

**Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.**

)	
In the Matter of)	
)	
Determination of Rates and)	Docket No. 16–CRB–0002–PBR
Terms for Public Broadcasting (PB III))	(2018–2022)
)	

JOINT PETITION TO PARTICIPATE

Pursuant to Sections 118 and 804(b)(6) of the Copyright Act, 17 U.S.C. §§ 118, 804(b)(6), and the implementing regulations of the Copyright Royalty Board ("CRB"), National Public Radio, Inc, ("NPR") and the Public Broadcasting Service ("PBS") hereby submit this Joint Petition to Participate in the above-captioned proceeding on behalf of themselves, their member public broadcast station licensees, and public radio and television broadcast stations eligible to receive funding from the Corporation for Public Broadcasting (hereafter collectively referred to as the "Public Broadcasting Entities") to set the rates and terms for the five-year period beginning January 1, 2018 and ending December 31, 2022.¹ Pursuant to Section 351.1(b)(4) of the CRB's rules and procedures, 37 C.F.R. § 351.1(b)(4), the required filing fee in the amount of \$150.00 is enclosed.

The Public Broadcasting Entities represented herein have a significant interest in the outcome of the proceeding as they rely on the Section 118 license for the musical compositions included in their broadcast programming. They operate noncommercial radio and/or public television stations or supply programming for such stations to broadcast, and they have done so since Section 118 of the Copyright Act of 1976 was

¹ See 81 Fed. Reg. 256 (Jan. 5, 2016). The Federal Register notice announcing the initiation of this proceeding refers to "the proceeding to determine cable royalty rates for 2015 through 2019," *id.*, which the Joint Petitioners presume was inadvertent.

enacted. Each of the Public Broadcasting Entities represented herein is a non-profit or a governmental entity committed to serving a noncommercial educational purpose. Such Entities typically operate with limited resources, many are affiliated with educational institutions, and the programming they broadcast freely to the public is educational in nature.

Notwithstanding the filing of this Joint Petition to Participate, the Public Broadcasting Entities will engage in good faith efforts with each of the performing rights organizations in an effort to secure voluntary agreements for the license term.

Respectfully Submitted,

NATIONAL PUBLIC RADIO, INC.

Gregory A. Lewis /s/

Jonathan D. Hart
Chief Legal Officer & General Counsel
Gregory A. Lewis
Deputy General Counsel
NATIONAL PUBLIC RADIO, INC.
1111 North Capitol Street, NE
Washington, DC 20002
Telephone: (202) 513-2050
Fax: (202) 513-3021
glewis@npr.org

PUBLIC BROADCASTING SERVICE

Craig A. Sperling /s/

Craig A. Sperling
Vice President & Deputy General Counsel
Public Broadcasting Service
2100 Crystal Drive
Arlington, VA 22202

Attorneys for Public Broadcasting Entities

February 4, 2016