

MAY 7 1980
MR
ORIGINAL

Before the
COPYRIGHT ROYALTY TRIBUNAL
Washington, D.C. 20036

In the Matter of)
)
DISTRIBUTION OF CABLE)
TELEVISION ROYALTY FEES)

REQUEST FOR PRODUCTION OF DOCUMENT

The Motion Picture Association of America, Inc., its member companies and other companies engaged in the production and distribution of programming exhibited by television broadcast stations (Program Syndicators) respectfully request that the Tribunal direct the claimant Public Broadcasting Service (PBS) to furnish the undersigned with a copy of a document entitled "PBS Report 1.2.3." (PBS Report) consisting of computer printouts prepared by Mr. R. Wagner. In support whereof the following is submitted.

Appendix C of PTV Exhibit 3 of the direct case of PBS is entitled "Stations Surveyed in 1978 Royalties Paid by CATV's Carrying Them Distant." Based upon a review of the said exhibit by Program Syndicators it was apparent that Appendix C contained significant and substantial errors with respect to WPBO, Portsmouth, Ohio, and WLVT, Erie, Pennsylvania.

Appendix C was based on the data contained in the PBS Report. Counsel for PBS furnished the undersigned with a copy of the PBS Report in order that the sources relied upon in Appendix C might be examined for accuracy. Based upon a limited review of the PBS Report in the hearing room, we believe that it is replete with major errors.

At the request of the Chairman, counsel for PBS furnished information concerning claimed cable carriage of WPBO and WLVT on the basis of information contained in the PBS Report.

Accordingly, it is requested that we be furnished with a copy of that report so it may be reviewed to determine whether the source material is accurate, whether it supports the information set out in Appendix C and the information furnished by counsel for PBS at the request of the Chairman.

Respectfully submitted,

MOTION PICTURE ASSOCIATION OF AMERICA, INC.
ITS MEMBER COMPANIES
OTHER PROGRAM PRODUCERS AND DISTRIBUTORS

By Arthur Scheiner

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May 7, 1980

CERTIFICATE OF SERVICE

I, Richard H. Waysdorf, hereby certify that copies of the foregoing "Request for Production of Document" have been sent by first class United States mail, postage prepaid, to the attached list on this 7th day of May, 1980.

Richard H. Waysdorf

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