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June 8, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Room TW-A325
Washington, DC 20554

Re: *Bloomberg L.P. v. Comcast Cable Communications, LLC*, MB Docket No.
11-104, **Request for Confidential Treatment**

Dear Ms. Dortch:

Comcast Cable Communications, LLC (“Comcast”) requests Confidential treatment, pursuant to Section 0.459 of the Commission’s Rules, for certain information contained in today’s filing, including all information contained in Exhibit 2 accompanying today’s filing. Comcast is concurrently filing through the Commission’s Electronic Comment Filing System a version of today’s filing that has been redacted for public inspection.

Section 0.459 provides that the public disclosure of materials submitted to the Commission is not required where, as here, “the materials contain trade secrets or commercial, financial or technical data which would customarily be guarded from competitors.” In support of this request, Comcast provides the following information, as required by Sections 0.457(d)(2) and 0.459(b) of the Commission’s Rules.

1. Information for Which Confidentiality Is Requested. Comcast is requesting that the information contained in today’s filing be withheld from public disclosure under 5 U.S.C. §§ 552(b)(4), (b)(7) and 47 C.F.R. § 0.457(d)(2).
2. Proceeding/Reason for Submission. Comcast is submitting the enclosed information in response the Memorandum Opinion and Order in *Bloomberg L.P. v. Comcast Cable Communications, LLC*, MB Docket No. 11-104, DA 12-694 (MB rel. May 2, 2012).

3. Nature of Confidential Information. The information (described in (1) above) contains sensitive commercial information that may be withheld from public disclosure under FOIA Exemption 4. The Commission has long recognized that, for purposes of Exemption 4, “records are ‘commercial’ as long as the submitter has a commercial interest in them.” *Robert J. Butler*, 6 FCC Rcd 5414, 5415 (1991) (citing *Public Citizen Health Research Group v. F.D.A.*, 704 F.2d 1280, 1290 (D.C. Cir. 1983); *American Airlines v. National Mediation Board*, 588 F.2d 863, 868 (2d Cir. 1978)). Further, the parties to this proceeding have been treating similar information as confidential throughout this proceeding.
4. Competitiveness of Market. The commercial information in question derives from and relates to Comcast’s provision of competitive services, including video programming services and thus “concerns a service subject to competition.” 47 C.F.R. § 0.459(b)(4).
5. Harm from Disclosure. The commercial information in the enclosed response is confidential because its release would likely cause competitive harm to Comcast. The D.C. Circuit has found parties do not have to “show actual competitive harm” to justify confidential treatment. Rather, “[a]ctual competition and the likelihood of substantial competitive injury’ is sufficient to bring commercial information within the realm of confidentiality.” *Public Citizen Health Research Group*, 704 F.2d at 1291, quoting *Gulf & Western Industries v. U.S.*, 615 F.2d 527, 530 (D.C. Cir. 1979).

This filing contains confidential business information derived from certain Comcast proprietary databases and other internal sources. It contains information about Comcast’s contractual agreement with Bloomberg TV and provides the number of Comcast customers who are subscribed to receive Bloomberg TV. Public disclosure of the information would give Comcast’s competitors insight into Comcast’s business decisions and into its market position.
6. Measures Taken To Prevent Unauthorized Disclosure. Comcast treats the designated information produced as confidential; it does not make subscriber data and the contents of contracts with programmers publicly available.
7. Previous Disclosure. Comcast has not publicly disclosed the information in the compiled form in which they appear in today’s filing.
8. Requested Duration of Nondisclosure. The enclosed information should never be released for public inspection, as it contains commercially sensitive, confidential information, the release of which

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could adversely affect Comcast's competitive position.

For the foregoing reasons, Comcast respectfully requests that the Commission withhold from public inspection the specified information in the enclosed response. Should you need additional information with regard to this request, please contact the undersigned.

Very truly yours,



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