

**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 in principle 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 the American Society of Composers, Authors and Publishers (“ASCAP”) and certain noncommercial broadcasting entities as set forth herein for the nondramatic performance of musical works in the ASCAP repertory.

As in prior proceedings, ASCAP engaged in negotiations with National Public Radio (“NPR”) and the Public Broadcasting Service (“PBS”) and reached a framework for a voluntary license agreement for performance of works in the ASCAP 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 in principle 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 ASCAP 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. Likewise, ASCAP must receive similar final approval, which it believes would be granted by that September date. 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,

ASCAP

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*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:

### BROADCAST MUSIC, INC.

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250 Greenwich Street  
New York, NY 10007-0030

Michael J. Remington  
Janet Fries  
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1500 K Street, NW, Suite 1100  
Washington, DC 20005

### HARRY FOX AGENCY

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1102 17th Avenue South  
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Christos Badavas  
SESAC  
152 West 57th Street, 57th Floor  
New York, NY 10019

### CHURCH MUSIC PUBLISHERS' ASSOCIATION

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

### NATIONAL MUSIC PUBLISHERS ASSOCIATION

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### NATIONAL RELIGIOUS BROADCASTERS NONCOMMERCIAL MUSIC LICENSE COMMITTEE

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