



## **Streaming Copyright Basics**

How do you meet the demand to give consumers what they want when they want it? Streaming your station on the Internet is one way to meet that goal. With the uncertainty having been largely resolved over what it will cost in copyright royalties, now may be the time to stream your station's programming.

## **Background**

Broadcasters are familiar with paying royalties to ASCAP, BMI and SESAC for playing songs over-the-air. Those fees are paid to the performing rights societies to compensate songwriters and music composers. Those societies also charge to stream music over the Internet.<sup>1</sup>

Royalties must also be paid to the copyright owner of the digital sound recording and the featured recording artists performing the music, in addition to the songwriters and composers. Traditionally, broadcasters have been exempt from making payments to record companies and performers for playing sound recordings over-the-air, because of the notion that if radio stations did not play the songs, no one would hear them and buy their records. But this is not so for use of music on the Internet.<sup>2</sup>

In 1995, driven by the fact that digital technology allows flawless copying, sound recording copyright owners obtained from Congress the exclusive right in the performance of their music by digital audio transmission, in the Digital Performance Right in Sound Recordings Act. The exemption for broadcasters' over-the-air transmission of digital sound recordings was preserved in that Act. That exemption, however, does not apply to the simultaneous transmission of the over-the-air broadcast via the Internet. And, the continued viability of that exemption is currently a hot topic in Congress.

With no mechanism for payment of royalties to record companies and performers for Internet transmissions, Congress enacted the Digital Millennium Copyright Act of 1998 (the "DMCA"). That Act created a statutory license for performances of sound recordings over the Internet, provided certain conditions were met. Eligibility for the statutory license requires adherence to defined programming restrictions and other technical conditions, payment of royalties, recordkeeping, and making certain filings, which are discussed in greater detail below. If you are not eligible for the statutory license, or if you want to provide an interactive music service, you will need to obtain the consent of each individual copyright owner to use the sound recording or else risk a claim of copyright infringement.

SoundExchange is the entity charged with collecting and distributing the royalties to the sound recording copyright owners and performers. Now an independent organization, SoundExchange was initially a creation of the

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**Eligibility for  
Statutory  
License**

Recording Industry Association of America (“RIAA”), which represents the record companies. SoundExchange is set up to handle only streaming royalties, and does not administer podcasting, RSS feeds, or interactive streaming licenses.

*Programming Restrictions.* As a condition for using the statutory license (and in the absence of having a direct license from the copyright owners), any webcaster, including radio stations simultaneously streaming their over-the-air signal, must obey the “sound recording performance complement” on each channel streamed. What does that mean?

During a three hour period:

- Play no more than three songs from a particular album;
- Play no more than two songs consecutively from a particular album;
- Play no more than four songs by a particular artist;
- Play no more than four songs from a boxed set; and
- Play no more than three songs consecutively from a boxed set.

If you want to stream additional channels, not just the over-the-air broadcast transmission, those additional channels must comply with the sound recording performance complement. The sound recording performance complement also applies to archived and looped programs, defined below.

*Limitations on prior announcements.* Advance program schedule or prior announcement of song titles may not be transmitted by text, video or audio. Webcasters may name one or two artists or a particular genre of music to illustrate the type of music on a particular channel. It is permissible to announce the name of a song immediately before it is performed or to announce that a particular artist will be featured at an unspecified future time. It is the prior announcement of the song that is a problem, because such an announcement facilitates the copying of a particular musical work.

*Identify song, artist and album.* When performing a sound recording (*i.e.*, during, not before), a webcaster must identify, in textual data, the sound recording, the album and the featured artist, if receivers are capable of displaying the information.

*Transmission of copyright management information required.* If technically feasible, transmissions by a webcaster must be accompanied by the information encoded in the sound recording by the copyright owner that identifies the title of the song, the featured artist and any other related information.

*Archived Programming.* Archived programs – those that are posted on a website for listeners to hear repeatedly on demand in the same order – may not be less than five hours in duration. Permitted archived programs may reside on the website for no more than a total of two weeks. Merely changing one or two songs does not meet this condition, nor can programs be taken off for a short period of time and then be made available again.

The limitations on archived programs do not apply to recorded events or broadcast transmissions that make no more than an incidental use of sound recordings, as long as such transmissions do not contain an entire sound recording or feature performances of a particular sound recording.

*Looped programming.* Looped or continuous programs – those that are performed continuously so that the program automatically starts over when it is finished – may not be less than three hours in duration. Archived programs, on the other hand, always start at the beginning of the program. Again, merely changing one or two songs does not meet this condition.

*Repeat of other programs limited.* Programs that are retransmitted at publicly-announced times in advance can be repeated only as follows:

- Repeats of a program are limited to three times in a two-week period for programs under one hour in duration.
- Repeats of a program are limited to four times in a two-week period for programs over one hour.

*Do not falsely suggest a link between recordings and advertisements.* A webcaster may not perform a sound recording in a way that falsely suggests a connection between the copyright owner or recording artist and a particular product or service.

*Take steps to disable copying by recipient.* A webcaster must disable copying by a transmission recipient if the technology used by the webcaster enables the webcaster to do so, and must also take care not to induce or encourage copying by transmission recipients.

*Accommodate technical protection measures.* A webcaster must accommodate the transmission of measures widely-used by sound recording copyright owners to identify or protect copyrighted works, if they are technically feasible of being transmitted without imposing substantial burdens on the transmitting entity.

*Cooperate to defeat scanning.* A webcaster must cooperate with copyright owners to prevent recipients from automatically scanning transmissions in order to select particular recordings, if it will not impose substantial costs or burdens on the transmitting entity.

*Transmission of bootlegs not covered.* The statutory license is limited to transmissions made from lawful copies of sound recordings. Transmissions

**Limited Waivers of  
Statutory Eligibility  
Requirements**

made from bootlegs or pre-released recordings (unless the performance of a pre-released recording is otherwise authorized by the copyright owner) are not covered by the statutory license.

*Automatic switching of channels prohibited.* Webcasters must not automatically and intentionally cause a device receiving the transmission to switch from one program channel to another. The statutory license does not cover interactive services where the consumer selects the songs.

*Limited Waivers Can Be Obtained.* The National Association of Broadcasters ("NAB") entered into separate Waiver Agreements with EMI Music North America ("EMI"), Sony Music Entertainment ("Sony"), UMG Recordings, Inc. ("UMG"), Warner Music, Inc. ("Warner"), and Association of Independent Music ("A2IM"), in which those record companies waived some of the programming restrictions. The waivers commence with the effective date of the NAB-SoundExchange Agreement described below and continue through December 31, 2015.

Only commercial broadcasters who elect to be bound by the NAB-SoundExchange rates and terms are eligible to take advantage of the exemptions in the Waiver Agreements relating to EMI, Sony, UMG and Warner music. In contrast, the A2IM Waiver Agreement is not limited just to broadcasters electing to participate in the NAB-SoundExchange rates and terms. Nevertheless, under all of the Waiver Agreements, broadcasters qualify for the waivers on condition that a substantial majority of the audience of the broadcaster's station is from over-the-air listeners rather than from their streaming recipients. Further, noncommercial educational stations are not covered under the Waiver Agreements.

Each Waiver Agreement is slightly different, but, generally, allows the following practices:

- Despite the restrictions in the "sound recording performance complement" defined above, the Waiver Agreements allow broadcasters to transmit consecutively up to one-half of an entire album of sound recordings and also allow for the transmission of given classical musical works to be transmitted in their entirety regardless of duration.
- The Waiver Agreements allow prior aural announcement but not the prior publication of a written or visual advance program schedule that specifies the particular artists or sound recordings that will be featured at specified future times. Classical music broadcasters, however, can publish a schedule of classical music programming in accordance with the standards and practices employed by non-public classical music formatted stations as of September 30, 1998.
- To the extent that music-intensive stations use third-party programming over which the broadcaster does not have the right

or ability to control music selection or programming not performed using a digital music file system, the Waiver Agreements waive the requirement that textual data must identify the artist, song title, and album while the song is streamed.

Although NAB Waiver Agreements do not apply to all webcasters, some individual webcasters have obtained waivers directly from labels in order to avoid needing to comply with the programming restrictions contained in the sound recording performance complement.

**Digital Sound  
Recording  
Royalty Rates  
Payable to  
SoundExchange**

Rates and terms applicable to use of the statutory license are determined by the Copyright Royalty Board ("CRB"), unless separate terms are negotiated between SoundExchange and various industry groups. Current CRB rates expire at the end of 2010. Proceedings are underway to determine rates for 2011 through 2015.

The following sections describe the CRB-adopted rates as well as three alternative rates and terms entered into among 1) NAB and SoundExchange, applicable to commercial broadcasters, 2) CPB and SoundExchange, applicable to certain types of noncommercial educational broadcasters, and 3) a collection of small webcasters and SoundExchange, applicable to qualifying small webcasters. If a webcaster is not eligible or fails timely to elect the negotiated alternative rates and terms, the CRB rates and terms apply.

**Common Definitions**

Regardless of which rate structure applies, the CRB and the negotiated settlements all rely of the same definition of "performance" and "aggregate tuning hour."

"Performance" under the Copyright Office regulations means "each instance in which any portion of a sound recording is publicly performed to a Listener" but excludes:

1. a sound recording that is not copyrighted (*i.e.*, because of its age, it is in the public domain<sup>3</sup>);
2. a sound recording for which the licensee has a direct license from the copyright owner; and
3. an incidental performance that both:
  - a. makes no more than incidental use of the music (*e.g.*, "brief musical transitions in or out of commercials or program segments, brief performances during news, talk or sports programming, brief background performances during disk jockey announcements, brief performances during commercials of sixty seconds or less in duration, or brief performances during sporting or other public events"), and

- b. “other than ambient music that is background at a public event, does not contain an entire sound recording and does not feature a particular sound recording of more than thirty seconds” (e.g., theme song).

“Aggregate Tuning Hours” (“ATH”) are the total hours of programming the Statutory Licensee transmitted to all “Listeners,” defined as a player, receiving device or other point capable of receiving the digital sound recording (read that to mean computer terminal). For example, if the station or webcaster streamed on the Internet for one hour to 10 simultaneous Listeners, the ATH would be 10. A statutory licensee may deduct from the ATH the time during which it transmitted a song for which it obtains a direct license from the copyright owner.

**CRB Rates & Terms**

*Commercial Webcasters (including Broadcast Simulcasters).* Under the CRB rates adopted in 2007, all music streamers (“Statutory Licensees”) must pay a minimum annual fee of \$500 per channel. The statutory license rates effective now through 2010 are as follows:

2009	\$0.0018 per performance
2010	\$0.0019 per performance

To determine your royalties, multiply that rate times each song times the number of people logged on to receive the streamed song. Royalties are offset against the \$500 minimum annual fee each calendar year. In 2009, that \$500 works out to cover about 31.7 performances per hour, 24 hours a day on average for the year. [Formula: \$500 minimum annual rate / 0.0018 royalty rate / 365 days / 24 hours = 31.7 performances per hour.] That could cover, for example, the transmission of 10 songs per hour streamed to 3.17 listeners, or 5 songs streamed to 6.34 listeners.

*Noncommercial Webcasters (including Broadcast Simulcasters).* Noncommercial webcasters’ payment of a minimum annual fee of \$500 per channel covers up to 159,140 ATH streamed on that channel per month. Regardless of the number of performances per hour, that averages out to 218 listeners per hour on line in any month. All additional “performances” over that ATH threshold per month are to be paid at the commercial “per performance” rates listed above.

**NAB Rates and Terms for Commercial Broadcasters**

*Commercial Broadcasters Electing to Participate.* NAB entered an agreement with SoundExchange altering the rates and terms of the statutory license for commercial broadcasters that stream sound recordings over the Internet. These rates are in lieu of the rates adopted by the CRB described above. To qualify for the NAB deal, commercial broadcasters that currently stream must elect to be bound by the agreement by no later than April 2, 2009, and re-elect by January 31 of each year to participate in the agreement. A commercial broadcaster that starts streaming after those dates must elect within 30 days after it begins streaming. The election form is available on

SoundExchange's web site at [www.SoundExchange.com](http://www.SoundExchange.com). Failure to elect by the deadline means that the CRB rates apply.

The NAB agreement covers the period from January 1, 2006, through December 31, 2015. The rates are not retroactively reduced for 2006 through 2008. The agreement reduces the CRB royalty rates per performance for 2009 and 2010 and adopts rates through December 31, 2015. Those rates are:

2009	\$0.0015 per performance [CRB rate = \$0.0018]
2010	\$0.0016 per performance [CRB rate = \$0.0019]
2011	\$0.0017 per performance [CRB rate = TBD]
2012	\$0.0020 per performance
2013	\$0.0022 per performance
2014	\$0.0023 per performance
2015	\$0.0025 per performance

The minimum annual fee remains \$500 per streamed channel, capped at \$50,000 for 100 or more channels or stations streamed by the same broadcaster. The rates apply to all channels a commercial broadcaster streams, including any additional nonsubscription streams a broadcaster offers on its website that are not broadcast over-the-air.

In 2009, that \$500 minimum fee will cover about 38 performances per hour (e.g., 10 songs per hour times 3.8 listeners = 38 performances) 24 hours a day on average for the year. [Formula: \$500 minimum annual rate / 0.0015 royalty rate / 365 days / 24 hours = 38 performances per hour.] By 2015, that \$500 works out to cover 22.8 performances per hour (e.g., 10 songs per hour times 2.28 listeners = 22.8 performances) 24 hours a day on average for the year. [Formula: \$500 minimum annual rate / 0.0025 royalty rate / 365 days / 24 hours = 22.8 performances per hour.]

### **CBP Agreement**

*Noncommercial Educational Stations Covered in CPB Agreement.* CPB reached agreement with SoundExchange in which CPB will pay a lump sum payment that covers up to 450 originating stations named by CPB. The agreement applies retroactively to 2005 and ends in 2010. Generally, an originating public station must be a noncommercial terrestrial radio station that is a member or affiliate of NPR, American Public Media, Public Radio International or Public Radio Exchange, a member of the National Federation of Community Broadcasters, or another public radio station that qualifies to receive funding from the Corporation for Public Broadcasting.

Eligible originating public stations must elect to participate by logging in to register through CPB's website at <http://www.cpb.org/stations/musicrights/registration.html>. Stations on CPB's list do not have to pay a minimum annual fee to SoundExchange. They will need to provide data regarding use of music (i.e., song title, featured artist, album title, marketing label, and play frequency) as required by CPB so that CPB can provide system-wide reports of use to SoundExchange. If a station is not on CPB's 2008 list provided to SoundExchange, it will need to abide by the CRB rates and terms applicable to noncommercial webcasters.

**Small Commercial Webcasters**

*Small Commercial Webcasters.* SoundExchange entered an agreement with some small commercial webcasters which is available to other webcasters meeting the eligibility requirements set forth below. Small commercial webcasters can elect to pay the rates set forth below, or those set forth above for commercial webcasters set by the CRB.

An “eligible small webcaster” is an entity with not more than \$1,250,000 in gross annual revenues (including from its affiliates, subscriptions services, and third-party participation revenues – e.g., sale of advertising). Gross revenues include all revenues from media, wireless, and entertainment-related businesses, not just web-generated revenues. The full definition of gross revenues contained in the Small Webcasters Agreement should be reviewed to determine how to calculate gross revenues for a specific webcaster’s business, as certain variations may apply. Noncommercial webcasters do not qualify for these terms.

Services that meet the definition of an “eligible small webcaster” and file a timely notice of election, pay the following rates:

- The greater of 10 percent of the first \$250,000 in gross revenues and 12 percent of any gross revenues in excess of \$250,000 during the applicable year, or 7 percent of the webcaster’s expenses during the applicable year.

Those rates cover up to 5,000,000 ATH per month (6,945 average simultaneous listeners). Usage over that ATH is paid at the commercial per performance rates determined by CRB.

Small webcasters are required to pay an annual minimum fee of either \$2,000 if the webcaster has gross revenues of not more than \$50,000, or \$5,000 if the webcaster has gross revenues of more than \$50,000.

**Microcasters**

The Small Webcaster Agreement includes different terms for "microcasters." A microcaster does not have gross annual revenues of more than \$5,000, annual expenses greater than \$10,000, or transmissions exceeding 18,067 ATH per year. A microcaster pays a \$500 minimum annual fee and no additional royalties providing it maintains its microcaster status throughout the year. Microcasters also pay an additional \$100 "Proxy Fee" each year to avoid having to file reports of use described below.

**Timing of Payments**

*Timing of Payments.* All payments under the licenses or agreements described above must be submitted monthly with a Statement of Account available at <http://www.soundexchange.com>. Payments are made monthly within 45 days after the end of each month. The minimum annual fee is paid by January 31 each year, or within 45 days after the month in which a service first commences streaming, which fee is credited toward the royalties owed each month until depleted. A new minimum annual fee is paid at the beginning of each year.

**Late Fees**

The late fee is 1.5% per month, compounded monthly. The late fee applies not only to late payment of royalties, but also to the payment amount associated with any late or noncompliant statement of account under the CRB terms. Under the NAB and Small Webcaster deals, that late fee extends to late or noncompliant reports of use, discussed below. The late fee accrues until correct statements and reports are received by SoundExchange provided SoundExchange, under the NAB deal, has notified the broadcaster within 90 days regarding any noncompliance reasonably evident to SoundExchange. In contrast, the 90-day notice provision is not part of the CRB or Small Webcaster terms.

**Recordkeeping**

*Records to be Maintained.* CRB adopted interim recordkeeping requirements.<sup>4</sup> For each song that is streamed, the following records must be kept:

1. Name of Service (e.g., XYZ Broadcasting, Inc.).
2. Transmission Category (e.g., “Eligible nonsubscription transmission of broadcast simulcast programming not reasonably classified as news, talk, sports or business programming” defined in the rule as category code “B”).
3. Featured Artist (the full name of the individual or band).
4. Sound Recording Title (the song title).
5. Sound Recording Identification – either:
  - a. Album Title and Marketing Label (if a particular sound recording has been released for promotional purposes before the album title is available, the information must be kept only if it is available before or at the time of the performance, but must be supplied if it is available for subsequent performances), or
  - b. International Standard Recording Code (ISRC) (imbedded in promotional and commercially released sound recordings which can be read by software).
6. Total Performances – either:
  - a. Aggregate Tuning Hours (measures the total number of listener hours by all who have accessed a service during a give time period), Channel (for broadcasters, call sign or FCC facility ID number) or Program Name, and Play Frequency (the total times a sound recording is “played” – i.e., offered or transmitted by the service – regardless of the number of listeners, during the reporting period), **or**

**Filing Requirements**

- b. Actual Total Performances (for those with the technological ability to identify accurately the number of times a sound recording is “performed” – i.e., listened to or accessed – and a separate record is required for each “play”).

*Notice of Use of Sound Recordings under Statutory License.* Before you start streaming, a Notice of Use must be filed with the Copyright Office in Washington, DC. The current filing fee is \$20.

*Statements of Account.* Monthly Statements of Account must be filed with SoundExchange forty-five days after the close of each month, even if you have not incurred royalties that exceed the minimum annual fee. Once the minimum annual payment has been depleted, royalty payments must be submitted with the Statement of Account.

*Reports of Use.* The records described above must be maintained by the music streamer, which identify the featured artist, the song title, album title, marketing label, and number of performances (*i.e.*, number of listeners per song). Under the CRB terms, reports of use must be submitted to SoundExchange quarterly based on two weeks per quarter. The two weeks can be consecutive or two separate 7-day periods within the quarter. The 7-day consecutive period may start on any day of the week.

While the interim recordkeeping rules are based on a two-week survey during the quarter, CRB has proposed to require reporting of sound recording performances on a year-round census basis so that all transmitted sound recordings are counted and their listeners measured. The records are needed so that royalties can be distributed to copyright owners based on actual use of their music.

The precise file format is set forth in Copyright Rule 370.2(g) found at <http://www.loc.gov/crb/fedreg/2006/71fr59010-9.pdf>. SoundExchange also posts an Excel spreadsheet at [www.soundexchange.com](http://www.soundexchange.com) containing a properly formatted file that statutory licensees can download.

**Full Census Reporting under NAB Agreement**

The NAB deal requires additional reporting to SoundExchange. Rather than reporting the use of music (*i.e.*, each featured artist, song title, album information, and total performances) for two weeks each quarter, reports of use for commercial broadcasters electing to participate in the NAB deal must file monthly reports of use on a full census basis – *i.e.*, every song streamed.

Recognizing that data to complete full census reporting for every song performed may not be available (*e.g.*, from program syndicators), the NAB agreement allows broadcasters to report a certain percentage of their programming hours based on ATH. They may do so if: a) census reporting is not reasonably practical for programming during those limited hours, and b) the total number of ATH hours on a single report of use does not exceed the maximum percentage of total programming hours allowed. The maximum

percentages of programming hours that ATH reporting can be used in any given year are:

2009	20%
2010	18%
2011	16%
2012	14%
2013	12%
2014	10%
2015	8%

If a broadcaster chooses to report and pay for usage on this limited ATH basis, it must assume 12 performances per hour during the relevant programming hours in calculating its royalties, and provide complete playlist information for those hours in its reports of use.

**Small Broadcaster Exemption from Reporting**

The NAB agreement offers an exemption from full census reporting. If a commercial broadcaster is a "small broadcaster," it will pay an additional \$100 annual fee (called the "Proxy Fee") per channel and will not need to file reports of use.

A small broadcaster is defined as one that did not exceed 27,777 ATH during the prior year, and does not reasonably expect to exceed 27,777 during the coming year. The 27,777 ATH per year is an average of 3.17 listeners each hour (27,777 ATH divided by 24 hours divided by 365 days per year). The 27,777 ATH limit applies across all channels the small broadcaster streams.

The election as a small broadcaster must be made each year by January 31. With the election, a small broadcaster must provide SoundExchange with ATH numbers, music genre, and other information SoundExchange needs for creating a proxy for distributing royalties.

If a small broadcaster unexpectedly exceeds the ATH limit in a year, it may still elect to be a small broadcaster if it takes steps reasonably calculated to ensure that it will not exceed 27,777 ATH during the following year. SoundExchange warns small broadcasters that they should expect to provide full census reporting when the current NAB agreement expires at the end of 2015.

**Conclusion**

Streaming is now an established platform and should be ignored only at your peril as on-line music providers nibble away at your audience. With the future of the Internet going mobile, it makes even more sense to stream. The SoundExchange website provides more details regarding royalty rates, and offers easy access to its forms on-line. Please note, however, that this article is only an overview of the requirements. Specific questions and situations unique to your business should be directed to counsel.

Streaming without following the law is perilous. Failing to take advantage of the statutory license means copyright infringement. When statutory damages can exceed \$150,000 per song per play, figuring out how to play by the rules seems a small price to pay. Do not think the record companies will not go after you. After all, they sued college students for illegal music downloads – there is no reason to think they won’t also come after you.

Endnotes

<sup>1</sup> Under the industry-wide blanket licenses negotiated between the Radio Music License Committee (“RMLC”) and ASCAP and between RMLC and BMI, royalties applicable to streaming the station’s over-the air signal have been folded into the blanket over-the-air license.

SESAC requires a separate Internet license, which can be obtained through its website at <http://www.sesac.com/licensing/internetLicensing.asp> (minimum fee is \$116 per six months per web page).

Webcasters, and broadcasters who transmit streams in addition to the stream of their over-the-air signals, need to obtain Internet licenses from ASCAP (<http://www.ascap.com/weblicense/> - minimum annual fee is \$288), BMI (<http://www.bmi.com/licensing/webcaster/> - minimum annual fee in 2009 is \$320, increasing by the CPI annually thereafter), and SESAC (see web site address above).

<sup>2</sup> As with any industry, copyright has its own terminology. “Use” in its simplest terms for broadcasters means playing the song. A “performance” also means playing the song. When it comes to royalty calculations for Internet transmissions, however, playing one song heard by one listener is a single performance. If one song is heard by multiple listeners, the number of performances is multiplied by the number of listeners. Digital “listeners” are the receiving devices (*e.g.*, computers), not how many people may be nearby who hear the stream.

<sup>3</sup> Determining which recordings are in the public domain can be a complex task which should be undertaken only with the assistance of counsel. For example, a ruling of the New York Court of Appeals held that recording artists’ recordings are protected in perpetuity under that state’s common law standards.

<sup>4</sup> The recordkeeping requirements for entities electing to pay royalties as Small Commercial Webcasters have slightly more onerous recordkeeping requirements, including not only the types of records mentioned but also additional requirements set forth at pages 5 and 6 of the document available at this link: [http://www.soundexchange.com/licensee/documents/Rates\\_Terms.pdf](http://www.soundexchange.com/licensee/documents/Rates_Terms.pdf).

**For further information, contact Melodie Virtue at 202-298-2527 or at [mvirtue@gsblaw.com](mailto:mvirtue@gsblaw.com). You may also contact any of the attorneys in the Communications and Information Technology Group listed below.**

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