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**STATEMENT OF COMMISSIONER MICHAEL O’RIELLY**

**ON D.C. CIRCUIT’S DECISION IN CBS CORP. v. FCC**

As the Commission’s review of one of the proposed mergers proceeds, I am relieved that the court has acted to prevent the irreparable harm that would certainly have resulted from exposing the confidential terms of agreements struck by America’s leading content producers to their competitors and outside interest groups as well. Although I disagree with the court’s assessment that there was an adequate explanation why disclosure is in the public interest or a good idea on balance, the Commission undeniably failed to show that disclosure of this extremely sensitive information to third parties was necessary.