

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

In the Matter of

Determination of Rates and Terms for
Business Establishment Services

Docket No. 2012-1 CRB
Business Establishments II

MUSIC CHOICE'S PETITION TO PARTICIPATE

Pursuant to 37 C.F.R. 351.1(b), Music Choice hereby petitions to participate in the above-captioned proceeding to determine the reasonable rates and terms effective January 1, 2014 through December 31, 2018 for the making of ephemeral recordings for the later transmission by entities that transmit performances of sound recordings to business establishments under 17 U.S.C. § 112 (e)(1). Music Choice has a direct and significant interest in this proceeding because it operates a business establishment service pursuant to the limitation on exclusive rights set forth in 17 U.S.C. §§ 114(d)(1)(C)(iv) and the compulsory license provided by 17 U.S.C. § 112(e)(1), and will be subject to the reasonable rates and terms established in this proceeding for business establishment services. Music Choice intends to fully participate in the above-captioned rate proceeding. Music Choice's direct contact information is as follows: Attn: Paula Calhoun, Senior Vice President and General Counsel, 650 Dresher Road, Horsham, PA 19044; Telephone: (215) 784-5840; Facsimile: (215) 784-5886; E-mail: pcalhoun@musicchoice.com. Music Choice may also be contacted through its attorneys designated below.

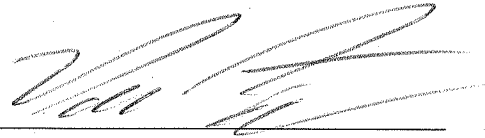
The applicable \$150 filing fee is submitted herewith.

Dated: January 30, 2012

Respectfully submitted,

Music Choice

By: _____



Paul M. Fakler (NY Bar No. 2940435)
Eric Roman (NY Bar No. 2827657)
Matthew Trokenheim (NY Bar No. 4416079)
Jeff Leung (NY Bar No. 4640819)
ARENT FOX LLP
1675 Broadway
New York, NY 10019-5874
Tel: 212.484.3900
Fax: 212.484.3990
fakler.paul@arentfox.com

Martin F. Cunniff (D.C. Bar No. 424219)
ARENT FOX LLP
1050 Connecticut Ave., N.W.
Washington, D.C. 20036-5339
Tel: 202.857.6000
Fax: 202.857.6395
cunniff.martin@arentfox.com

Attorneys for Petitioner
Music Choice