



ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559-6000

NOTICE OF FILINGS, REQUEST FOR COMMENTS

CABLE COMPULSORY LICENSE: SPECIALTY STATION LIST

The following excerpt is taken from Volume 60, Number 89 of the *Federal Register* for Tuesday, May 9, 1995 (pp.24659-24660)

LIBRARY OF CONGRESS

Copyright Office

[Docket No. RM 94-4A]

Cable Compulsory License: Specialty Station List

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice of filings, request for comments.

SUMMARY: The Copyright Office is publishing a list of stations that sent us affidavits claiming that they legally qualify for specialty station status. Specialty station status means a commercial broadcast television station qualifies as a specialty station under former distant signal carriage rules of the Federal Communications Commission (FCC) for purposes of administering section 111 of title 17, United States Code. Any party objecting to a listed station's claim should send the objection and the reasons for it to the Copyright Office.

DATES: Comments must be received by June 8, 1995. The effective date of the annotated list will coincide with the beginning of the accounting period that starts after the final list is published in the *Federal Register*.

ADDRESSES: By Mail: Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024. By Hand: Office of the General Counsel, U.S. Copyright Office, James Madison Memorial Building, Room LM 407.

FOR FURTHER INFORMATION CONTACT:

Marilyn J. Kretsinger, Acting General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION: The Copyright Office is compiling a new specialty station list of television broadcast stations that qualify as specialty stations under the former distant signal carriage rules of the Federal Communications Commission (47 CFR 76.5(kk)(1981)). We published a Notice of Inquiry asking qualifying stations to submit sworn affidavits to the Office stating that the programming of their stations satisfies the FCC's former requirements for specialty station status¹ by March 27, 1995. 60 FR 4639 (January 24, 1995). The number of filings received indicated that many stations had not seen the *Federal Register* notice. To assure the new list is complete, we extended the deadline to April 24, 1995. 60 FR 18426 (April 11, 1995).

Background

The FCC did not consider the specialty station status of distant signals carried by cable systems after it deleted its distant signal carriage rules.² However, specialty station status is still relevant for administration of section 111 of the Copyright Act of 1976, because specialty

¹ The FCC defined a specialty station as "a commercial television broadcast station that generally carries foreign-language, religious, and/or automated programming in one-third of the hours of an average broadcast week and one-third of the weekly prime-time hours." 47 CFR 76.5 (kk) (1976).

² See *Malrite T.V. of New York v. FCC*, 652 F.2d 1140 (2d cir. 1981), cert. den., 454 U.S. 1143 (1982).

stations may be carried as distant signals by cable television systems at a significantly lower rate than the 3.75% rate that is usually incurred by a system when it carries non-permitted signals.

The Office created its first specialty station list in 1990, and stated that it would compile a new list at approximately three year intervals. Ninety stations filed affidavits this year claiming specialty station status. These stations are listed below. We ask that any party who objects to another party's claim to specialty station status submit specific and factual comments as to which station(s) they object to, and why. The Office will publish a final annotated list of specialty stations that includes references to objections to stations' claims. Cable systems considering carriage of stations as a specialty station may then verify the station's status and program carriage before making a final decision.

Copyright Office licensing examiners will refer to the final annotated specialty station list in examining cable systems' claims on their Statements of Account that particular stations are specialty stations. If a cable system claims specialty station status for a station not on the final annotated list, the examiner will check to see if the station has filed an affidavit since publication of the list. Although the Office does not officially place stations filing affidavits after publication of the final list on this list, it will accept these affidavits for the record.

Specialty Station List: Call Letters and Cities of License

CBAFT MONCTON, NEW BRUNSWICK,
CANADA
CBEFT WINDSOR, ONTARIO, CANADA

CBFT MONTREAL, QUEBEC, CANADA
 CBGAT MATANE, QUEBEC, CANADA
 CBKFT REGINA, SASKATCHEWAN,
 CANADA
 CBLFT TORONTO, ONTARIO, CANADA
 CBOFT OTTAWA, ONTARIO, CANADA
 CBST SEPT-ILES, QUEBEC, CANADA
 CBUFT VANCOUVER, BRITISH
 COLOMBIA, CANADA
 CBVT QUEBEC CITY, QUEBEC,
 CANADA
 CBWFT WINNIPEG, MANITOBA,
 CANADA
 CBXFT EDMONTON, ALBERTA,
 CANADA
 CFCM QUEBEC CITY, QUEBEC,
 CANADA
 CFER RIMOUSKI, QUEBEC, CANADA
 CFTM MONTREAL, QUEBEC, CANADA
 CHEM TROIS-RIVIERES, QUEBEC,
 CANADA
 CHLT SHERBROOKE, QUEBEC,
 CANADA
 CJPM CHICOUTIMI, QUEBEC,
 CANADA
 CKRN ROUYN, QUEBEC, CANADA
 CKRS JONQUIERE, QUEBEC, CANADA
 CKRT RIVIERE-DU-LOUP, QUEBEC,
 CANADA
 CKSH SHERBROOKE, QUEBEC,
 CANADA
 CKTM TROIS-RIVIERES, QUEBEC,
 CANADA
 KCHF SANTA FE, NEW MEXICO
 KCSO MODESTO, CALIFORNIA
 KDTV SAN FRANCISCO, CALIFORNIA
 KFCB CONCORD, CALIFORNIA
 KFTV FRESNO, CALIFORNIA
 KLUZ ALBUQUERQUE, NEW MEXICO
 KLXV SAN JOSE, CALIFORNIA
 KMEX LOS ANGELES, CALIFORNIA
 KMPX DECATUR, TEXAS
 KMSG SANGER, CALIFORNIA
 KNSO MERCED, CALIFORNIA
 KNXT VISALIA, CALIFORNIA
 KSBI OKLAHOMA CITY, OKLAHOMA
 KSTS SAN JOSE, CALIFORNIA
 KTFH CONROE, TEXAS
 KTMD GALVESTON, TEXAS
 KTSF SAN FRANCISCO, CALIFORNIA
 KTVW PHOENIX, ARIZONA
 KUVN GARLAND, TEXAS
 KVDA SAN ANTONIO, TEXAS
 KVEA CORONA, CALIFORNIA
 KWEX SAN ANTONIO, TEXAS
 KWHY LOS ANGELES, CALIFORNIA
 KXLN ROSENBERG, TEXAS
 W09BI TALLAHASSEE, FLORIDA
 W17AB TALLAHASSEE, FLORIDA
 W64BW ARLINGTON, VIRGINIA
 W65BX SPRINGFIELD, MASSACHUSETTS
 W69AY GAINESVILLE, FLORIDA
 WACX LEESBURG, FLORIDA
 WBUY MEMPHIS, TENNESSEE
 WCFC CHICAGO, ILLINOIS
 WCLF CLEARWATER, FLORIDA
 WCTD MIAMI, FLORIDA
 WECN NARANJITO, PUERTO RICO
 WEFC ROANOKE, VIRGINIA

WEJC LEXINGTON, NORTH
 CAROLINA
 WELF LOOKOUT MOUNTAIN,
 GEORGIA
 WFCT BRADENTON, FLORIDA
 WFGC PALM BEACH, FLORIDA
 WGBO JOLIET, ILLINOIS
 WHBR PENSACOLA, FLORIDA/
 MOBILE, ALABAMA
 WHTN MURFREESBORO, TENNESSEE
 WIRS YAUCO, PUERTO RICO
 WKAQ SAN JUAN, PUERTO RICO
 WKBS ALTOONA, PENNSYLVANIA
 WLCN MADISONVILLE, KENTUCKY
 WLFV GRUNDY, VIRGINIA
 WLTW MIAMI, FLORIDA
 WLYJ CLARKSBURG, WEST VIRGINIA
 WMCF MONTGOMERY, ALABAMA
 WMBC NEWTON, NEW JERSEY
 WMPV MOBILE, ALABAMA
 WNJU LINDEN, NEW JERSEY
 WOCD AMSTERDAM, PENNSYLVANIA
 WPCB GREENBURG, PENNSYLVANIA
 WPGD NASHVILLE, TENNESSEE
 WPMC JELICO, TENNESSEE
 WRXY TICE, FLORIDA
 WSCV FT. LAUDERDALE, FLORIDA
 WSFJ NEWARK, OHIO
 WSNS CHICAGO, ILLINOIS
 WSWS OPELIKA, ALABAMA
 WTGI WILMINGTON, DELEWARE
 WTGL COCOA, FLORIDA
 WTLK ROME, GEORGIA
 WTWS NEW LONDON, CONNECTICUT
 WXTV SECAUCUS, NEW JERSEY

Dated: May 3, 1995

Marybeth Peters
Register of Copyrights

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