BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of

Media Bureau Seeks Comment on Whether Comcast-NBCU Benchmark Condition Needs Clarification and Whether a Proposed Third Protective Order for Compliance Should be Adopted

MB Docket No. 10-56

OPPOSITION TO MOTION FOR EXTENSION OF TIME

Comcast Corporation (“Comcast”) and NBCUniversal Media, LLC (“NBCUniversal”), through their attorneys, hereby oppose the motion by CBS Corporation, News Corporation, Sony Pictures Entertainment Inc., Time Warner Inc., Viacom Inc., and The Walt Disney Company (the “Content Companies”) for an extension of time to file comments and reply comments in response to the above-captioned matter.1

Comcast and NBCUniversal first filed their request for clarification regarding implementation of the Benchmark Condition (“Request”) on February 17, 2012.2 The Content Companies filed a response letter on February 27, 2012, raising their initial objections to the Request and suggesting that they would be filing more detailed

1 Motion for Extension of Time of the Content Companies, MB Docket No. 10-56 (Mar. 16, 2012).

comments after the Request was placed on public notice.³ While the public notice setting comment and reply comment dates was not released until March 13, 2012,⁴ the Content Companies have been aware of the Request and developing their arguments for nearly a month, and have two more weeks from the date of the public notice until initial comments are due. A full 30 days from the public notice for filing comments, plus an additional 30 days for reply comments, is inappropriate given that the Request has been in the public docket for four weeks and interested parties like the Content Companies have already filed initial responses.⁵

As Comcast and NBCUniversal explained in their Request, clarification from the Bureau is needed urgently so that the companies can meet their obligations and comply with the Benchmark Condition of the _C-NBCU Order_.⁶ Further, the Request is procedural in nature – the companies seek guidance on what process should be followed to ensure that OVDs can make efficient use of the Benchmark Condition and NBCUniversal has access to the peer deal on confidential terms that protect the interests of the peer. As such, the abbreviated comment period already set in place is appropriate.


⁴ _See Public Notice at 1_ (setting comment and reply comment dates for March 27 and April 3, respectively).


⁶ _In re Applications of Comcast Corporation, General Electric Company, and NBC Universal, Inc. For Consent to Assign Licenses and Transfer Control of Licenses_, Memorandum Opinion and Order, 26 FCC Rcd. 4238 (“_C-NBCU Order_”).
The Commission’s rules state that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.” 7 Given that, there is no basis upon which the Media Bureau should here depart from that policy.

For these reasons, Comcast and NBCUniversal respectfully request that the Media Bureau deny the Content Companies’ motion.

Respectfully submitted,

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March 19, 2012

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7 47 C.F.R. § 1.46(a).
CERTIFICATE OF SERVICE

I, Jessica F. Greffenius, hereby certify that, on March 19, 2012, copies of the foregoing Opposition to Motion for Extension of Time were served on the following:

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