

Before the
Federal Communications Commission
Washington, D.C. 20554

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|----------------------------|---|------------|
| In the Matter of |) | |
| |) | |
| Herring Broadcasting, Inc. |) | |
| |) | CSR-7709-P |
| v. |) | |
| |) | |
| Time Warner Cable Inc. |) | |

ORDER

Adopted: January 18, 2008

Released: January 18, 2008

By the Chief, Media Bureau:

1. Time Warner Cable, Inc. (“Time Warner”) has filed a Motion for Extension of Time in which to submit its Answer to the above-captioned program carriage complaint (“Complaint”) filed by Herring Broadcasting, Inc., d/b/a WealthTV (“WealthTV”). Time Warner requests an extension until Tuesday, February 5, 2008. Time Warner asserts that it did not receive the Complaint until Friday, December 21, 2007 and was therefore hampered in its ability to contact all of the persons with information relevant to formulating an effective Answer during the intervening holiday period. Time Warner asserts that a brief, two week extension will serve the public interest by allowing Time Warner to formulate a full and complete Answer, and that WealthTV will not be unreasonably impacted because it waited seven months to file its complaint after serving the requisite pre-complaint notice on Time Warner.¹

2. WealthTV filed an Opposition to Motion to Extension of Time arguing that Time Warner has had seven months to prepare to respond to WealthTV’s impending complaint. WealthTV also argues that Time Warner has failed to show that good cause exists for an extension and that WealthTV would be injured by such an extension.

3. We believe that good cause exists to grant the extension requested by Time Warner. Moreover, we do not believe that the brief, two week extension afforded herein will prevent the Commission from deciding WealthTV’s Complaint in a timely manner. In fact, the extension may serve to assist the Commission in expeditiously resolving this dispute by affording Time Warner sufficient time to fully address and narrow the issues in dispute.

¹ See 47 C.F.R. § 76.1302(b).

4. Accordingly, **IT IS ORDERED** that the Motion for Extension of Time filed by Time Warner Inc. **IS GRANTED**. Time Warner's Answer in this proceeding shall be due on or before February 5, 2008. WealthTV's Reply shall be due 20 days thereafter.²

5. This action is taken pursuant to delegated authority under Section 0.283 of the Commission's rules.³

FEDERAL COMMUNICATIONS COMMISSION

Monica Shah Desai
Chief, Media Bureau

² 47 C.F.R. § 76.1302(e).

³ 47 C.F.R. § 0.283.