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Before the Copyright Royalty Judges
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8 2005

**GENERAL COUNSEL
OF COPYRIGHT**

 **COPY**

_____)
In re)

DIGITAL PERFORMANCE RIGHT IN)
SOUND RECORDINGS)
AND EPHEMERAL RECORDINGS)
_____)

Docket No. 2005-1 CRJ DTRA

PETITION TO PARTICIPATE

The undersigned organizations file this Petition to Participate pursuant to the notice by the Interim Chief Copyright Royalty Judge of the Library of Congress dated February 10, 2005, 70 Fed. Reg., No. 31, at 7970-91 (February 16, 2005).

Intercollegiate Broadcasting System, Inc., is a non-profit Rhode Island corporation which has represented the interests of educationally affiliated radio stations since 1940 (“IBS”) and filed comments in response to the Commission’s Notice of Proposed Rulemaking in Docket No. 2002-1 CARP DTRA-3. IBS currently represents over 800 of the approximately eleven hundred such domestic stations. A substantial number of these stations engage in audio streamlining under licenses from the RIAA. IBS was a signatory to the petition, filed in the Copyright Office August 26, 2004, covering the agreement with RIAA, et al., pertaining to rates, terms, and conditions of use for the period 2005-06, which was intended to supplant its agreement with RIAA under Section 114(f)(5)(c) of the Small Webcasters Settlement Act, 116 Stat. 2780 (2002).

Harvard Radio Broadcasting Co., Inc., an eleemosynary Massachusetts corporation, is the licensee of FM broadcast station WHRB (FM), Cambridge, Massachusetts, and streams under the rates, terms, and conditions now in effect for non-commercial webcasters within the definition set forth in the Small Webcasters Settlement Act of 2002. WHRB (FM) is a member-station of IBS.

Respectfully submitted,

INTERCOLLEGIATE BROADCASTING SYSTEM, INC.

New Windsor Mall
367 Windsor Highway
New Windsor, NY 12553-7900

HARVARD RADIO BROADCASTING CO., INC.

389 Harvard Street
Cambridge, MA 02138

by: _____
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March 7, 2005