

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
THE LIBRARY OF CONGRESS
Washington, D.C.

)	
In the Matter of)	
)	
DETERMINATION OF ROYALTY RATES)	Docket No. 14-CRB-0001-WR
FOR DIGITAL PERFORMANCE IN SOUND)	(2016-2020)
RECORDINGS AND EPHEMERAL)	
RECORDINGS (WEB IV))	
)	

iHEARTMEDIA, INC.'S MOTION TO REDACT PORTIONS OF INITIAL DETERMINATION

Pursuant to the Judges' December 16, 2015 and December 18, 2015 orders, iHeartMedia, Inc. respectfully submits the attached proposed redactions for the consideration of the Judges. iHeartMedia's proposed redactions are highlighted in yellow and can be found on the following pages of the Determination: 12, 17-23, 48, 54, 82, 110, 123, 132, 136-46, 148-56, 158-59, 161-69. iHeart's proposed redactions pertain to material non-public information that has previously been designated as "Restricted" in earlier phases of this proceeding, and maintaining the confidentiality of this material continues to be required for the reasons set forth in the attached Declaration.

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
THE LIBRARY OF CONGRESS
Washington, D.C.

In the Matter of)	
)	
)	
DETERMINATION OF ROYALTY RATES)	Docket No. 14-CRB-0001-WR
FOR DIGITAL PERFORMANCE IN SOUND)	(2016-2020)
RECORDINGS AND EPHEMERAL)	
RECORDINGS (WEB IV))	
)	

DECLARATION AND CERTIFICATION OF EVAN T. LEO
ON BEHALF OF iHEARTMEDIA, INC.

1. I am one of the counsel for iHeartMedia, Inc. (“iHeartMedia”) in this proceeding, and I submit this Declaration in support of iHeartMedia’s Motion To Redact Portions of Initial Determination.

2. I submit this declaration regarding the information and materials iHeartMedia has requested be designated as confidential in response to the Judges’ December 16, 2015 and December 18, 2015 orders.

3. I have reviewed iHeartMedia’s proposed redactions. I have determined to the best of my knowledge, information, and belief that the sections that iHeartMedia has proposed be redacted contain confidential information.

4. The redacted confidential information includes, but is not limited to, testimony and exhibits involving (a) contracts, contractual terms, and contract strategy that are proprietary, not available to the public, competitively sensitive and often subject to express confidentiality provisions with third parties; (b) confidential internal business information, financial projections, financial data, and competitive strategy that are proprietary, not available to the public, and commercially sensitive; and (c) communications between iHeartMedia and content providers

concerning activities that, if disclosed, would disrupt ongoing partnerships and collaborations, and interfere with future partnerships and collaborations.

5. If the redacted confidential information were to become public, it would place iHeartMedia at a commercial and competitive disadvantage, unfairly advantage other parties to the detriment of iHeartMedia, and jeopardize iHeartMedia's business interests. Information related to iHeartMedia's confidential contracts or iHeartMedia's relationships with content providers could be used by iHeartMedia's competitors, or by other content providers, to formulate rival bids, bid up iHeartMedia payments, or otherwise unfairly jeopardize iHeartMedia's commercial and competitive interests.

6. With respect to the financial information, I understand that iHeartMedia has not disclosed to the public or the investment community the financial information that it seeks to restrict here, including its internal financial projections and specific royalty payment information. Consequently, neither iHeartMedia's competitors nor the investing public has been privy to that information, which iHeartMedia has treated as highly confidential and sensitive, and has guarded closely. In addition, when iHeartMedia does disclose information about its finances to the market as required by law, iHeartMedia provides accompanying analysis and commentary that contextualizes disclosures by its officers. The information that iHeartMedia seeks to restrict by designating it confidential is not intended for public release or prepared with that audience in mind, and therefore was not accompanied by the type of detailed explanation and context that usually accompanies such disclosures by a company officer. Moreover, the statements and exhibits include information that has not been approved by iHeartMedia's Board of Directors, as such sensitive disclosures usually are, or accompanied by the typical disclaimers that usually accompany such disclosures. iHeartMedia could experience negative market repercussions and

competitive disadvantage were this confidential financial information released publicly without proper context or explanation.

7. The contractual, commercial and financial information described in the paragraphs above must be treated as restricted confidential information in order to prevent business and competitive harm that would result from the disclosure of such information while, at the same time, enabling iHeartMedia to provide the Judges with the most complete record possible on which to base their determination in this proceeding.

Keys, LaKeshia

From: Roth, Wendy A. <wroth@khhte.com>
Sent: Wednesday, December 23, 2015 2:59 PM
To: crb
Cc: Thorne, John; Leo, Evan T.; Bennett, Thomas B.; Huppert, Matthew R.
Subject: 14-CRB-0001-WR (2016-2020) (Web IV) – 2015 12 23: iHeartMedia's Motion to Redact Portions of Initial Determination and Accompanying Declaration and Certification of Evan T. Leo
Attachments: 2015 12 23 Proposed Redactions.pdf; 2015 12 23 iHM Mtn to Redact Portions of Initial Determination.pdf; 2015 12 23 iHM Declaration and Certification of ETL.pdf

Good afternoon,

Attached please find iHeartMedia's Motion to Redact Portions of Initial Determination and the Declaration and Certification of Evan T. Leo on Behalf of iHeartMedia, Inc.

Sincerely,

Wendy Roth

Wendy A. Roth
Administrative Assistant
Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C.
Sumner Square
1615 M Street, N.W., Suite 400
Washington, DC 20036
Tel: (202) 367-7714
Fax: (202) 326-7999

NOTICE: This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately via reply e-mail, and then destroy all instances of this communication. Thank you.