



In the Matter of)
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Distribution of 1990, 1991,
and 1992 Cable Royalty Funds)
)

Docket No. 94-3 CARP-CD 90-92

On June 3, 1996, the Copyright Arbitration Royalty Panel (Panel), which had been appointed by the Librarian of Congress to conduct arbitration proceedings concerning the distribution of 1990, 1991, and 1992 cable royalties, tendered a report to the Librarian.

Under the Copyright Act, the Register of Copyrights has the responsibility of making a recommendation to the Librarian concerning the acceptance or rejection of the determinations of an arbitration panel. 17 U.S.C. § 802(f). In preparing her recommendation to the Librarian of Congress, the Register of Copyrights sought clarification of the report from the Panel, and, for that purpose, sent six certified questions to the Panel on July 16, 1996.

On August 29, 1996, the Panel submitted responses to the certified questions to the Register of Copyrights. These answers are an amendment to the original report and, as such, are subject to comment from the parties. Under the regulations governing the administration of the arbitration panels, the parties to a proceeding may file petitions to modify or set aside the determination of the panel's report, and replies to petitions to modify. 37 C.F.R. 251.55.

The parties in this proceeding filed on June 17, 1996 lengthy petitions to the Librarian to modify or set aside the panel's determination, and also filed replies to the petitions of other parties. The Library now offers the parties an opportunity to file supplements to their original petitions based only on the Panel's answers to the certified questions.

As the Panel's amendments to its report are limited in scope, the Library requests that if the parties wish to file supplements to their petitions to modify, that they do so by **Tuesday, September 17, 1996**, and that any replies be filed by **Tuesday, September 24, 1996**.

Further, the Copyright Act provides that the Librarian shall adopt or reject the determination of the arbitration panel within sixty days of receiving the report of an arbitration panel. 17 U.S.C. § 802(f). The final report of the panel shall be deemed to have been submitted on the date of its amendment, August 29, 1996, and the sixty day period for the Librarian's acceptance or rejection of the report shall run from that date.

Date: August 30, 1996



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