

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

<i>In re</i> DISTRIBUTION OF CABLE ROYALTY FUNDS	CONSOLIDATED DOCKET NO. 14-CRB-0010-CD/SD (2010-13)
<i>In re</i> DISTRIBUTION OF SATELLITE ROYALTY FUNDS	
<i>In re</i> DISTRIBUTION OF CABLE ROYALTY FUNDS	CONSOLIDATED DOCKET NO. 14-CRB-001)-CD (2010-13)

**MPA-REPRESENTED PROGRAM SUPPLIERS’ MOTION FOR FINAL
DISTRIBUTION OF 2010-13 CABLE ROYALTY FUNDS**

MPA-represented Program Suppliers (“MPA”) hereby moves pursuant to 17 U.S.C. § 801(b)(3)(B) for final distribution of its share of the cable royalty funds for 2010, 2011, 2012, and 2013 (“2010-13 Cable Royalties”) in an amount to be calculated by the Licensing Division based on the final allocation and distribution percentage shares for the Program Suppliers category that were determined by the Copyright Royalty Judges (“Judges”) in these consolidated proceedings now that all appeals to the D.C. Circuit are resolved. *See* Final Allocation Determination, 84 Fed. Reg. 3552 (Feb. 12, 2009), *affirmed*, *Program Suppliers v. CRB*, D.C. Cir. No. 19-1063 (Apr. 14, 2020) (per curiam); Final Distribution Determination, 83 Fed. Reg. 61683 (Nov. 30, 2018), *dismissed for lack of jurisdiction*, *Multigroup Claimants v. CRB*, D.C. Cir. No. 18-1338 (Dec. 6, 2019) (per curiam). With the resolution of these pending appeals, all controversies relating to the 2010-13 Cable Royalties for the Program Suppliers category are

fully resolved, and the funds remaining on reserve should be available for immediate distribution by the Judges.

Program Suppliers’ Allocation Phase shares are set forth below, and can also be found in the Final Allocation Determination. *See* 84 Fed. Reg. at 3552. These shares should be applied to the net royalties remaining for each royalty year after deducting the royalties distributed to National Public Radio (“NPR”) and the Music Claimants pursuant to their settlements with the Allocation Phase Parties.¹

Allocation Phase Shares, Program Suppliers Category

<u>Cable Royalty Year</u>	<u>Basic Fund</u>	<u>3.75% Fund</u>	<u>Syndex Fund</u>
<u>2010</u>	26.5%	31.1%	100%
2011	23.9%	29.4%	100%
2012	21.5%	26.2%	100%
2013	19.5%	24.0%	100%

MPA’s shares in the Program Suppliers category are as set forth below, and can also be found in the Final Distribution Determination. *See* 83 Fed Reg. at 61684.

Distribution Phase Shares, Program Suppliers Category

<u>Cable Royalty Year</u>	<u>MPA</u>
<u>2010</u>	99.37%
2011	99.47%
2012	99.45%
2013	99.50%

¹ *See Amended Order Granting Motion For Final Distribution Of 2010-2013 Cable Royalty Funds To Music Claimants* (August 23, 2017); *Order Granting Request For Final Distribution Of 2010-2013 Cable Royalty Funds To National Public Radio* (August 23, 2017).

SDC has made the Judges aware of certain issues relating to Multigroup Claimants' identity and authority to receive distribution of funds. *See* SDC's Further Briefing in Response to Multigroup Claimants' Response to Order to Show Cause, 14-CRB-0010-CD/SD (2010-13) (Mar. 16, 2020). However, resolution of these issues will have no effect on MPA's instant request for its share of the 2010-13 Cable Royalties. MPA's share, therefore, should be finally distributed without regard to any issues affecting Multigroup Claimants' status in these proceedings.

CONCLUSION

For the reasons set forth above, MPA's motion for final distribution of its 2010-13 Cable Royalties in the Program Suppliers category should be granted, and the Judges should order a final royalty distribution to MPA in the dollar amounts determined by the Licensing Division.

Respectfully submitted,

/s/ Gregory O. Olaniran

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June 10, 2020

CERTIFICATE OF SERVICE

I certify that on June 10, 2020, I caused a copy of the foregoing pleading to be served on all parties registered to receive notice by eCRB by filing through the eCRB filing system.

/s/ Lucy Holmes Plovnick _____
Lucy Holmes Plovnick

Proof of Delivery

I hereby certify that on Wednesday, June 10, 2020, I provided a true and correct copy of the MPA-Represented Program Suppliers' Motion For Final Distribution Of 2010-13 Cable Royalty Funds to the following:

Broadcast Music, Inc. (BMI), represented by Brian A Coleman, served via ESERVICE at Brian.Coleman@dbr.com

Devotional Claimants, represented by Matthew J MacLean, served via ESERVICE at matthew.maclean@pillsburylaw.com

Canadian Claimants Group, represented by Lawrence K Satterfield, served via ESERVICE at lksatterfield@satterfield-pllc.com

SESAC Performing Rights, LLC, represented by John C. Beiter, served via ESERVICE at john@beiterlaw.com

Public Television Claimants (PTC), represented by Ronald G. Dove Jr., served via ESERVICE at rdove@cov.com

Commercial Television Claimants (CTC), represented by John Stewart, served via ESERVICE at jstewart@crowell.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via ESERVICE at smosenkis@ascap.com

Joint Sports Claimants, represented by Michael E Kientzle, served via ESERVICE at michael.kientzle@apks.com

Signed: /s/ Lucy H Plovnick