

Before the **DOCKET FILE COPY ORIGINAL**
Federal Communications Commission
Washington, D.C. 20554

FILED/ACCEPTED
DEC 31 2008
Federal Communications Commission
Office of the Secretary

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

ENFORCEMENT BUREAU'S COMMENTS

To: Marlene H. Dortch, Secretary, Federal Communications Commission

Attn: Hon. Richard L. Sippel, Chief Administrative Law Judge

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List A B C D E

1. On December 30, 2008, Time Warner Cable, Inc. filed a Motion for Reaffirmation of Scheduling Order or, In the Alternative, Request for Certification of an Application for Review ("Motion"). The Motion makes several references which attempt to characterize positions taken by the Enforcement Bureau in this proceeding. See, pp. 4, 14, 17, and 18. The Enforcement Bureau submits that, except to affirm that the Media Bureau has the delegated authority to issue a hearing designation order establishing a 60-day timeframe for concluding the instant proceeding¹, it has not taken a position, directly or indirectly, on whether such timeframe constituted a jurisdictional requirement to which the Presiding Judge was bound. At such times in this proceeding that the Enforcement Bureau has expressed a position on a proposed procedural schedule or the need for limited discovery, such expressions were made in the context of imparting to the Presiding Judge the importance of expediting the resolution of this case to the fullest extent possible.

Respectfully submitted,
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Chief, Enforcement Bureau



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December 31, 2008

¹ Enforcement Bureau's Consolidated Comments, filed October 31, 2008, at para. 4

CERTIFICATE OF SERVICE

Kerri Johnson, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 31st day of December 2008, sent via first class United States mail and E-Mail copies of the foregoing "Enforcement Bureau's Comments" to:

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Copies of the foregoing also were hand-delivered to:

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