

In the absence of the statutory licenses, cable operators, satellite carriers, and copyright owners would have to negotiate the rights to carry programs according to marketplace rates, terms, and conditions. As stated earlier, cable operators and satellite carriers have successfully negotiated the right to carry local television broadcast signals of the major broadcast networks under the retransmission consent provisions found in Section 325 of the Communications Act. We seek comment on whether we should recommend to Congress that Sections 111 and 119 be repealed and superseded by Section 325 so that distant broadcast stations can freely negotiate signal carriage rights with cable operators and satellite carriers without reference to a statutory license.¹³ Could retransmission consent perform the same payment functions as Section 111 and Section 119? In other words, is there any way a retransmission consent agreement can be structured so that the monetary value of the underlying content is collected by broadcast stations and then paid to the copyright owners of the programs that are retransmitted? Is there any reason why retransmission consent would not work for the retransmission of distant television signals? Are there any contractual impediments, such as network-station affiliation arrangements, that would preclude the retransmission of distant television signals under a privately negotiated agreement? Are there any legal impediments, such as the FCC's network non-duplication rules, that would frustrate private agreements? Is it difficult for small cable operators to negotiate the rights necessary to carry the signals of distant television stations? Would the elimination of the statutory licenses cause harm to cable or satellite subscribers? If so, how?

III. CONCLUSION

We hereby seek comment from the public on the legal and factual matters identified herein associated with the retention, reform, or elimination of Sections 111, 119, and 122 of the

Communications Act, filed March 20, 2007. The Petition did not raise for comment whether Internet video programming distributors may still avail themselves of the statutory licenses under the Copyright Act.

¹³One cable operator appears to advocate the replacement of retransmission consent with a new statutory license covering the cable retransmission of local broadcast television signals. See Ted Hearn, *Willner Calls for Tax to Aid TV Stations*, Multichannel News, March 13, 2007 (Insight Communications CEO Michael Willner has proposed a "TV tax" to replace retransmission consent that would fund a "federal royalty pool" "similar to the one used to compensate sports leagues and Hollywood studios").

Copyright Act. If there are any additional issues not discussed above, we encourage interested parties to bring those matters to our attention.

Dated: April 11, 2007

Marybeth Peters,

Register of Copyrights.

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BILLING CODE 1410-30-S

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meetings of Humanities Panel

AGENCY: The National Endowment for the Humanities.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meetings of Humanities Panels will be held at the Old Post Office, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT:

Heather C. Gottry, Acting Advisory Committee Management Officer, National Endowment for the Humanities, Washington, DC 20506; telephone (202) 606-8322. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Endowment's TDD terminal on (202) 606-8282.

SUPPLEMENTARY INFORMATION: The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by the grant applicants. Because the proposed meetings will consider information that is likely to disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential and/or information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority To Close Advisory Committee Meetings, dated July 19, 1993, I have determined that these meetings will be closed to the public pursuant to subsections (c) (4) and (6) of section 552b of Title 5, United States Code.

1. *Date:* May 1, 2007.
Time: 9 a.m. to 5 p.m.
Room: 315.

Program: This meeting will review applications for Landmarks of American History and Culture, submitted to the Division of Education Programs, at the March 15, 2007 deadline.

2. *Date:* May 2, 2007.

Time: 8:30 a.m. to 5:30 p.m.

Room: 415.

Program: This meeting will review applications for Radio Projects: Development and Production Grants, submitted to the Division of Public Programs, at the March 20, 2007 deadline.

3. *Date:* May 2, 2007.

Time: 9 a.m. to 5 p.m.

Room: 315.

Program: This meeting will review applications for Landmarks of American History and Culture, submitted to the Division of Education Programs at the March 15, 2007 deadline.

4. *Date:* May 24, 2007.

Time: 9 a.m. to 5 p.m.

Room: 315.

Program: This meeting will review applications for Digital Humanities Start-Up Grants, submitted in response to the Endowment's Digital Humanities Initiative at the April 3, 2007 deadline.

5. *Date:* May 29, 2007.

Time: 9 a.m. to 5 p.m.

Room: 315.

Program: This meeting will review applications for Digital Humanities Start-Up Grants, submitted in response to the Endowment's Digital Humanities Initiative at the April 3, 2007 deadline.

6. *Date:* April 31, 2007.

Time: 9 a.m. to 5 p.m.

Room: 315.

Program: This meeting will review applications for Digital Humanities Start-Up Grants, submitted in response to the Endowment's Digital Humanities Initiative at the April 3, 2007 deadline.

Heather C. Gottry,

Acting Advisory Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos.: 50-155; 72-043; License No. DPR-06]

In the Matter of: Consumers Energy Company (Big Rock Point Facility); Order Approving Transfer of License and Conforming Amendment

I.

Consumers Energy Company (Consumers) is the holder of Facility