

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
The Tennis Channel, Inc., )  
Complainant )  
 v. )  
Comcast Cable Communications, LLC, )  
Defendant )

MB Docket No. 10-204  
File No. CSR-8258-P

FILED/ACCEPTED

JAN - 9 2012

To: The Commission

Federal Communications Commission  
Office of the Secretary

**MOTION FOR WAIVER OF PAGE LIMITS**

Comcast Cable Communications, LLC (“Comcast”) hereby requests permission to exceed the specified page limitation set forth in the Commission’s rules with respect to Comcast’s consolidated brief and exceptions (“Exceptions”) to the initial decision (“Initial Decision”) of the Chief Administrative Law Judge (“ALJ”) in the above-captioned proceeding.<sup>1</sup> Section 1.277 of the Commission’s rules specifies that a party’s consolidated brief and exceptions to an initial decision may not exceed 25 pages, excluding the table of contents and table of citations.<sup>2</sup> Section 1.48(b) allows for the filing of requests to exceed otherwise applicable page limitations, and this request is timely.<sup>3</sup>

The factual and legal issues presented in the Initial Decision are complex and raise serious questions before the Commission, including but not limited to whether the Initial Decision is consistent with Commission precedent, and whether its unprecedented mandatory

<sup>1</sup> *Tennis Channel, Inc. v. Comcast Cable Communications, L.L.C.*, Initial Decision of Chief Administrative Law Judge Richard L. Sippel, FCC 11D-01 (Dec. 20, 2011) (“Initial Decision”).

<sup>2</sup> See 47 C.F.R. § 1.277(c). The Commission’s rules allow a party to appeal an initial decision by filing exceptions within 30 days of the initial decision. See *id.* § 1.276(a)(1).

<sup>3</sup> See *id.* § 1.48(b).

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carriage remedy violates the First Amendment (an issue of first impression). In addition, the record in this proceeding is voluminous – it includes, as the ALJ noted, “thousands of documentary exhibits”<sup>4</sup> and nearly 3,000 pages of transcript – and the Initial Decision itself comprises 54 single-spaced pages, including 361 citations. For these reasons, Comcast respectfully requests 15 additional pages for its Exceptions. While requests to file pleadings in excess of the prescribed pleading length are not routinely granted,<sup>5</sup> the Commission has done so for good cause, such as where – as here – the complexity of issues raised and volume of underlying documents are significant.<sup>6</sup> Comcast is authorized to state that Tennis Channel, Inc. (“Tennis Channel”) does not object to this request; nor will Comcast object to a similar increase in page length for Tennis Channel’s Reply to Comcast’s Exceptions.

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<sup>4</sup> Initial Decision ¶ 3.

<sup>5</sup> See 47 C.F.R. § 1.48(b).

<sup>6</sup> See, e.g., *In re Connect America Fund, et al.*, Order, DA 11-2063 ¶ 4 (WCB, WTB Dec. 23, 2011) (increasing page limits for petitions for reconsiderations from 25 to 40 pages, noting the length and complexity of issues in the underlying order); *In re Charter Communications, Petition For Determination of Effective Competition in New Hanover County, North Carolina*, Memorandum Opinion and Order, 24 FCC Rcd 14261 ¶ 11 (MB 2009) (waiving *sua sponte* page limits in light of the complexity of the facts); *In re Amendment of Parts 1, 21, 73, 74, and 101 of the Commission’s Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, et al.*, Order, 21 FCC Rcd 8731 ¶ 5 (WTB 2006) (extending page limits for oppositions and replies to petitions for reconsideration from 25 and 10 to 50 and 20 pages, respectively); *In re 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of The Telecommunications Act of 1996, et al.*, Order, 18 FCC Rcd 16554 ¶ 2 (MB 2003) (increasing the page limits for petitions for reconsideration, oppositions, and replies, citing the complexity and importance of issues in the proceeding); *In re Implementation of the Pay Telephone Reclassification and Compensation Provisions of The Telecommunications Act of 1996*, Order, 12 FCC Rcd 6175 ¶ 3 (CCB 1997) (allowing increased page limits for applications for review of a Common Carrier Bureau order from 25 to 50 pages).

Respectfully submitted,

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January 9, 2012

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**CERTIFICATE OF SERVICE**

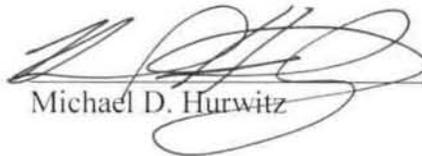
I, Michael D. Hurwitz, hereby certify that on January 9, 2012, I served a true and correct copy of Comcast's Motion for Waiver of Page Limits by hand and electronic mail on:

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