

**Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
Library of Congress  
Washington, DC**

*In re*

**DETERMINATION OF ROYALTY RATES AND  
TERMS FOR PERFORMANCE OR DISPLAY OF  
NONDRAMATIC MUSICAL WORKS AND  
PICTORIAL, GRAPHIC, AND SCULPTURAL  
WORKS BY PUBLIC BROADCASTING  
ENTITIES (PB III)**

**Docket No. 16-CRB-0002-PBR  
(2018-2022)**

**NOTICE OF SETTLEMENT**

The undersigned parties to the above captioned proceeding hereby notify the Copyright Royalty Judges (the “Judges”), in accordance with the Order Postponing Case Schedule that the Judges issued on July 22, 2016, that a confidential agreement relating to the fees and terms of the 17 U.C.S. §118 noncommercial educational broadcasting compulsory license for the 2018-2022 period has been reached between Broadcast Music, Inc. (“BMI”) and certain noncommercial broadcasting entities as set forth herein for the nondramatic performance of musical works in the BMI repertory.

As in prior proceedings, BMI engaged in negotiations with National Public Radio (“NPR”) and the Public Broadcasting Service (“PBS”) and reached a voluntary license agreement for performance of works in the BMI repertory for the period from 2018 to 2022.


The noncommercial broadcasting entities that fall within the terms of such a voluntary agreement include the following television and radio broadcast stations that receive or are eligible to receive general operational support from the Corporation for Public Broadcasting (“CPB”) pursuant to the Public Broadcasting Act of 1967, as provided in 37 CFR § 381.4:

- (1) Noncommercial television broadcast stations affiliated with PBS;
- (2) Noncommercial television broadcast stations not affiliated with PBS eligible to receive operational support from CPB;
- (3) Noncommercial radio broadcast stations affiliated with National Public Radio (“NPR”); and
- (4) Noncommercial radio broadcast stations not affiliated with NPR eligible to receive operational support from CPB.

The parties have reached an agreement relating to the fees and terms that would apply in the next license period, but the terms of the agreement have not been finalized as of yet. PBS and NPR have informed BMI that the CPB board must approve the agreement before it can be executed; the next meeting of the CPB board is scheduled for September 19-20, 2016. The parties will notify the Judges when the agreement has been approved and executed and a copy will be filed within thirty (30) days of its execution, as required by 17 U.S.C. § 118 (b)(2).

Respectfully submitted,

**BROADCAST MUSIC, INC.**

  
\_\_\_\_\_  
Joseph J. DiMona (DC Bar #413159)  
BROADCAST MUSIC, INC.  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007-0030  
Telephone: (212) 220-3149  
Fax: (212) 220-4456  
Email: [jdimona@bmi.com](mailto:jdimona@bmi.com)

  
\_\_\_\_\_  
Michael J. Remington (DC Bar #344127)  
Janet Fries (DC Bar #445273)  
DRINKER BIDDLE & REATH LLP  
1500 K Street, NW, Suite 1100  
Washington, DC 20005  
Telephone: (202) 842-8800  
Fax: (202) 842-8465  
Email: [michael.remington@dbr.com](mailto:michael.remington@dbr.com)  
[janet.fries@dbr.com](mailto:janet.fries@dbr.com)

**KING & SPALDING, LLP**

By: Kenneth L. Steinthal / JF  
Kenneth L. Steinthal (Cal. Bar #268655)  
Joseph R. Wetzel (Cal. Bar #238008)  
101 Second Street, Ste. 2300  
San Francisco, CA 94105  
Telephone: (415) 381-1200  
Fax: (415) 318-1300  
Email: [ksteinthal@kslaw.com](mailto:ksteinthal@kslaw.com)  
[jwetzel@kslaw.com](mailto:jwetzel@kslaw.com)

Jonathan D. Hart (DC Bar #404828)  
Gregory Lewis (DC Bar #420907)  
1111 North Capitol Street, NE  
Washington, DC 20002  
Email: [glewis@npr.org](mailto:glewis@npr.org)

*Counsel for National Public Radio and  
Public Broadcasting Systems*

Dated: August 1, 2016

## CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of August, 2016, a copy of the foregoing Notice of Settlement and Status Report was sent by overnight delivery to the following:

AMERICAN SOCIETY OF AUTHORS,  
COMPOSERS AND PUBLISHERS

Samuel Mosenkis  
Jackson Wagener  
ASCAP  
1900 Broadway  
One Lincoln Plaza  
New York, NY 10023

NATIONAL MUSIC PUBLISHERS  
ASSOCIATION

David Israelite  
Danielle Aguirre  
Erich Carey  
National Music Publishers Association  
975 F Street, NW, Suite 375  
Washington, DC 20004

HARRY FOX AGENCY

John Beiter  
Leavens, Strand & Glover, LLC  
1102 17th Avenue South  
Nashville, TN 37212

SESAC, INC.

John Beiter  
Leavens, Strand & Glover, LLC  
1102 17th Avenue South  
Nashville, TN 37212

Christos Badavas  
SESAC  
152 West 57th Street, 57th Floor  
New York, NY 10019

Christos Badavas  
SESAC  
152 West 57th Street, 57th Floor  
New York, NY 10019

CHURCH MUSIC PUBLISHERS'  
ASSOCIATION

J. Rush Hicks  
Law Firm of J. Rush Hicks  
P.O. Box 121192  
Nashville, TN 37212

NATIONAL RELIGIOUS BROADCASTERS  
NONCOMMERCIAL MUSIC LICENSE  
COMMITTEE

Karyn Ablin  
Fletcher, Heald & Hildreth  
1300 North 17th Street, 11th Floor  
Arlington, VA 22209

Rick Marshall  
P.O. Box 121192  
Nashville, TN 37212

Harv Hendrickson  
Russ Hauth  
3003 Snelling Avenue North  
Saint Paul, MN 55113

David Powell  
P.O. Box 010950  
Miami, FL 33101

EDUCATIONAL MEDIA FOUNDATION

David Oxenford  
Wilkinson Barker Knauer, LLP  
1800 M Street, NW, Suite 800N  
Washington, DC 20036

NATIONAL ASSOCIATION OF COLLEGE  
AND UNIVERSITY BUSINESS OFFICERS

Ronald Dove  
Dustin Cho  
Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956

A handwritten signature in blue ink, reading "Claire M. Plante", written over a horizontal line.

Claire M. Plante