



Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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In the Matter of	)	
	)	
TIME WARNER APPLICATION	)	MB Docket No. 08-120
FOR CONSENT TO ASSIGNMENT	)	DA 08-1574
OF LICENSES	)	
_____	)	

**REPLY OF WEALTHTV**  
**TO RCN'S PETITION TO CONDITION CONSENT**  
**OR TO DENY APPLICATION**

WealthTV files this brief reply to RCN's petition to make two points.

First, even after the proposed Separation Transaction is effectuated, the programming contracts that will remain in effect will be the product of the period during which Time Warner Cable was a fully integrated programming vendor and distributor. Moreover, these contracts will have an ongoing impact on the market for video programming because industry precedent instructs that they are highly likely to be renewed from term to term on identical or substantially similar terms as the original contract. Thus, the Commission must treat the separated entities as a unity for the duration of the presently existing contracts for carriage of TWX programming on TWC cable systems and the renewal thereof or for a period of five (5) years, whichever is greater.<sup>1</sup>

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<sup>1</sup> It is understood that Time Warner Cable will retain interests in certain programming services; there is no question that Section 616 would continue to apply with respect to allegations of discrimination involving those programming services.

Second, the Commission should resolve outstanding carriage access complaints pending against Time Warner, as it recently required resolution of outstanding enforcement issues in the XM-Sirius merger.

Respectfully submitted,

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August 15, 2008

**CERTIFICATE OF SERVICE**

I, Kathleen Wallman, certify that on this 15th day of August, 2008, I caused a true and correct copy of the foregoing WealthTV's Reply to RCN's Petition to Condition Consent or to Deny Application to be served via first-class mail, postage prepaid, upon:

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