

*University*

Member, Faculty Grievance [Standing] Committee, College of Charleston, 2010-2011.

Member, Faculty Compensation [Standing] Committee, College of Charleston, 2009-2010.

Member, Faculty Senate, College of Charleston, 2002-2004.

Member, ADeans Council, BGSU, 1996-1997.

Member, Search Committee for Director of Center for Teaching, Learning and Technology, BGSU, 1995-1996.

Member, Search Committee for Director of Institutional Research, BGSU, 1995-1996.

Chair, Broadcast Advisory Committee, BGSU, 1990-1993.

Graduate Student Orientation Leader, BGSU, 1989.

*Professional*

Editor, *Journal of Radio and Audio Media*, 2005-2008.

Nominations Committee, Mass Communication Division, National Communication Association, 2003-2004.

Research Committee, National Communication Association, 2002-2003.

Member, Editorial Board, *Journal of Broadcasting & Electronic Media*, 1994-2001; 2005-present.

Member, Editorial Board, *Media Management Review*, 1996-1998.

Newsletter Editor, Mass Communication Division, National Communication Association, 1998

Moderator, "Sitcoms in New Settings" panel, BGSU Conference on the 50 year anniversary of the American Television Situation Comedy, 1947-1997, September 23-27, 1997.

Chair, Management & Sales Division, Broadcast Education Association (BEA), 1995-1997.

Moderator, Competitive Paper Winners panel, BEA, Management & Sales Division, April 1995, in Las Vegas.

Vice-Chair, Management & Sales Division, BEA, 1993-1995.

Secretary-Newsletter Editor, Management & Sales Division, BEA, 1991-1993.

Chair, Nominating Committee, Mass Communication Division, Speech Communication Association, 1992-93.

Moderator, "Maximizing Profits in a 400 Channel World," Broadcast Education Association, Management & Sales Division, April 13, 1992, in Las Vegas.

*Manuscript Reviewer*

Journal of Broadcasting & Electronic Media, Journal of Communication, Journal of Media Economics, Communication Research, Journal of Advertising, Journalism & Mass Communication Quarterly, Media Management Review, Media Psychology, International Journal on Media Management.

*REFERENCES*

Dr. Susan Tyler Eastman  
Professor Emerita  
Department of Telecommunications  
Radio-TV Center, Rm. 203  
Indiana University  
Bloomington, IN 47405  
(812) 855-1700  
eastman@indiana.edu

Dr. Elizabeth M. Perse  
Chair and Professor  
Department of Communication  
University of Delaware  
Newark, DE 19716  
(302) 831-8029  
eperse@udel.edu

Dr. James Walker  
Chair and Professor  
Department of Communication  
Saint Xavier University  
3700 West 103rd Street  
Chicago, Illinois 60655  
(773) 298-3370  
walker@sxu.edu

Dr. Alan B. Albarran

Professor and Chair  
Department of Radio, Television, and Film  
University of North Texas  
Denton, TX 75203-0598  
(940) 565-2537  
albarran@unt.edu

# EXHIBIT E

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In re Complaint of	)	
	)	
<b>BLOOMBERG L.P.</b>	)	MB Docket No. 11-104
	)	
v.	)	
	)	
<b>COMCAST CABLE COMMUNICATIONS, LLC</b>	)	
	)	
	)	
	)	

**DECLARATION OF DON MATHISON**

I, Don Mathison, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge.

1. My name is Don Mathison. My business address is 5809 Nicholson Lane, Suite 1610, North Bethesda, MD 20852.

**A. Background**

2. I have spent 40 years working in the cable and telephone industries, and have developed expertise in the areas of programming, contracts, marketing, digital television, and channel placement.

3. From 2006 to 2011, I served as the Executive Director of Programming for the National Rural Telecommunications Cooperative (NRTC). NRTC is an organization representing the advanced telecommunications and information technology interests of rural telcos and their

affiliates. As part of that function, NRTC provides video offerings to its members, and puts together programming packages that can be customized to fit the needs of particular communities. Video options are critical for rural telcos to remain competitive in the market. In my role as Executive Director of Programming, I personally dealt with all the major programmers. I spent five years obtaining the carriage rights for cable networks and am intimately familiar with the language in all of these agreements as it relates to channel positioning.

4. Prior to that time, from 1983 to 1999, I served as the senior vice president of marketing and programming for Media General Cable before it was acquired by Cox for the highest revenue per subscriber in the industry at the time. In that capacity, I ran the marketing and programming for the Fairfax County cable system, which served more than 260,000 customers in Fairfax County and Fredericksburg, Virginia. My responsibilities included growing the subscriber base; negotiating all the programming contracts; and researching subscriber interest and customer service.

5. From 1970 to 1983 I held various senior level programming positions with the likes of Colony Communications (Providence Journal subsidiary); Warner Communications (Now Time Warner); and Times Mirror Cable (Los Angeles Times subsidiary), where I was Vice President of Marketing and Programming for their 54 Cable systems. I helped launch the first premium pay TV service to rival Showtime and HBO, which eventually was purchased by Showtime. Following that, I became the Regional Director of Marketing and Programming for Westinghouse Broadcasting & Cable serving the Greater Los Angeles area and the southwest region. My programming responsibilities included oversight of the unique Z Channel.

6. I hold an MBA in Marketing Management from the Baruch School of Business in New York, New York and have spent ten years teaching Broadband Communications at George Mason University in Fairfax, Virginia.

7. In 1991, I was inducted as a member of the Cable Television Pioneers. Founded in 1966, the Cable Television Pioneers is an independent organization of individuals recognized and honored for their contributions to the cable television industry. I was chosen based on my marketing success having achieved one of the highest revenue per sub rankings in the industry and my programming innovativeness.

**B. Discussion of Neighborhooding**

8. I was recently asked by Bloomberg L.P. (“Bloomberg”) to provide an opinion on questions involving the “neighborhooding” of similar types of programming channels and specifically to respond to certain assertions and opinions offered by Comcast Cable Communications LLC (“Comcast”) in its answer to a Complaint filed by Bloomberg with the Federal Communications Commission.

9. In connection with preparing this Declaration, I have reviewed various documents, including Bloomberg’s Complaint, as well as the Answer of Comcast, including all exhibits and attachments, specifically including the Declaration of Michael Egan, Exhibit 4 to the Comcast Answer.

10. Below, I have outlined my understanding of a neighborhood of programming channels, including the purpose behind such channel groupings and what would constitute a neighborhood in terms of numbers of channels.

11. The notion of grouping like-minded channels together dates back to the early days of cable. Few cable customers have the ability to remember the channel numbers of any more than eight to twelve channels, the average number of channels viewers watch. Programmers and equipment manufacturers have taken note of this. Indeed, so important is this concept of neighborhooding that it was my experience in negotiating agreements that cable programmers would regularly include “adjacency language” in their contracts, i.e., provisions requesting proximity to competitive channels in the same genre. This is all in an effort to garner additional viewers and thus advertising revenue for the channel. Equipment manufacturers now incorporate a scan button (the button on a cable remote control allowing the viewer to move up and down on channel lineups) on set-top box remote control devices because they recognize the importance of neighborhooding to facilitate viewer selection among channels of a similar genre.

12. There is nothing random about cable television system lineups. I have prepared contracts on behalf of over 100 cable systems and negotiated with every major programmer of late. I can assure you if grouping similar channels together was not an important consideration, each of these programmers would not have insisted upon adjacency language in their contracts. The programmers go so far as to insist that if it is not adjacent, that it be within one or two channels of programming of a similar genre.

13. This kind of grouping of channels together is also driven by what cable consumers wish to have. It is my experience that cable consumers want to simplify their lives and save time. Further, it is my experience that the concept of a channel neighborhood accomplishes this objective for the consumer in that it groups their channels of choice together. The less time that viewers have to search elsewhere to satisfy their tastes, the more time they can spend viewing the programming

that they prefer. Moreover, once satisfied with their viewing choice, consumers will typically not search elsewhere for programming, except perhaps to search for a channel that is showing a unique event.

14. How many channels are necessary to constitute a neighborhood? I have reviewed the assertion by Comcast and Mr. Egan that “a truly effective neighborhood might well require inclusion of two-thirds (66%) or more of the news channels? (Paragraph 13 of Egan Declaration) This is an arbitrary statement without factual support.

15. In my opinion, Bloomberg has correctly asserted that a news neighborhood consists of at least four news channels located in any block of five adjacent channel positions. (Complaint, ¶ 75). This specifically includes the five principal news channels identified by Bloomberg in their Complaint, i.e., CNN, HLN (formerly CNN Headline News), Fox News Channel, MSNBC and CNBC, as forming the existing news neighborhoods on Comcast systems.

16. As an initial matter, this is in part because it is the quality of the channels that defines a neighborhood. These five principal news channels garner the lion’s share of audience and define the category of news channel. The numerical analysis that Comcast proffers seems to weigh all news channels the same, which they are not.

17. Based upon my experience, the news channel groupings on Comcast systems identified by Bloomberg are recognized as neighborhoods by those in the MVPD industry because MVPDs recognize that the pareto principle applies here (i.e. the 80/20 rule). The majority of the viewership and advertising dollars comes from a minority of the channels. In terms of audience share, advertising revenue, or any other measure, these five channels cited by Bloomberg are by far

and away the ones that have the name recognition and are at the core of the definition of what constitutes a news neighborhood.

18. In arbitrarily asserting that 10 or more channels constitute a news neighborhood, Comcast appears to work backwards to arrive at a number. Not all channels are equal or have the same drawing power. The more important question is where subscribers go for their news. In my opinion, the news channel groupings on Comcast systems identified by Bloomberg in its Complaint would be recognized by cable professionals as news neighborhoods. Although the larger channel groupings also identified by Comcast are also news neighborhoods, both of these channel groupings contain the four or five anchor channels that dominate the ratings and are where cable subscribers spend their time viewing and advertisers spend their dollars.

19. Channel brand recognition and ratings strength are what drives viewership. Once they land in a neighborhood or grouping of channels, subscribers often scan up or down with their remote often visiting similarly themed channels. For this reason, it is important to be located in a neighborhood. It is the same reason why McDonald's locates on a busy street corner near Burger King hoping to steal some of the same traffic. Given that the FCC has clearly directed that independent news channels such as Bloomberg's BTV be included in news neighborhoods, it is difficult to escape the conclusion that Comcast is vigorously opposing implementation of this condition in existing news neighborhoods to protect content that it owns and controls, such as CNBC and MSNBC.

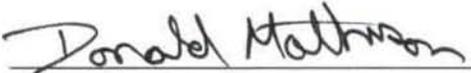
20. Comcast also alleges practical difficulties in implementing the news neighborhood condition to include BTV in news neighborhoods. Comcast incorrectly asserts that channel lineups are essentially locked up and that accepting Bloomberg's definition of news neighborhoods would

have a “domino effect” on channel positions of existing programmers. In fact, channel lineups change with some frequency. My review of data obtained from Tribune Media Services shows conclusively that Comcast has in general changed channel lineups frequently, and in particular, has done so to reorganize channels over the last year so that news and sports content affiliated with Comcast appears in the principal news and sports neighborhoods. Comcast has done this to put affiliated news and sports content in the neighborhoods that contain the major news and sports channels, respectively.

21. I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge and belief.

FOR PUBLIC INSPECTION

Dated: August 29, 2011



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Donald Mathison

# EXHIBIT F

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In re Complaint of	)	
	)	
BLOOMBERG L.P.	)	MB Docket No. 11-104
	)	
v.	)	
	)	
COMCAST CABLE COMMUNICATIONS, LLC	)	
	)	
	)	
	)	

**DECLARATION OF SUSAN ARNOLD**

I, Susan Arnold, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge.

1. My name is Susan Arnold. My business address is 1278 Forest Trails Drive, Castle Rock, CO 80108.
  
2. I have over fifteen years of experience working in media operations, including over a decade as a senior executive at one of the top multichannel video programming distributors in the United States. I have extensive experience negotiating programming contracts and content rights, working with programmers, engaging in strategic planning, and managing advertisement sales, among other duties.
  
3. From 1995-2007, I served as a senior executive at Echostar Communications Corporation (DISH Network). DISH Network is one of the leading direct broadcast satellite television providers in the United States, and provides programming to more than 14 million subscribers. As Vice-President of Programming, I was responsible for Video on Demand (VOD), Pay-Per-View (PPV), International Sports Acquisition, Ad Sales and the Interactive Television

business units. These units represented approximately \$1 billion in annual revenue. In paragraphs 4-8 below, I explain what my responsibilities were with respect to each of those units.

4. VOD/PPV Units: I established and built the PPV and VOD Department from inception into a half-billion dollar enterprise for DISH Network. I also negotiated each and every DISH Network contract with major and independent studios, sports content providers and event promoters. I also developed and implemented national and regional marketing strategies and programs in support of PPV and VOD and I worked closely with my programming colleagues and DISH Network engineers regarding the launch and channel placement, including where channels resided on the Electronic Programming Guide (“EPG”), of not only VOD/PPV channels, but all of DISH Network’s programming channels.

5. Sports Acquisition: I negotiated North American sports rights for television and Internet for hundreds of soccer and cricket events, including exclusive World Cup Cricket rights and exclusive South American World Cup Qualifier rights for soccer. I also negotiated all contracts for U.S. Sports packages including NBA League Pass, MLB Extra Innings, NHL Centre Ice, ESPN Full Court, ESPN Game Plan, and MLS Shootout. I was also responsible for marketing, finance and operations associated with these products. In every negotiation regarding carriage of the programming services above, I dealt directly with the issue of where services would reside on the EPG.

6. Ad Sales: I managed the Ad Sales business for DISH Network,. In that capacity, I oversaw relationships with outside contractors and vendors such as Nielson Media and Turner Media, and spearheaded infrastructure developments needed to grow the business, such as viewer measurement data, and insertion capability. As a result of my experience managing DISH Network’s ad sales department, I developed a keen understanding of the economic value of channel placement on the EPG (i.e., how channel placement impacts ratings and therefore advertising rates).

7. Interactive Television: I oversaw the design and development of the portal for interactive television on DISH Network and led related programming meetings. I was responsible for the strategic planning of interactive channels that would enhance the consumer experience on DISH Network. I also spearheaded and led programming development meetings. As a result of my experience managing DISH Network's interactive television platform, I developed a keen understanding of the economic value of channel placement on the EPG (i.e., how placement of the "Mosaic" service, for example, at a channel number below 150 would increase its viewership).

8. Prior to becoming Vice President of Programming, I served as the Director of PPV and International Programming at DISH Network. In that capacity, I worked with domestic and international programmers, negotiated contracts, and gave strategic input regarding DISH Network's domestic and international programming mix, channel placement, packaging and pricing.

9. I was recently asked by Bloomberg L.P. ("Bloomberg") to provide an opinion on several programming issues including (i) the practice of neighborhooding and what constitutes a neighborhood in the industry, along with the relative value of various channel placements; (ii) what channels are viewed as news channels; and (iii) the practice of moving a network from one channel position to another channel position.

10. I have reviewed Bloomberg's Complaint and the Answer of Comcast Cable Communications, LLC in the above-captioned proceeding, including all exhibits and attachments and the programming schedule for many cable and multicast network channels.

11. In what follows, I explain the practice of neighborhooding, how many channels and channel genres are viewed, and the process of moving a network, such as Bloomberg Television ("BTV"), from one channel position to another.

**I. WHAT IS A NEIGHBORHOOD?**

12. I agree with Mr. Egan that there is no specific “definition of a news neighborhood among industry professionals.” Answer, Ex. 4 at ¶ 11. My experience in the MVPD industry, however, has been that a neighborhood or cluster consists of a group of channels that come from a similar genre and are placed next to one another to be more easily identified and found by viewers.

13. My experience in the industry leads me to conclude that this practice benefits viewers, operators and networks. First, it enables viewers to more easily find and watch programming in which they are most interested and in turn benefits operators because viewers are thus happier with their service. Similarly, because viewers use their remote controls to scroll through their programming guide, channels in the same genre will experience increased viewership by being placed in close proximity to one another.

14. In my various roles as a programming executive at DISH Network, I witnessed the effects of neighborhooding and channel placement. First, when placing so-called “barker” channels that promoted PPV events on the EPG, I witnessed that the placement of the barker channel lower in the EPG and next to a top-rated network of the same genre resulted in a significant increase in buy rates for that PPV event.

15. Second, in the foreign-language and movie genres, I witnessed the increase in subscriber upgrades to more expensive programming tiers when channels available only on the higher tier were placed on the EPG next to channels of the same genre available on less expensive tiers. The subscribers to the less expensive tiers would see on their EPG the existence of additional channels of the same genre and want to watch them. The only way they could do so was by upgrading to the higher service tier. So by placing channels of the same genre together on the EPG, DISH Network was able to promote greater subscriber upgrades to more expensive tiers.

16. In my experience, the touchstone for clustering or neighborhooding is whether the operator is intentionally placing channels of a similar genre near each other in an effort to increase overall viewership. Thus, whether or not the cluster or neighborhood can be easily identified, found, and remembered are important elements in creating an effective neighborhood. Within the MVPD industry, 3 or 4 channels placed together can be sufficient to successfully attract viewers attention and their placement on the system can be “bookmarked” or remembered so that it can be easily found later. Such neighborhoods or clusters can more easily exist when the programming has one or two anchor channels that are particularly popular within that genre.

17. The neighborhooding concept applies to genres other than news. For example, a group of four sports channels, four Spanish language channels or four children’s channels in any block of five channel positions would, in my opinion, constitute a neighborhood of channels. In my experience, however, news channels benefit even more from neighborhooding than do other genres because what I will call “news aficionados” tend to flip between news networks more frequently than do viewers of movie, drama, sports, or other long-form programming.

18. Bloomberg has identified in Exhibit H of its Complaint 368 groupings where there are at least four news channels in a block of five adjacent channel positions. Most of these groupings included easily recognized news channels such as CNN, Headline News, MSNBC, Fox News, and CNBC. In my opinion, based on my experience in the industry, such groupings of the most popular news channels would be recognized as neighborhoods by those in the MVPD industry.

19. Moreover, if a subscriber comes across a group of four major news channels such as CNN, MSNBC, CNBC, or Fox News, he or she would reasonably conclude that such a group is a news neighborhood, and he or she would remember the general area as where the MVPD places its news programming. This is particularly true given the relatively high ratings of the aforementioned

news networks because a subscriber who recognizes, say, CNN as a news network probably would conclude that a channel next to it on the EPG also is a news network.

20. Comcast asserts that in order to be a channel neighborhood, a group of channels must comprise a large percentage or number of all networks in that genre. I disagree. In my opinion, the key factor is the effectiveness of similarly-themed channels grouped together in attracting viewers and facilitating their finding and watching the relevant programming. Such a number can be quite small in constituting a neighborhood. For example, in my experience dealing with foreign language programming, I saw that two or three French language channels placed next to one another on the EPG would be considered by subscribers to be a neighborhood of French channels. This was true despite the fact that worldwide, there were many more French language channels in existence. In addition, even within DISH Network, there might be other French channels scattered throughout the service. The grouping of three French channels together, though, created a neighborhood.

## II. WHAT IS A NEWS CHANNEL?

21. Comcast includes many types of channels in their definition of “news” that I would say are not appropriately classified as news. In my opinion and based on my experience, several categories cited by Comcast would not typically be included in such news neighborhoods:

22. Sports – “Sports news channels” in my opinion are not news channels but rather sports channels. For example, when I was in charge of PPV, if I had an upcoming boxing match to promote and I had a choice between putting the promotional “barker” channel next to CNBC or ESPN News, I would choose to put it next to ESPN News because I know that sports fans tend to watch that network, while news and business viewers tend to watch CNBC.

23. Foreign Language – “Foreign-language news channels” need not be included in a group of channels in order to create a news neighborhood. When I managed DISH Network’s ad

sales department, if I wanted to offer to a potential advertiser a “buy” on news channels, I would not include foreign language news services because those services address a completely different demographic market segment than, say, CNBC, CNN, Fox News, or MSNBC. Therefore, I do not view foreign language news channels as an appropriate part of a news neighborhood.

24. Weather – Weather channels in my opinion are similar to sports news channels in that they are a distinct category and should not be grouped with more broadly based news channels such as MSNBC, CNN, Fox News or CNBC. If CNBC were placed in the electronic programming guide next to three weather channels (i.e. The Weather Channel, Weatherscan Local Network and a local twenty-four weather feed), I would not say that CNBC was in a news neighborhood, but rather that CNBC was next to a weather neighborhood.

25. Current TV – Having reviewed the programming content on Current TV, in my opinion it would not fall under the news category. Most of Current TV’s programming is comprised of documentaries and non-news programming. As a programming executive, I would not group it in a news neighborhood and as an ad sales executive I would not sell it as part of a news group.

26. HD Feeds – HD Feeds should not be counted as two separate channels because the programming is primarily the same on both the SD and HD feed.

27. Multicast Streams – Having reviewed some of the programming schedules and content descriptions of the multicast channels identified by Comcast, they do not seem to focus on public affairs, business, or local news reporting or analysis between 6:00 a.m. and 4:00 p.m., but rather nature and outdoors programming, historical documentaries, and other non-news. As such, I would not consider them to be news channels similar to the likes of MSNBC, CNN, Fox News, Bloomberg or CNBC. In addition, it is my experience that in the MVPD industry, multicast channels are considered to be broadcast channels and not news channels.

28. The examples below are a non-exhaustive list of channels identified by Comcast as news but that, in my opinion, do not fit the news genre and need not appropriately be included in a channel grouping in order to create a “news” neighborhood:

I reviewed the scheduled programming for the following channels that Comcast alleges are news channels and have determined that they should not be classified as news channels because they feature primarily local weather forecasts and/or radar: KAREDT2, KCPQDT2, KHQDT2, KSHBDT2, KSLDT3, KTCADT4, KUSADT2, KXTVDT2, Local Weather, NBC Plus, WDTVDT2, WFMZDT2, WFSBDT3, WFTVDT2, WHTMDT3, WIPBDT3, WISHDT2, WISHDT3, WJLADT2, WKRNDT2, WKYUDT3, WMARDT3, WPTVDT2, WTHRDT2, Weatherscan Local Network, and WTSPDT2.

I reviewed the scheduled programming for the following channels that Comcast alleges are news channels and have determined that the following channels are Public Broadcasting Service World feeds: WGBXDT2, WGBYDT2, WLIWDT3, WPSUDT3, WTIUDT2, and WVTADT4. These channels focus on cultural and information programming and should not be classified as news channels. Examples of programming featured between 6 a.m. and 4 p.m. on these channels are “POV,” “Nature,” and “Nova”.

I reviewed the scheduled programming for the following channels Comcast alleges are news channels and determined that the following channels feature community oriented or informational programming and should not be classified as news channels: KCRT Cable, KQEDDT3, KTCADT2, KUEDDT2, City of Houston- The Municipal Channel, WGTVDT3, WHYDYDT3, WKGBDT3, WNEODT2, and WTVJDT2. Examples of programming featured between 6 a.m. and 4 p.m. are “Outdoor Wisconsin,” “Nova,” “The Grill Sergeants,” “The Buffalo Flows,” and “Peter Pan: Kentucky Ballet Theatre.”

I reviewed the scheduled programming for the Community Bulletin Board channel and have determined that it should not be classified is not a news channel. The channel displays written messages submitted by local non-commercial entities.

I reviewed the scheduled programming for the Comcast 100 channel and do not believe that it should be classified as a news channel. According to programming information available on the Internet, the channel airs paid programming between 6 a.m. and noon and carries much non-news programming at other times.. Examples of programming featured include “Comcast Cares 2011,” “Backstage Beauty and the Beast,” and “Seeking Solutions with Suzanne.”

I reviewed the scheduled programming for Tango Traffic and WPHLDT4, a stream of Tango Traffic. They air 24 hour programming relating to traffic conditions and should not be classified as news channels.

I reviewed the scheduled programming WBCCDT4, which is a Public Broadcasting Service channel that focuses its programming on the arts. I do not believe that it should be considered a news channel.

I reviewed the scheduled programming for LINK TV. That channel focuses on foreign cultural and informational programming and should not be classified as a news channel. Examples of programming featured between 6 a.m. and 4 p.m. are "A Dollar a Day: Made in China," "Rebecca's Wild Farm," and "World Music Blocks."

I reviewed the scheduled programming for WNVTD8. That channel broadcasts RT Español, the Russia Today channel in the Spanish language. WNVTD8 should be classified as a Spanish-language channel rather than a news channel for purposes of neighborhooding.

I reviewed the scheduled programming for WNCNDT3. That channel features paid and sports programming between the hours of 6 a.m. and 4 p.m. and should not be classified as a news channel.

I reviewed the scheduled programming for the following channels and determined that they feature primarily foreign news programming: KBDIDT3, KBTCDT2, KUENDT2, WDSCDT3, WHTJDT3, WNEODT3, WNVC, WNVCDT, WNVCDT2, WNVCDT4, WNVCDT5, WNVTD, WNVTD2, WNVTD4, WNVTD5, WNVTD6, and WNVTD7.

### III. THE ABILITY TO MOVE CHANNELS

29. In my capacity managing DISH Network's PPV, International, International Sports, and Interactive TV products, I oversaw multiple reconfigurations of the channel lineup as new services were added and old services dropped. As a general matter, the executive team at DISH Network measured subscriber dislocation in terms of call volume to the call centers. In my experience, changes to the channel lineup did not create a troubling call volume if the proper marketing and consumer communication actions were taken in advance of, and concurrently to

those lineup changes. For example, when DISH had to change many of the international channel locations due to satellite capacity issues, calls to the call centers were minimal due to the successful execution of customer communication tactics implemented far in advance of the changes. In addition, from a technology perspective, it was my experience that adding, rearranging, or taking down channels within the EPG was a fairly straightforward task.

## CONCLUSION

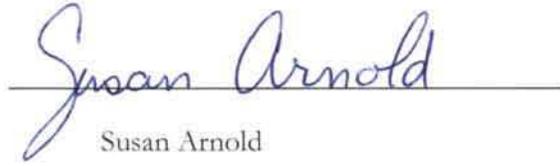
30. For all of these reasons, I conclude (i) a neighborhood can consist of as few as three or four similarly themed channels placed in a five channel block; (ii) HD feeds, sports news channels, foreign language news channels, weather channels, Current TV and broadcast multicast channels should be excluded from the calculation of news channels for purposes of defining a “news neighborhood,” and (iii) the movement of a channel from one position to another in a digital environment should be easy from a technical perspective and can be done with minimal consumer disruption if properly marketed and communicated.

31. I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge and belief.

Dated: Washington, DC

**FOR PUBLIC INSPECTION**

Dated: August 30, 2011

A handwritten signature in blue ink that reads "Susan Arnold". The signature is written in a cursive style and is positioned above a solid horizontal line. Below the line, the name "Susan Arnold" is printed in a standard black font.

Susan Arnold

Appendix A

Susan K. Arnold CV