

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

In the matter of Lifetime Entertainment Services, LLC	:	CG Docket No. 02-278
Petition for Declaratory Ruling	:	
	:	
	:	
Rules and Regulations Implementing the Telephone	:	
Consumer Protection Act of 1991	:	
	:	
	:	

**COMMENTS OF VINCENT LUCAS IN OPPOSITION**

If granted, the Lifetime petition would give the green light to cable channels to flood cable subscribers with a barrage of unsolicited, unwanted prerecorded messages promoting programming that the subscriber has no interest in. Such calls would be a nuisance and an invasion of privacy to most cable subscribers, and therefore I strongly oppose the Lifetime petition.

**I. THE PETITION WOULD LEAD TO AGGRESSIVE ADVERTISING CAMPAIGNS FROM CABLE CHANNELS**

Telephone advertising campaigns would be a very attractive option for many low-rated cable channels that are in dire need of viewers. The typical cable subscriber gets at least a hundred channels, yet only regularly watches a handful. Even the highest ranked cable channels get less than 2% of average audience viewership during primetime. See Exhibit.<sup>1</sup> Most cable channels do far, far worse. Only the top ten cable channels get 1% or better. Thus, many cable channels are struggling to find viewers, and one can expect that if the Commission gives approval to Lifetime's petition, many cable channels will start aggressive telephone advertising campaigns to increase their audience.

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<sup>1</sup> The Exhibit was obtained from a second-hand source which appears reliable.

## II. LIFETIME'S CALLS WERE MADE FOR A COMMERCIAL PURPOSE AND WERE ADVERTISING

The wording of the Call makes clear that its purpose was to encourage recipients to watch “Project Runway.”

Lifetime’s petition reveals that Lifetime’s calls were made for a commercial purpose. “Lifetime earns its revenues by charging carriage fees to distributors (cable, satellite, and telephone companies) for the right to distribute Lifetime’s signal to their subscribers and by selling air time to advertisers.” Petition at 13. Lifetime’s call was designed to increase viewership for “Project Runway”, which increases Lifetime’s revenues in two ways. (1) Increased viewership allows Lifetime to negotiate increased carriage fees from distributors to carry its signal. Cable viewers ultimately pay for these increased carriage fees in their monthly cable bill. (2) Increased viewership allows Lifetime to charge its advertisers more to carry advertisements. Therefore, the calls directly serve Lifetime’s goal of increasing its revenues and therefore the calls were made for a commercial purpose.

The calls were also advertising. “The term advertisement means any material advertising the commercial availability or quality of any property, goods, or services.” 47 C.F.R. § 64.1200(f)(1). The calls advertised the availability of Lifetime’s service, particularly its “Project Runway” show. Moreover, a typical layperson would view such telephone calls as advertisements, just like any other advertisement promoting some good or service.

The calls are also advertisements because they serve as a reminder of the programming that the consumer would miss if the consumer does not pay his/her monthly cable bill<sup>2</sup>. Part of that revenue is used by the cable distributor to pay Lifetime’s carriage fees. Most cable

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<sup>2</sup> The same applies to satellite or any other medium in which the consumer pays for programming

subscribers renew their service on a month-to-month basis<sup>3</sup>. *By encouraging the consumer to view cable programming, the calls encourage the consumer to renew his/her cable subscription.*

### III. THE CALLS ADVERSELY AFFECT THE PRIVACY RIGHTS THAT THE TCPA WAS INTENDED TO PROTECT

47 U.S.C. § 227(b)(2)(B) authorizes this Commission to exempt only calls made for commercial purposes that “will not adversely affect the privacy rights that this section is intended to protect and do not include the transmission of any unsolicited advertisement.” (Emphasis added). In enacting the TCPA, the Congress specifically found

(10) Evidence compiled by Congress indicates that residential telephone subscribers consider automated or prerecorded telephone calls, regardless of the content or the initiator of the message, to be a nuisance and an invasion of privacy.

\* \* \*

(12) Banning such automated or prerecorded telephone calls to the home, except when the receiving party consents to receiving the call or when such calls are necessary in an emergency situation affecting the health and safety of the consumer, is the only effective means of protecting telephone consumers from this nuisance and privacy invasion.

Public Law 102-243, Dec. 20, 1991, Sec. 2 (emphasis added).

If this Commission grants Lifetime’s petition, cable subscribers can expect to get inundated with nuisance telephone calls promoting programming that the subscriber has no interest in. The devotedly religious may get calls encouraging them to tune in to watch the sexual exploits of the Jersey Shore cast. Cultured people may get calls telling them about Honey Boo Boo and the Kardashians. Feminists may get calls about the Andrew Dice Clay marathon on the Hustler channel. Animal lovers may get calls telling them about many rabbits and deer

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<sup>3</sup> Even those locked into a contract often have the option to cancel each month if they pay an early termination fee.

they can see get bagged on the Hunt and Kill channel. There is no rational reason to believe that consumers would consider prerecorded telephone calls promoting television programming to be less of the nuisance and invasion of privacy than any other advertising call. I would prefer to get calls about just about any “as sold on TV” product than get calls about the Kardashians. The Lifetime petition does not even give consumers the option to opt-out of receiving such calls. The only option that a consumer has to stop receiving such calls would be to cancel their cable service.

Because the calls adversely affect the privacy rights the TCPA was designed to protect, Lifetime is asking for relief that Congress did not authorize this Commission to grant.

#### IV. LIFETIME’S CALLS ARE DISTINGUISHABLE FROM CALLS FROM FREE BROADCAST CHANNELS

Calls from pay channels where the recipient is already a subscriber are distinguishable from calls from free broadcast channels because pay-channel calls serve to encourage the recipient to continue his subscription, which is often renewed on a monthly basis.

In addition, at least with free broadcast channels, the calls are limited to the channels within the broadcast range of the recipient. By contrast, Lifetime’s petition would subject subscribers to calls from typically over a hundred channels.

#### V. SUBSCRIBING TO CABLE IS NOT AN OPT-IN FOR RECEIVING ADVERTISING CALLS

Under the Lifetime petition, a subscription to cable is a forced opt-in to receive prerecorded telephone advertisements for programming.<sup>4</sup> Lifetime apparently admits such advertisements would be illegal if it were not for the recipient's cable subscription. Making a cable subscription serve as an opt-in goes against this Commission's rules for opt-ins to prerecorded messages. Under this Commission's rules, subscribing to a service is not an automatic opt-in to pre-recorded telephone advertisements. Instead, the advertiser must obtain prior express written consent, 47 C.F.R. § 64.1200(a)(3), which clearly and conspicuously authorizes the advertiser to make prerecorded calls, 47 C.F.R. § 64.1200(f)(8). Lifetime did not obtain such consent.

## VI. A RETROACTIVE WAIVER SHOULD NOT BE GRANTED

### A. This Commission's prior orders made clear that no exemption has been granted for calls from for-pay channels

Prerecorded messages to residential landlines are prohibited unless an exemption has been granted. 47 U.S.C. § 227(b)(1)(B). The 2005 TCPA Order (FCC 05-28) ¶ 42 says

We also noted, however, that if the message encourages consumers to listen to programming that is retransmitted programming for which consumers must pay (e.g., cable, digital satellite, etc.), such messages would be considered "unsolicited advertisements" for purposes of our rules. Such message would be part of an overall marketing campaign to encourage the purchase of goods or services or that describe the commercial availability of quality of any goods or services and would be "unsolicited advertisements" as defined by the TCPA.

(footnotes omitted). The passage makes clear that an exemption has not been granted to for-pay programming. No reasonable person reading this could conclude that an exemption had been granted for calls from cable channels.

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<sup>4</sup> And the only way to opt-out is to cancel cable service.

B. Companies should obtain exemptions before making potentially violating calls, rather than seeking a waiver after violating the TCPA

Seeking a waiver after the fact clogs the courts with litigation that would not have occurred if an exemption had been obtained first. The courts are further clogged by the stay of court proceedings that such defendants inevitably seek while their petition is pending. Such piecemeal waivers go against the notion that our nation is a “government of laws, not men”.

## VII. MY INTEREST IN THIS PETITION

I am not a subscriber to any for-pay programming and I have no financial interest in the outcome of this petition. However, I would like to be free to subscribe to for-pay programming without the fear of being bombarded with advertising for programming that I have no interest in.

## CONCLUSION

Granting this petition would adversely affect the privacy rights that the TCPA was designed to protect. Therefore, the petition seeks relief not authorized by Congress and should be denied.

Respectfully submitted,

Vincent Lucas

**PUBLIC LAW 102-243—DEC. 20, 1991**

**TELEPHONE CONSUMER PROTECTION ACT  
OF 1991**

Public Law 102-243  
102d Congress

An Act

Dec. 20, 1991  
[S. 1462]

To amend the Communications Act of 1934 to prohibit certain practices involving the use of telephone equipment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Telephone  
Consumer  
Protection Act of  
1991.  
47 USC 609 note.  
47 USC 227 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Telephone Consumer Protection Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that:

(1) The use of the telephone to market goods and services to the home and other businesses is now pervasive due to the increased use of cost-effective telemarketing techniques.

(2) Over 30,000 businesses actively telemarket goods and services to business and residential customers.

(3) More than 300,000 solicitors call more than 18,000,000 Americans every day.

(4) Total United States sales generated through telemarketing amounted to \$435,000,000,000 in 1990, a more than four-fold increase since 1984.

(5) Unrestricted telemarketing, however, can be an intrusive invasion of privacy and, when an emergency or medical assistance telephone line is seized, a risk to public safety.

(6) Many consumers are outraged over the proliferation of intrusive, nuisance calls to their homes from telemarketers.

(7) Over half the States now have statutes restricting various uses of the telephone for marketing, but telemarketers can evade their prohibitions through interstate operations; therefore, Federal law is needed to control residential telemarketing practices.

(8) The Constitution does not prohibit restrictions on commercial telemarketing solicitations.

(9) Individuals' privacy rights, public safety interests, and commercial freedoms of speech and trade must be balanced in a way that protects the privacy of individuals and permits legitimate telemarketing practices.

(10) Evidence compiled by the Congress indicates that residential telephone subscribers consider automated or prerecorded telephone calls, regardless of the content or the initiator of the message, to be a nuisance and an invasion of privacy.

(11) Technologies that might allow consumers to avoid receiving such calls are not universally available, are costly, are unlikely to be enforced, or place an inordinate burden on the consumer.

(12) Banning such automated or prerecorded telephone calls to the home, except when the receiving party consents to receiving the call or when such calls are necessary in an emergency

situation affecting the health and safety of the consumer, is the only effective means of protecting telephone consumers from this nuisance and privacy invasion.

(13) While the evidence presented to the Congress indicates that automated or prerecorded calls are a nuisance and an invasion of privacy, regardless of the type of call, the Federal Communications Commission should have the flexibility to design different rules for those types of automated or prerecorded calls that it finds are not considered a nuisance or invasion of privacy, or for noncommercial calls, consistent with the free speech protections embodied in the First Amendment of the Constitution.

(14) Businesses also have complained to the Congress and the Federal Communications Commission that automated or prerecorded telephone calls are a nuisance, are an invasion of privacy, and interfere with interstate commerce.

(15) The Federal Communications Commission should consider adopting reasonable restrictions on automated or prerecorded calls to businesses as well as to the home, consistent with the constitutional protections of free speech.

### SEC. 3. RESTRICTIONS ON THE USE OF TELEPHONE EQUIPMENT.

(a) AMENDMENT.—Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) is amended by adding at the end the following new section:

#### “SEC. 227. RESTRICTIONS ON THE USE OF TELEPHONE EQUIPMENT.

47 USC 227.

“(a) DEFINITIONS.—As used in this section—

“(1) The term ‘automatic telephone dialing system’ means equipment which has the capacity—

“(A) to store or produce telephone numbers to be called, using a random or sequential number generator; and

“(B) to dial such numbers.

“(2) The term ‘telephone facsimile machine’ means equipment which has the capacity (A) to transcribe text or images, or both, from paper into an electronic signal and to transmit that signal over a regular telephone line, or (B) to transcribe text or images (or both) from an electronic signal received over a regular telephone line onto paper.

“(3) The term ‘telephone solicitation’ means the initiation of a telephone call or message for the purpose of encouraging the purchase or rental of, or investment in, property, goods, or services, which is transmitted to any person, but such term does not include a call or message (A) to any person with that person’s prior express invitation or permission, (B) to any person with whom the caller has an established business relationship, or (C) by a tax exempt nonprofit organization.

“(4) The term ‘unsolicited advertisement’ means any material advertising the commercial availability or quality of any property, goods, or services which is transmitted to any person without that person’s prior express invitation or permission.

#### “(b) RESTRICTIONS ON THE USE OF AUTOMATED TELEPHONE EQUIPMENT.—

“(1) PROHIBITIONS.—It shall be unlawful for any person within the United States—

“(A) to make any call (other than a call made for emergency purposes or made with the prior express consent of

M-Su 8p-11p

M-Su 6a-6a

M-Su 7p-11p

Rank	Net	Dur	HHL	HLD	P2+	Rank	Net	Dur	HHL	HLD	P2+	Rank	Net	Dur	HHL	HLD	P2+
			CVG AA%	AA (000)	AA (000)				CVG AA%	AA (000)	AA (000)				CVG AA%	AA (000)	AA (000)
1	FOX NEWS CHANNEL	5040	1.9	1,714	2,220	1	FOX NEWS CHANNEL	40320	1.2	1,102	1,335	1	FOX NEWS CHANNEL	6720	1.8	1,674	2,157
2	USA NETWORK	5040	1.4	1,294	1,720	2	NICKLEODEON	23520	0.9	843	1,209	2	USA NETWORK	6720	1.3	1,243	1,640
3	HOME AND GARDEN TV	5040	1.4	1,278	1,674	3	ADULT SWIM	16800	0.9	829	1,053	3	HOME AND GARDEN TV	6720	1.3	1,211	1,584
4	CNN	5040	1.3	1,217	1,614	4	HOME AND GARDEN TV	35880	0.8	767	948	4	NICKLEODEON	3360	1.1	980	1,449
5	AMC	5040	1.1	1,029	1,495	5	USA NETWORK	40320	0.8	745	920	5	CNN	6720	1.2	1,092	1,431
6	TBS NETWORK	5040	1.2	1,090	1,431	6	TURNER NETWORK TELEVISION	40320	0.7	660	817	6	AMC	6720	1.0	938	1,347
7	TURNER NETWORK TELEVISION	5040	1.1	1,042	1,400	7	THE CARTOON NETWORK	23520	0.7	609	814	7	TURNER NETWORK TELEVISION	6720	1.1	998	1,337
8	DISCOVERY CHANNEL	5040	1.0	942	1,296	8	NICK-AT-NITE	16800	0.7	618	781	8	TBS NETWORK	6720	1.1	1,005	1,319
9	ESPN	5040	1.1	960	1,262	9	CNN	40320	0.6	605	732	9	ESPN	6720	1.0	905	1,186
10	HISTORY	5040	0.9	883	1,184	10	INVESTIGATION DISCOVERY	40320	0.7	614	713	10	DISCOVERY CHANNEL	6720	0.9	851	1,169
11	FX	5040	0.9	832	1,149	11	AMC	36720	0.5	486	640	11	HISTORY	6720	0.9	825	1,105
12	ADULT SWIM	5040	0.8	785	1,044	12	ESPN	40320	0.6	511	631	12	FX	6720	0.9	789	1,089
13	FOOD NETWORK	5040	0.8	731	976	13	TBS NETWORK	40320	0.5	482	607	13	ADULT SWIM	5040	0.8	785	1,044
14	MSNBC	5040	0.8	772	968	14	HISTORY	34080	0.5	472	594	14	MSNBC	6720	0.8	750	933
15	INVESTIGATION DISCOVERY	5040	0.9	794	955	15	FOOD NETWORK	33480	0.5	476	592	15	FOOD NETWORK	6720	0.7	695	928
16	LIFETIME TELEVISION	5040	0.7	677	897	16	DISCOVERY CHANNEL	30240	0.5	451	591	16	INVESTIGATION DISCOVERY	6720	0.9	760	912
17	TLC	5040	0.7	680	849	17	FX	35040	0.5	426	555	17	NICK-AT-NITE	3360	0.7	598	825
18	NICK-AT-NITE	3360	0.7	598	825	18	MSNBC	40320	0.5	448	524	18	LIFETIME TELEVISION	6720	0.7	609	804
19	A&E NETWORK	5040	0.6	598	782	19	A&E NETWORK	34080	0.4	388	488	19	TLC	6720	0.7	625	781
20	HALLMARK CHANNEL	5040	0.7	629	774	20	HALLMARK CHANNEL	40320	0.5	418	488	20	HALLMARK CHANNEL	6720	0.7	591	729
21	SPIKE TV	5040	0.6	537	735	21	TV LAND	36720	0.4	399	481	21	A&E NETWORK	6720	0.6	554	725
22	BRAVO	5040	0.6	528	651	22	LIFETIME TELEVISION	32400	0.4	347	445	22	SPIKE TV	6720	0.6	519	710
23	TV LAND	5040	0.6	516	635	23	SPIKE TV	31920	0.4	336	437	23	TV LAND	6720	0.6	518	644
24	ABC FAMILY	5040	0.5	459	633	24	TLC	33840	0.4	361	433	24	ABC FAMILY	6720	0.5	448	621
25	VH1	5040	0.5	430	573	25	NICK JR	40320	0.4	262	386	25	BRAVO	6720	0.5	462	568
26	SYFY	5040	0.5	429	567	26	ABC FAMILY	31440	0.3	274	364	26	NICK JR	6720	0.5	372	568
27	ANIMAL PLANET	5040	0.5	426	562	27	ANIMAL PLANET	35280	0.3	281	349	27	SYFY	6720	0.5	416	551
28	NICK JR	5040	0.5	355	534	28	LIFETIME MOVIE NETWORK	36960	0.3	278	347	28	ANIMAL PLANET	6720	0.4	407	539
29	MTV	5040	0.4	383	524	29	GSN	33120	0.3	268	344	29	VH1	6720	0.4	393	526
30	COMEDY CENTRAL	5040	0.4	389	523	30	HALLMARK MOVIES & MYSTERIES	40320	0.5	299	340	30	E!	6720	0.4	408	521
31	LIFETIME MOVIE NETWORK	5040	0.5	376	489	31	COMEDY CENTRAL	34080	0.3	257	328	31	COMEDY CENTRAL	6720	0.4	379	509
32	OPRAH WINFREY NETWORK	5040	0.5	381	486	32	HLN	40320	0.3	275	328	32	MTV	6720	0.4	366	501
33	E!	5040	0.4	371	478	33	BLACK ENTERTAINMENT TV	32400	0.3	250	326	33	LIFETIME MOVIE NETWORK	6720	0.5	367	478
34	BLACK ENTERTAINMENT TV	5040	0.4	357	477	34	SYFY	40320	0.3	251	316	34	BLACK ENTERTAINMENT TV	6720	0.4	353	473
35	TRAVEL CHANNEL	5040	0.4	343	461	35	MTV	34560	0.3	237	307	35	GSN	6720	0.4	342	462
36	WETV	5040	0.4	355	449	36	VH1	40320	0.2	221	292	36	TRAVEL CHANNEL	6720	0.4	329	442
37	INSP	5040	0.4	336	449	37	E!	35280	0.3	235	289	37	INSP	6720	0.4	322	425
38	HALLMARK MOVIES & MYSTERIES	5040	0.6	360	436	38	WETV	31920	0.3	233	287	38	WETV	6720	0.4	333	422
39	GSN	5040	0.4	322	430	39	TRAVEL CHANNEL	32880	0.2	221	282	39	HALLMARK MOVIES & MYSTERIES	6720	0.5	345	419
40	CNBC	5040	0.3	312	418	40	INSP	40320	0.3	214	276	40	OPRAH WINFREY NETWORK	6720	0.4	328	417
41	NATIONAL GEOGRAPHIC CHNL	5040	0.3	297	399	41	BRAVO	36960	0.2	218	262	41	NATIONAL GEOGRAPHIC CHNL	6720	0.3	285	384
42	HLN	5040	0.3	300	367	42	WGN AMERICA	33840	0.3	197	246	42	TRUTV	6720	0.3	247	352
43	TRUTV	5040	0.3	257	366	43	NATIONAL GEOGRAPHIC CHNL	35280	0.2	185	237	43	HLN	6720	0.3	285	351
44	SCIENCE	5040	0.4	269	362	44	SCIENCE	40320	0.3	187	234	44	SCIENCE	6720	0.4	259	348
45	FXX	5040	0.3	247	338	45	ESPN2	40320	0.2	190	230	45	CNBC	6720	0.3	260	347
46	FOX SPORTS 1	5040	0.3	245	336	46	H2	34080	0.3	187	225	46	FOX SPORTS 1	6720	0.3	250	340
47	H2	5040	0.4	259	326	47	OPRAH WINFREY NETWORK	40320	0.2	187	225	47	FXX	6720	0.3	241	332
48	ESPN2	5040	0.3	245	321	48	TRUTV	31440	0.2	170	224	48	ESPN2	6720	0.3	243	318
49	WGN AMERICA	5040	0.3	234	304	49	THE WEATHER CHANNEL	40320	0.2	180	212	49	H2	6720	0.4	248	313
50	NAT GEO WILD	5040	0.4	209	284	50	FXX	33120	0.2	139	184	50	WGN AMERICA	6720	0.3	227	293
51	CMT	5040	0.2	198	275	51	FOX SPORTS 1	40320	0.2	133	174	51	CMT	6720	0.2	203	283
52	THE WEATHER CHANNEL	5040	0.2	196	249	52	CNBC	40320	0.2	141	170	52	NAT GEO WILD	6720	0.3	192	260
53	NBC SPORTS NETWORK	5040	0.2	180	248	53	NICKTOONS	40320	0.2	118	164	53	THE WEATHER CHANNEL	6720	0.2	186	236
54	NICKTOONS	5040	0.2	154	218	54	BOOMERANG	40320	0.2	108	152	54	NBC SPORTS NETWORK	6720	0.2	162	221
55	DIY NETWORK	5040	0.3	160	217	55	NAT GEO WILD	33600	0.2	119	151	55	NICKTOONS	6720	0.2	146	208
56	OXYGEN MEDIA	5040	0.2	168	207	56	TEENICK	40320	0.2	116	149	56	TEENICK	6720	0.2	148	206
57	TV ONE	5040	0.3	165	207	57	SPROUT	40320	0.2	108	143	57	DIY NETWORK	6720	0.2	149	203
58	BBC-AMERICA	5040	0.2	154	201	58	CMT	40320	0.1	111	142	58	BBC-AMERICA	6720	0.2	154	201
59	VELOCITY	5040	0.2	148	193	59	MTV2	33120	0.1	109	139	59	OXYGEN MEDIA	6720	0.2	157	194
60	TEENICK	5040	0.2	138	192	60	DIY NETWORK	35280	0.2	108	138	60	TV ONE	6720	0.3	154	194
61	UNIVISION DEPORTES	5040	0.3	121	186	61	OXYGEN MEDIA	34320	0.1	109	131	61	POP	6720	0.2	158	194
62	BOOMERANG	5040	0.3	122	179	62	BBC-AMERICA	40320	0.1	105	129	62	VELOCITY	6720	0.2	142	184
63	DESTINATION AMERICA	5040	0.2	135	178	63	AMERICAN HEROES CHANNEL	40320	0.2	102	120	63	SPROUT	6720	0.2	134	184
64	IFC TV	5040	0.2	133	177	64	VELOCITY	40320	0.1	96	119	64	BOOMERANG	6720	0.3	122	182
65	REELZCHANNEL	5040	0.2	138	176	65	GOLF CHANNEL	40320	0.1	95	114	65	UNIVISION DEPORTES	6720	0.2	116	176
66	SPROUT	5040	0.2	131	176	66	NFL NETWORK	40320	0.1	90	113	66	IFC TV	6720	0.2	131	173
67	SUNDANCE TV	5040	0.2	135	175	67	TV ONE	40320	0.2	92	113	67	GALAVISION	6720	0.2	101	170
68	AMERICAN HEROES CHANNEL	5040	0.2	140	174	68	ESQUIRE NETWORK	35280	0.1	86	110	68	DESTINATION AMERICA	6720	0.2	127	168
69	GALAVISION	5040	0.2	103	172	69	IFC TV	40320	0.1	82	102	69	SUNDANCE TV	6720	0.2	129	168
70	MTV2	5040	0.2	130	171	70	REELZCHANNEL	30960	0.1	80	99	70	AMERICAN HEROES CHANNEL	6720	0.2	135	167
71	FYI	5040	0.2	128	169	71	NBC SPORTS NETWORK	40320	0.1	75	98	71	REELZCHANNEL	6720	0.2	131	166
72	POP	5040	0.2	120	153	72	SUNDANCE TV	40320	0.1	77	96	72	MTV2	6720	0.2	125	164
73	NFL NETWORK	5040	0.2	117	152	73	FX MOVIE CHANNEL	21840	0.1	70	93	73	ESQUIRE NETWORK	6720	0.2	121	160
74	ESQUIRE NETWORK	5040	0.2	109	147	74	DESTINATION AMERICA	40320	0.1	74	93	74	NFL NETWORK	6720	0.2	119	153
75	FX MOVIE CHANNEL	5040	0.2	96	136	75	FOX BUSINESS NETWORK	31680	0.1	74	89	75	FYI	6720	0.2	116	152
76	NBA-TV	5040	0.2	105	132	76	COOKING CHANNEL	35280	0.1	64	82	76	GOLF CHANNEL	6720	0.1	105	130
77	GOLF CHANNEL	5040	0.1	103	130	77	FYI	34080	0.1	61	77	77	FX MOVIE CHANNEL	6720	0.2	92	129
78	RFD-TV	5040	0.2	91	130	78	GALAVISION	40320	0.1	50	73	78	RFD-TV	6720	0.2	86	124
79	DISCOVERY FAMILY CHANNEL	5040	0.1	81	119	79	POP	40320	0.1	61	75						