

ORIGINAL

DOCKET NO.
RM 2005 6
COMMENT NO. 5

Before the
COPYRIGHT OFFICE
LIBRARY OF CONGRESS
Washington, D.C.

RECEIVED
SEP 25 2006
GENERAL COUNSEL
OF COPYRIGHT

In the Matter of)
Cable Compulsory Licensing)
Reporting Practices)

Docket No. RM 2005-6

COMMENTS OF THE NATIONAL ASSOCIATION OF BROADCASTERS

The National Association of Broadcasters ("NAB"), through its counsel, submits the following comments in response to the Notice of Inquiry ("NOI") issued by the Copyright Office (the "Office") on August 10, 2006. *See Cable Compulsory Licensing Reporting Practices*, 71 Fed. Reg. 45749 (Aug. 10, 2006).

The NOI requests comments on proposed changes to the information required by cable operators' Statements of Accounts ("SOAs"). Because it is critical for the form both to be clear and to comport more directly with the legal requirements and the marketplace practices that have developed over the years since the forms were last overhauled, NAB agrees with the Office's proposed changes and recommends their adoption.

In particular, the changes proposed for the purpose of requiring greater congruity between the "gross receipts" information in Space K of the form and the subscriber and rate information in Space E would allow the Office to conduct its compliance reviews with the benefit of more readily comparable base data. The same is true with respect to the proposed requirement to provide more detailed

information regarding tiers of service, the specific location of cable headends, and the location of the reported cable communities. These proposed changes will have the effect of streamlining the process of reviewing and analyzing the forms, and will make the Office's job of determining compliance more efficient and more effective.

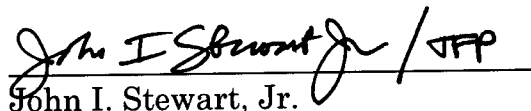
In addition to effecting more meaningful compliance review, the proposed changes to the SOAs will remedy certain inconsistencies and ambiguity inherent in the existing forms, and should reduce confusion about the precise information required. Moreover, the proposed changes will more closely reflect the tiering practices of the cable marketplace.

For these reasons, NAB supports the adoption of the Office's proposed changes to the Cable SOA forms.

Respectfully submitted,

NATIONAL ASSOCIATION OF
BROADCASTERS

By:



John I. Stewart, Jr.
Joseph F. Phillips
David K. Osei

CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2595
Telephone: (202) 624-2685
Facsimile: (202) 628-5116
Email: jstewart@crowell.com

Its Counsel

September 25, 2006