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January 16, 2013

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Notice of *Ex Parte* Communication in MB Docket No. 09-182

Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that on January 14, 2013, Jay Howell, Vice President – Regional Television of LIN Television Corporation d/b/a LIN Media (“LIN”), along with Joshua Pila, Senior Counsel of LIN, and I met with Elizabeth Andrion of the Office of Chairman Genachowski, to discuss the Commission's proposal to modify the attribution status of broadcast television joint sales agreements (JSAs). We also provided copies of the attached documents.

LIN's representatives explained that broadcast JSAs serve in part as a market response to multichannel video programming distributor (“MVPD”) interconnection agreements. In most television markets many or most of the largest MVPDs cooperate to sell advertising jointly via these “interconnects”. The interconnects allow one MVPD to sell advertising across entire DMAs on behalf of multiple MVPDs, including not just cable operators, but also in some cases satellite television and “telco” video providers. We explained that the MVPD interconnects dwarf broadcast JSAs in size and scale and that they have access to sophisticated and very expensive sales research and tools that give them enormous advantages over stand-alone broadcast stations in the sale of local advertising. The reach and scale of these interconnects has allowed the MVPDs, working together, to compete directly with broadcasters for local television advertising buys that historically would have been allocated exclusively to broadcast stations.

In response to a question, LIN's representatives noted that cable interconnects advertise themselves as a "one-stop shop" for local television advertising buys. LIN's representatives noted that the fact that the interconnects advertise that way shows that they believe that the joint sales provide a meaningful differentiator in the marketplace. LIN's representatives also explained LIN's focus on investment in small market stations, and especially stations that have a sharing arrangement in place.

In response to a question, I explained the fallacy of MVPDs' assertions that rising retransmission rights fees cause higher retail prices for MVPD services. The cost of programming is rising across the board: all programmers, including broadcast stations and the cable networks they compete with, are contending with rising programming rights fees. Program rights holders sell to the programmers that pay the highest price. MVPD subscribers and advertisers ultimately pay the cost of those higher program rights fees, whether the programs are carried by broadcast stations or "pay only" non-broadcast networks. However, when programs are carried on broadcast stations there are major advantages for consumers. First, advertisers pay much more of the cost, so even with higher retransmission fees, MVPD subscribers pay far less to view a program on broadcast television than they would to watch the same program on a non-broadcast channel. Second, broadcast programming is available free to air at no cost to consumers who do not subscribe to MVPD service. Programs that appear on non-broadcast channels are available only as part of bundled MVPD subscription services. I argued that if the government attempts to limit the price broadcasters can charge MVPDs for retransmission rights – but does not also regulate non-broadcast channels' fees – then high-cost programming will continue to migrate from free over-the-air broadcast to pay only distribution. That programming will only be available to MVPD subscribers, and those subscribers will pay more for that programming than they would have if it had been carried by a broadcast station.

I also explained that while MVPDs often reference an unsigned, undated competitive impact statement the Department of Justice assertedly filed in the *Texas Television* case¹ in support of their argument that certain agreements between local television stations are anticompetitive, the facts alleged in that case bear no resemblance to operations pursuant to formal joint sales agreements or shared services agreements. In that case the DOJ alleged that three television stations secretly and illegally conspired via a holdout arrangement to raise the price of retransmission consent fees. In contrast, the DOJ routinely approves JSAs and shared service agreements. Those agreements do not restrain competition and they provide substantial market-enhancing benefits. Those to which LIN is a party comply in all respects with all applicable competition laws.

¹ See, e.g., January 10, 2012 ex parte letter from NCTA, MB Docket 09-182 (available at <http://apps.fcc.gov/ecfs/document/view?id=7022101780>).

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In conclusion, we restated LIN's belief that JSAs should not be attributed and LIN's position that the Commission would be required to update the record before considering attribution of JSAs.

Very truly yours,

/s/

John K. Hane

Enclosure

cc (via e-mail): Elizabeth Andrion
Joshua Pila
Jay Howell

Reach viewers in Savannah DMA

The Savannah interconnect includes the zones of Savannah, Hinesville, Beaufort, Bluffton and Island of Beaufort

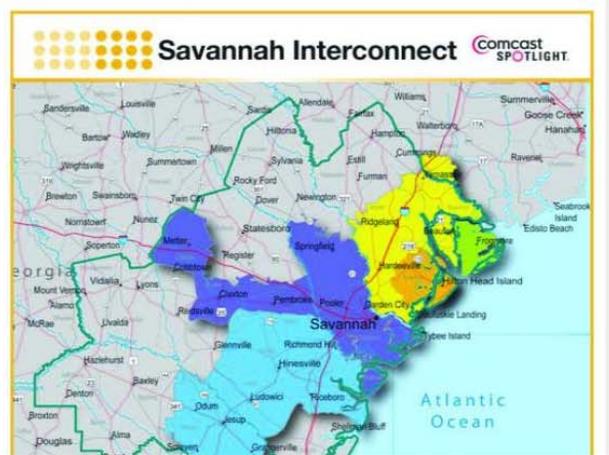


- Market Home
- Coverage Overview
 - Bluffton-Beaufort
 - Hilton Head
 - Hinesville
 - Islands of Beaufort
 - Savannah
 - Savannah Interconnect**
- Market Info
- Programming
- Available Ad Solutions
- Resources
- Production
- Contact Us
- Promotions

Savannah Interconnect

The Savannah Interconnect is one large zone that includes all of our individual zones. This is a joint partnership between Charter, Time Warner and Hargray where Comcast Spotlight manages the commercial inventory. When one commercial airs on the interconnect, it is seen at the same time in all of the zones.

Coverage Map





Spot Cable Advertising

Fast Facts

Simple – Spot cable is simple to plan and simple to buy.

Market Focused – Spot Cable allows you to master the changing television marketplace.

Adaptable – Select the right networks, dayparts and programs for your brand in every market.

ROI Driven – Deliver consumer reach and effective frequency – eliminate doubt and waste.

Targeted – Spot Cable offers a wide range of advanced engagement and technologies.

Overview

Spot cable refers to cable purchases in local markets or other geographic areas as specified by you and/or your ad agency. With spot cable advertising, marketers can pick and choose from various cable networks and from different geographic areas covered by the cable system.



Benefits

- ❖ Allows you to strengthen your brand in the markets most important to you.
- ❖ Provides efficient media buying – spot cable allows you to reach your core audience without paying for wasted coverage.
- ❖ Allows you to reach potential customers that share similar interests.
- ❖ Provides you with the opportunity to marry your message with top-rated network and programming brands for increased awareness and credibility.

Features

- ❖ Geographic Targeting – By effectively using spot cable, you can reduce waste by concentrating your message only in the areas you need to reach potential customers.
- ❖ Demographic Targeting – Cable networks have specific audiences with their own individual interests. Spot cable allows you to advertise on the cable networks that best allow you to reach the niche audiences interested in your products or services.
- ❖ Flexibility – Because of the way cable systems are now “interconnected,” you can easily create a strategic, awareness-building campaign, while still enjoying the efficiency and targetability that spot cable delivers.





Research

Fast Facts

- A \$20 million research investment is made annually to help you reach your best prospects geographically, demographically or psychographically.
- Sophisticated marketing intelligence drilled down from various sources for every advertising category.
- We have a strong commitment to defining your best prospects and identifying the most effective methods to reach them.

Overview

Comcast Spotlight provides you with the expert knowledge to confidently invest in our expanding array of advertising products from linear channels (e.g. ESPN, CNN and TNT) to our non-linear digital cable products (e.g. On Demand, XFINITY.com) In addition to the syndicated research services we use (e.g. Nielsen, Scarborough, TNS), we also conduct primary research to ensure you are maximizing your advertising campaigns. Every step of the way, we help you target and execute your advertising plan effectively within our media channels.



Benefits

Comcast Spotlight is structured to provide you with both strategic and tactical insights into your media and marketing planning process. For example, through our Polk database, we can compare and contrast local market competitive trends versus overall national patterns. And, with our geographic information and mapping system from SRC, we can examine category sales down to the zip code level and generate thematic maps to illustrate high (and low) areas of opportunity for advertisers. Comcast Spotlight's research expertise is geared to transform data into critical and actionable insights.

Features

Comcast Spotlight relies on sophisticated quantitative and qualitative applications to provide you with customized research. The quantitative data from Nielsen, Strata, Polk and others gives you precise analysis of television viewership, advertising schedules and the competitive environment. MRI, Scarborough and various other resources provide extensive qualitative data on consumers, geographies and media usage to help you make a more informed decision.





Find Your Markets

Do You Know the Marketplace?

Find Your Markets

Comcast Spotlight reaches roughly **33+ million** homes and has more interconnects than any single broadcast group has owned and operated stations. We have presence in 7 of the top 10 DMAs and 13 of the top 20 DMAs.

The interactive map below can be a quick and invaluable tool to learn where to advertise.

Simply select the geographic areas that matter most and we'll give quick snapshots of each market's demographics.

The snapshots also presents the names of the local market representatives to learn the many unique ways Comcast Spotlight can help build an advertiser's brand.

