



# ANNOUNCEMENT

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

## ANNOUNCEMENT OF THE SCHEDULE FOR THE PROCEEDING.

### RATE ADJUSTMENT FOR THE SATELLITE CARRIER COMPULSORY LICENSE.

The following excerpt is taken from Volume 62, Number 49 of the *Federal Register* for Thursday, March 13, 1997 (pp. 11931)

#### LIBRARY OF CONGRESS

#### Copyright Office

#### [Docket No. 96-3 CARP SRA]

#### Rate Adjustment for the Satellite Carrier Compulsory License.

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

**ACTION:** Announcement of the schedule for the proceeding.

**SUMMARY:** The Copyright Office of the Library of Congress is announcing the schedule for the 180 day arbitration period for the adjustment of the royalty rates for the satellite carrier compulsory license, as required by the regulations governing this proceeding.

**EFFECTIVE DATE:** March 13, 1997.

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

**FOR FURTHER INFORMATION CONTACT:** Nanette Petruzzelli, Acting General Counsel, or Tanya Sandros, Attorney Advisor, at: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone:(202) 707-8380. Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** Section 251.11(b) of the regulations governing the Copyright Arbitration Royalty Panels, 37 CFR subchapter B, provides that:

At the beginning of each proceeding, the CARP shall develop the original schedule of the proceeding which shall be published in the *Federal*

*Register* at least seven calendar days in advance of the first meeting. Such announcement shall state the times, dates, and places of the meetings, the testimony to be heard, whether any of the meetings, or any portion of a meeting, is to be closed, and if so, which ones, and the name and telephone number of the person to contact for further information.

This notice fulfills those requirements of §251.11(b) for the proceeding to adjust the royalty fees for the satellite compulsory license.

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). On February 28, 1997, the Office published a notice announcing the initiation of the 180 day period for this proceeding. 62 FR 9212 (February 28, 1997). The 180 day period commenced on March 3, 1997, and will end on August 29, 1997.

On March 4, 1997, the first Tuesday immediately following the initiation of the proceeding, the parties to this proceeding met with the arbitrators for the purpose of setting a schedule for this proceeding. At that meeting, the parties and the arbitrators agreed to the following schedule:

Presentation of direct cases	Dates
Copyright Owners	March 13 - March 14, 1997 March 17 - March 20, 1997 March 24 - March 25, 1997
Satellite Carriers ASkyB	April 7 - April 10, 1997 April 15 - April 17, 1997
Close of 180 day period	August 29, 1997

The regulations require that the Copyright Office publish the original schedule for the CARP proceeding in the *Federal Register* at least seven calendar days in advance of the first meeting. 37 CFR 251.11(b). Pursuant to 37 CFR 251.11(d), however, the arbitrators voted to publish the schedule on shorter notice than the required seven days in order to maximize the allotted time to hear the evidence and write their report. The results of the vote on the question, whether the requirement for a seven calendar day notice should be waived, are:

The Hon. Lewis Hall Griffith,  
Chairperson - Yes

The Hon. John W. Cooley - Yes

The Hon. Jeffrey S. Gulin - Yes

At this time, the parties have not moved to close any portion of the proceeding to the public. Further refinements to the schedule will be announced in open meetings and issued as orders to the parties participating in the proceeding. All changes will be noted in the docket file of the proceeding, as required by the Copyright Office regulations governing the administration of CARP proceedings. 37 CFR 251.11(c).

DATED: March 7, 1997

Marybeth Peters,

Register of Copyrights.

[FR Doc. 97-6328 Filed 3-12-97; 8:45 am]

[BILLING CODE: 1410-33-P]