



WARNER BROS. DISCOVERY

December 12, 2023

Commissioner Laura Kavanagh
The Fire Department of the City of New York
9 MetroTech Center, Room 3N2
Brooklyn, NY 11201

RE: Objection to FDNY Proposed Rule 3 RCNY §325-01

Dear Commissioner Kavanagh:

On behalf of Warner Bros. Discovery (WBD), we respectfully submit our objections to Proposed New York Fire Department Rule 3 RCNY §325-01. WBD, which includes companies such as HBO, Warner Bros. Television, and Warner Bros. Pictures, has a long history of production in New York City and most recently have filmed such shows as *And Just Like That*, *Succession*, and *Gossip Girl*. Most of our productions in New York rely heavily on the use of location filming that highlights the City's various neighborhoods, making the city a character in their storylines. We very much appreciate the partnership with the city departments we work with every day to ensure filming goes smoothly.

On set safety is a top priority for our company, and we share the Department's goal of ensuring fire safety protocols are prioritized. However, we believe that the proposed requirement to have a designated fire safety manager physically present for each location would negatively impact production. The regulation fails to consider the volume of production work in the city and does not fully distinguish between activities that require oversight versus the majority of instances where it is not necessary. The one-size-fits-all approach will only serve to deter production in New York City. Using a current WBD production in NY, we have calculated that the production could require a minimum of 22 separate fire safety manager assignments per week for each episode. WBD typically has between five and ten productions in the city each year, so you can see how quickly the number of managers assigned would become very difficult to staff, which would only serve to hinder the safety and efficiency the Department is seeking. We believe the proposal will cause further confusion in communication during emergency situations where there would be multiple points of contact, will not improve safety on set in the manner this proposed rule intends, and will add substantial costs to each production which will only serve to deter productions from the City.

We also share the same concerns that other studios, the Motion Picture Association, and the Mayor's Production Council have expressed that existing crew members cannot fill these roles as it would need to be bargained during labor negotiations with our unions.

818-601-2766
4000 Warner Blvd., Burbank, CA 91522
wbd.com

The film industry is a vital contributor to our city's economy and cultural identity. Any regulatory framework must consider the nuances of this unique sector while ensuring the safety and well-being of cast, crew, and the public. WBD strongly believes the Department's goals can be achieved while balancing the logistical and cost issues. We ask that you work with us and the Mayor's Production Council in crafting a solution that will keep production working in New York City.

Sincerely,

Michael Walbrecht
Vice President, Public Affairs
Warner Bros. Discovery

cc: Arlen Valdivia, MPA
Daphne Sigala, WBD