Before the
Federal Communications Commission
Washington, D.C.

In the Matter of	)	
	)	
GAME SHOW NETWORK, LLC,	)	MB Docket No. 12-122
Complainant,	)	File No. CSR-8529-P
	)	
v.	)	
	)	
CABLEVISION SYSTEMS CORP.,	)	
Defendant	)	

TO: The Commission

CABLEVISION SYSTEMS CORPORATION'S REQUEST FOR A PAGE LIMIT EXTENSION

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December 5, 2016

REQUEST FOR A PAGE LIMIT EXTENSION

Pursuant to Section 1.48(b) of the Commission's Rules, 47 C.F.R. § 1.48(b), Cablevision Systems Corporation ("Cablevision") respectfully requests permission to file a 40-page brief in support of its exceptions to Chief Administrative Law Judge Sippel's initial decision in this proceeding.[1] Cablevision has conferred with Game Show Network, LLC ("GSN"), which does not oppose this request provided that it is afforded the same page limit for its opposition.

The parties in this proceeding have generated an extensive evidentiary record during more than five years of litigation, culminating in a hearing from July 7, 2015 through July 20, 2015. At the hearing, the parties presented live testimony from twelve witnesses and submitted over one thousand exhibits.[2] The parties then submitted hundreds of pages of proposed findings of fact and conclusions of law. More than a year after closing arguments, Judge Sippel released the 65-page Initial Decision, which includes 534 footnotes.

The Initial Decision presents numerous complex factual and legal questions, including: (1) the proper standard for direct evidence of discrimination in program carriage proceedings, (2) the Presiding Judge's failure to consider many of the factors the Commission has previously identified as relevant evidence in circumstantial discrimination cases, (3) the proper application of the D.C. Circuit's holding in *Comcast Cable Communications, LLC* v. *FCC*, 717 F.3d 982 (D.C. Cir. 2013) ("*Tennis Channel*"), (4) the proper standard to apply when assessing whether a complainant has been unreasonably restrained from fair competition in the national market for video programming distribution, and (5) the Presiding Judge's failure to

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[1] *Game Show Network, LLC* v. *Cablevision Sys. Co.*, Initial Decision of Chief Administrative Law Judge Richard L. Sippel, FCC 16D-1 (Nov. 23, 2016) ("Initial Decision"). Under Section 1.277 of the Commission's Rules, 47 C.F.R. § 1.277, exceptions are ordinarily limited to 25 pages.

[2] *See* Initial Decision ¶¶ 7–8.

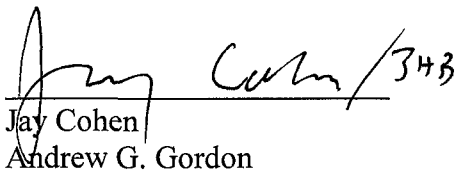
consider key evidence by making evidentiary rulings that, among other things, barred the presentation of video evidence of the actual programming on the networks at issue in this proceeding.

Cablevision believes that it will be difficult to comprehensively address these questions within the existing page limit and that an additional 15 pages of briefing for Cablevision's exceptions and any opposition thereto will facilitate the Commission's reasoned consideration of these questions in an efficient manner. Accordingly, while page limit extensions are not routinely granted, Cablevision respectfully submits that there is good cause for such an extension here.[3]

[3] *See* 47 C.F.R. § 1.48(b). In the *Tennis Channel* proceeding, the Commission granted a similar extension, noting that "[t]the factual and legal issues addressed by the ALJ's lengthy Initial Decision are numerous and involved, and the hearing record is unusually voluminous." *Tennis Channel, Inc.* v. *Comcast Cable Comm'ns, LLC*, Order, FCC 121-01, ¶ 2 (Jan. 13, 2012); *see also In re Connect America Fund, et al.,* 26 FCC Rcd. 19988, ¶ 4 (2011) (granting page limit extensions in light of the "length . . . and complexity of issues" in the underlying order).

Dated: December 5, 2016

Respectfully submitted,



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