

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
LIBRARY OF CONGRESS
WASHINGTON, DC

In the Matter of

Digital Performance Right in Sound
Recording and Ephemeral Recordings

Docket No. 2009-1 Webcasting III

Public Radio's Petition to Participate

Name: National Public Radio, Inc., on behalf of itself, its member stations and all Corporation for Public Broadcasting-qualified stations

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National Public Radio, Inc.; on behalf of itself, its member stations, and all Corporation for Public Broadcasting-qualified stations (collectively, "Public Radio"), hereby submits this Petition to Participate in the above-captioned determination proceedings for the reasonable rates and terms for two statutory licenses, permitting certain digital performances of sound recordings and the making of ephemeral recordings for the period beginning January 1, 2011, and ending on December 31, 2015. *See* 17 U.S.C. 804(b)(3)(A); 74 Fed. Reg. 318-19 (January 5, 2009).

Public Radio represents over 860 independently operated, noncommercial member radio stations that reach more than 27 million listeners each week. Public Radio stations currently, or in the future, may operate noncommercial websites for the purposes of transmitting educational, noncommercial programming to the public. As noncommercial enterprises, Public Radio

stations have limited resources for the payment of such licenses. As such, Public Radio has significant interest in the royalty rates and terms that are the subject of this Petition. Further, Public Radio accordingly intends to fully participate in the above-captioned proceedings.

Date: June 4, 2009

Respectfully submitted,

Right Size Law PLLC

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