

Before the
COPYRIGHT ROYALTY BOARD
Washington, D.C.

FEB 04 2009

In the Matter of)
)
Digital Performance in Sound Recordings)
and Ephemeral Recordings)
_____)

[Docket No. 2009-1 CRB Webcasting III]

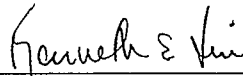
THE NCE RADIO COALITION'S
PETITION TO PARTICIPATE

Pursuant to 17 U.S.C. § 803(b)(1)(B), 37 CFR 351.1(b), and 74 Fed. Reg 319, the NCE Radio Coalition hereby petitions to participate in the above-captioned proceeding to determine the rates and terms for the period 2011 to 2015 for digital performances of sound recordings under 17 U.S.C. § 114(f)(2) and the making of ephemeral recordings under 17 U.S.C. § 112(e).

The NCE Radio Coalition consists of noncommercial radio broadcasters that simulcast radio broadcasts online. It has a significant interest in this proceeding because its members rely on the statutory licenses to digitally perform sound recordings under 17 U.S.C. § 114(f)(2) and to make ephemeral recordings under 17 U.S.C. § 112(e).

The required \$150 filing fee is submitted herewith.

Respectfully submitted,



A. Wray Fitch III (Va. Bar No. 18984)
Kenneth E. Liu (Va. Bar No. 42327)
GAMMON & GRANGE, P.C.
8280 Greensboro Dr., 7th Floor
McLean, VA 22102
703-761-5000
703-761-5023 (Fax)
awf@gg-law.com
kel@gg-law.com

Counsel for the NCE Radio Coalition