

**Before the  
LIBRARY OF CONGRESS  
COPYRIGHT ROYALTY BOARD  
Washington, D.C.**

**In the Matter of**

**Docket No. 2010-1 CRB Cable Rate**

**ADJUSTMENT OF CABLE STATUTORY  
LICENSE ROYALTY RATES**

**PETITION TO PARTICIPATE  
OF BROADCAST MUSIC, INC., THE AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS, AND SESAC, INC.**

Broadcast Music, Inc. (“BMI”), the American Society of Composers, Authors and Publishers (“ASCAP”), and SESAC, Inc. (“SESAC”) (collectively, “Music Claimants”) hereby file a Petition to Participate (“Petition”) in a proceeding to adjust the royalty rates for the cable statutory license pursuant to 17 U.S.C. § 111 before the Copyright Royalty Judges, in accordance with the Copyright Royalty Board notice of December 23, 2009, 75 Fed. Reg. 455 (January 5, 2010).

The Music Claimants represent copyright owners of works secondarily transmitted by cable systems pursuant to the Section 111 license and, based on the fact that the property of the owners that they represent is contained in programming secondarily retransmitted, Music Claimants have historically participated in all past cable rate adjustment and royalty distribution proceedings. Accordingly, the Music Claimants have a “significant interest” in the cable

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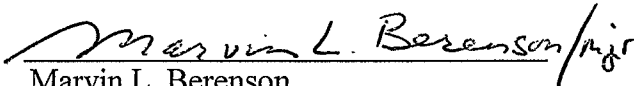
statutory licensing royalty rates as required by 37 C.F.R. 251.62(a), and hereby petition to participate in the cable royalty rate adjustment proceeding.

Petitions to participate are also being filed by other traditional claimant groups, which, similar to Music Claimants, represent groups of copyright owners holding interests in similar types of copyrighted works (e.g. sports programming, devotional programming). These groups also assert a "significant interest" in the cable statutory licensing royalty rates because they represent copyright owners of programming that is and will be secondarily transmitted by cable systems pursuant to the Section 111 statutory license. Based on the fact that these groups represent owners whose property is contained in this programming, they have previously been allowed to participate in every cable royalty distribution proceeding and cable rate adjustment proceeding since the enactment of the cable license. And, as they represent larger groups of shared-interest copyright holders, they have previously been permitted to file and participate as single claimant groups.

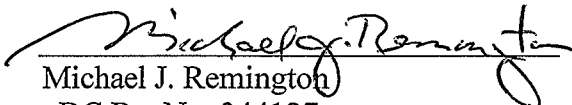
Because BMI, ASCAP and SESAC share similar interests, we have followed past practice and hereby file jointly as Music Claimants. *See* 37 C.F.R. § 251.62(a). Our Petition is accompanied by a \$150.00 filing fee in the form of a check to the Copyright Royalty Board.

Respectfully submitted,

**BROADCAST MUSIC, INC.**

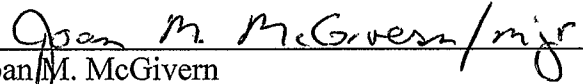


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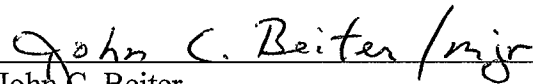
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Dated: February 4, 2010