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**GENERAL COUNSEL
OF COPYRIGHT**

Before the
UNITED STATES COPYRIGHT OFFICE
LIBRARY OF CONGRESS
Washington, D.C.

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In the Matter of)
)
DIGITAL PERFORMANCE RIGHT IN)
SOUND RECORDINGS AND)
EPHEMERAL RECORDINGS)

Docket 2005-1 CRJ DTRA

**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:

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March 16, 2005