



# ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559

## EXTENSION OF COMMENT PERIOD

### COMPULSORY LICENSE FOR CABLE SYSTEM

The following excerpt is taken from Volume 47, Number 130 of the Federal Register for Wednesday, July 7, 1982 (pp. 29529-30)

#### LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 201

[Docket RM 80-2]

#### Compulsory License for Cable System

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Extension of comment period.

**SUMMARY:** This notice is issued to inform the public that the Copyright Office of the Library of Congress is extending until August 2, 1982, the period for public comment on the interim amendments to its regulations on the compulsory license for cable systems that were published in the Federal Register on May 20, 1982 (47 FR 21786). Although the National Cable Television Association, Inc., had requested a three-month extension for filing comments, the Copyright Office has concluded that a one-month extension should provide sufficient time for all of the interested parties to comment on the issues raised in this proceeding.

**DATES:** The interim regulations entered into effect on May 20, 1982. Comments on these regulations should be received in the Copyright Office on or before August 2, 1982.

**ADDRESSES:** Ten copies of written comments on the interim regulations should be addressed, if sent by mail, to: Library of Congress, Department D.S., Washington, D.C. 20540.

If delivered by hand, copies should be brought to: Office of the General Counsel, James Madison Memorial Building, Room 407, First and Independence Avenue, S.E., Washington, D.C.

#### FOR FURTHER INFORMATION CONTACT:

Dorothy Schrader, General Counsel, U.S. Copyright Office, Library of Congress, Washington, D.C. 20559, (202) 287-8380.

**SUPPLEMENTARY INFORMATION:** On May 20, 1982, the Copyright Office adopted interim amendments to §§ 201.11 and 201.17, as amended on June 27, 1978 and July 3, 1980 respectively (47 FR 21786). These amendments were made in order to take into account the decision of the Federal Communications Commission [FCC] to remove its rules and regulations limiting the carriage of distant signals by cable systems and requiring exclusivity protection for syndicated programming in certain cases. These FCC rule changes became effective on June 25, 1981. Since these amendments had an immediate impact on the filing requirements for cable systems under § 111 of the Copyright Act of 1976, the Copyright Office decided to make its amendments effective on an interim basis, pending a full public comment period. It was noted, however, that final regulations would only be issued after the close of the comment period which was set at July 1, 1982.

The Copyright Office received a formal request on June 8, 1982 on behalf of the National Cable Television Association, Inc. [NCTA], to extend the time for filing comments on the interim regulations on the compulsory license for cable systems until October 1, 1982. NCTA advanced two reasons in support of their request for an extension: "First, the delay will not likely cause harm to interested parties since the interim rules are already in place. Secondly, NCTA, and several other interested parties to this proceeding, are already actively engaged in a rate adjustment proceeding before the Copyright Royalty Tribunal [CRT]." See *Motion by the National Cable Television Association to Extend Time for Filing Comments*, RM 80-2, at 2

(June 8, 1982). In light of the current demands on their staff time, NCTA felt that the time was not adequate to participate effectively in the Copyright Office proceeding.

The Motion Picture Association of America, Inc. [MPAA] took issue with NCTA's request for an extension. They were of the opinion that NCTA was not justified in asking for any delay in this proceeding, let alone "the extraordinary three month delay" they were seeking. See *Opposition to Motion to Extend Time for Filing Comments and Further Request for Expedited Action*, RM 80-2 (June 11, 1982). MPAA urged the Copyright Office to expedite its consideration of the interim amendments as well as other matters concerning its regulations on the compulsory license for cable systems, and pointed out that it was also involved in the proceeding before the Copyright Royalty Tribunal. *Id.* at 2.

In the interest of allowing all parties sufficient time to formulate comments on its interim regulations, the Copyright Office decided to extend the deadline for filing comments in this proceeding until August 2, 1982. The Copyright Office is persuaded that a longer period should not be allowed. As noted by MPAA in its opposition to the NCTA request for an extension, since the interim regulations are already in effect, it is desirable to complete the public comment process within a relatively brief time period.

(17 U.S.C. 111, 702)

Dated: June 24, 1982.

Michael R. Pew,  
Associate Register of Copyrights.

Approved:

Daniel J. Boarstin,  
The Librarian of Congress.

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