

**DISSENTING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: *TCR Sports Broadcasting Holding, L.L.P. d/b/a Mid-Atlantic Sports Network v. Time Warner Cable Inc.*

In the Order granting the license transfer from Adelphia to Time Warner, the FCC imposed an arbitration condition to address a finding that Time Warner would have the ability to deny carriage to rival regional sports networks.

The arbitration process was duly followed upon complaint from the MASN network that Time-Warner had engaged in program carriage discrimination against it. MASN prevailed on the merits. The arbitrator found that Time Warner had indeed engaged in unlawful discrimination by refusing to carry MASN on an analog tier. In fact, two arbitrators found discrimination against MASN.

In 2008, our Media Bureau agreed with these findings. I find no compelling evidence or rationale in the Memorandum Opinion and Order currently before us to reverse the findings of the two arbitrators and the 2008 Media Bureau decision.

I therefore am compelled to dissent.