

Gilbert M. Miller, Producer
611b Geneva Drive
Mechanicsburg
Pa. 17055

To the attention of the
Copyright Royalty Board

A few weeks ago I received a notice from my syndication provider concerning an possible change in the reporting policies for SoundExchange royalties for Internet radio and other services covered under the Act. Please understand that I am not a Lawyer, or a PhD. but I feel that I have some legitimate concerns about this issue, & possibly some solutions to the issues at hand.

I have thought that the current system of reporting what is played by radio was in need of updating since the mid 90's. how ever what you are proposing; the weekly reporting of every song, on every station everywhere is not only impractical, but it will present a major problem for stations running syndicated programming. It also puts in a position that could put syndicated music programming out of business.

I'm sure you would not want to do that, so I am proposing some possible solutions to this dilemma. First of all I am in favor of the artists getting their fair share, how ever when you set the requirements up you need to be somewhat flexible to the current technology. Reporting every song, every play, and every listener may be too intensive for many individuals, organizations or small businesses which operate Internet radio stations or other services covered under the Act.

As a producer of syndicated programming, I am aware of the fact that the new HD broadcasting systems and certain automation systems can do some of this. However when it comes to producing a program, all I can provide stations in a play list for my program.

Here are some suggestions that could be useful.

1. Instead of stations reporting weekly, every song , every play , # of listeners per song. Why not adjust the reporting schedule to a monthly report using only one week of playlists. It will be more accurate than the current system & not so labor intensive.
2. To accommodate stations who use syndicated music programming, allow stations to submit play lists from the syndicators & if you must have listener numbers for these programs do it by the hour instead of per song. Plus to keep stations from abusing this & saying that all they run is syndicated music programming: simply limit the number of hours that a station can use such programming per week to say 25 hours a week unless it is compliant satellite programming.

www.RockWorldFM.com

Gilbert Miller, Producer
Office Phone# 717-620-8309
Office E-mail: TemporalGrace2000@Yahoo.com
Rockworld@radio.fm

the Commodore & Neo SayAmen
Feedback line: 717-421-3400
Feedback E-mail:

3. There is also the analog am & fm broadcasters that are not capable of knowing their exact listenership, except through Arbitron ratings. Some of these stations also don't use an automation system & are still pulling music from CD's. Most of these are still using hand written play lists. Special accommodations should be made for these too.

One fix for this would be to require copies of their play lists during the reporting.

My goal here is to give you a heads up concerning the possible ramifications of jumping in to this with out thoroughly researching this situation. This could if left go could conceivably kill Radio syndication. The reason is that because the program is pre-recorded and the music is mixed with voiceovers (the host's announcements). When a station runs a program like mine, it comes in either on CD, Tape, or in long media files. These long files can not support the individual ID3 tags that would normally identify each song. Usually these tags when used on a syndicated program will indicate the name of the show, the host & Maybe a tag line for the show. At this point the technology just doesn't support what you want. This means that if this new ruling is not adjusted there will be no more American Top 40, Dick Clark's Rock Roll & Remember, Rick Dees, Powerline etc.

Again I am with you when it comes to the artist getting paid their fair share, but lets not forget that radio & the producers are there for a purpose too, & we in radio & syndication are the ones who promote these artists so that people know they exist & in turn get people to buy their works whether it is CD's , Tapes, or Music files.

Thank you for your attention.

Sincerely,
Gilbert M Miller
Producer of ROCKWORLD