

SPORTSMAN CHANNEL

September 29, 2014

ELECTRONIC COMMENT FILING SYSTEM

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: MB Docket No. 14-57--Applications of Comcast Corporation and Time Warner Cable, Inc. Charter Communications Inc. and SpinCo; MB-Docket No. 14-90--Applications of AT&T, Inc. and DIRECTV

Dear Ms. Dortch:

The Sportsman Channel, Inc. ("Sportsman") submits this response to the Media Bureau's ("Bureau") Public Notice regarding special procedures for the confidential review of affiliation agreements with multichannel video programming distributors ("MVPDs") produced in these proceedings. *Media Bureau Seeks Comment on Issues Raised by Certain Programmers and Broadcasters Regarding the Production of Certain Documents in Comcast-Time Warner Cable-Charter and AT&T-DIRECTV Transaction Proceedings*, MB Docket Nos. 14-57 & 14-90, DA 14-1383 (rel. Sept. 23, 2014) ("Public Notice").

Sportsman launched the Sportsman Channel in 2003, and it is now carried by cable, satellite, and telco MVPDs throughout the United States. The Sportsman Channel delivers entertaining and informative programming that embraces outdoor adventure, hunting, fishing, and shooting. It is a destination channel for America's sportsmen.

Sportsman has affiliation agreements with all of the parties to these proceedings. Those agreements were separately negotiated with sophisticated programming purchasers and comprise Sportsman's most-confidential documents. Sportsman believes that the confidentiality protections afforded by the current protective orders are inadequate to protect its commercially-sensitive agreements with these MVPDs. Sportsman respectfully requests that the Bureau accord its affiliation agreements enhanced protection by removing them from the public record in these proceedings and maintaining the agreements at the U.S. Department of Justice ("DOJ") for review by Commission staff.

Sportsman shares the views on confidentiality expressed by the "Content Companies" in their September 23, 2014 letter. *See* Letter of Mace Rosenstein to Marlene H. Dortch, MB Docket Nos. 14-57 & 14-90 (Sept. 23, 2014). These agreements contain highly-confidential terms and conditions of carriage for distribution of Sportsman Channel by each MVPD. Their disclosure would cause Sportsman significant commercial harm.

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Sportsman therefore requests that the Commission require the MVPD applicants to deliver the affiliation agreements being requested in these proceedings to DOJ, where they would be available for review by Commission staff. Sportsman agrees with the Content Companies that excluding these agreements from the documents produced in these proceedings is the most effective way to safeguard them from disclosure. The use of these procedures in the Comcast-NBC Universal merger proceeding demonstrate their effectiveness and workability. The "additional or different" procedures noted by the Bureau which continue third party access to affiliation agreements, such as making the affiliation agreements available at the offices of applicants' counsel or through a remote document review platform, will not provide the level of confidentiality protection required for these agreements.

If you have any questions regarding Sportsman's response to the Public Notice, please contact me.

Respectfully submitted



Gavin Harvey
Chief Executive Officer
The Sportsman Channel, Inc.

cc: Ms. Vanessa Lemme
Mr. Ty Bream
Mr. William Dever
Mr. Jim Bird
Best Copy and Printing, Inc.