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June 27, 2017

BY HAND

Copyright Royalty Board

Library of Congress

James Madison Memorial Building

101 Independence Ave., SE

Washington, D.C. 20559-6000

Re: Notice of Intent to Audit Music Choice for CY 2016

To Whom It May Concern:

SoundExchange is the sole collective designated by the Copyright Royalty Board (hereinafter, “the Board”) to collect and distribute the statutory royalties paid by Preexisting Subscription Services and Business Establishment Services. See 37 C.F.R. §§ 382.2 and 384.4(b)(1)¹. SoundExchange hereby notifies the Board of its intent to audit Music Choice’s Preexisting Subscription Service and Business Establishment Service. See 37 C.F.R. §§ 382.6(c), and 384.6(c).

Pursuant to applicable regulations, SoundExchange intends to audit Music Choice’s services for the year 2016 for its transmissions terminating in the U.S. See 37 C.F.R. § 384.6(b)

¹ Citations are to the regulations in effect for the period of the audit.

("[SoundExchange] may conduct a single audit of a Licensee...during any given calendar year, for *any or all of the prior 3 calendar years*") (emphasis supplied). Although the regulations governing Preexisting Subscription Services do not limit the years that may be subject to audit, see 37 C.F.R. § 382.6(b), there is no reason to believe that the year 2016 would not be within the permissible scope of an audit that is commenced via this notice.

The audit shall be conducted by EisnerAmper LLP, located at 750 Third Avenue, New York, NY 10017.

Pursuant to 37 C.F.R. §§ 382.6(c), and 384.6(c), a copy of this Notice of Intent to Audit is being served contemporaneously upon Music Choice.

Sincerely,

/s/ Brienne Jackson

Brienne Jackson

Senior Counsel, Licensing and Enforcement

cc: Paula Calhoun, EVP & General Counsel, Music Choice (by FedEx)
Jenn Compton, Manager, Accounting, Music Choice (by FedEx)