

Before the
LIBRARY OF CONGRESS
COPYRIGHT ROYALTY BOARD
Washington, D.C.

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In the Matter of)
)
DETERMINATION OF REASONABLE RATES) Docket No. 2011-2 CRB NCEB II
AND TERMS FOR NONCOMMERCIAL)
BROADCASTING)
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PETITION TO PARTICIPATE OF
THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

The American Society of Composers, Authors and Publishers (“ASCAP”), hereby files this petition to participate in the proceeding to determine the reasonable rates and terms for use of certain works in connection with noncommercial broadcasting, in accordance with the Copyright Royalty Board’s Notice of December 22, 2010, 76 Fed Reg. 591 (January 5, 2011).

ASCAP is this nation’s first and largest performing rights organization (“PRO”), with over 400,000 writer and publisher members and a repertory of millions of copyrighted musical works. On behalf of its members, ASCAP licenses the nondramatic public performance rights in musical works to a wide range of users, including noncommercial television and radio broadcasters. ASCAP represents not only U.S. writers and publishers, but also hundreds of thousands of foreign writers and publishers through affiliation agreements with PROs in over 95 countries, by which the foreign repertories are licensed in the U.S., and the foreign PROs license the ASCAP repertory in their countries.

As a result of ASCAP's licensing activities on behalf of its members with noncommercial broadcasters, ASCAP has had a significant interest in, and has been a party to, every 17 U.S.C. §118 proceeding since the inception of the Section 118 license. Likewise, here, ASCAP maintains a significant interest in determining reasonable rates and terms for its licenses with noncommercial broadcasters and intends to fully participate in this Section 118 rate proceeding.

Notwithstanding this petition to participate, ASCAP remains hopeful that it will be able to reach a voluntary settlement agreement of rates and terms of the Section 118 license.

For the purposes of fulfilling the requirements of 37 C.F.R. §351.1(b), please use the following information:

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January 18, 2011

Respectfully submitted,

**AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS**



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