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May 7, 2007

Marc Lawrence-Apfelbaum, Esq.
Executive Vice President, General Counsel and Secretary
Time Warner Cable
290 Harbor Drive
Stamford, CT 06902

Via Certified Mail and Fax at 203-328-0690

Re: WealthTV -- Pre-Filing Notice of FCC Complaint

Dear Mr. Lawrence-Apfelbaum:

By this letter, Herring Broadcasting, Inc., doing business as WealthTV (hereinafter "WealthTV"), is providing the pre-filing notice required by Section 76.1302(b) of the rules of the Federal Communications Commission in advance of the filing of a carriage agreement complaint for your company's violation of Sections 76.1301 of the FCC's rules.

WealthTV is an independent programming vendor. As Time Warner Cable (hereinafter "TWC") is aware, WealthTV has been seeking access from TWC continuously for approximately three years, and TWC has refused to grant access to WealthTV on the ground that there is no room in TWC's channel line up for WealthTV. As TWC also knows, WealthTV had several conversations with senior TWC officials during the time that it has been seeking such access, and during that time, has discussed WealthTV's existing programming and plans for future programming offerings. Particularly in light of these discussions, WealthTV was especially troubled to learn that TWC plans to launch an affiliated channel, MOJO, which offers programming that is substantially similar to that offered by WealthTV. TWC's ability to find room in its channel line up for its imitation of WealthTV but for WealthTV itself is further evidence of TWC's intentional discrimination against WealthTV in favor of its own affiliated programming in violation of the applicable laws and regulations.

TWC's unlawful conduct has caused WealthTV significant and continuing damages by denying WealthTV access to TWC's subscribers. Specifically, WealthTV believes that TWC is in violation of Section 76.1301(a), which prohibits TWC from requiring "a financial interest in any program service as a condition for carriage...", which is the effect of TWC's decision to find room for its own version of WealthTV but not WealthTV itself. WealthTV also believes that TWC is in violation of Section 76.1301(c), which prohibits TWC from engaging in "conduct the effect of which is to unreasonably restrain the ability of an unaffiliated video programming vendor to compete fairly by discriminating in video programming distribution on the basis of affiliation or non-affiliation of vendors in the selection, terms, or conditions for carriage of video programming provided by such vendors."

Please indicate at your earliest convenience your availability to discuss WealthTV's forthcoming FCC complaint and the evidence to be included therein during the ten day window provided for in the regulations. You may contact me at the above address, by telephone at 202-641-5387 or by email at wallmank@wallman.com

Very truly yours,

//signed//

Kathleen M.H. Wallman
Adviser to WealthTV