

ORIGINAL

Copyright Royalty Tribunal  
JAN 11 1991

Before the  
COPYRIGHT ROYALTY TRIBUNAL  
Washington, DC 20036

In the Matter of )  
 )  
Adjustment of Cable Copyright ) CRT Docket No. 90-5-CRA  
Royalty Rates )  
 )

JOINT WITHDRAWAL OF PETITIONS  
FOR RATE ADJUSTMENTS

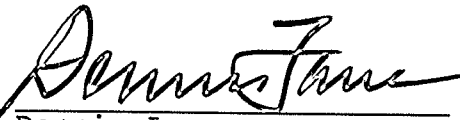
The National Cable Television Association, Inc.; the Community Antenna Television Association; the Program Suppliers; Major League Baseball, the National Collegiate Athletic Association, the National Basketball Association, and the National Hockey League; the Canadian Claimants; Public Broadcasting Service; and, the American Society of Composers, Authors, and Publishers, Broadcast Music, Inc., and SESAC, Inc. (collectively the "Parties"), having agreed that they will not seek any adjustments to the cable copyright royalty rates and gross receipts limitations in effect as of December 31, 1990, hereby withdraw all of the pending petitions for rate adjustments filed by and on their behalf pursuant to 17 U.S.C. Sections 801 and 804 during calendar year 1990.<sup>1/</sup> These petitions represent

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1/ The specific petitions to which this pleading pertains are as follows: "Petition of Joint Sports Claimants to Increase Royalty Rates" (filed Dec. 28, 1990); "Petition of Canadian Claimants to Adjust Royalty Rates" (filed Dec. 28, 1990); "Petition of Program Suppliers Requesting Rate Adjustment" (filed Dec. 28, 1990); "Petition for Commencement of (Footnote continues on next page)


all of the outstanding requests for rate adjustment filed pursuant to 17 U.S.C. Sections 801 and 804 during calender year 1990. The window for filing such petitions having expired, no other petitions can be timely submitted<sup>2/</sup>.

PROGRAM SUPPLIERS

By   
Dennis Lane  
Holland & Knight  
838 Seventeenth Street, N.W.  
Washington, D.C. 20036

Respectfully Submitted,

NATIONAL CABLE TELEVISION  
ASSOCIATION, INC.

By   
Seth A. Davidson  
1724 Massachusetts Avenue, N.W.  
Washington, D.C. 20036

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(Footnote continued)

Proceedings By the American Society of Composers, Authors, and Publishers, Broadcast Music, Inc., and SESAC, Inc." (filed Dec. 28, 1990); "Petition to Initiate Rate Adjustment Proceedings" (filed by PBS, Dec. 28, 1990), and "Joint Petition of NCTA and CATA to Initiate Proceedings to Adjust the Cable Copyright Rates" (filed Dec. 28, 1990). This pleading also pertains to the "Resubmission of Petition of the National Cable Television Association, Inc. to Initiate Proceedings to Adjust the Cable Copyright Royalty Rates" (filed Jan. 2, 1990) and the "CATA Petition to Initiate Cable Television Copyright Royalty Fee Adjustment Proceedings" (filed Jan. 2, 1990) insofar as those petitions request reductions in the base rates and 3.75 percent rate to reflect the FCC's reimposition of the syndex surcharge.

2/ The Parties note that, in the past, where petitions for rate adjustment have been voluntarily withdrawn, the Tribunal has simply issued a public notice dismissing the requested proceedings. See, e.g., Notice, Docket No. CRT 85-3-85CA, 51 Fed. Reg. 28675 (Aug. 13, 1986).

MAJOR LEAGUE BASEBALL

COMMUNITY ANTENNA TELEVISION  
ASSOCIATION, INC.

By Robert A. Garrett /or  
Robert Alan Garrett  
Arnold & Porter  
1200 New Hampshire Avenue, N.W.  
Washington, D.C. 20036

By Stephen R. Effros /sd  
Stephen R. Effros  
P.O. Box 1005  
Fairfax, VA 22030

NATIONAL BASKETBALL ASSOCIATION  
and NATIONAL HOCKEY LEAGUE

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS, AND PUBLISHERS

By Philip R. Hochberg /or  
Philip R. Hochberg  
Baraff, Koerner, Olender &  
Hochberg  
2033 M Street, N.W.  
Washington, D.C. 20036

By Fred Koenigsberg /or  
I. Fred Koenigsberg  
White & Case  
1155 Avenue of the Americas  
New York, NY 10036-2787

NATIONAL COLLEGIATE ATHLETIC  
ASSOCIATION

BROADCAST MUSIC, INC.

By Judith Jurin Semo /or  
Judith Jurin Semo  
Squire, Sanders & Dempsey  
1201 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

By Charles T. Duncan /or  
Charles T. Duncan  
Reid & Priest  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

SESAC, INC.

CANADIAN CLAIMANTS

By Laurie Hughes /or  
Laurie Hughes  
55 Music Square East  
Nashville, TN 37203

By Douglas G. Thompson Jr. /or  
Douglas G. Thompson, Jr.  
Finkelstein, Thompson &  
Loughran  
2828 Pennsylvania Avenue, N.W.  
Washington, D.C. 20007

PUBLIC BROADCASTING SERVICE

By Thomas P. Olson /or  
Thomas P. Olson  
Wilmer, Cutler & Pickering  
2445 M Street, N.W.  
Washington, D.C. 20037

CERTIFICATE OF SERVICE

I, Dennis Lane, certify that I have, this 11th day of January, 1991, served a copy of the foregoing "Joint Withdrawal Of Petitions For Rate Adjustments" by first class mail, postage prepaid, to the parties on the attached list.

A handwritten signature in cursive script, appearing to read "Dennis Lane", is written above a horizontal line.

Dennis Lane

Arnold P. Lutzker, Esq.  
Barbara S. Ianniello, Esq.  
Dow, Lohnes & Albertson  
1255 23rd Street, N.W.  
Suite 500  
Washington, DC 20037

Paula A. Jameson, Esq.  
Barbara S. Welberry, Esq.  
Public Broadcasting Service  
1320 Braddock Place  
Alexandria, VA 22314

Robert A. Garrett, Esq.  
Arnold & Porter  
1200 New Hampshire Ave., N.W.  
Washington, DC 20036

John I. Stewart, Jr., Esq.  
Robert P. Deyling, Esq.  
Crowell & Moring  
1001 Pennsylvania Ave., N.W.  
Washington, DC 20004-2505

Mark J. Palchick, Esq.  
James S. Blitz, Esq.  
Bishop, Cook, Purcell  
& Reynolds  
1400 L Street, N.W.  
Washington, DC 20005-3502

Charles T. Duncan, Esq.  
Michael Faber, Esq.  
Reid & Priest  
701 Pennsylvania Ave., N.W.  
Suite 800  
Washington, DC 20004

Laurie Hughes, Esq.  
SESAC, Inc.  
55 Music Square East  
Nashville, TN 37203

Bernard Korman, Esq.  
ASCAP  
One Lincoln Plaza  
New York, NY 10023

Brenda L. Fox, Esq.  
Seth A. Davidson, Esq.  
National Cable Television  
Association, Inc.  
1724 Massachusetts Ave. N.W.  
Washington, DC 20036

Douglas G. Thompson, Jr., Esq.  
L. Kendall Satterfield, Esq.  
Finklestein, Thompson &  
Levenson  
2929 Pennsylvania Ave., N.W.  
Suite 200  
Washington, DC 20007

Henry L. Baumann, Esq.  
Benjamin F.P. Ivins, Esq.  
National Association of  
Broadcasters  
1771 N Street, N.W.  
Washington, DC 20036

John H. Midlen, Jr., Esq.  
John H. Midlen, Jr., Chartered  
3238 Prospect Street, N.W.  
Washington, DC 20007-3215

Thomas J. Ostertag  
Office of the Commissioner  
of Baseball  
350 Park Avenue  
17th Floor  
New York, NY 10022

Jamie S. Gorelick, Esq.  
Miller, Cassidy, Larroca  
& Lewin  
2555 M Street, N.W.  
Suite 500  
Washington, DC 20037

Thomas P. Olson, Esq.  
Thomas B. Smith  
Wilmer, Cutler, & Pickering  
2445 M Street, N.W.  
Washington, DC 20037-1420

Paul Glist, Esq.  
Cole, Raywid & Braverman  
1919 Pennsylvania Ave., N.W.  
Washington, DC 20006

I. Fred Koenigsberg, Esq.  
White & Case  
1155 Avenue of the Americas  
New York, NY 10036-2787

Philip R. Hochberg, Esq.  
Baraff, Koerner, Olender  
& Hochberg, P.C.  
2033 M Street, N.W.  
Suite 700  
Washington, DC 20036

Bruce Sokler, Esq.  
Mintz, Levin, Cohn,  
Glovsky & Popeo, P.C.  
1825 Eye Street, N.W.  
Washington, DC 20006

Stuart F. Feldtein, Esq.  
Fleischman & Walsh, P.C.  
1400 16th Street, N.W.  
Washington, DC 20036

Judith Jurin Semo, Esq.  
Squire, Sanders & Dempsey  
1201 Pennsylvania Ave., N.W.  
Washington, DC 20004

Theodore A. Miles, Esq.  
General Counsel  
National Public Radio  
2025 M Street, N.W.  
Washington, DC 20036

Robert St. John Roper, Esq.  
Ronald A. Siegel, Esq.  
Ian D. Volner, Esq.  
Cohn & Marks  
1333 New Hampshire Ave., N.W.  
Suite 600  
Washington, DC 20036

90-5-CRA

DOCKET STATEMENT

<u>FILING</u>	<u>DATE</u>	<u>PARTY</u>	<u>SUBJECT/DESCRIPTION</u>
FED. REG.	05/16/90	CRT	ADJ. OF BASIC & 3.75% CABLE RATES
COMMENTS	06/22/90	OWNERS' JOINT CLAIMANTS	PETITION TO CONSOLIDATE PROCEEDINGS WITH THE SYNDEX REVIEW PROCEEDING  EXHIBITS 1 & 2
LETTER	06/22/90	REID AND PRIEST	CHANGE OF ADDRESS (MARKET SQUARE; 701 PENN AVE, NW; 20004)
CALL	07/02/90	SCHEINER AND LANE	CHANGE OF ADDRESS
COMMENTS	07/03/90	NCTA	RESPONSE TO THE COPYRIGHT OWNERS' JOINT COMMENTS TO CONSOLIDATE PROCEED- INGS
REPLY	07/16/90	OWNERS' JOINT CLAIMANTS	REPLY TO THE NCTA RESPONSE OF 07/03
ORDER	07/18/90	TRIBUNAL	TIME FOR FILING PETITIONS
PETITION	12/28/90	JOINT SPORTS	PETITION TO INCREASE ROYALTY RATES
PETITION	12/28/90	PBS	PETITION TO INITIATE RATE ADJUSTMENT PROCEED- INGS
PETITION	12/28/90	NCTA, CATA	PETITION TO INITIATE PROCEEDINGS TO ADJUST THE CABLE COPYRIGHT ROYALTY RATES
PETITION	12/28/90	PROGRAM SUPPLIERS	PETITION REQUESTING RATE ADJUSTMENT

PETITION	12/28/90	ASCAP, BMI, SESAC	PETITION FOR COMMENCEMENT OF PROCEEDINGS
PETITION	12/28/90	CANADIAN	PETITION TO ADJUST ROYALTY RATES
WITHDRAWAL	01/11/90	ALL PARTIES	WITHDRAWAL OF ALL PENDING PETITIONS