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MAUREEN A. O'CONNELL
SENIOR VICE PRESIDENT,
REGULATORY AND GOVERNMENT AFFAIRS

November 25, 2008

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

RE: MB Docket No. 03-124

Dear Ms. Dortch:

News Corporation (“News Corp”) hereby provides, at the request of the FCC staff, information concerning certain arbitrations noticed and commenced pursuant to the conditions imposed as part of the *News Corp-DirecTV Order*.¹

In particular, the staff has asked whether any arbitrations have been noticed or commenced against News Corp under the conditions set forth in the *News Corp-DirecTV Order* since February 27, 2008, the date that News Corp consummated a transaction to transfer control of DirecTV to Liberty Media Corporation.² No arbitrations have been noticed or commenced against News Corp since February 27, 2008; three proceedings were pending, however, at the time the transaction with Liberty Media Corporation was consummated. A brief overview of those proceedings is provided below.

¹ *In re General Motors Corporation and Hughes Electronics Corporation, Transferors, and The News Corporation Limited, Transferee, For Authority to Transfer Control*, MB Docket No. 03-124, FCC 03-330, Appendix F (rel. Jan. 14, 2004) (the “*News Corp-DirecTV Order*”).

² *In re News Corporation and The DirecTV Group, Inc., Transferors, and Liberty Media Corporation, Transferee, For Authority to Transfer Control*, MB Docket No. 07-18, FCC 08-66 (rel. Feb. 26, 2008).



- On September 27, 2007, Fox Sports Net Ohio filed a Petition for *De Novo* Review with the FCC, seeking review and reversal of a September 12, 2007 arbitrator's Award in favor of Massillon Cable TV, Inc. ("Massillon"), relating to Massillon's carriage of the Fox Sports Net Ohio regional sports network ("FSN-Ohio"). The Petition asks the Commission to reverse the Award and dismiss Massillon's arbitration claim with prejudice, both because the arbitrator lacked jurisdiction to hear the case and because the Award unreasonably assessed fees and costs against FSN-Ohio. The Petition remains pending.
- On October 22, 2008, an arbitration Award was adopted in favor of News Corp and against the National Cable Television Cooperative, Inc. ("NCTC") relating to the carriage of various Fox-affiliated regional sports networks by NCTC members whose carriage agreements expired on December 31, 2006 (the "2006 NCTC Arbitration"). On November 24, 2008, NCTC filed a Petition for *De Novo* Review with the FCC, seeking review and reversal of the Award.
- On December 27, 2007, NCTC sent Fox Cable Networks a Notice of Intent to Arbitrate relating to carriage of various Fox-affiliated regional sports networks by NCTC members whose carriage agreements expired on December 31, 2007. Fox Cable Networks and NCTC subsequently agreed to hold this arbitration in abeyance pending the outcome of the 2006 NCTC Arbitration. Following the issuance of the Award in News Corp's favor as part of the 2006 NCTC Arbitration, NCTC informed Fox Cable Networks and the arbitrator that it does not intend to pursue the 2007 arbitration.

Should you have any questions concerning this submission, kindly contact the undersigned.

Very truly yours,

/s/ Maureen O'Connell