

attention

cable tv operators

- The Copyright Royalty Tribunal's order of October 20, 1982 (CRT 81-2) (47 Fed. Reg. 52146; November 19, 1982) adjusting the compulsory licensing rates for cable television operators in response to certain Federal Communications Commission (FCC) deregulatory measures has been upheld by the United States Court of Appeals for the District of Columbia Circuit (NCTA v. CRT, No. 82-2389, December 30, 1983).

- The Tribunal made two types of royalty rate adjustments:

- The first adjustment is a surcharge on certain distant signals to compensate copyright owners for the carriage of syndicated programming. This rate structure is as follows:

For cable systems located wholly or in part within a *top 50* television market,

- .599 percentum of such gross receipts for the first distant signal equivalent;

- .377 percentum of such gross receipts for each of the second, third, and fourth distant signal equivalents;

- .178 percentum of such gross receipts for the fifth distant signal equivalent and each additional distant signal equivalent thereafter.

For cable systems located wholly or in part within a *second 50* television market,

- .300 percentum of such gross receipts for the first distant signal equivalent;

- .189 percentum of such gross receipts for each of the second, third, and fourth distant signal equivalents;

- .089 percentum of such gross receipts for the fifth distant signal equivalent and each additional distant signal equivalent thereafter.

- The second adjustment raises the royalty rate to 3.75% of gross receipts for each additional distant signal equivalent with respect to carriage of distant signals not generally permitted to be carried under the FCC's distant signal rules prior to June 25, 1981.

- These royalty rate adjustments apply *only* to cable systems filing Form CS/SA-3 (\$214,000 and over semiannually).

- The Licensing Division will be in contact with each affected cable system concerning supplemental royalty fees for both the first and second accounting periods of 1983.

- Form CS/SA-3 is currently being revised. It will be available for the first accounting period of 1984.

- Questions concerning this announcement or the rate adjustment should be addressed to:

Licensing Division
Copyright Office
Library of Congress
Washington, D.C. 20557
(202) 287-8150