee system as NHK's principal source of revenue. Commercial broadcasting was established in Japan shortly thereafter, in 1951. Although the competition between NHK and the commercial broadcasters has been fierce, NHK has been able to maintain a leading position in Japanese broadcasting. Currently, NHK maintains two television networks (General TV and Educational TV), two medium-wave radio networks, and one VHF-FM network, and also operates Japan's external broadcasting station (Radio Japan). In addition, since 1978 NHK has been in charge of Japan's experimental satellite broadcasting service.

² James White, 'NHK hits serious deficit', *Screen International*, 1 June 1985, p 40.

³ According to regulations, the level of investment by a newspaper enterprise in a television station cannot exceed 10% of the station's shares. Actual cross-media ownership by the media conglomerates, however, substantially exceeds the limits in broadcast regulation. Using a variety of means, including investment through 'sister companies', the media conglomerates hold up to 50% share in their affiliated television stations.

⁴ According to regulations, the same individual cannot be the president of more than one mass media enterprise

⁵ Personal interview with Takeshi Maezawa, Senior Editor, *The Yomiuri Shimbun*, 2 May 1986

⁶ Personal interview with Yoshioki Ashida, Secretariat, New Electronic Media Division, Dentsu Inc, 20 June 1986

⁷ Jiro Maeda, 'Japan's space development program', *Media Asia*, Vol. 8, No 3, 1981, p 125

⁸ *Dentsu: Japan Marketing/Advertising Biannual*, 'Broadcasting Satellite', No 19, July 1981

⁹ *Ibid*

¹⁰ NHK begins 24-hour satellite programming', *The Daily Yomiuri*, 24 July 1987.

¹¹ *Op cit* Ref 7, p 126

¹² *Ibid*, p 131.

¹³ Kazuhiko Goto, 'Japanese project for direct broadcasting satellite service', *Studies of Broadcasting*, March 1983, p 26.

¹⁴ Roya Akhavan-Majid, 'Telecommunications policy-making in Japan, 1970-1987: a case study in Japanese policy-making structures and process', Doctoral Dissertation, University of Minnesota, 1988

¹⁵ *Op cit* Ref 13, pp 31-3

¹⁶ *Ibid*, p 40.

¹⁷ Such 'unexpected' turns of events are not at all uncommon in the context of the Japanese decision-making process, where a sense of vagueness is bound to prevail until all negotiations are completed and the compromise process is finalized

¹⁸ Kouichi Kobayashi, 'New media in Japan today', *Studies of Broadcasting*, March 1985, p 14.

¹⁹ Personal interview with Sakae Ishikawa, Senior Researcher, Broadcasting Culture Research Institute, NHK, 27 June 1986.

²⁰ This was so particularly in view of the fact that, should the joint venture DBS be forced to accept advertising for lack of sufficient pay-television revenue, the commercial broadcasters would, in effect, be trading their 100% share of the advertising profit for 19% every time an advertisement was aired on the direct broadcast satellite. Also see *op cit* Ref 18, p 14.

²¹ *Nihon Shimbun Kyokai News Bulletin*, Vol. 10, No 3, September 1987, p 6.

²² Personal interview with Kazuhiko Goto, Professor of Mass Communication, Tokiwa University, 6 December 1985

²³ *Op cit* Ref 2, p 40.

²⁴ Personal interview with Izumi Tadokoro, Director, Development Department, Japan Newspaper Publishers and Editors Association, 13 September 1985

²⁵ 'Keiji Shima leads NHK into forward-thinking era', *Variety*, 9 October 1985, p 76.

²⁶ *About Japan Series: Japan's Mass Media*, published by Foreign Press Center, Tokyo, Japan, March 1986, p 85.

²⁷ Yoshinaga Ishii, 'The new media and public broadcasting service', *Studies of Broadcasting*, March 1985, p 87

²⁸ Personal interview with Kenshiro Otani, Senior Researcher, Broadcast Culture Research Institute, NHK, 8 August 1985

²⁹ Personal interview with Masayuki Kurasawa, Secretariat, National Association of Commercial Broadcasters, 13 September 1985.

³⁰ *Ibid.*

³¹ Personal interview with Izumi Tadokoro, 6 June 1986.

³² Personal interview with Masayuki Kurasawa, 13 September 1985.

³³ Correspondence with Minoru Tamura, Senior Researcher, Broadcasting Culture Research Institute, NHK, 27 June 1986.

³⁴ Because of its 'experimental' status, the channel is currently being received for no additional fee. A new DBS fee, however, is expected to go into effect in 1990, pending formal authorization by the Diet.

³⁵ *Nihon Shimbun Kyokai News Bulletin*, Vol. 11, No 3, September 1988, p 7.

³⁶ At the time of this writing, efforts toward the resolution of existing conflicts continue in the context of a new Group to Study the Future of Satellite Broadcasting established by MPT in July 1988, representing the commercial broadcasters, NHK, Japan Editors and Publishers Association, and Japanese big business and advertising interests. See *Nihon Shimbun Kyokai News Bulletin*, September 1988.

³⁷ Personal interview with Yashiro Iyoda, Senior Researcher, The Institute of National Association of Commercial Broadcasters, 9 May 1986. Personal interview with Hisao Aoki, Director, International Relations, National Association of Commercial Broadcasters, 9 May 1986. Also, personal interview with Kazuhiko Goto, 6 December 1985.

³⁸ 'CATV Zigyo, Ipponka', *Yomiuri Shimbun*, 6 June 1986.

³⁹ 'Progress of Japan's cable plans eyed by U.S. majors', *Variety*, 23 December 1986. Also see 'Tohokushinsha topper denies premier cable link in Japan', *Variety*, 26 January 1987. Also, Graham Wade, 'Cable gets moving', *TV World*, Vol. 9, No 2, February 1986, p 1. These ventures clearly exemplify the trend in Japan towards increasing media concentration and conglomeration and a growing integration by the Japanese media into the big business power structure.

Personal Interviews

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* Designates interviews conducted through submission of written questions to which answers were given in writing. Translation was provided by Mr. Sakae Ishikawa.