

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

Received
FEB 10 2013
Copyright Royalty Board

In the Matter of)
)
Distribution of the 2011) Docket No. 2012-9 CRB CD 2011
Cable Royalty Funds)

**PUBLIC TELEVISION CLAIMANTS' COMMENTS ON
EXISTENCE OF PHASE I AND PHASE II CONTROVERSIES**

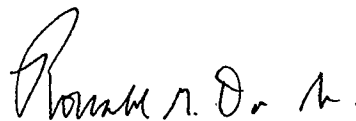
Pursuant to the notice issued by the Copyright Royalty Board ("CRB") and published at 78 Fed. Reg. 4169 (Jan. 18, 2013), the Public Broadcasting Service ("PBS") hereby provides comments on behalf of public television stations and copyright owners of programs broadcast by public television stations that are retransmitted by cable operators (the "Public Television Claimants").

The Copyright Royalty Judges ("Judges") seek comments relating to the Phase I Claimants' motion (filed on December 12, 2012) requesting a partial distribution of 50% of the 2011 cable royalty funds. In addition, the Judges have asked the copyright claimant groups to advise as to the existence and extent of any Phase I or Phase II controversies relating to the funds that would remain if the partial distribution is granted.

PBS joins and incorporates the joint Comments of the Phase I Parties filed with the CRB today. As explained in those comments, Phase I controversies exist at the present time among the Phase I Parties as to the distribution of the 2011 royalty funds. PBS does not believe that the controversies identified in those comments preclude the partial distribution of royalties requested in the Motion of Phase I Claimants for Partial Distribution. In addition, PBS is not aware of any Phase II controversies with respect to the Public Television Claimants' share of the

2011 cable royalty funds that would require resolution by the Judges or the withholding of any of those royalties.¹

Respectfully submitted,



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*Counsel for the Public Broadcasting Service
and the Public Television Claimants*

February 19, 2013

¹ PBS reserves the right to identify Phase II controversies in response to the outcome of any Phase I proceedings, in response to any filings of other claimants, or as the result of further investigation.

CERTIFICATE OF SERVICE

I, Lindsey L. Tonsager, hereby certify that on this 19th day of February, 2013, I caused copies of the foregoing "Public Television Claimants' Comments on Existence of Phase I and Phase II Controversies" to be served by Federal Express on the following parties:

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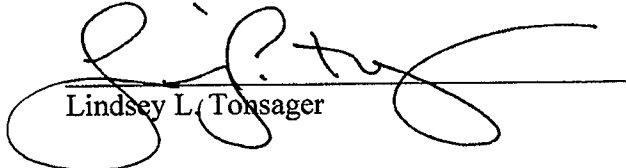
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Lindsey L. Tonsager

Keys, LaKeshia

From: crb
Sent: Tuesday, February 19, 2013 3:02 PM
To: 'Tonsager, Lindsey'; crb
Cc: Dove, Ronald; crb
Subject: RE: Distribution of the 2011 Cable Royalty Funds, Docket No. 2012-9 CRB CD 2011

Ms. Tonsager:

The CRB has received your message with Public Television Claimants' comments attached.

Sincerely,
Copyright Royalty Board

From: Tonsager, Lindsey [<mailto:ltonsager@cov.com>]
Sent: Tuesday, February 19, 2013 2:34 PM
To: crb
Cc: Dove, Ronald
Subject: Distribution of the 2011 Cable Royalty Funds, Docket No. 2012-9 CRB CD 2011

Please find attached the Public Television Claimants' Comments on Existence of Phase I and Phase II Controversies, which we are filing electronically today in the above-referenced docket.

Please reply back as confirmation that this message has been received.

Best,
Lindsey L. Tonsager

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Keys, LaKeshia

From: crb
Sent: Tuesday, February 19, 2013 3:02 PM
To: Barnett, Suzanne; Roberts, William; Strasser, Richard; Giuffreda, Gina
Cc: Keys, LaKeshia; crb
Subject: FW: Distribution of the 2011 Cable Royalty Funds, Docket No. 2012-9 CRB CD 2011
Attachments: PTV Claimants' Comments on Existence of Phase I II Controversies.pdf

From: Tonsager, Lindsey [<mailto:ltonsager@cov.com>]
Sent: Tuesday, February 19, 2013 2:34 PM
To: crb
Cc: Dove, Ronald
Subject: Distribution of the 2011 Cable Royalty Funds, Docket No. 2012-9 CRB CD 2011

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Lindsey L. Tonsager

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