

August 17, 2010

Janet Fitzpatrick Moran
Direct Tel.: 202-457-5668
Direct Fax: 202-457-6482
jmoran@pattonboggs.com

William T. Lake
Chief, Media Bureau
Federal Communications Commission
445 12th 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 Enhanced Confidential Treatment

Dear Mr. Lake:

On June 21, 2010, Bloomberg, L.P. (“Bloomberg”) submitted a request that the Media Bureau grant highly confidential treatment under the Second Protective Order¹ to certain information and documents to be submitted to the Commission as part of Bloomberg’s Petition to Deny. The Media Bureau granted Bloomberg’s request on June 23, 2010.²

Bloomberg intends to submit a Reply in the above-referenced proceeding on August 19, 2010 (the “Reply”), which contains information in the same categories to which the Media Bureau previously granted highly confidential treatment. Bloomberg, therefore, pursuant to Section 1.41 of the Commission’s rules³ and the Second Protective Order in the above-referenced proceeding (“Merger”), submits this letter to request enhanced confidential treatment such information and documents to be submitted to the Commission as part of Bloomberg’s

¹ Applications of Comcast Corp., General Electric Co. and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licensees, Second Protective Order, 25 FCC Rcd 2140 (2010) (“Second Protective Order”).

² Applications of Comcast Corp., General Electric Co. and NBC Universal, Inc. for Consent to Assign Licenses or Transfer Control of Licensees, Letter, DA 10-1126 (June 23, 2010).

³ 47 C.F.R. § 1.41.

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Reply.⁴ As set forth below and in Bloomberg's previous request of June 21, 2010, Bloomberg's information falls within existing categories of information, to which the Media Bureau has afforded enhanced confidential treatment in this proceeding.

All of the information and documents for which highly confidential treatment is sought include some of Bloomberg's most sensitive business information. It is information that Bloomberg usually does not disclose and is the type of information that the Commission has previously afforded heightened confidential treatment. Disclosure of this material to Bloomberg's competitors in this proceeding would have a serious negative effect on Bloomberg's business and would place Bloomberg at a significant competitive disadvantage. Therefore, Bloomberg requests that the Commission confirm that the categories of information and documents identified below may be designated as "Highly Confidential Information" under the Second Protective Order and thereby made available solely to Outside Counsel of Record, their employees, and bona fide Outside Consultants and experts.

Bloomberg seeks enhanced protection for the following information that falls into categories of information and documents that the Commission has already established for Comcast and/or NBCU as receiving enhanced protection under the Second Protective Order:

A. *Bloomberg's Detailed Financial Data*

In the Second Protective Order, the Commission granted enhanced protection for Comcast's and NBC's detailed financial data, including:

Comcast's Detailed Financial Data. Cost and revenue data, disaggregated by designated market area ("DMA"), 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;....⁵

In its Reply and the rebuttal economic report Bloomberg intends to file with its Reply, Bloomberg intends to disclose detailed financial information of the nature defined above. Therefore, Bloomberg requests that the Commission determine that the financial information

⁴ Bloomberg notes that this request is not duplicative of and does not address the categories of information subject to the request that it submitted on August 9, 2010. This request pertains solely to those categories of information, for which the Media Bureau has previously afforded highly confidential treatment.

⁵ Second Protective Order ¶6.

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included in Bloomberg's Reply and rebuttal economic report may be treated as "Highly Confidential Information".

B. Bloomberg's Advertising Revenue Data

In the Second Protective Order, the Commission granted enhanced protection for Comcast's detailed financial data, including:

NBCU's Advertising Revenue Data. Information relating to advertising revenue that (i) discloses an individual NBC owned and operated station's net advertising revenue, (ii) discloses the net advertising revenue for the NBC Network only, disaggregated by source (i.e., solely the advertising revenue, excluding syndicated programming or other licensing fees) and by year, and (iii) discloses the relative values of advertising revenues generated by a viewer of NBC programming from an online source compared to an NBC owned and operated television station.⁶

In its Reply and the rebuttal economic report, Bloomberg intends to disclose detailed advertising revenue information of the nature defined above. Therefore, Bloomberg requests that the Commission determine that the revenue information included in Bloomberg's Reply and rebuttal economic report may be treated as "Highly Confidential Information".

C. Bloomberg's Advertising Sales, Financial and Operating Results

In the Second Protective Order, the Commission granted enhanced protection for Comcast's advertising sales, financial and operating results, including:

Comcast 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.⁷

In its Reply and the rebuttal economic report, Bloomberg intends to disclose detailed advertising revenue information of the nature defined above. Therefore, Bloomberg requests that the Commission determine that the advertising revenue information included in Bloomberg's Reply and rebuttal economic report may be treated as "Highly Confidential Information."

⁶ Id.

⁷ Id.

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In its Reply and the rebuttal economic report, Bloomberg intends to disclose detailed advertising sales, financial and operating results of the nature defined above. Therefore, Bloomberg requests that the Commission determine that the advertising sales, financial and operating results information included in Bloomberg's rebuttal economic report may be treated as "Highly Confidential Information".

D. Bloomberg's Carriage Agreement Terms and Conditions:

By the terms of the April 30 Supplement, the Commission granted enhanced protection for Comcast's video programming and carriage agreement terms and conditions, including:

[i]nformation 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.⁸

In its Reply and the rebuttal economic report, Bloomberg intends to disclose details of terms and conditions of their carriage agreements, affiliation agreements, and distribution agreements. Therefore, Bloomberg requests that the Commission determine that the information pertaining to Bloomberg carriage agreements included in Bloomberg's Reply and rebuttal economic report may be treated as "Highly Confidential Information".

E. Bloomberg's Current and Forward-Looking Business Strategies and Plans:

By the terms of the April 30 Supplement, the Commission granted enhanced protection for Comcast's current and forward-looking business strategies and plans, including:

[i]nformation relating to current and forward-looking business strategies and marketing plans, including detailed business models, projections and plans relating to the proposed Comcast-NBCU joint venture.⁹

In its Reply and the rebuttal economic report, Bloomberg intends to disclose details of their current and forward-looking business strategies and plans, including projections and plans

⁸ Letter from William T. Lake, Chief, Media Bureau, to Michael H. Hammer, Willkie Farr & Gallagher LLP, A. Richard Metzger, Jr., Lawler, Metzger, Kenney & Logan, LLC, David H. Solomon, Wilkinson Barker Knauer, LLP, Dated Apr. 30, 2010, in MB Docket No. 10-56.

⁹ Id.

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relating to the proposed Comcast-NBCU joint venture. Therefore, Bloomberg requests that the Commission determine that the information pertaining to Bloomberg carriage agreements included in Bloomberg's Reply and rebuttal economic report may be treated as "Highly Confidential Information".

If there are any questions regarding this matter, please contact the undersigned at (202) 457-5668 or by email at jmoran@pattonboggs.com.

Respectfully yours,



Janet Fitzpatrick Moran

cc: John Flynn
Judith Herman
Jessica Almond
Daniel Shiman
Virginia Metallo
William Beckwith
Paul de Sa
Donald Stockdale
Erin McGrath
William Freedman
Deborah Broderon
Stacy Jordan
Jim Bird
Best Copy and Printing, Inc.