In The Matter Of: Digital Performance Right in Sound Recordings and Ephemeral Recordings

Docket No. 2005-1 CRJ DTRA

AMERICAN COUNCIL ON EDUCATION PETITION TO PARTICIPATE


ACE is a membership organization open to accredited, degree-granting colleges and universities and higher education associations located within the United States. Members of ACE make or intend to make public performances of sound recordings by digital transmission and ephemeral recordings in furtherance thereof that will be subject to the rates and terms established in this proceeding, including, without limitation, at the websites of college and university radio stations. ACE members make or have made such public performances under the Section 112(e) and 114(f)(2) statutory licenses as noncommercial services pursuant to the rates and terms set forth in 37 C.F.R. § 261 et seq., which rates and terms will be adjusted by this proceeding.
Name of Participant: American Council on Education
ATTN: Sheldon E. Steinbach, Vice President & General Counsel
Address: One Dupont Circle N.W.
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The requisite $150 filing fee is enclosed herewith.

Respectfully submitted,

Kenneth D. Salomon
Margaret L. Miller
Kathleen E. Fuller
Its Attorneys

March 17, 2005