

Before the
COPYRIGHT ROYALTY BOARD
in the Library of Congress
Washington, D.C. 20559

In re)
)
Notice of Proposed Rulemaking) RM 2008-7
)
NOTICE AND RECORDKEEPING FOR USE OF)
SOUND RECORDINGS UNDER STATUTORY)
LICENSE)
_____)

COMMENTS OF WCSB 89.3 FM

WCSB hereby submits comments in the above captioned proceeding. WCSB is Cleveland State University's student-run, noncommercial college radio station. We currently simulcast our broadcast signal (89.3 FM) on the web at www.wcsb.org. The station is staffed entirely by volunteer students, faculty, staff and Cleveland community members. We broadcast a diverse array of programming including locally produced public affairs shows, ethnic language shows and various musical genres. We receive a small amount of student activity fees and listener donations to operate. We are an interested party because the proposed rule changes will affect the way in which we operate.

WCSB is submitting comments because the proposed changes concerning census reporting and the requirement to report actual performances in lieu of ATH is an undue burden for our station paying only the minimum fee and that our station should be exempt from the proposed changes.

WCSB's streaming is rather simplistic. Our web server (we host our own website) does not track the content of the audio stream sent out. It basically acts as a relay for the data that is encoded by our broadcasting system hardware. It does not know when a track starts or ends. It just passes the bits of constant data onto whoever attaches to the stream. WCSB is relies on Cleveland State University's network system for listeners to access

our stream. Because of network limitations, we never get close to the minimum ATH and therefore have never have exceeded listening levels above the \$500 minimum fee.

WCSB has not been able to locate any software since 2006 that could be used to compile records of use. We rely on our programmers to manually log every song that is played during reporting periods. Because our music comes from sources other than digital, vinyl for example, we have no choice but to manually input all information required. For a station with an all-volunteer staff, we barely keep up with the quarterly reporting now. Moving to a year-round reporting structure would be impossible for us to complete. We would need to hire a full-time staff to maintain all records and would need to invest in other software to accomplish. On a very limited budget, we could not afford this luxury.

If the new proposed rule changes are implemented, WCSB will not be able to comply and therefore would not be able to continue to offer its programming via webstream. Because WCSB only broadcasts at 800 watts, we would lose listeners, many of whom are CSU alumni. We hope that the CRB takes in consideration the unique nature of small college broadcasters that attempt to stream their signal and exempt stations such as WCSB from the proposed changes.

Respectfully submitted,

WCSB 89.3 FM

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