ANNOUNCEMENT
from the Copyright Office, Library of Congress,
101 Independence Avenue, S.E., Washington, D.C. 20559-6000

ANNOUNCEMENT OF THE SCHEDULE FOR THE PROCEEDING.

ADJUSTMENT OF THE RATES FOR THE NONCOMMERCIAL EDUCATIONAL
BROADCASTING COMPULSORY LICENSE

The following excerpt is taken from Volume 63, Number 41 of the
Federal Register for Tuesday, March 3, 1998 (pp.10414-10415)

LIBRARY OF CONGRESS
Copyright Office

[Docket No. 96-6 CARP NCBRA]

Adjustment of the Rates for the Noncommercial Educational
Broadcasting 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 noncommercial educational broadcasting compulsory license, as required by the regulations governing this proceeding.


ADDITIONAL 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 place 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 the requirements of Sec. 251.11(b) for the proceeding to adjust the royalty rates for the noncommercial educational broadcasting compulsory license.

On October 18, 1996, the Library announced a voluntary negotiation period, the precontroversy discovery schedule, and an initiation date for a Copyright Arbitration Royalty Panel (CARP) for this docket. The Office also requested each interested party to file a Notice of Intent to Participate with the Office no later than December 13, 1996. 61 FR 54458 (October 18, 1996). On November 11, 1996, the National Public Radio (NPR), the Public Broadcasting Service (PBS), the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music, Inc. (BMI), SESAC, Inc., the National Music Publishers Association, Inc. (NMPA), and the Harry Fox Agency, Inc., filed notices of intent to participate. On June 19, 1997, the National Religious Broadcasters Music License Committee (NRBMLC) requested leave to file its notice of intent to participate after the deadline for making this filing had passed. The Register granted its motion and accepted the filing. Order in Docket No. 96-6 CARP (NCBRA) (July 30, 1997).

In accordance with the new schedule, NRBMLC, PBS, and NPR filed proposed rates and terms for the payment of royalty fees to unaffiliated copyright owners on September 2, 1997. Subsequently, on October 1, 1997, the parties filed additional joint proposals for further adjusting the rates and terms of the section 118 compulsory license and notices of settlement.

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The Office recognized that the 180-day period document production still to be completed, controversy. 63 FR 5405 (February of the CARP proceeding to resolve this proceeding. At that meeting, the parties and the arbitrators agreed to the following schedule:

Continuation of Presentation of Direct Cases:  
March 31, 1998, April 1-3, 1998  
Filing Deadline for Written Rebuttal Cases:  
April 15, 1998  
Presentation of Rebuttal Cases:  
April 27-30, 1998  
Filing Deadline for Proposed Findings of Fact and Conclusions of Law:  
May 22, 1998  
Filing Deadline for Replies to Proposed Findings of Fact and Conclusions of Law:  
June 1, 1998  
Oral argument:  
June 16, 1998  
Close of 180-day period:  
July 28, 1998  
All hearings will begin at 10 a.m. and end at 5 p.m.

1 This date may have to be rescheduled.