

GENERAL COUNSEL
OF COPYRIGHT

OCT 1 1997

RECEIVED

Before the
UNITED STATES COPYRIGHT OFFICE
LIBRARY OF CONGRESS
Washington, D.C.

_____)	
In the Matter of)	
)	
Adjustment of Rates for)	Docket No. 96-6 CARP NCBRA
Noncommercial Educational)	
Broadcasting Compulsory Licenses)	
)	
_____)	

**UNCONTESTED PROPOSAL OF THE NRB
MUSIC LICENSE COMMITTEE
REGARDING RECORDING RIGHTS
UNDER 37 C.F.R. § 253.7(B)(4)**

The NRB Music License Committee ("NRBMLC") submits this uncontested proposal as its direct case concerning the fee for recording rights under 37 C.F.R. § 253.7(b)(4). That provision covers the rates and terms for the recording of nondramatic musical works by noncommercial radio stations "other than in an NPR produced radio program."

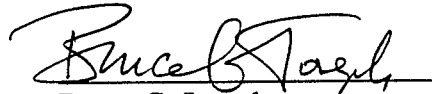
The NRBMLC has reached agreement with ASCAP, BMI and SESAC regarding fees for public performance rights and is, today, filing joint proposals with those organizations for adoption by the Library and the CARP. The section 253.7(b)(4) fee addressed in this proposal is the only other fee in which the NRBMLC has an interest in this proceeding.

We have been informed that no party with an interest in the recording fee for non-NPR programs intends to contest the NRBMLC's proposal. Accordingly, after direct

cases are filed, we intend to ask that the proposed fee be adopted without the need for the NRBMLC to participate in the CARP proceeding.

Specifically, NRBMLC proposes that the rates for such recording should be those set forth in 37 C.F.R. § 253.7(b)(4), subject to the additional provisions set forth in 37 C.F.R. § 253.7(b)(3) and (5). NRBMLC submits that these rates, which were in effect for the previous license cycle, are reasonable and that no circumstances exist that would warrant modification of these rates. The NRBMLC has made this same proposal with respect to "unaffiliated" copyright owners not represented before the CARP, and that proposal is being published by the Copyright Office for comment. There is no reason to reach a different result with respect to represented copyright owners who do not contest the proposal.

Respectfully submitted,



Bruce G. Joseph
Karyn K. Ablin
WILEY, REIN & FIELDING
1776 K Street, N.W.
Washington, D.C. 20006
(202) 429-7000

Counsel for the NRB Music License
Committee

October 1, 1997