

UNITED STATES COPYRIGHT ROYALTY JUDGES
The Library of Congress

In re

**DETERMINATION OF ROYALTY RATES AND
TERMS FOR EPHEMERAL RECORDING AND
WEBCASTING DIGITAL PERFORMANCE OF
SOUND RECORDINGS (Web-IV)**

**Docket No. 14-CRB-0001-WR
(2016-2020)**

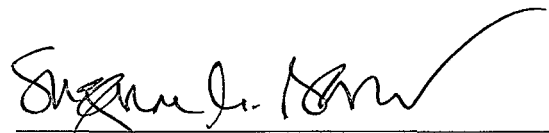
**ORDER ON PARTIES' PROPOSED MODIFICATIONS
TO REDACTIONS TO DETERMINATION**

On February 2, 2016, the Copyright Royalty Judges (Judges) issued their Order Granting in Part and Denying in Part Parties' Motions to Redact Portions of Determination (Redaction Order). In the Redaction Order, the Judges directed the parties to file with the Judges their proposed modifications to the Judges' proposed public version of their Determination in this proceeding (Proposed Public Determination) by February 5, 2016, and their oppositions (if any) to such modifications by February 10, 2016. SoundExchange and iHeartMedia (iHeart) each submitted proposed modifications to the Judges on February 5, and no party filed any objections.

The Judges accept all of the parties' proposed modifications with one exception. The Judges reject iHeart's proposal to redact the heading and dates from the first column of the table on pages 137-38 of the Determination. iHeart's proposed redaction would render the table unintelligible to readers, and would obscure an important substantive point that supports the Judges' use of the iHeart/Warner Agreement as a benchmark in this proceeding—that the agreement is contemporaneous with the proceeding and overlaps the period for which the Judges are setting rates. Both points bear on the first *Hubbard* factor—the need for public access—in a manner that tips the scale in favor of disclosure. *See* Redaction Order at 2-3.

With the exception noted in the previous paragraph the Judges shall modify the Proposed Public Determination in accordance with the parties' proposals and release the resulting version to the public.

SO ORDERED.



Suzanne M. Barnett
Chief Copyright Royalty Judge

DATED: February 11, 2016