

VIA ECFS

June 14, 2010

William T. Lake
Chief, Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *In the Matter of Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licensees*, MB Docket No. 10-56, Request for Clarification and Correction of Letter Order Granting Supplemental Request for Enhanced Protection for Highly Confidential Documents

Dear Mr. Lake:

Comcast Corporation (“Comcast”) and General Electric Company (“GE”), together with NBC Universal, Inc. (“NBCU”) (collectively “Applicants”), submit this letter with regard to your *Letter Order*¹ granting Applicants’ Supplemental Request for Enhanced Protection for Highly Confidential Documents (the “Supplemental Request”). As discussed herein, Applicants have identified four small matters in the *Letter Order* that require correction and hereby request that you clarify the *Letter Order* accordingly.

Comcast has identified two omissions in the *Letter Order* for which Comcast is requesting clarification and correction. First, Comcast sought enhanced protection for information contained in its response to FCC Request 10, which requires the production of advertising sales, financial, and operating results by business unit. Release of data produced at this level would be highly valuable to Comcast’s competitors and would place Comcast at a severe competitive disadvantage. Comcast, therefore, requested enhanced confidential protection of this material under the category “Comcast’s Advertising Sales, Financial, and Operating Results.”² The *Letter Order* granted enhanced protection for Comcast’s other responses that fall within this category, but did not do so with regard to Comcast’s response to Request 10.³ Comcast presumes that this omission was inadvertent and you intended to grant enhanced protection for its response to Request 10. Comcast, therefore, requests that you clarify that its response to Request 10 is entitled to enhanced protection pursuant to the terms of your *Letter Order*.

¹ Letter from William T. Lake, Chief, Media Bureau to Michael H. Hammer, Willkie Farr & Gallagher LLP, A. Richard Metzger, Jr., Lawler, Metzger, Keeney & Logan, LLC, and David H. Solomon, Wilkinson, Barker, Knauer, LLP, DA 10-1068 (June 11, 2010) (“*Letter Order*”).

² Supplemental Request, Section I.E, p. 4.

³ *Letter Order*, Section E, pp. 3-4.

Second, the *Letter Order* does not address Comcast's response to Request 6.h under the enhanced confidentiality category of video programming and carriage agreement terms and conditions. Due to an inadvertent omission on its part, Comcast's response to Request 6.h was not included in the Supplemental Request with regard to video programming and carriage agreement terms and conditions. Comcast sought, and the *Letter Order* provided for, enhanced confidentiality for Request 6.h as part of Comcast's detailed financial data.⁴ However, Request 6.h also sought detailed information about key terms to video programming and carriage agreements, the disclosure of which would cause severe competitive harm to Comcast. As the information Comcast provided in response to Request 6.h also falls within the category of "Comcast's Video Programming and Carriage Agreement Terms and Conditions," it should be granted enhanced confidentiality protection under that category as well.⁵ Comcast, therefore, requests that you clarify that its response to Request 6.h is also entitled to enhanced protection under that additional category pursuant to the terms of your *Letter Order*.

NBCU has also identified two omissions in the *Letter Order* for which it is requesting clarification and correction. First, the *Letter Order* is silent with regard to NBCU's response to FCC Request 21. Request 21 sought information regarding third-party research regularly used by NBCU. NBCU sought enhanced protection for this information because the material responsive to this request is not readily segregable from internal NBCU business plans and analyses. NBCU purchases research from third parties and incorporates that research into its planning processes. NBCU, therefore, requested enhanced confidential protection of this material under the category "NBCU's Current and Forward-Looking Business Strategies and Plans."⁶ The *Letter Order* granted enhanced protection for NBCU's other responses that fall within this category, but did not do so with regard to its response to Request 21.⁷ NBCU presumes that this omission was inadvertent and you intended to grant enhanced protection for its response to Request 21. NBCU, therefore, requests that you clarify that its response to Request 21 is entitled to enhanced protection pursuant to the terms of your *Letter Order*.

Second, the *Letter Order* does not address NBCU's response to FCC Request 53. NBCU has confirmed that, due to a typographical error on its part, its response to Request 53 was inadvertently omitted from the Supplemental Request. Request 53 sought detailed information regarding the terms and conditions of its programming agreements related to sports programming. The information NBCU provided in response to Request 53 is derived largely from the agreements provided in response to Request 52, for which you did grant enhanced confidentiality treatment.⁸ As such, this information falls squarely within the category "NBCU's Video Programming and Carriage Agreement Terms and Conditions" and should be granted

⁴ *Id.*, Section A, p. 2.

⁵ *See* Supplemental Request, Section I.E., pp. 3-4.

⁶ *Id.* Section I.J, p. 6.

⁷ *Letter Order*, Section K, p. 5.

⁸ *Id.*, Section I, p. 4.

enhanced confidentiality protection.⁹ NBCU, therefore, requests that you clarify that its response to Request 53 is entitled to enhanced protection pursuant to the terms of your *Letter Order*.

If you have any questions concerning the foregoing, do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ Michael H. Hammer

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⁹ See Supplemental Request, Section I.I. p.6.

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