

January 29, 2009

Comments in response to
37 CFR Part 370
Docket No. RM 2008-7

Notice and Recordkeeping for Use of Sound Recordings Under Statutory License

First, I would like to concur with WHRB and CBI, in their request for a three month extension to the comment period for this docket. Given the unusual timing and the short period for comments, many of the parties who will be adversely affected will not have a chance to comment.

As far as the docket:

There is so much discussion of the method of transmission of the data that will be newly required. Whether the data is transmitted by ftp or cd is not the essential point here. There is little discussion of how a broadcast/webcast radio station will efficiently go about compiling the data with the accuracy required.

For community and college webcasters, this new proposal will be a tremendous hardship. Compiling this information on a quarterly basis would require a dedicated staff member. Most non commercial webcasters have few or no paid staff as it stands.

The docket states that “ample time has passed since the adoption of the new reporting requirements to facilitate familiarity with the methods of acquiring and keeping the necessary data for compliance”, however, I do not think this is accurate. If there exists a software program that could facilitate the information gathering proposed here, it is unlikely to be affordable to a non profit webcasting entity.

The docket is not realistic in what is attainable at this time. I strongly urge you to reconsider and modify these requirements to prevent undue hardship in this exciting, emerging area of webcasting.

Sincerely,

Judy Schwartz

7 Pembroke Court
Somerville, Ma. 02145