

ORIGINAL

COPYRIGHT ROYALTY BOARD

In the Matter of

**DIGITAL PERFORMANCE RIGHT
IN SOUND RECORDINGS AND
EPHEMERAL RECORDINGS**

Docket No. 2005-1 CRB DTRA

ORDER REGARDING BROADCASTERS' REQUEST FOR CLARIFICATION OF THE FINAL DETERMINATION OF RATES AND TERMS

The Copyright Royalty Board ("Board") has received a request from Radio Broadcasters ("Broadcasters")¹ seeking clarification regarding the ATH-based alternative procedure for calculating fees applicable to non-music programming during the transition period of 2006-2007.

The Broadcasters ask for clarification as to whether the appropriate ATH usage rate calculation option available for the transition period of 2006 and 2007 was inadvertently misstated because the wrong starting point was identified for the "prior fees" row for non-music programming (i.e., \$0.0008 instead of \$0.000762). No other party submitted any response to the Broadcasters' Motion.

The Judges agree that this clerical error appeared in our Order Denying Motions For Rehearing of April 16, 2007 and also, subsequently, in our May 1, 2007 Final Rule and Order regarding the Determination of Rates and Terms for Webcasting for the License Period 2006-2010 at 72 FR 24084.

¹ Radio Broadcasters include Bonneville International Corp., Clear Channel Communications, Inc., Susquehanna Radio Corp., and The National Religious Broadcasters Music License Committee ("NRBMLC").

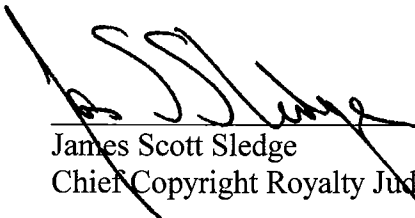
Pursuant to our authority to remedy such clerical errors under 17 U.S.C. § 803(c)(4), the following ATH usage rate calculation option will be available for non-music programming for the transition period 2006-2007:

	Non-Music Programming
Prior Fees	\$0.000762 per ATH
2006	\$0.0008 per ATH
2007	\$0.0011 per ATH

This correction shall be published in the **Federal Register**.

Wherefore, **IT IS ORDERED** that Broadcasters' Motion Requesting Clarification **IS GRANTED**.

SO ORDERED.


James Scott Sledge
Chief Copyright Royalty Judge

DATED: May 21, 2007