



Federal Communications Commission
Washington, D.C. 20554

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June 23, 2010

MAILED
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FCC Mail Room

DA 10-1126

Via First-Class Mail and E-mail

Stephen Diaz Gavin, Esquire
Patton Boggs LLP
2550 M Street, N.W.
Washington, DC 20037

Re: 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; Response to Request for Confidentiality

Dear Mr. Gavin:

On June 21, 2010, on behalf of Bloomberg, L.P. ("Bloomberg"), you made a filing in the above-referenced proceeding (the "Filing"). In addition, you contemporaneously filed a letter to the undersigned requesting highly confidential treatment for information contained in the Filing and giving reasons why such treatment should be accorded to Bloomberg. In your letter, you characterize the Filing as an "opposition" to the proposed transaction in the subject proceeding.

As we stated in the *Second Protective Order*,¹ consistent with past practice, the Commission will in this proceeding grant more limited access to those materials which, if released to competitors, would allow those competitors to gain a significant advantage in the marketplace. We will permit persons submitting such documents and information to designate those materials as Highly Confidential and, as specified in the *Second Protective Order*, we will limit access to such materials to Outside Counsel of Record, their employees, and Outside Consultants and experts whom they retain to assist them in this proceeding, as the aforementioned terms are defined in the *Second Protective Order*. As we found at paragraph 3 of that Order, such materials develop a more complete record on which to base the Commission's decision in this proceeding. We are mindful of the highly sensitive nature of all information, documents, and data described in this letter, but we must also protect the right of the public to participate in this proceeding in a meaningful way. We conclude that the protections adopted in the *Second Protective Order* give appropriate access to the public while protecting a submitting party's competitively sensitive information, and thereby will serve the public interest.

You represent that the information and documents for which highly confidential treatment is sought include some of Bloomberg's most sensitive business information, information that Bloomberg usually does not disclose and is of the type that the Commission has previously afforded heightened confidential protection. You assert that disclosure of this material to Bloomberg's competitors in this proceeding would have a serious negative effect on Bloomberg's business and place Bloomberg at a significant competitive disadvantage.

¹ *Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. For Consent to Assign Licenses or Transfer Control of Licensees, Second Protective Order, 25 FCC Rcd 2140 (MB 2010) ("Second Protective Order")*.

Bloomberg seeks highly confidential treatment for the following categories of information contained in an economic report that is part of the Filing:

- A. *Bloomberg's Detailed Financial Data.* Cost and revenue data, disaggregated by designated market area, city, sub-city unit, or at the individual subscriber level, and separately stated for video, voice and Internet services that is further broken down by month, year or several years, including budget information for 2010 information.
- B. *Bloomberg's Advertising Revenue Data.* Information relating to advertising revenue that discloses the net advertising revenue for Bloomberg that (i) is disaggregated by source and by year, and (ii) discloses the relative values of advertising revenues generated by a viewer of Bloomberg programming from an online source compared to other sources.
- C. *Bloomberg's Advertising Sales, Financial and Operating Results.* Detailed information regarding advertising revenues and expenses, including expenses relating to the development of advanced advertising platforms, disaggregated by business unit and type of expense.
- D. *Bloomberg's Carriage Agreement Terms and Conditions.* Information relating to the details of video programming and carriage agreements, programming rights, retransmission agreements, linear carriage agreements, video-on-demand agreements, and online distribution agreements, including information regarding the details of the negotiation for such agreements; analyses of such agreements or negotiations.
- E. *Bloomberg's Current and Forward-Looking Business Strategies and Plans.* Detailed information relating to Bloomberg's current and forward-looking business strategies and marketing plans.

Accordingly, based on the representations made by you and to the extent that the information, data or documents (or portions thereof) both (a) contain Highly Confidential Information, as defined in the *Second Protective Order*², and (b) contain information of the type described herein, then such information and documents (or portions thereof) may be designated and submitted as "Highly Confidential" under the *Second Protective Order*.

Sincerely,

William T. Lake
Chief, Media Bureau

² "Highly Confidential Information" means information contained in Stamped Highly Confidential Documents or derived therefrom that is not otherwise available from public sources, that the Submitting Party has kept strictly confidential, and that the Submitting Party claims, constitutes some of its most sensitive business data which, if released to competitors, would allow those competitors to gain a significant advantage in the marketplace. See *Second Protective Order* at para 5.