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June 21, 2010

VIA HAND DELIVERY

William T. Lake
Chief, Media Bureau
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

**Re: Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc.
for Consent to Assign Licenses or Transfer Control of Licenses, MB Docket No. 10-56**

Dear Mr. Lake:

DISH Network L.L.C. (“DISH”), through its undersigned counsel, submits this letter to request confidential treatment for the Petition to Deny and the accompanying supplement that it is filing today in the above-referenced proceeding under the standard for “Highly Confidential Information” established by the *Second Protective Order*.¹

DISH’s filings contain material that has previously been approved, either in the same or similar form, in this proceeding as Highly Confidential Information. Specifically, DISH includes data and information from the June 7th declaration of Mr. Vincent Kunz, DISH’s Senior Marketing Manager for Reporting and Analytics.² In addition, the filings reference terms of DISH’s retransmission consent agreement with NBC,³ and provide facts about a confidential arbitration dispute over retransmission

¹ Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licenses, MB Docket No. 10-56, *Second Protective Order*, DA 10-371, ¶ 5 (rel. March 4, 2010). DISH is also filing a redacted version of its filings for public inspection.

² Letter from William T. Lake, Chief, Media Bureau, to Pantelis Michalopoulos and Christopher Bjornson, Counsel for the DISH Network L.L.C., DA 10-1074, at 2 (June 15, 2010) (confirming that the Kunz Declaration should be afforded Highly Confidential treatment under the *Second Protective Order*).

³ Letter from William T. Lake, Chief, Media Bureau, to Michael H. Hammer et al., Counsel for the Applicants, DA 10-1068, at 3-4 (June 11, 2010); Letter from William T. Lake, Chief, Media Bureau, (Continued...)

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consent of another network's stations.⁴ DISH has maintained the strict confidentiality of this material, which goes directly to programming access. Highly confidential treatment of retransmission terms is consistent with an inviolable industry practice. It is indeed for that reason that the comparable information provided by Comcast and NBC in support of its application was likewise submitted under the "Highly Confidential" description of the *Second Protective Order*.

If released to DISH's competitors, this information would allow them to gain a significant advantage in the marketplace., DISH respectfully requests that the Commission confirm that the aforementioned categories of information will be treated as "Highly Confidential Information" under the *Second Protective Order*, and made available solely to Outside Counsel of Record, their employees, and *bona fide* Outside Consultants and experts.

Pursuant to 47 C.F.R. § 0.459(e), DISH requests that the Commission return the Highly Confidential version of its Petition to Deny and Supplement if its request for protection under the *Second Protective Order* is denied.⁵ Please feel free to contact the undersigned if you have any.

Respectfully submitted,

/s/

Pantelis Michalopoulos
Christopher Bjornson
Counsel for Dish Network L.L.C.

cc: Neil Dellar
Jennifer Tatel

to Michael H. Hammer et al., Counsel for the Applicants, DA 10-365, at 2 (April 30, 2010) (confirming that NBC's retransmission consent agreements should be afforded Highly Confidential treatment under the *Second Protective Order*).

⁴ Letter from William T. Lake, Chief, Media Bureau, to Michael H. Hammer et al., Counsel for the Applicants, DA 10-1068, at 3-4 (June 11, 2010) (providing Highly Confidential treatment under the *Second Protective Order* to retransmission consent, linear carriage, video-on-demand, and online distribution agreements, as well as current and forward-looking business strategies and plans submitted by broadcasters and cable operators); Letter from William T. Lake, Chief, Media Bureau, to Michael H. Hammer et al., Counsel for the Applicants, DA 10-365, at 2 (April 30, 2010).

⁵ See 47 C.F.R. § 0.459(e).