

January 26, 2009, the Judges announced the royalty rates and terms for the section 115 compulsory license. 74 FR 4510 (January 26, 2009). Thus, in accordance with section 804(b)(4), a party may file a petition in 2011. However, no petition has been filed; consequently, section 803(b)(1)(A)(i)(V) requires the Judges to publish in the **Federal Register** by no later than January 5, 2011, a notice commencing this proceeding. Today's notice fulfills this requirement.

### Petitions to Participate

Petitions to Participate must be filed in accordance with § 351.1(b) of the Judges' regulations. See 37 CFR 351.1(b). Petitions to Participate must be accompanied by the \$150 filing fee. Cash will not be accepted; therefore, parties must pay the filing fee with a check or money order made payable to the "Copyright Royalty Board." If a check received in payment of the filing fee is returned for lack of sufficient funds, the corresponding Petition to Participate will be dismissed.

Note that in accordance with 37 CFR 350.2 (Representation), only attorneys who are members of the bar in one or more states and in good standing will be allowed to represent parties before the Copyright Royalty Judges, unless a party is an individual who represents herself or himself.

Dated: December 22, 2010.

**William J. Roberts, Jr.,**

*U.S. Copyright Royalty Judge.*

[FR Doc. 2010-32634 Filed 1-4-11; 8:45 am]

**BILLING CODE 1410-72-P**

## LIBRARY OF CONGRESS

### Copyright Royalty Board

[Docket No. 2011-1 CRB PSS/Satellite II]

#### Determination of Rates and Terms for Preexisting Subscription and Satellite Digital Audio Radio Services

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Notice announcing commencement of proceeding with request for Petitions to Participate.

**SUMMARY:** The Copyright Royalty Judges are announcing the commencement of the proceeding<sup>1</sup> to determine the

<sup>1</sup> The prior proceeding was captioned as "DSTRA" (which stands for "Digital Subscription Transmissions Rate Adjustment"). Hereinafter, this and future proceedings will be captioned as "PSS/Satellite" (to reflect both preexisting subscription services ("PSS") and satellite digital audio radio services ("Satellite")) followed by the appropriate Roman numeral.

reasonable rates and terms for preexisting subscription and satellite digital audio radio services for the digital performance of sound recordings and the making of ephemeral recordings for the period beginning January 1, 2013, and ending December 31, 2017. The Copyright Royalty Judges also are announcing the date by which a party who wishes to participate in the rate determination proceeding must file its Petition to Participate and the accompanying \$150 filing fee.

**DATES:** Petitions to Participate and the filing fee are due no later than February 4, 2011.

**ADDRESSES:** An original, five copies and an electronic copy in Portable Document Format (PDF) on a CD of the Petition to Participate, along with the \$150 filing fee, may be delivered to the Copyright Royalty Board by either mail or hand delivery. Petitions to Participate and the \$150 filing fee may not be delivered by an overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery), Petitions to Participate, along with the \$150 filing fee, must be addressed to: Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, Petitions to Participate, along with the \$150 filing fee, must be brought between 8:30 a.m. and 5 p.m. to the Library of Congress, James Madison Memorial Building, Room LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000. If delivered by a commercial courier, Petitions to Participate, along with the \$150 filing fee, must be delivered between 8:30 a.m. and 4 p.m. to the Congressional Courier Acceptance Site, located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to Copyright Royalty Board, Library of Congress, James Madison Memorial Building, Room LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** LaKeshia Keys, CRB Program Specialist, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 19, 2007, and January 28, 2008, the Copyright Royalty Judges announced the rates and terms through December 31, 2012, for the digital transmission of sound recordings and the making of ephemeral recordings in furtherance of making such transmissions by preexisting subscription services and preexisting satellite digital audio radio services,

respectively. 72 FR 71795 (December 19, 2007), 73 FR 4080 (January 24, 2008). Section 804(b)(3)(B) of the Copyright Act, title 17 of the United States Code, requires that "[s]uch proceedings shall next be commenced in 2011 to determine reasonable terms and rates of royalty payments, to become effective January 1, 2011." 17 U.S.C. 804(b)(3)(B). Pursuant to this provision, this notice commences the rate determination proceeding for the license period 2013-2017. Section 803(b)(1)(A)(i)(III) of the Copyright Act requires the Judges to publish a **Federal Register** notice no later than January 5, 2011, commencing this proceeding. Today's notice fulfills this requirement.

### Petitions To Participate

Petitions to Participate must be filed in accordance with § 351.1(b) of the Judges' regulations. See 37 CFR 351.1(b). Petitions to Participate must be accompanied by the \$150 filing fee. Cash will not be accepted; therefore, parties must pay the filing fee with a check or money order made payable to the "Copyright Royalty Board." If a check received in payment of the filing fee is returned for lack of sufficient funds, the corresponding Petition to Participate will be dismissed.

Note that in accordance with 37 CFR 350.2 (Representation), only attorneys who are members of the bar in one or more states and in good standing will be allowed to represent parties before the Copyright Royalty Judges, unless a party is an individual who represents herself or himself.

Dated: December 22, 2010.

**William J. Roberts, Jr.,**

*U.S. Copyright Royalty Judge.*

[FR Doc. 2010-32635 Filed 1-4-11; 8:45 am]

**BILLING CODE 1410-72-P**

## LIBRARY OF CONGRESS

### Copyright Royalty Board

[Docket No. 2011-2 CRB NCEB II]

#### Determination of Reasonable Rates and Terms for Noncommercial Broadcasting

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Notice announcing commencement of proceeding with request for Petitions to Participate.

**SUMMARY:** The Copyright Royalty Judges are announcing the commencement of

the proceeding<sup>1</sup> to determine the reasonable rates and terms for use of certain works in connection with noncommercial broadcasting. The Copyright Royalty Judges also are announcing the date by which a party who wishes to participate in the rate proceeding must file its Petition to Participate and the accompanying \$150 filing fee.

**DATES:** Petitions to Participate and the filing fee are due no later than February 4, 2011.

**ADDRESSES:** An original, five copies and an electronic copy in Portable Document Format (PDF) on a CD of the Petition to Participate, along with the \$150 filing fee, may be delivered to the Copyright Royalty Board by either mail or hand delivery. Petitions to Participate and the \$150 filing fee may not be delivered by an overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery), Petitions to Participate, along with the \$150 filing fee, must be addressed to: Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, Petitions to Participate, along with the \$150 filing fee, must be brought between 8:30 a.m. and 5 p.m. to the Library of Congress, James Madison Memorial Building, Room LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000. If delivered by a commercial courier, Petitions to Participate, along with the \$150 filing fee, must be delivered between 8:30 a.m. and 4 p.m. to the Congressional Courier Acceptance Site, located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to Copyright Royalty Board, Library of Congress, James Madison Memorial Building, Room LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** LaKeshia Keys, CRB Program Specialist, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 804(b)(6) of the Copyright Act, title 17 of the United States Code, allows a party to file with the Copyright Royalty Judges a petition to initiate a proceeding to determine reasonable rates and terms for the use of certain

<sup>1</sup> The prior proceeding was captioned as "NCBRA" (which stands for "Noncommercial Broadcasting Rate Adjustment"). Hereinafter, this and future proceedings will be captioned as "NCEB" (which stands for "Noncommercial Educational Broadcasting") followed by the appropriate Roman numeral.

copyrighted works in connection with noncommercial television and radio broadcasting under 17 U.S.C. 118 every five years, starting in the year 2006. A proceeding was commenced in 2006, 71 FR 1453 (January 9, 2006); on November 30, 2007, the Judges announced the royalty rates and terms for the section 118 compulsory license for the period January 1, 2008, through December 31, 2012. 72 FR 67646 (November 30, 2007). Thus, in accordance with section 804(b)(6), a party may file a petition in 2011. However, no petition has been filed; consequently, section 803(b)(1)(A)(i)(V) requires the Judges to publish in the **Federal Register** by no later than January 5, 2011, a notice commencing the proceeding for the license period 2013-2017. Today's notice fulfills this requirement.

**Petitions To Participate**

Petitions to Participate must be filed in accordance with § 351.1(b) of the Judges' regulations. See 37 CFR 351.1(b). Petitions to Participate must be accompanied by the \$150 filing fee. Cash will not be accepted; therefore, parties must pay the filing fee with a check or money order made payable to the "Copyright Royalty Board." If a check received in payment of the filing fee is returned for lack of sufficient funds, the corresponding Petition to Participate will be dismissed.

Note that in accordance with 37 CFR 350.2 (Representation), only attorneys who are members of the bar in one or more states and in good standing will be allowed to represent parties before the Copyright Royalty Judges, unless a party is an individual who represents herself or himself.

Dated: December 22, 2010.

**William J. Roberts, Jr.,**

*U.S. Copyright Royalty Judge.*

[FR Doc. 2010-32636 Filed 1-4-11; 8:45 am]

**BILLING CODE 1410-72-P**

**POSTAL REGULATORY COMMISSION**

[Docket Nos. CP2011-55; Order No. 633]

**New Postal Product**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add an additional Global Reseller Expedited Package contract to the competitive product list. This notice addresses procedural steps associated with the filing.

**DATES:** *Comments are Due:* January 10, 2011.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov) or 202-789-6824.

**SUPPLEMENTARY INFORMATION:**

**Table of Contents**

- I. Introduction
- II. Notice of Filing
- III. Ordering Paragraphs

**I. Introduction**

On December 28, 2010, the Postal Service filed a notice announcing that it intends to enter into an additional Global Reseller Expedited Package (GREP) contract.<sup>1</sup> The Postal Service noted that:

Although both parties have yet to sign the agreement filed in this docket, the course of negotiations and the timing of this filing in relation to other filings have led the Postal Service to submit the agreement in its present state. The agreement is expected to be executed soon. The Postal Service will supplement this filing once the agreement is executed, and will advise of any substantive changes to the text.

Notice at 1 n.2. The Postal Service filed the executed contract on December 29, 2010.<sup>2</sup> The Postal Service believes that the instant contract is functionally equivalent to the previously submitted GREP contract, and is supported by Governors' Decision No. 10-1, attached to the Notice and originally filed in Docket No. CP2010-36. *Id.* at 1, Attachment 3. The Notice explains that Order No. 445, which established GREP Contracts 1 as a product, also authorized functionally equivalent agreements to be included within the product, provided that they meet the requirements of 39 U.S.C. 3633. *Id.* at 1-2. Additionally, the Postal Service requested to have the contract in Docket No. CP2010-36 serve as the baseline contract for future functional equivalence analyses of the GREP Contracts 1 product.

*The instant contract.* The Postal Service filed a draft contract in this case

<sup>1</sup> Notice of United States Postal Service of Filing a Functionally Equivalent Global Reseller Expedited Package Negotiated Service Agreement and Application For Non-Public Treatment of Materials Filed Under Seal, December 28, 2010 (Notice).

<sup>2</sup> Notice of the United States Postal Service of Filing a Signed Global Reseller Expedited Package Negotiated Service Agreement, December 29, 2010 (Signed Contract Notice).