

October 23, 2003

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

**Re: *Ex Parte*: In the Matter of Carriage of Digital Television Broadcast Signals,  
CS Dkt. Nos. 98-120, 00-96.**

Dear Ms. Dortch:

On October 22, 2003, Mike Nagle, Director of Cable and Satellite Distribution and Advanced Products for Bloomberg Television, Greg Babyak, Director of Federal Affairs for Bloomberg L.P., Tim Bellamy, General Counsel for TechTV LLC, Frank Buono, Willkie Farr & Gallagher, and the undersigned met with the following Commission staff to discuss issues relating to the digital must-carry proceeding: Johanna Mikes, Legal Advisor to Commissioner Adelstein; Stacy Fuller, Legal Advisor to Commissioner Abernathy; Bill Johnson, Mary Beth Murphy, and Ben Bartolome, Media Bureau; Jane Mago, Maureen McLaughlin, and Erin Boone, Office of Strategic Planning; and Joel Kaufman and Susan Aaron, Office of General Counsel.

Mr. Nagle, Mr. Babyak, Mr. Bellamy, and counsel urged the Commission to affirm its decisions in the *Digital Must-Carry Order* (FCC 01-22) with respect to dual must-carry and primary video and reject the “either-or” must-carry proposal, and raised the points included in the attached materials.

Kindly direct any questions regarding this matter to my attention.

Sincerely,

/s/ Jonathan A. Friedman  
Jonathan A. Friedman  
Counsel for Bloomberg L.P. & TechTV

cc: Susan Aaron  
Ben Bartolome  
Erin Boone

Marlene H. Dortch

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Stacy Fuller

Bill Johnson

Joel Kaufman

Jane Mago

Maureen McLaughlin

Johanna Mikes

Mary Beth Murphy

Attachment

**THE COMMISSION SHOULD AFFIRM ITS DUAL MUST-CARRY  
AND PRIMARY VIDEO DECISIONS**

**I. EXPANDING DIGITAL MUST-CARRY TO INCLUDE MULTICAST SERVICES WOULD HARM NON-BROADCAST SERVICES AND CONSUMERS.**

**A. Analog Must-Carry *Already* Harms Services Like Bloomberg Television and TechTV.**

- In many markets, particularly the most important large markets, Bloomberg Television (“BTV”) and TechTV have been unable to obtain carriage at all on cable systems or have been denied carriage on the most widely subscribed analog cable tiers.
- Both BTV and TechTV have been told by MSOs that they have not been carried on certain systems as a result of the capacity constraints imposed by must-carry.

**B. Multicast Must-Carry Would Further Harm Services Like BTV and TechTV, As Well As Consumers.**

**1. Harm *During* the Digital Transition Period.**

- Multicast must-carry could raise substantial practical and capacity problems for cable operators. For example, Paxson has suggested that during the transition, cable operators should be required to downconvert its primary video service to analog and also carry all of its multicast services in digital.
- Under this proposal, cable operators would have to dedicate at least 50% more spectrum (*i.e.*, 6 MHz for the downconverted analog service + 3 MHz for the multicast services = 9 MHz) for each broadcaster’s services than they do for analog must-carry (6 MHz).
- A multicast carriage requirement might thus force cable operators with capacity constraints to drop existing non-broadcast services to make room for new digital broadcast services. Alternatively, a multicast carriage requirement could severely limit the ability of BTV, TechTV, and other non-broadcast programmers to increase their distribution.

**2. Harm *After* the Digital Transition Is Complete.**

- Even after all broadcast stations convert to digital, multicast must-carry would still significantly and unconstitutionally harm non-broadcast programmers.
- For example, BTV and TechTV deliver a signal to cable headends for carriage on a digital tier in the range of 2-5 megabits per second (Mbps). In comparison, digital broadcasters arguing for multicast must-carry rights are seeking carriage for the full *19.4 Mbps* payload that comprises their

digital signal. See *Digital Must-Carry Order* ¶ 71 & n.111. **In effect, broadcasters want four to nine times the amount of digital content delivered by non-broadcast services, such as BTV and TechTV.**

- What this means in terms of the *number of services* carried is that multicast must-carry would entitle each digital broadcaster to *guaranteed* carriage for *six or more* separate services (based on today's compression technology). Claims that, post-transition, multicast must-carry will impose *less* of a burden because broadcasters will only take up 3 MHz of cable system capacity as opposed to 6 MHz today are mixing apples and oranges. Post-transition, all measurements should be viewed in *Mbps*, not *MHz*, and, thus, affording broadcasters guaranteed carriage post-transition for the full 19.4 Mbps -- *i.e.*, six or more multicast services -- would impose far *greater* competitive harms on non-broadcast services like BTV and TechTV than currently exist under analog must-carry.
- 3. Broadcasters' Argument that Absent Multicast Must-Carry Cable Spectrum Would Lie Fallow is Incorrect.**
- Certain broadcasters have claimed that if a broadcaster delivers HDTV programming for part of the day and SDTV multicast services for other parts of the day, the spectrum that would have been occupied by such multicast services would lie fallow unless the cable operator carries *all* of the broadcasters' multicast services.
  - This claim is baseless. Technology already exists, from at least one company called BigBand, that allows cable systems to dynamically reallocate the spectrum that is unused during a multicast period. See <http://www.bigbandnet.com>. Comcast, Time Warner, and Cox have already deployed this technology in certain markets.

**II. THERE IS NO BASIS TO EXPAND BROADCASTERS' PRIVILEGED STATUS OVER NON-BROADCAST SERVICES LIKE BTV AND TECHTV THAT ARE DELIVERING HIGH-QUALITY DIVERSE PROGRAMMING.**

- BTV and TechTV have invested tens of millions of dollars to develop an innovative service that is very popular with a broad base of viewers. The non-broadcast programming industry generally spent over \$39 billion between 1997 and 2002 on original programming and program acquisition. See *Cable Pricing, Value and Costs*, NCTA White Paper (May 2003).
- Non-broadcast programmers like BTV and TechTV are leaders in providing news, public affairs, children's, sports, entertainment, and other public interest programming.
  - BTV is a leading source for financial and personal investment news coverage, providing continuous market coverage 24/7, including live evening and overnight reporting from Asia and Europe.
  - TechTV is often the sole source for unique coverage of technology-related news, public affairs, and entertainment.

- In short, there can be no legitimate argument that broadcasters somehow deserve expanded must-carry rights because they deliver uniquely important content. **This is particularly true given that broadcasters have consistently opposed government efforts to require them to (1) live up to their repeated promises to deliver HDTV content, and (2) embrace any public interest obligations in the digital realm in exchange for their privileged regulatory status (see attached chart on broadcasters' consistent opposition to any HDTV or public interest obligations).** See NAB Comments at 6 (Apr. 21, 2003) (“Given the speculative nature of the economic viability of multicasting services at this time, NAB advises the Commission to refrain from adopting rules imposing special public interest obligations on multicasting, until such services actually establish themselves in the marketplace.”).

### III. THE BEST WAY TO ACCELERATE THE DIGITAL TRANSITION IS TO ALLOW COMPETITION BETWEEN DIGITAL BROADCAST AND NON-BROADCAST SERVICES.

- If the Commission refrains from granting broadcasters more expansive must-carry privileges, broadcasters will, like every other non-broadcast programmer, be forced to develop high-quality digital programming in order to obtain carriage and compete more effectively.
- It is this incentive to create better digital programming, not a government guarantee of carriage *regardless* of program quality, that will motivate consumers to purchase DTV sets. As the Commission noted in its recent *Plug-and-Play Order*: “We believe that access to high value digital content will spur the transition and increase consumer demand for unidirectional digital cable products and other navigation devices at retail[.]” *Plug-and-Play Order*, FCC 03-225, ¶ 55 (2003).
- Absent such a competitive imperative to develop compelling digital content, must-carry stations like Paxson will continue to provide multiplexed programming that is mostly duplicative of their primary video offerings or long-form infomercials. In short, consumers would end up with less program diversity, less choice, and more commercials. See, e.g., Paxson 2002 Form 10-K at 3-6 (noting that Paxson increased its inventory of air time available for long form paid programming by approximately 42% by shifting 26.5 hours per week from network to paid programming). See also WCPX-DT Program Guide, available at <http://titantvguide.titantv.com/apg/grid.aspx?siteid=50624> (showing that Paxson's Chicago affiliate uses its multicast services to provide duplicative versions of its primary video service for various regions of the country (e.g., West Coast feed, Central feed, etc.)).

### IV. THE STATUTORY LANGUAGE COMPELS THE COMMISSION TO AFFIRM ITS “PRIMARY VIDEO” DECISION.

- BTV and TechTV support the Commission's determination in its *Digital Must-Carry Order* that the statutory mandate that cable operators carry a broadcaster's “primary video” requires carriage of only a single video programming stream.

- The Commission: “The term primary video, as found in Sections 614 and 615 of the Act, suggests that there is some video that is primary and some that is not. In this instance, we rely on the canon of statutory construction that effect must be given to every word of a statute and that no part of a provision will be read as superfluous. Here, we must give effect to the word ‘primary.’ The dictionary definitions of ‘primary’ are ‘First or highest in rank, quality, or importance,’ and ‘Being or standing first in a list, series or sequence.’ Based on the plain words of the Act, we conclude that, to the extent a television station is broadcasting more than a single video stream at a time, only one of such streams of each television signal is considered ‘primary.’” *Digital Must-Carry Order* ¶ 54 (citations omitted).
- Chairman Powell: “I believe our decision [on primary video] is compelled by the language of the statute, leaving us little choice but to interpret it faithfully.” *Separate Statement of Commissioner Powell*.
- Case law interpreting the use of the term “primary” supports the Commission’s interpretation of the phrase “primary video.” See *Hakala v. Atxam Corp.*, 753 P.2d 1144, 1148 n.4 (Alaska 1988) (relying on the *Black’s Law Dictionary* definition of “‘primary’ as [f]irst; principal; chief; leading. *First* in order of time, or development, or intention” and stating that “*in essence . . . there can only be one ‘primary’ anything*” (emphasis added)); *City of Ketchikan v. Cape Fox Corp.*, 85 F.3d 1381, 1384 (9th Cir. 1996) (citing the *Black’s Law Dictionary* and *Webster’s New World Dictionary* definitions of “primary” and holding that the word “primary” in the term “primary place of business” “connotes a *single* leading location,” and that because the “focus of the phrase is the word ‘primary,’ . . . a business may have only *one* ‘primary place’” (emphasis added)); *Compton v. Inland Steel Coal Co.*, 933 F.2d 477, 482 (7th Cir. 1991) (relying on the *Webster’s Third New International Dictionary* definition of “primary” as “something that stands *first* in order, rank, or importance” (emphasis added)). Cf. 49 C.F.R. § 387.303 (2001) (“‘Primary security’ means public liability coverage provided by the insurance or surety company responsible for the *first* dollar of coverage.” (emphasis added)); *Costle v. Pacific Legal Found.*, 445 U.S. 198, 201 (1980) (noting that the EPA “defines ‘primary treatment’ as ‘the *first* stage in wastewater treatment’” (emphasis added)).
- If Congress had intended the statute to have the meaning broadcasters’ suggest, it would have instructed cable operators to carry “all” the broadcasters’ video programming or broadcasters’ “free” video programming. By using the adjective “primary,” Congress must have meant to narrow the cable operators’ obligation.
- Even if the Commission were to conclude on reconsideration that the precise meaning of the term “primary video” is ambiguous, court precedent would prevent the Commission from exercising its discretion to impose a multicast must-carry requirement.
- Interpreting “primary video” broadly to require multicast must-carry would at the very least raise substantial constitutional problems. Supreme Court precedent makes plain that in the absence of a **clear** statutory directive, the Commission must err on the side of avoiding a constitutional

infringement. See *U.S. v. X-Citement Video, Inc.*, 513 U.S. 64, 68 (1995); *Edward J. DeBartolo Corp. v. Florida Gulf Coast Building & Constr. Trades Council*, 485 U.S. 568, 575 (1988); *Ashwander v. Tennessee Valley Auth.*, 297 U.S. 288, 347 (1936) (Brandeis, J., concurring).

- Imposing a multicast must-carry requirement in such circumstances would also raise potential jurisdictional issues. As the D.C. Circuit has stated, “Congress has been *scrupulously clear* when it intends to delegate authority to the FCC to address areas significantly implicating program content.” *Motion Picture Ass’n of America v. FCC*, 309 F.3d 796, 805 (D.C. Cir. 2002) (emphasis added) (citations omitted). Absent such clear authority, “[a]n agency may not promulgate even reasonable regulations that claim a force of law[.]” See *id.* at 801.

## V. MULTICAST MUST-CARRY IS UNCONSTITUTIONAL.

- A multicast must-carry requirement would violate the First Amendment rights of non-broadcast programmers. The Supreme Court has recognized that must-carry rules have the potential to harm such programmers because they “render it more difficult for cable programmers to compete for carriage on the limited channels remaining.” *Turner I*, 512 U.S. 622, 637 (1994). See also *Turner II*, 520 U.S. 180, 226 (1997) (Breyer, J., concurring in part) (“[Must-carry] extracts a serious First Amendment price. It interferes with the protected interests of the cable operators to choose their own programming; it prevents displaced cable program providers from obtaining an audience; and it will sometimes prevent some cable viewers from watching what, in its absence, would have been their preferred set of programs. This ‘price’ amounts to a ‘suppression of speech.’”).
- ***Turner II* barely found analog must-carry constitutional when each broadcast station was displacing a *single* competing non-broadcast programmer. It would be a far different and less defensible constitutional proposition were each digital broadcast station to displace *six or more* non-broadcast programmers as a result of a multicast must-carry right.**
- The broadcasters are wrong in asserting that the eventual return of the 6 MHz currently occupied by analog must-carry signals as part of the DTV transition entitles broadcasters to a *new* 6 MHz of must-carry spectrum for multicasting purposes. In upholding the analog must-carry rules in *Turner I* and *Turner II*, the Supreme Court did not grant broadcasters a permanent easement or other property rights of 6 MHz of space on cable systems.
- Rather, once the governmental interests articulated in the *Turner* decision, *i.e.*, preservation of over-the-air broadcasting and diversity, are achieved through a must-carry obligation for a single broadcast “primary” service, the further burden on speech represented by a multicast must-carry requirement becomes constitutionally impermissible under the First Amendment.
- First, multicast must-carry would not be narrowly tailored to the interest of preserving the benefits of free, over-the-air television. During and after the DTV transition, the existing must-carry rules will continue to ensure that cable operators carry the same broadcast channels that have

historically been available to over-the-air viewers. There is absolutely no evidence -- let alone detailed Congressional findings based on extensive hearings (as was the case with analog must-carry) -- that multicast must-carry is necessary to the economic survival of broadcast TV.

- Second, a multicast must-carry requirement would not be narrowly tailored to the interest in “promoting the widespread dissemination of information from a multiplicity of sources.” Granting the *same* broadcaster a mandatory carriage right to six services (or up to 12 services in markets where duopolies are allowed) rather than one primary service does not increase the diversity of programming from a “multiplicity of sources.”
- A multicast must-carry requirement would also result in a permanent, physical occupation of a substantial amount of a cable operator’s capacity, raising substantial issues under the Fifth Amendment’s Takings Clause.

## VI. THE COMMISSION SHOULD REJECT THE “EITHER-OR” MUST-CARRY PROPOSAL.

- BTV and TechTV understand that some parties may be attempting to revive the so-called “either-or” must-carry proposal. That proposal would allow broadcasters to elect cable must-carry for *either* their analog signal *or* their digital signal (but not both) during the DTV transition. Under the proposal, broadcasters could keep their analog spectrum until the end of the transition, even if they elected cable must-carry for their digital signal.
- The FCC declined to adopt the “either-or” proposal in its *Digital Must-Carry Order*, and should take the same approach in the reconsideration phase of the proceeding. *Digital Must-Carry Order* ¶¶ 11-12.

### A. The “Either-Or” Proposal Would Amount to the Back-Door Imposition of Dual Must-Carry for Many Broadcast Signals and Would Turn the Digital Transition on its Head.

- If broadcasters elected cable must-carry for their *digital* signals, cable operators would, as a practical matter, be forced to also carry broadcasters’ *analog* signals. This is so because two-thirds or more of cable’s customers currently receive only analog service, and such customers would demand that the operator continue to offer analog broadcast services either by downconverting the broadcaster’s primary digital video service to analog at the headend or independently carrying the broadcaster’s analog station. In either case, the effect is the same: an impermissible back-door to dual must-carry.
- Even if a cable operator refused to downconvert or carry the broadcaster’s analog service, either its customers would be denied broadcast services, or they would be forced to incur additional costs to obtain a digital set-top box or a digital TV to see such broadcast services. This turns the digital transition completely on its head: Rather than have *new*, high-quality digital content drive more people to invest in digital

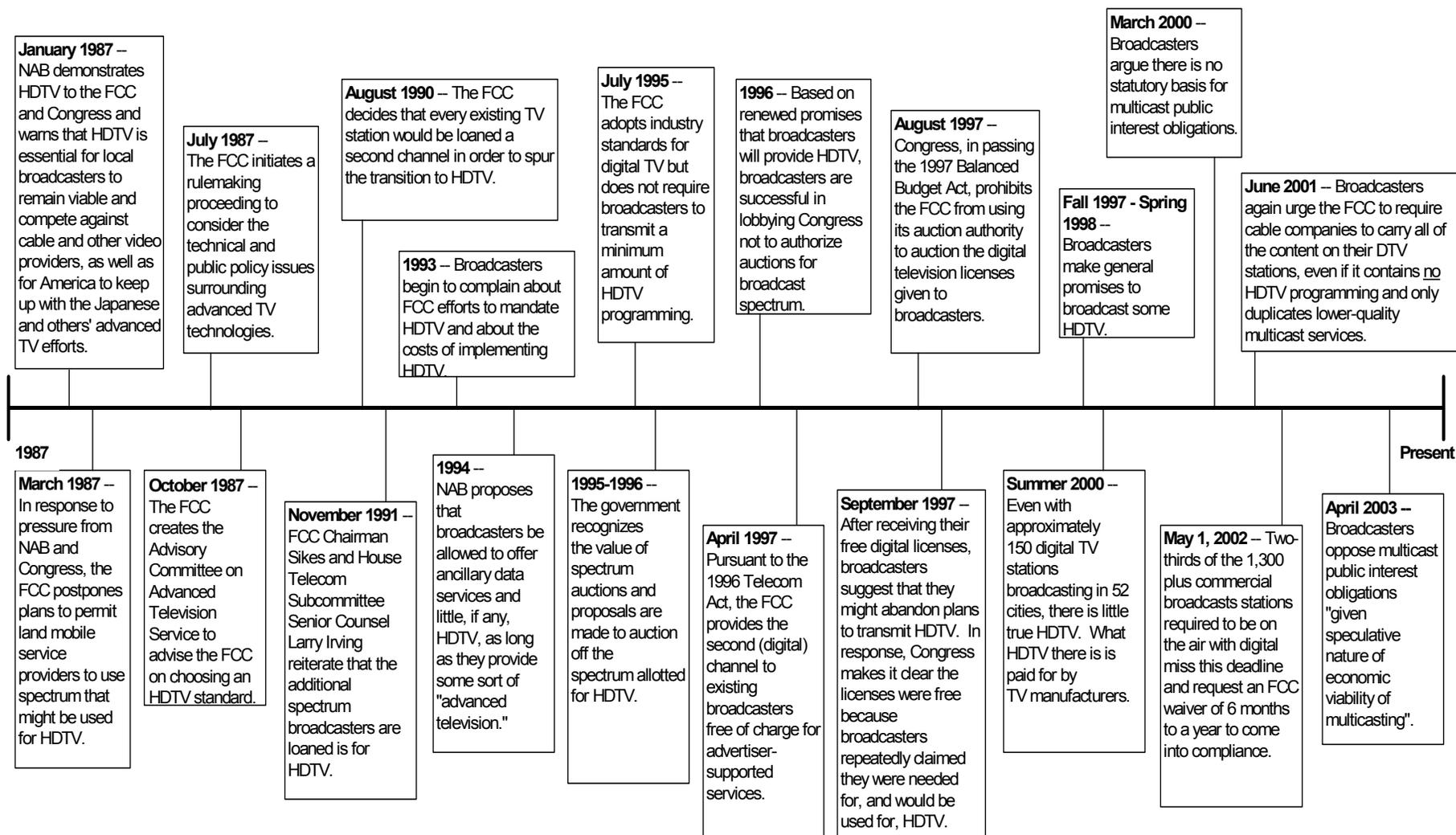
equipment *voluntarily* and then end the transition when a significant number of people (say 85%) have such equipment, this approach would deprive consumers of *existing* content, thereby *forcing* them to prematurely upgrade their equipment to see the same old content they used to see with their analog TVs.

- Finally, despite the increased burdens placed on cable operators and the additional costs prematurely imposed on cable customers, the “either-or” proposal would not advance the DTV transition because cable’s carriage of digital broadcasters’ services would not achieve the 85% threshold required by Congress to force the return of broadcasters’ analog spectrum. In other words, the new burdens and costs would be imposed on cable operators and consumers *indefinitely* while the broadcasters continue to hold onto both pieces of spectrum.

**B. The “Either-Or” Proposal Would Violate Section 614(b) of the Communications Act.**

- Section 614(b)(4)(B) -- the *only* section of the Act that addresses digital must-carry -- requires the Commission, upon modifying the technical standards for broadcast signals, to revise its rules "to ensure cable carriage of such broadcast signals of local commercial television stations *which have been changed* to conform with such modified standards." (emphasis added)
- A cable system's must-carry obligations with respect to digital broadcasters do not apply unless and until broadcasters *change* their method of broadcast to a digital format and return their analog spectrum to the Commission.
- If broadcasters continue to provide their analog signals without any modification -- which would be the case under the “either-or” proposal -- then the signals have not “been changed” and Section 614(b)(4)(B) has not been triggered.
- The Commission confirmed this view when it determined that "cable systems are *ultimately* obligated to accord 'must-carry' rights to local broadcasters' ... digital only signals *after the transition to DTV is completed and broadcasters' analog spectrum is returned.*" 700 MHz Order, 15 FCC Rcd. 20845, ¶ 65 & n.128 (2000) (emphasis added). See also WHDT Order, 16 FCC Rcd. 2692, ¶ 12 (2001) (“In the 700 MHz Order . . . the Commission clearly stated that digital television signals have carriage rights under the Act and these rights exist now in situations *where the transition is complete.*” (emphasis added)).

## BROADCASTERS' RESISTANCE TO HDTV AND PUBLIC INTEREST OBLIGATIONS





## BLOOMBERG TELEVISION OVERVIEW

### DESCRIPTION

A sophisticated 24-hour business and financial news channel, BLOOMBERG TELEVISION<sup>SM</sup> delivers power tools for power players and serious investors via 10 networks in seven languages, reaching over 200 million homes around the world. We build on our world-class resources to present up-to-the-minute coverage of financial news and markets, bringing our journalistic expertise to our programming with the best reporters to deliver the news and the best journalists to add perspective and analysis. Our multi-screen format displays information at a glance for investors who need quick, reliable news and data as market conditions change.

### DISTRIBUTION

#### United States

BLOOMBERG TELEVISION is distributed to over 27 million subscribers in the United States (and over 86 million if BLOOMBERG TELEVISION's part-time morning carriage on the USA Network is counted). Multichannel Video Programming Distributors ("MVPDs") carrying BLOOMBERG TELEVISION include Time Warner Cable, Cox, Comcast, Adelphia, Cablevision, Charter, DirecTV, and EchoStar.

#### International

BLOOMBERG TELEVISION is available to more than 200 million households worldwide. To emphasize financial news of local interest, BLOOMBERG TELEVISION distributes its programming through ten regionally focused networks in seven languages.

BLOOMBERG TELEVISION also provides BLOOMBERG INTERACTIVE TELEVISION, the world's first financial interactive product that allows viewers to access financial information on demand. BLOOMBERG INTERACTIVE TELEVISION will reach over 10 million subscribers this year. Bloomberg INTERACTIVE TELEVISION operates in affiliation with OpenTV, Wink, WorldGate, Microsoft TV, Liberate and others. BLOOMBERG TELEVISION also provides Video on Demand (VOD) programming segments from BLOOMBERG TELEVISION available to viewers whenever they want it, through their multichannel operator. No waiting for a scheduled airtime. Viewers simply browse thru a menu of content options and select according to their interests. Bloomberg's first VOD deployment currently reaches over 1 million Comcast subscribers.

## AUDIENCE

BLOOMBERG TELEVISION attracts a unique audience of senior executives and decision-makers, professional investors, and consumers. According to Nielsen Media Research, BLOOMBERG TELEVISION outdelivers CNBC with early morning business news viewers (M-F/5am-8am) aged 25-54. The BLOOMBERG TELEVISION audience also includes early adopters enthusiastic about developing technologies.

BLOOMBERG TELEVISION viewers are more likely to subscribe to a digital tier than viewers of other emerging networks, and the number of BLOOMBERG TELEVISION subscribers who have been active Internet users for 5 or more years is substantially higher than the national average.

## WEB SITE

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BLOOMBERG Morning Markets

Get the first word on what's going on with your money starting at 5:00 AM. Go live to the world's financial centers -- London, Hong Kong and Tokyo -- to hear first-hand what's moving the markets globally and what to expect when the U.S. trading begins. You'll also get something that no other financial news service can provide: Bloomberg intelligence. Through the power of the BLOOMBERG PROFESSIONAL<sup>SM</sup> service, we bring you the market insight and perspective that professional investors use to make trading decisions every moment. The Bloomberg Edge is a powerful tool that can help you make money every day.

6:00 AM to 8:00 AM

Morning Call

Start your morning with an indispensable rundown of information direct from Wall Street when you watch Morning Call. Find out what traders and money managers are thinking when Bloomberg reporters plug you into the latest buy and sell recommendations, research notes and economic forecasts, hot stocks for the trading day ahead, and interview with leading CEOs and market luminaries. The 6:00-8:00 AM block also spotlights the power of the BLOOMBERG PROFESSIONAL<sup>SM</sup> service. Through sophisticated analytics, you'll learn about stocks that could benefit you during the

upcoming trading session. Morning Call is a combination of information and insight that will prove invaluable as you make investment decisions.

8:00 AM to 11:00 AM

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11:00 AM to 12:00 PM

#### European Market Report

At the end of the trading day in Europe, experienced investors and money professionals need first-class analysis of what moved the markets, and why. We count you down to the close with live reports from the key money centers in Europe. We talk to Europe's top market strategists to get the final word on what happened on the markets.

12:00 PM to 3:00 PM

#### Marketline

On Marketline, our seasoned anchors and reporters plug you into the news and information shaping the day on Wall Street. Each fast-paced half hour is tightly formatted, featuring live reports from the New York Stock Exchange and the NASDAQ. Marketline also brings you the Bloomberg Edge, an exclusive report that takes you inside the world's most valuable financial tool, the BLOOMBERG PROFESSIONAL<sup>SM</sup> service.

3:00 PM to 6:00 PM

#### World Financial Report

World Financial Report keeps you on top of the global events that can impact your investment decisions. This program provides insight on the U.S. financial markets and a first look at how the trading day is shaping up, from Tokyo to London. Live updates from the New York Stock Exchange, NASDAQ, and BLOOMBERG NEWS studios in London and Asia, plus live interviews with leading CEO's, fund managers, money managers and other news-makers. World Financial Report also gives viewers the Bloomberg Edge: reporting that takes investors inside the world's most valuable financial tool: the BLOOMBERG PROFESSIONAL<sup>SM</sup> service.

6:00 PM to 7:00 PM

**BLOOMBERG International**

In this global, 24/7 business world, the markets never stop, and Bloomberg never stops bringing you the news that moves markets. As the trading day winds down on Wall Street, the action gears up in Asia, and BLOOMBERG International is there, live from Tokyo, with all the news that affects your portfolio and your pocketbook. A team of correspondents from around the world bring you the reporting and global perspective you need to make informed decisions. This program includes updates on the bond market live from New York, and reports from the Money Desk, as we tap the power of the BLOOMBERG Professional service to bring you the same tools the pros use. BLOOMBERG International: your guide to the global marketplace.

7:00 PM to 10:00 PM

**MONEYCAST Asia**

After the sun sets on Wall Street, MONEYCAST Asia gives investors their first glimpse into the new trading day. This in-depth report analyzes financial news from around the globe and throughout the region, featuring live reports from Tokyo, Hong Kong, Singapore, Sydney, and New York. MONEYCAST Asia examines the impact of late-breaking developments on the Asian markets, providing viewers with valuable insight into the trends affecting Asian economies and investments. Simulcast around the globe, MONEYCAST Asia delivers on-the-ground, up-to-the-second coverage that sets the agenda for investors worldwide.

10:00 PM to 12:00 AM

**On the Money Asia**

On the Money Asia tracks the morning activity in Asia's markets to keep you on top of your international investments. In an action-packed, two-hour session, Bloomberg's seasoned financial reporters deliver breaking business news headlines and market analysis direct from Asia's key trading floors. We bring you everything you need to stay on the money and up-to-the-second as the trading day unfolds. For market-moving news as it happens, tune in to On the Money Asia.

12:00 AM to 3:00 AM

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3:00 AM to 5:00 AM

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date on what is moving and why on the European equity markets. We also get you ready for the opening of trading on Wall Street. Let Bloomberg take you live to the analysts and market-movers in London, Paris, Frankfurt, Madrid, Milan, Zurich and New York.

## SATURDAY-SUNDAY

5:30 AM to 6:00 AM

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6:00 AM to 6:30 AM

### BLOOMBERG Small Business

If you own or work for a small business, or have always wanted to start a business of your own, BLOOMBERG Small Business is the show for you. We speak with successful entrepreneurs, bringing their life lessons to you. Financial experts who specialize in helping small business owners are also featured, along with coverage of the latest political and economic developments of concern to small business. This program also highlights the latest world and national news.

6:30 AM to 7:00 AM

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BLOOMBERG Personal Finance is all about your money! We bring you the latest insights on how to make money, how to save it, how to invest it, and how to spend it. The program includes in-depth coverage of the top news on Wall Street with a recap of the week's market action. Professional money managers and analysts bring their expertise and commentary to BLOOMBERG Small Business each week. This program also features that latest world and national news every Saturday morning.



## DESCRIPTION

TechTV is the cable network that showcases the smart, edgy and unexpected side of technology. By telling stories through the prism of technology, TechTV intrigues viewers with everything from help and information to cutting-edge factual programming to outrageous late-night fun. TechTV viewers are highly interactive and passionate about engaging in the television experience and log a monthly average of 1.6 million unique visitors to techtv.com. TechTV is currently available in over 40 million homes in the US and distributes content to more than 70 countries.

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## DISTRIBUTION

### U.S.

TechTV is distributed by all major cable and satellite distributors and is currently available in over 40 million homes in the US. In 2003, TechTV's household subscriber base increased nearly 20% over 2002.

### International

TechTV is the world's largest producer and distributor of television programming about technology. Globally, TechTV's programming reaches more than 75 million households across 70 countries via program sales, branded blocks, or as a full-service channel. In Asia, TechTV delivers a 24-hour international version via satellite. TechTV Canada is a digital must-carry channel that launched in September 2001.

## AUDIENCE

TechTV's audience is predominately male, upscale and average age is 31. Our audience enjoys a technology-enhanced lifestyle and loves interacting with TechTV. They are vocal, loyal and passionate. Our audience views technology in the broadest sense. They like everything from help and information to outrageous late-night fun to cutting-edge factual programming.

## WEB SITE

*techtv.com* is TechTV's unique website delivering all the latest technology news, information and entertainment. This innovative site provides visitors with in-depth articles, tips, help guides, game reviews and an extensive library of technology specific video-on-demand. *techtv.com* displays topical content arranged in special content zones and TV show areas. The content zones include tech news, products, help and how-to and entertainment, while the TV show areas provide visitors with the leading stories and features from TechTV's daily programming. Users have the opportunity to interact with on-air talent and community members, provide feedback, ask questions, chat, post messages and submit their video e-mails for broadcast on-air.

## NETWORK PROGRAM GUIDE

### **Anime Unleashed**

From sophisticated science fiction and fantasy adventure to romantic comedies and teen dreams, *Anime Unleashed* explores the entire spectrum of Japanese animation. TechTV has imported multiple series and movies that truly know no boundaries.

### **Beyond 2000**

*Beyond 2000* explores the fascinating worlds of science and technology. It features scientific breakthroughs, technical innovations and people who are shaping our world and preparing us for life beyond the year 2000.

### **Big Thinkers**

From music to medicine, from art to astrology, from law to literature, technology is changing the way we live. Explore the future of technology through insightful and down to earth interviews with the industry's most influential thinkers and innovators of our time.

### **Call For Help**

*Call for Help* translates technical jargon into plain English, provides computing tips, answer live viewer questions and interviews with guests who help demystify technology. It's interactive, informative and above all, fun.

### **Conspiracies**

From alien abductions to the death of JFK, *Conspiracies* seek out the people behind the theory – those who were there, those who inspired the “deed”, and those who were most affected by it, or even the target of the event.

### **CyberCrime**

Take a look inside at fraud, hacking, viruses, identity theft, and invasions of privacy. Be aware of the potential dangers that lurk on the Internet and keep yourself safe.

### **Eye Drops**

Breathtaking, beautiful, insightful and sometimes even a little scary, but always entertaining, *Eye Drops* has something for everyone. *Eye Drops* showcases today's best computer-generated animated short subjects.

### **Fresh Gear**

*Fresh Gear* takes an in-depth look at the coolest new products out there, from color PDAs to ultra-light notebooks and digital cameras to virtual operating rooms. Catch reviews of the latest products, get advice on what to buy and what to bypass and take an inside look at the technologies of tomorrow.

### **Future Fighting Machines**

*Future Fighting Machines* takes a look at the latest in military hardware and gadgets, from electromagnetic energy weapons to high-tech soldiers' uniforms with built-in mine detectors to spying micro-robots.

### **Invent This!**

*Invent This!* scours the country to find the most fascinating inventors, from neophytes to seasoned pros. From basement workshops to kitchen tables, this series reveals what makes these inventors tick – and where they hope to go from here.

### **Performance**

*Performance* takes viewers into the labs and onto the training fields to see how science and technology are molding the perfect athlete, transforming their equipment, their playing surfaces, their diet and even their minds.

### **Robot Wars**

Brace yourself! It's a tournament like no other, as robots battle with brute strength, weight and lightning-quick reactions or risk finding themselves flipped from the frenzy and straight to the scrap yard.

### **Secret, Strange, and True**

Showcasing some of the most fascinating stories of our time, *Secret, Strange and True* proves that truth is stranger than fiction, with edgy topics such as the quest to revive extinct species and the controversial development of an artificial brain.

### **Spy School**

Presented by controversial former British intelligence officer David Shayler, the series reveals the secrets of the world's most elite spy organizations from the CIA to the KGB. *Spy School* explores the world's underbelly of crime, sex, intrigue and gadgetry.

### **Tech Live**

*Tech Live*, focuses on the world's most important people, companies, products and technology issues. Tech Live features stories about consumers, investors, product reviews, advice and technology analysis.

### **The Tech Of**

From the food we eat, to the sports we play, to the buildings where we work, technology has a profound impact on the way we live. *The Tech Of...* is an engaging series that goes behind the scenes of modern life and shows you technology that makes things tick.

### **Thunderbirds**

*Thunderbirds*, an action-packed fantasy adventure series set in 2065, inspires and ignites the imagination with its ingenuity, exciting story lines, strong characters, unique humor and special affects. With additional on-screen elements, including facts and commentary, this old classic gets a new twist.

### **The Screen Savers**

Whether you're cracking code, struggling with Windows, or just want to stay up to speed on what's happening in the world of technology, ***The Screen Savers*** are here to help. Leo Laporte and Patrick Norton unleash the power of technology with wit and flair in this live, daily one-hour interactive show.

### **X-Play**

Covering games, the gamers and the gear that fuels videogaming mania, *X-Play* is jam-packed with sneak peaks at upcoming titles, frank reviews of new releases, and features stories of the people who create, conquer and live for the games.

### **Unscrewed With Martin Sargent**

*Unscrewed With Martin Sargent* reveals the pop culture side of technology: what's new, what's hip and what's hot. The ultimate showcase for the darker, funnier, sexier world of the modern technophile, it pushes the boundaries of late night television.