

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	MB Docket No. 08-214
Herring Broadcasting, Inc. d/b/a WealthTV,)	File No. CSR-7709-P
Complainant)	
v.)	
Time Warner Cable Inc.)	
Defendant)	
Herring Broadcasting, Inc. d/b/a WealthTV,)	File No. CSR-7822-P
Complainant)	
v.)	
Bright House Networks, LLC,)	
Defendant)	
Herring Broadcasting, Inc. d/b/a WealthTV,)	File No. CSR-7829-P
Complainant)	
v.)	
Cox Communications, Inc.,)	
Defendant)	
Herring Broadcasting, Inc. d/b/a WealthTV,)	File No. CSR-7907-P
Complainant)	
v.)	
Comcast Corporation,)	
Defendant)	
NFL Enterprises LLC,)	File No. CSR-7876-P
Complainant)	
v.)	
Comcast Cable Communications, LLC,)	
Defendant)	
TCR Sports Broadcasting Holding, L.L.P.,)	File No. CSR-8001-P
d/b/a Mid-Atlantic Sports Network,)	
Complainant)	
v.)	
Comcast Corporation,)	
Defendant)	

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ERRATUM

Released: November 21, 2008

1. On November 20, 2008, the Presiding Judge released a *Memorandum Opinion and Order*, FCC 08M-47, in this proceeding. This *Erratum* corrects that document as indicated herein.

2. The last sentence of paragraph 8 should be revised to read as follows:

To clarify this situation, the issues specified at paragraphs 122 (a) and (b), 126 (a) and (b), 130 (a) and (b), 134 (a) and (b), 138 (a), and 142 (a) and (b) of the *HDO* will be modified to read as follows:

(a) whether the defendant engaged in conduct the effect of which is to unreasonably restrain the ability of the complainant to compete fairly by discriminating in video programming distribution on the basis of the complainant's affiliation or non-affiliation in the selection, terms, or conditions for carriage of video programming provided by the complainant in violation of Section 76.1301(c);

(b) if the Administrative Law Judge determines that the defendant has discriminated against the complainant's programming in violation of Section 76.1301(c), whether mandatory carriage of the complainant's programming on the defendant's system is necessary to remedy the violation and, if so, the prices, terms, and conditions for such carriage, and such other remedies as the Administrative Law Judge recommends.

In addition, the issue set forth at paragraph 138 (c) of the *HDO* will be modified to read as follows:

(c) if the Administrative Law Judge determines that the defendant has discriminated against the complainant's programming in violation of Section 76.1301(c), or demanded a financial interest in the complainant's programming in exchange for carriage in violation of Section 76.1301(a), whether mandatory carriage of the complainant's programming on the defendant's system is necessary to remedy the violation(s) and, if so, the prices, terms, and conditions for such carriage, and such other remedies as the Administrative Law Judge recommends.

3. The last Ordering Clause on page 5 should be revised to read as follows:

IT IS FURTHER ORDERED that the issues specified at paragraphs 122 (a) and (b), 126 (a) and (b), 130 (a) and (b), 134 (a) and (b), 138 (a), and 142 (a) and (b) of the *Memorandum Opinion and Hearing Designation Order*, DA 08-2269 (Media Bur., October 10, 2008), *modified by Erratum* (Media Bur., October 15, 2008), ARE MODIFIED to read as follows:

(a) whether the defendant engaged in conduct the effect of which is to unreasonably restrain the ability of the complainant to compete fairly by discriminating in video programming distribution on the basis of the complainant's affiliation or non-affiliation in the selection, terms, or conditions for carriage of video programming provided by the complainant in violation of Section 76.1301(c);

(b) if the Administrative Law Judge determines that the defendant has discriminated against the complainant's programming in violation of Section 76.1301(c), whether mandatory carriage of the complainant's programming on the defendant's system is necessary to remedy the violation and, if so, the

prices, terms, and conditions for such carriage, and such other remedies as the Administrative Law Judge recommends.

4. The following Ordering Clause should be added to the end of the document:

IT IS FURTHER ORDERED that the issue specified at paragraph 138 (c) of the *Memorandum Opinion and Hearing Designation Order*, DA 08-2269 (Media Bur., October 10, 2008), *modified by Erratum* (Media Bur., October 15, 2008), IS MODIFIED to read as follows:

(c) if the Administrative Law Judge determines that the defendant has discriminated against the complainant's programming in violation of Section 76.1301(c), or demanded a financial interest in the complainant's programming in exchange for carriage in violation of Section 76.1301(a), whether mandatory carriage of the complainant's programming on the defendant's system is necessary to remedy the violation(s) and, if so, the prices, terms, and conditions for such carriage, and such other remedies as the Administrative Law Judge recommends.

FEDERAL COMMUNICATIONS COMMISSION



Arthur I. Steinberg
Administrative Law Judge