

INITIATION OF ARBITRATION.

ADJUSTMENT OF RATES FOR THE SATELLITE CARRIER COMPULSORY LICENSE

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 96-3 CARP SRA]

Adjustment of Rates for the Satellite Carrier Compulsory License

AGENCY: Copyright Office, Library of Congress.

ACTION: Initiation of arbitration.

SUMMARY: The Library of Congress is announcing initiation of the 180-day arbitration period for adjustment of the rates for the satellite carrier compulsory license.

EFFECTIVE DATE: March 3, 1997.

ADDRESSES: All hearings and meetings for the satellite carrier compulsory license rate adjustment shall take place in the James Madison Memorial Building, Room 414, First and Independence Avenue, S.E., Washington, D.C. 20540.

FOR FURTHER INFORMATION

CONTACT: William Roberts, Senior Attorney, or Tanya Sandros, Attorney Advisor, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone (202) 707-8380. Telefax (202) 707-8366.

SUPPLEMENTARY INFORMATION:

Background

Section 251.64 of the CARP rules, 37 C.F.R., provides that, after conclusion of

the 45-day precontroversy discovery period and after the Librarian has ruled on all motions and objections filed under section 251.45, the Librarian will declare that a controversy exists regarding the adjustment of the satellite carrier compulsory license rates and announce the initiation of an arbitration proceeding. This notice fulfills the requirement of section 251.64.

By notice dated June 11, 1996, the Library announced the precontroversy discovery period for this docket and requested interested parties to file Notices of Intent to Participate. 61 FR 29573 (June 11, 1996). Subsequently, the Library adjusted the schedule, and informed the participating parties that the 180-day arbitration period would begin on March 3, 1997. Order in Docket No. 96-3 CARP SRA (October 29, 1996). The precontroversy discovery period ended on January 15, 1997, and the Library has ruled upon all motions and objections filed under section 251.45 of the CARP rules.

In accordance with section 251.6 of the CARP rules, the arbitrators have been selected for this proceeding. They are:

The Honorable John W. Cooley
The Honorable Lewis Hall Griffith, Chair
The Honorable Jeffrey S. Gulin

Initiation of Proceeding

Pursuant to section 251.64 of the CARP rules, the Library is formally announcing the existence of a controversy as to the adjustment of the satellite carrier compulsory license royalty rates, 17 U.S.C. 119(c)(3), and is initiating an arbitration proceeding

under chapter 8 of title 17 to resolve adjustment of the rates. The arbitration proceeding commences on March 3, 1997, and runs for a period of 180 days; the 180 day period ends on August 29, 1997. During that time, the arbitrators shall file their written report with the Librarian in accordance with section 251.53 of the rules.

DATED: February 25, 1997

Marybeth Peters,

Register of Copyrights

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[BILLING CODE: 1410-33-P]