PETITION TO PARTICIPATE IN THE PROCEEDING OF THE COPYRIGHT ROYALTY JUDGES TO SET RATES AND TERMS FOR COMPULSORY LICENSES TO DIGITALLY DISTRIBUTE SOUND RECORDINGS UNDER SECTIONS 112 AND 114 OF THE COPYRIGHT ACT BY CERTAIN PUBLIC BROADCASTING ENTITIES

Pursuant to 17 U.S.C. Sections 112, 114, and 803(b) and the implementing regulations of the Copyright Office, National Public Radio, Inc. ("NPR"), noncommercial radio stations which are members of NPR, and noncommercial radio stations which are eligible to receive funding from the Corporation for Public Broadcasting ("CPB qualified stations") file this Petition to Participate in the Proceeding of the Copyright Royalty Judges to set the rates and terms for a compulsory license established by those provisions for the five-year period beginning January 1, 2006 and ending December 31, 2010.

Notwithstanding the filing of this Petition, NPR and RIAA continue efforts to negotiate a voluntary agreement.

NPR, its member stations, and CPB-qualified stations are all noncommercial public broadcasting entities, which currently or in the future may operate noncommercial
websites for the purposes of transmitting educational programming to the public. Each of
the more than 400 public broadcasting entities represented herein is a non-profit or
governmental entity or affiliated with an educational institution and has limited resources
for the payment of such licenses. As such, they have a significant interest in the royalty
rates that are the subject of this Petition.

Respectfully Submitted,

By

Neal A. Jackson
Vice President for Legal Affairs and
General Counsel
Denise B. Leary
Deputy General Counsel for
Programming and Senior Attorney
National Public Radio, Inc.
635 Massachusetts Ave. NW
Washington, D.C. 20001

Attorneys for Public Broadcasting Entities

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