

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	)	
	)	

To: Marlene H. Dortch, Secretary, Federal Communications Commission  
Attn: The Hon. Richard L. Sippel – Chief Administrative Law Judge

February 12, 2009

# **DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY IN FURTHER SUPPORT OF MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Defendants Time Warner Cable Inc., Comcast Corporation, Cox Communications, Inc. and Bright House Networks, LLC (collectively, the "Defendants"), hereby respectively request leave to file a short reply memorandum in further support of their motion to compel Complainant Herring Broadcasting, Inc. d/b/a WealthTV ("WealthTV") to produce certain documents in response to TWC's December 5, 2008 Request for Production of Documents.<sup>1</sup>

A short reply is warranted to address two issues. First, WealthTV misconstrues the scope of the dispute. Contrary to WealthTV's statements in its Opposition, Defendants are neither seeking all 120 WealthTV affiliation agreements nor all communications between WealthTV and all MVPDs that did not provide carriage to WealthTV. The reply clarifies the proper parameters of the motion. Second, and more important, in the proposed reply Defendants offer concrete proposals to resolve the disputes over both categories of documents at issue. Defendants urge the Presiding Judge to consider these proposals as a reasonable solution.

For the foregoing reasons, Defendants respectfully request that they be granted leave to file the accompanying Reply in Further Support of Motion to Compel Production of Documents.

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<sup>1</sup> For the reasons set forth herein, Defendants hereby seek a waiver of 47 C.F.R. §1.294(b).

Respectfully submitted,

**TIME WARNER CABLE INC.**

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Dated: February 12, 2009

**CERTIFICATE OF SERVICE**

I, Micah M. Caldwell, hereby certify that copies of the foregoing “Motion For Leave to File A Reply In Further Support of Motion to Compel Production of Documents” were served this 12th day of February, 2009, via email, upon the following:

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