

Before the
COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DISTRIBUTION OF CABLE
ROYALTY FUNDS**

Docket No. 16-CRB-0009 CD (2014-2017)

**PUBLIC TELEVISION’S UNOPPOSED MOTION TO ACCEPT LATE
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Public Television Claimants (“Public Television”) respectfully move the Copyright Royalty Judges to accept the late filing of Public Television’s Proposed Findings of Fact and Conclusions of Law (“Proposed Findings and Conclusions”). Public Television has notified all parties of its intent to file this motion and no party has objected to the requested relief.

Pursuant to [Order 35](#) on Joint Motion Regarding Submission of Post-Hearing Documents, restricted versions of the parties’ proposed findings of fact and conclusions of law, and post-hearing brief, were due on May 15, 2023. Due to technical problems, Public Television’s Proposed Findings and Conclusions were filed at 12:04 a.m. Eastern Time on May 16, 2023, four minutes after the due date.

None of the parties participating in this proceeding will be prejudiced by the grant of this motion. Public Television’s Post-Hearing Brief was timely filed, and all of the parties received courtesy copies of Public Television’s Proposed Findings and Conclusions at approximately the time they were due.¹ The Judges have previously accepted late filings in this proceeding where, as here, no parties have been prejudiced. See [Order Granting National Public Radio’s Motion to](#)

¹ Because eCRB does not actually serve copies of filings at the moment they are filed, the parties often provide each other with courtesy copies via email. Public Television, the Commercial Television Claimants, and the Joint Sports Claimants each emailed courtesy copies of their post-hearing briefs and proposed findings of fact and conclusions of law to the parties between 12:00 a.m. and 12:10 a.m. on May 16, 2023.

[Accept Late-Filed Notice of Controversy](#) (Dec. 29, 2021) (eCRB No. 26000) (granting motion to accept a notice of controversy filed seven days late where no party was prejudiced).

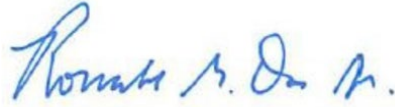
Separately, Public Television is concurrently filing a corrected version of its Proposed Findings and Conclusions (and a corrected version of its timely-filed Post-Hearing Brief), which corrects the remaining technical issues in the version that was filed at 12:04 a.m. (and corrects typos and citations, as reflected in the accompanying redlines).

Public Television will take steps to ensure that all other filings in this proceeding will be timely. Because Public Television's failure to meet the deadline was inadvertent and no parties have been prejudiced, Public Television respectfully requests that the Judges grant this motion and accept the late filing of its Proposed Findings and Conclusions.

Date: May 16, 2023

Respectfully submitted,

PUBLIC TELEVISION CLAIMANTS



Ronald G. Dove, Jr. (DC Bar No. 430533)
Dustin Cho (DC Bar No. 1017751)
Robert N. Hunziker (DC Bar No. 1018458)
Phillip Hill (NY Bar No. 5231964)
Shinji Ryu (DC Bar No. 1720124)
Jennifer Bentley (DC Bar No. 1780374)
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
Phone: (202) 662-5685
Fax: (202) 778-5685
rdove@cov.com
dcho@cov.com
rhunziker@cov.com
pahill@cov.com
sryu@cov.com
jbentley@cov.com

R. Scott Griffin (Ga. Bar No. 140807)
PUBLIC BROADCASTING SERVICE
1225 S. Clark Street
Arlington, VA 22202
Phone: (703) 739-8658
rsgiffin@pbs.org

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

Proof of Delivery

I hereby certify that on Tuesday, May 16, 2023, I provided a true and correct copy of the PTV Motion to Accept Late Proposed Findings of Fact and Conclusions of Law to the following:

Multigroup Claimants, represented by Brian D Boydston, served via E-Service at brianb@ix.netcom.com

Commercial Television Claimants / National Association of Broadcasters, represented by David J Ervin, served via E-Service at dervin@crowell.com

National Public Radio, represented by Gregory A Lewis, served via E-Service at glewis@npr.org

Program Suppliers, represented by Lucy H Plovnick, served via E-Service at lhp@msk.com

SESAC Performing Rights, LLC, represented by Timothy L Warnock, served via E-Service at twarnock@loeb.com

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

ASCAP, represented by Sam Mosenkis, served via E-Service at smosenkis@ascap.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via E-Service at ted@copyrightroyalties.com

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

Global Music Rights, LLC, represented by Scott A Zebrak, served via E-Service at scott@oandzlaw.com

Joint Sports Claimants, represented by Michael E Kientzle, served via E-Service at michael.kientzle@arnoldporter.com

Broadcast Music, Inc. (BMI), represented by Jennifer T. Criss, served via E-Service at jennifer.criss@dbr.com

Signed: /s/ Dustin Cho