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OCT 23 2000

ORIGINAL

Before the  
UNITED STATES COPYRIGHT OFFICE  
LIBRARY OF CONGRESS  
Washington, D.C.

GENERAL COUNSEL  
OF COPYRIGHT

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<b>In Re:</b>	:	
	:	
	:	
<b>Digital Performance Right</b>	:	<b>Docket 2000-3 CARP DTRA2</b>
<b>In Sound Recordings and</b>	:	
<b>Ephemeral Recordings Rate</b>	:	
<b>Adjustment Proceeding</b>	:	

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**MOTION TO ACCEPT  
POST-OCTOBER 13, 2000  
FILING OF NOTICE OF INTENTION TO  
PARTICIPATE IN 2001-2002 CARP PROCEEDING**

CBS Corporation ("CBS"), by and through its undersigned attorneys, Weil, Gotshal & Manges LLP (WG&M), hereby makes this Motion To Accept Post-October 13, 2000 Filing Of Notice of Intention to Participate in the Digital Performance Right In Sound Recordings and Ephemeral Recordings Rate Adjustment Proceeding (Docket 2000-3 CARP DTRA2) (the "CARP proceeding"). The facts in support of this motion follow.

Pursuant to 37 C.F.R. 251.45(a), an entity intending to participate in the CARP proceeding must file a Notice of Intention to Participate ("Notice"). Pursuant to Fed. Reg. 56,941 (2000), such notices were to have been filed with the Office of the General Counsel, Copyright Office, by Friday, October 13, 2000.

Prior to Friday, October 13, 2000, a Notice of Intention to Participate in the proceeding on behalf of CBS was prepared and sent by courier to the Copyright Office. CBS was not aware that the Copyright Office does not accept deliveries from the

courier service utilized. Subsequent to October 13, 2000, CBS learned that its Notice Intent to Participate was not accepted on that date.

Considering that the October 13th notices to participate in the CARP were only recently processed at the Copyright Office, no entity is or will be prejudiced in any way by the relief requested by this motion and there will be no disruption in the proceeding caused by allowing this party to participate. A copy of a Notice of Intention to Participate in the CARP Proceeding on behalf of CBS is attached hereto.

In light of the above, the instant request complies in all respects with the governing standards for motions of this nature, as set forth in the Order of the Copyright Office dated November 30, 1999. Accordingly, CBS respectfully requests that its Motion to Accept the Post-October 13, 2000 Filing of a Notice of Intention to Participate in the CARP proceeding be granted and that CBS be permitted to participate in the 2001-2002 CARP proceeding.

Dated: October 23, 2000

Respectfully submitted,

WEIL, GOTSHAL & MANGES LLP

By: *R. Bruce Rich*  
R. Bruce Rich

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New York, New York 10153  
(212) 310-8000

1615 L Street, N.W.  
Suite 700  
Washington D.C. 20036  
(202) 682-7000

Attorneys for CBS Corporation

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Notice of Intent to Participate in 2001-2002 CARP Proceeding  
(Docket No. 2000-3 CARP DTRA2)

OCT 23 2000

GENERAL COUNSEL  
OF COPYRIGHT

In accordance with 37 CFR 251.45(a), and without prejudice to any of its rights, the entity set forth herein files with the Library of Congress, Copyright Office, a notice stating the Service's intention, solely to the extent determined to be required by law, to participate in the Copyright Arbitration Royalty Panel proceeding to set rates and terms for compulsory licenses in connection with digital sound recording performance (17 U.S.C. § 114) and related ephemeral recording rights (17 U.S.C. § 112) (Docket No. 2000-3 CARP DTRA2).

1. Name of Service: CBS Corporation and each of its Affiliates as such term is defined in Rule 12-b-2 of Regulation 12B of the Securities Exchange Act of 1934, as amended (collectively referred to as "CBS") including but not limited to CBS Broadcasting Inc., CBS Worldwide Inc., CBS Mass Media Corporation, and Infinity Broadcasting Corporation.

2. Mailing Address: 51 West 52nd Street  
New York, New York 10019

*Note: A post office box is acceptable if it is the only address that can be used in that geographic location.*

3. Website Address of Service: See Exhibit A attached hereto

*Note: Information on how to gain access to the online website or home page of the Service, or where information may be posted under the regulations concerning the use of sound recordings must be provided.*

4. Officer or Authorized Representative of Service:

1. Name: R. Bruce Rich, Esq.

2. Title: Partner - Weil, Gotshal & Manges LLP

3. Address: 767 Fifth Avenue  
New York, NY 10153

4. Telephone: 212-310-8000

5. Facsimile: 212-310-8007

6. Date: 10/23/00

7. Signature: R. Bruce Rich

EXHIBIT A

Website Addresses

http://www.1007.com  
http://www.1010talks.com  
http://www.1010wins.com  
http://www.102thezone.com  
http://www.1041thepoint.com  
http://www.1067wjfk.com  
http://www.1075theoasis.com  
http://www.1300jfk.com  
http://www.1300wjfk.com  
http://www.2102online.com  
http://www.941.fm.com  
http://www.947wave.com  
http://www.94wysp.com  
http://www.96wcmf.com  
http://www.alice29.com  
http://www.alice929.com  
http://www.arrowfm.com  
http://www.b94fm.com  
http://www.b96.com  
http://www.beat1043.com  
http://www.bin.org  
http://www.buzz103.com  
http://www.CBS.com  
http://www.cbs11tv.com  
http://www.cbs2chicago.com  
http://www.cbs2ny.com  
http://www.cbsnewyork.com  
http://www.channel2000.com  
http://www.chicago.sidewalk.com  
http://www.chicago.sidewalkapps.com  
http://www.classicrock947.com  
http://www.cool1059.com  
http://www.ez103.com  
http://www.ez1031.com  
http://www.fmtalk971.com  
http://www.fmtalki.com  
http://www.htsonline.com  
http://www.kbay.com  
http://www.kbeqfm.com  
http://www.kcbs.com  
http://www.kcncnews4.com  
http://www.kdka.com  
http://www.kdkaradio.com  
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http://www.kinkfm102.com  
http://www.kiss106.com  
http://www.kiss951.com  
http://www.kjuice.com  
http://www.kkzj.com  
http://www.kluc.com  
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http://www.kmjz.com  
http://www.knox.com  
http://www.kmps.com  
http://www.knxb.com  
http://www.knax.com  
http://www.kncifm.com  
http://www.knx1070.com  
http://www.kool105.net  
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http://www.krld.com  
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http://www.kroq1067.com  
http://www.krth101  
http://www.ksfm.com  
http://www.ksks.com  
http://www.kstw.com  
http://www.ktfm.com  
http://www.ktsa.com  
http://www.ktv.com  
http://www.ktxh.com

SIK/33679v3

## Website Addresses

<http://www.kufo.com>  
<http://www.kupl.com>  
<http://www.kutv.com>  
<http://www.kvjl.com>  
<http://www.kxnt.com>  
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<http://www.kywtv.com>  
<http://www.kyxy.com>  
<http://www.kzok.com>  
<http://www.kzon.com>  
<http://www.lataalk1110.com>  
<http://www.LaVegas.fm.com>  
<http://www.litelasvegas.fm>  
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<http://www.majic.com>  
<http://www.mix1023.com>  
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<http://www.mix985.com>  
<http://www.newsradio88.com>  
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<http://www.paramountstations.com/kmax>  
<http://www.paramountstations.com/ktxa>  
<http://www.paramountstations.com/wdca>  
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<http://www.power98fm.com>  
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<http://www.wogl.com>  
<http://www.womc.com>  
<http://www.wpgc955.com>  
<http://www.wpsg.com>

Website Addresses

<http://www.wpxy.com>  
<http://www.wqal.com>  
<http://www.wqsr.com>  
<http://www.wqyk.com>  
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<http://www.wzjm.com>  
<http://www.wzlx.com>  
<http://www.wzmx.com>  
<http://www.xtremeradio.com>  
<http://www.xyv.com>  
<http://www.y108.com>  
<http://www.y98.com>  
<http://www.youngcountry.com>  
<http://www.youngcountry957.com>  
<http://www.Z93.com>

and such other transmission sites that are owned or controlled by CBS.

**Proceeding to Set Rates & Terms for  
Compulsory Licenses in Connection with  
Digital Sound and Recording Performance  
(17 U.S.C. § 114)  
Docket No. 2000-3 CARP DTRA 2**

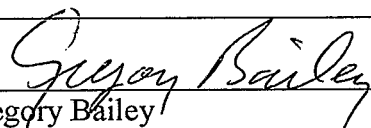
**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR 251.45(a), I, Gregory Bailey, hereby certify that I caused a copy of a Motion to accept Post-October 13, 2000 filing of notice of Intention to Partipate in 2001-2002 CARP Proceedings on behalf of CBS Corporation ("CBS"),(Docket No. 2000-3 CARP DTRA 2) to be served on the parties listed below, by Facsimile Transmission, on October 23, 2000.

**SERVICE LIST**

<b>RECEIPIENTS</b>	<b>FAX NOS.</b>	<b>TELEPHONE NOS.</b>	<b>COUNSEL FOR</b>
Gregory J. Hessinger Ann E. Chaitovitz <b>American Federation of Television and Radio Artists</b>	(212) 532-2242	(212) 532-0800	
Arthur Levine <b>Finnegan, Henderson, Farabow, Garret &amp; Dunner</b>	(202) 408-4400	(202) 408-4000	<b>American Federation of Television and Radio Artists</b>
Bruce A. Lehman	(202) 478-1955	(202) 544-6610	<b>Performing Artists Society of America</b>
Kenneth M. Kaufman <b>Davis Wright Tremain LLP</b>	(202) 508-6699	(202) 508-6600	<b>Live365.com</b>
Robert Alan Garrett Ronald A. Schechter Michele Woods Jule L. Sigall Brad R. Newbert <b>Arnold &amp; Porter</b>	(202) 942-5999	(202) 942-5000	<b>Recording Industry of America, Inc.</b>
Cary H. Sherman Steven M. Marks Linda R. Bocchi <b>Recording Industry Association of America, Inc.</b>	(202) 775-7253	(202) 775-0101	

RECEIPIENTS	FAX NOS.	TELEPHONE NOS.	COUNSEL FOR
Bruce D. Sokler Fernando R. Laguarda Amy L. Bushyeager <b>Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.</b>	(202) 434-7400	(202) 434-7300	<b>Music Choice</b>
DMX Music, Inc. c/o Mr. Frank Pet	(310) 444-1717	(310) 444-1744	
Barry H. Gottfried Cynthia D. Greer JoEllen Masters <b>Shaw Pittman</b>	(202) 663-8007	(202) 663-8000	<b>XM Satellite Radio Inc.</b>
Neal Jackson Denise Leary <b>Natioanl Public Radio</b>	(202) 414-3329	(202) 414-2000	
Douglas A. Kaplan <b>Sirius Satellite Radio Inc.</b>	(212) 584-5200	(212) 584-5100	
Seth D. Greenstein <b>McDermott, Will &amp; Emery</b>	(202) 756-8087	(202) 756-8000	<b>Yahoo! Inc.</b>
Michael A. Kahn Mary Castle <b>Folger Levin &amp; Kahn</b>	(415) 986-2827	(415) 986-2800	<b>Yahoo! Inc.</b>
Jerry Rubinstein <b>Musicplex.com Inc.</b>	(310) 253-7010	(310) 253-7000	
Bruce G. Joseph <b>Wiley, Rein &amp; Fielding</b>	(202) 719-7207	(202) 718-7000	<b>Clear Channel Communications Inc.</b>
Russell R. Hauth	(805) 384-4520	(805) 987-0400	<b>NRB Music License Committee; Salem Communications Corp.</b>
Walter F. McDonough <b>Future of Music Coalition</b>	(202) 783-5595	(202) 783-5588	
Mary Ann Lyman <b>Munger, Tolles &amp; Olson LLP</b>	(213) 687-3702	(213) 683-9100	<b>Virgin Audio Holdings LLC (Radio Free Virgin)</b>
Patricia Polach <b>Bredhoff &amp; Kaiser, P.L.L.C.</b>	202-842-1888	202-842-2600	<b>American Federation of Musicians of the United States and Canada</b>

  
 Gregory Bailey



OCT 23 2000

Before the  
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 LIBRARY OF CONGRESS  
 Washington, D.C.

GENERAL COUNSEL  
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<b>In Re:</b>	:	
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**MOTION TO ACCEPT  
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Dated: October 23, 2000

Respectfully submitted,

WEIL, GOTSHAL & MANGES LLP

By: *R. Bruce Rich*  
R. Bruce Rich

767 Fifth Avenue  
New York, New York 10153  
(212) 310-8000

1615 L Street, N.W.  
Suite 700  
Washington D.C. 20036  
(202) 682-7000

Attorneys for CBS Corporation

RECEIVED

Notice of Intent to Participate in 2001-2002 CARP Proceeding **OCT 23 2000**  
(Docket No. 2000-3 CARP DTRA2)

GENERAL COUNSEL  
OF COPYRIGHT

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4. Officer or Authorized Representative of Service:

1. Name: R. Bruce Rich, Esq.
2. Title: Partner – Weil, Gotshal & Manges LLP
3. Address: 767 Fifth Avenue  
New York, NY 10153
4. Telephone: 212-310-8000
5. Facsimile: 212-310-8007
6. Date: 10/23/00
7. Signature: R. Bruce Rich

## EXHIBIT A

### Website Addresses

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<http://www.2102online.com>  
<http://www.941.fm.com>  
<http://www.947wave.com>  
<http://www.94wysp.com>  
<http://www.96wcmf.com>  
<http://www.alice29.com>  
<http://www.alice929.com>  
<http://www.arrowfm.com>  
<http://www.b94fm.com>  
<http://www.b96.com>  
<http://www.beat1043.com>  
<http://www.bin.org>  
<http://www.buzz103.com>  
<http://www.CBS.com>  
<http://www.cbs11tv.com>  
<http://www.cbs2chicago.com>  
<http://www.cbs2ny.com>  
<http://www.cbsnewyork.com>  
<http://www.channel2000.com>  
<http://www.chicago.sidewalk.com>  
<http://www.chicago.sidewalkapps.com>  
<http://www.classicrock947.com>  
<http://www.cool1059.com>  
<http://www.ez103.com>  
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<http://www.fmtalk971.com>  
<http://www.fmtalki.com>  
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<http://www.ktsa.com>  
<http://www.ktv.com>  
<http://www.ktxh.com>

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## Website Addresses

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<http://www.kutv.com>  
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<http://www.lataalk1110.com>  
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<http://www.newsradio88.com>  
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<http://www.paramountstations.com/wdca>  
<http://www.paramountstations.com/wgnt>  
<http://www.paramountstations.com/wkbd>  
<http://www.paramountstations.com/wsbk>  
<http://www.paramountstations.com/wtog>  
<http://www.paramountstations.com/wupl>  
<http://www.paramountstations.com/wwho>  
<http://www.power98fm.com>  
<http://www.q102online.com>  
<http://www.qfm96.com>  
<http://www.radioalice.com>  
<http://www.radiozone.com>  
<http://www.star101.com>  
<http://www.star610kilt.com>  
<http://www.superstarcountry.com>  
<http://www.talk1190.com>  
<http://www.talkradio1210.com>  
<http://www.thebeat.com>  
<http://www.thezone941.com>  
<http://www.u92.com>  
<http://www.US99country.com>  
<http://www.us99country.com>  
<http://www.v1019.com>  
<http://www.V-103.com>  
<http://www.V-103.com>  
<http://www.v987.com>  
<http://www.warmradio.com>  
<http://www.wbbm780.com>  
<http://www.wbcn.com>  
<http://www.wbfs.com>  
<http://www.wblj.com>  
<http://www.wbz.com>  
<http://www.wbz.com>  
<http://www.wcbsfm.com>  
<http://www.wcco.com>  
<http://www.wcco.com>  
<http://www.wdok.com>  
<http://www.wfan.com>  
<http://www.wfnz.com>  
<http://www.wfnz.com>  
<http://www.wfor.com>  
<http://www.wfrv.com>  
<http://www.wgrr1035.com>  
<http://www.whfs.com>  
<http://www.whok.com>  
<http://www.wild987.com>  
<http://www.wirk.com>  
<http://www.wjhm.com>  
<http://www.wjmk.com>  
<http://www.wjye.com>  
<http://www.wjz.com>  
<http://www.wkrk.com>  
<http://www.wliffm.com>  
<http://www.wlifjoblink.com>  
<http://www.wlte.com>  
<http://www.wmfr.com>  
<http://www.wncx.com>  
<http://www.wndy.com>  
<http://www.wnew.com>  
<http://www.wogl.com>  
<http://www.womc.com>  
<http://www.wpgc955.com>  
<http://www.wpsg.com>

Website Addresses

<http://www.wpxy.com>  
<http://www.wqal.com>  
<http://www.wqsr.com>  
<http://www.wqyk.com>  
<http://www.wrbq.com>  
<http://www.wrch.com>  
<http://www.wsjs.com>  
<http://www.wsjt.com>  
<http://www.wsocfm.com>  
<http://www.wsss.com>  
<http://www.wtic.com>  
<http://www.wticfm.com>  
<http://www.wtvx.com>  
<http://www.wupa.com>  
<http://www.wwj.com>  
<http://www.wjtv.com>  
<http://www.wmxfm.com>

<http://www.wxrt.com>  
<http://www.wxyt.com>  
<http://www.wycd.com>  
<http://www.wylx.com>  
<http://www.wyrk.com>  
<http://www.wzjm.com>  
<http://www.wzlx.com>  
<http://www.wzmx.com>  
<http://www.xtremeradio.com>  
<http://www.xyv.com>  
<http://www.y108.com>  
<http://www.y98.com>  
<http://www.youngcountry.com>  
<http://www.youngcountry957.com>  
<http://www.Z93.com>

and such other transmission sites that are owned or controlled by CBS.

**Proceeding to Set Rates & Terms for  
Compulsory Licenses in Connection with  
Digital Sound and Recording Performance  
(17 U.S.C. § 114)  
Docket No. 2000-3 CARP DTRA 2**

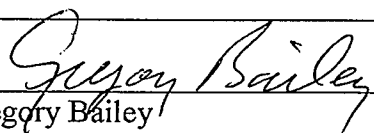
**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR 251.45(a), I, Gregory Bailey, hereby certify that I caused a copy of a Motion to accept Post-October 13, 2000 filing of notice of Intention to Partipate in 2001-2002 CARP Proceedings on behalf of CBS Corporation ("CBS"),(Docket No. 2000-3 CARP DTRA 2) to be served on the parties listed below, by Facsimile Transmission, on October 23, 2000.

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Robert Alan Garrett Ronald A. Schechter Michele Woods Jule L. Sigall Brad R. Newbert <b>Arnold &amp; Porter</b>	(202) 942-5999	(202) 942-5000	<b>Recording Industry of America, Inc.</b>
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Jerry Rubinstein <b>Musicplex.com Inc.</b>	(310) 253-7010	(310) 253-7000	
Bruce G. Joseph <b>Wiley, Rein &amp; Fielding</b>	(202) 719-7207	(202) 718-7000	<b>Clear Channel Communications Inc.</b>
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Walter F. McDonough <b>Future of Music Coalition</b>	(202) 783-5595	(202) 783-5588	
Mary Ann Lyman <b>Munger, Tolles &amp; Olson LLP</b>	(213) 687-3702	(213) 683-9100	<b>Virgin Audio Holdings LLC (Radio Free Virgin)</b>
Patricia Polach <b>Bredhoff &amp; Kaiser, P.L.L.C.</b>	202-842-1888	202-842-2600	<b>American Federation of Musicians of the United States and Canada</b>

  
 Gregory Bailey