

**REDACTED VERSION**

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

In the Matter of	)	
	)	
DISH Network L.L.C.,	)	
Complainant,	)	
	)	
v.	)	File No. CSR-8367-P
	)	
The Madison Square Garden Company and	)	
MSG Holdings, L.P.,	)	
Defendants.	)	
	)	

**ORDER**

**Adopted: January 17, 2012**

**Released: January 17, 2012**

By the Chief, Media Bureau:

1. On September 16, 2010, DISH Network L.L.C. (“DISH”) filed a program access complaint against The Madison Square Garden Company and MSG Holdings, L.P. (collectively, “Defendants”).<sup>1</sup> On May 6, 2011, the Media Bureau issued an Order dismissing one count in the complaint and directing DISH and Defendants to each elect whether they intend to engage in discovery with respect to the remaining counts.<sup>2</sup> On May 16, 2011, DISH and Defendants each submitted discovery requests.<sup>3</sup> On August 19, 2011, DISH and Defendants filed a joint submission describing the discovery matters on which the parties had reached agreement.<sup>4</sup>

2. In their discovery request, Defendants seek, among other things, certain affiliation agreements DISH has entered into with regional sports networks. We hereby order that DISH disclose to Defendants’ outside counsel the affiliation agreements dated October 29, 2010, and October 1, 2004, governing DISH’s carriage of the regional sports networks [REDACTED]. The disclosure of the Agreements shall be governed by the Protective Order dated October 29, 2010, and shall be deemed Highly Confidential Information for “Outside Counsel’s Eyes Only.”<sup>5</sup>

<sup>1</sup> See DISH Network L.L.C., Program Access Complaint, File No. CSR-8367-P (filed Sept. 16, 2010). The complaint was filed against Madison Square Garden, Inc. and Madison Square Garden L.P., which have changed their names since the filing of the complaint to The Madison Square Garden Company and MSG Holdings, L.P., respectively.

<sup>2</sup> See *DISH Network L.L.C. v. Madison Square Garden, Inc. et al.*, Order, 26 FCC Rcd 6729, 6731, ¶ 7 and 6733, ¶ 11 (MB 2011).

<sup>3</sup> See DISH Network L.L.C., Discovery Request, File No. CSR-8367-P (filed May 16, 2011); Defendants, First Set of Requests for the Production of Documents, File No. CSR-8367-P (filed May 16, 2011).

<sup>4</sup> See Joint Submission Regarding Discovery, File No. CSR-8367-P (filed Aug. 19, 2011).

<sup>5</sup> See *DISH Network L.L.C. v. Madison Square Garden, Inc. et al.*, Order, 25 FCC Rcd 15227 (MB 2010) (adopting protective order).

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3. Accordingly, **IT IS ORDERED** that, pursuant to Sections 4(i), 4(j), and 628 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 548, and Sections 76.7(f) and 76.1000-76.1003 of the Commission's rules, 47 C.F.R. §§ 76.7(f) and 76.1000-76.1003, DISH disclose to Defendants' outside counsel the Agreements as set forth above.

4. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules.<sup>6</sup>

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake  
Chief, Media Bureau

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<sup>6</sup> 47 C.F.R. § 0.283.