

**Before the  
COPYRIGHT ROYALTY JUDGES  
The Library of Congress**

*In re*

**DISTRIBUTION OF  
CABLE ROYALTY FUNDS**

**DOCKET NO. 16-CRB-0009 CD  
(2014-17)**

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**ORDER 41 DENYING AS MOOT PUBLIC TELEVISION’S MOTION FOR  
RECONSIDERATION OF ORDER 33**

**I. Procedural Background**

On April 25, 2023, after the hearing record had closed but before closing arguments were heard, the Copyright Royalty Judges (“Judges”) ordered Public Television Claimants (“PTV”), via a written order, to file (1) the 2005 agreement between NCTA and PBS, *i.e.*, the agreement regarding carriage of Public Television stations by cable system operators, and (2) the 2016 agreement between NCTA and PBS, *i.e.*, the renewal of the aforementioned 2005 agreement, within five days. *See* Order 33 at 1.

On May 2, 2023, PTV filed a Motion for Reconsideration of Order 33 (eCRB no. 28219).

On May 16, 2023, Joint Sports Claimants (“JSC”) filed an opposition to the motion for reconsideration (eCRB no. 28252).

On May 23, 2023, PTV filed a reply in support of its motion for reconsideration. (eCRB no. 28262).

**II. Ruling**

In concluding its motion, PTV “requests that the Judges reverse Order 33, reject the NCTA Agreements as proposed exhibits, and exclude them from the record in this proceeding.” By the time that briefing on PTV’s motion concluded, the documents in question had been filed. Having considered, *inter alia*, hearing testimony and other evidence that was adduced during the

hearing, the Judges have determined that the documents in question need not be entered into the record. Thus, PTV's request is moot.

Accordingly, PTV's motion is **DENIED**. The documents filed pursuant to Order 33 are not part of the evidentiary record of this proceeding.

**SO ORDERED.**

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Hon. David P. Shaw  
Chief Copyright Royalty Judge

DATED: September 5, 2023