



September 11, 2012

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Time Warner Cable Inc. and Bright House Networks, LLC, Emergency Petition for
Injunction and Sanctions, CSR-8960-C, MB Docket 12-212

Dear Ms. Dortch:

This letter is in response the September 7, 2012 letter submitted by counsel for Time Warner Cable Inc. ("TWC") in the above-captioned matter. TWC's counsel's provided the Commission with the initial court decision in respect of the parties' contractual dispute. As Nexstar has previously noted, the parties' contractual dispute is outside of the Commission's purview.¹ The only relevant question for Commission consideration in this proceeding is whether TWC violated the Commission's rules. Nonetheless, in order to provide the Commission with a complete record on the contractual matters, attached hereto is a Nexstar's Notice of Appeal of the District Court's decision as submitted to the Court of Appeals for the Fifth Circuit.

Please do not hesitate to contact the undersigned with any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Ryder", written in a cursive style.

Elizabeth Ryder
Vice President & General Counsel

cc: William Lake
Michele Ellison
Nancy Murphy
Matthew A. Brill

¹ The Commission is not the proper forum for the adjudication of private contractual disputes. See *Listeners' Guild, Inc. v. FCC*, 813 F.2d 465, 469 (D.C. Cir. 1987) (Commission's denial of petition to deny filed against renewal application upheld as consistent with Commission's longstanding policy of refusing to adjudicate private contract law questions for which state court forum existed).

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

-----X	
NEXSTAR BROADCASTING, INC.,	:
	:
Plaintiff,	:
	:
-against-	:
	:
TIME WARNER CABLE INC.,	:
	:
Defendant.	:
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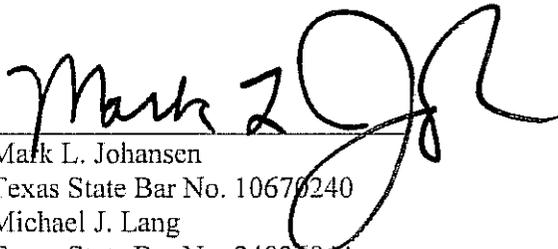
3:12-CV-2380-P

PLAINTIFF NEXSTAR BROADCASTING, INC.'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff Nexstar Broadcasting, Inc. ("Nexstar"), pursuant to 28 U.S.C. § 1292(a)(1), hereby appeals to the United States Court of Appeals for the Fifth Circuit from an order entered on September 6, 2012 (Docket Entry No. 33) denying Nexstar's motion for a temporary restraining order and preliminary injunction.

Dated September 10, 2012

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*Attorneys for Plaintiff Nexstar
Broadcasting, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Plaintiff Nexstar Broadcasting, Inc.'s Notice of Appeal has been served on counsel for Defendant in accordance with the Federal Rules of Civil Procedure on this 10th day of September, 2012 as set forth below.



Mark L. Johansen

VIA CM/ECF

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