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Public Version

Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
Washington, D.C.



In the Matter of:

Determination of Royalty Rates and Terms  
for Transmission of Sound Recordings by  
Satellite Radio and "Preexisting"  
Subscription Services (SDARS III)

Docket No. 16-CRB-0001 SR/PSSR  
(2018-2022)

**UNOPPOSED MOTION FOR LEAVE TO FILE CORRECTED RESTRICTED  
VERSION OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

SoundExchange, Inc., the Recording Industry Association of America ("RIAA"), Sony Music Entertainment ("Sony"), Universal Music Group ("UMG"), Warner Music Group ("WMG"), the American Association of Independent Music ("A2IM"), the American Federation of Musicians of the United States and Canada ("AFM"), and the Screen Actors Guild and American Federation of Television and Radio Artists ("SAG-AFTRA") (collectively, "SoundExchange"), through their undersigned counsel, respectfully move for leave to submit the attached corrected restricted version of SoundExchange's Proposed Findings of Fact and Conclusions of Law.<sup>1</sup>

Sirius XM and Music Choice (the "Services") have indicated, through their counsel, that they do not oppose this motion. Counsel for SoundExchange identified these corrections to counsel for the Services via email correspondence on June 19, 2017.<sup>2</sup> The corrections are non-

<sup>1</sup> Pursuant to the Judges' Order on Hearing Schedule, dated April 4, 2017, as well as the Judges' Order Granting Participants' Joint Motion Regarding Public Versions of Proposed and Reply Findings of Fact and Conclusions of Law, dated June 13, 2017, SoundExchange is today filing a public version of its Proposed Findings of Fact and Conclusions of Law. The public version of SoundExchange's Proposed Findings of Fact and Conclusions of Law conforms with the corrections identified in this motion, and is not reattached here.


<sup>2</sup> The Participants have agreed that SoundExchange will supply the Services with a redline of all changes.

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substantive and do not affect the numbering of any paragraphs in SoundExchange's Proposed Findings of Fact and Conclusions of Law. They fix inadvertent formatting errors, such as the numbering style of headings, the bolding of headings, and spacing. The corrections also fix cross-references in the Introduction and in Footnote 142, to ensure these cross-references reflect the corrected numbering of headings.

The corrected restricted version of SoundExchange's Proposed Findings of Fact and Conclusions of Law is attached to this motion. SoundExchange respectfully requests that the Judges grant the motion and replace the previously submitted testimony with the corrected version.

Respectfully submitted,

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June 19, 2017

**CERTIFICATE OF SERVICE**

I, Alex Trepp, do hereby certify that, on June 19, 2017, copies of the foregoing motion are being sent via electronic mail to all parties at the email addresses listed below. Hard copies will follow by first class mail.

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**[PROPOSED] ORDER GRANTING SOUNDEXCHANGE’S MOTION FOR LEAVE TO  
CORRECT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

On June 19, 2017, SoundExchange, Inc., *et al.* (collectively, “SoundExchange”) filed a motion with the Copyright Royalty Judges (“Judges”) for leave to submit a corrected restricted version of SoundExchange’s Proposed Findings of Fact and Conclusions of Law that SoundExchange filed on June 14, 2017. The proposed corrected findings were attached to the Motion. SoundExchange has informed the Judges that the Services have indicated, through their counsel, that they do not oppose this motion.

SoundExchange states that the corrections are “non-substantive” and correct various formatting issues, such as the numbering style of headings, the bolding of headings, and spacing. SoundExchange further states that the corrections were indicated to counsel for Sirius XM and Music Choice via email correspondence on June 19, 2017.

The Judges find that (1) the request to correct this testimony is reasonable, and (2) no party is prejudiced by the Judges’ order. Therefore, the Judges **GRANT** the Motion.

**SO ORDERED.**

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Suzanne M. Barnett  
Chief Copyright Royalty Judge

Dated: \_\_\_\_\_, 2017