

Webcasting Legal Update – Recordkeeping & Reports of Use for College Stations (nonsubscription transmission services)

Content

1. The name of the service.
2. The category transmission code (codes are likely to be revised when current rate proceeding is concluded):
 - “(G) For eligible nonsubscription transmissions by a noncommercial broadcaster operating under an agreement published in the Federal Register pursuant to the Small Webcaster Settlement Act”
3. Song and Performance Data
 - (A) Artist Name;
 - (B) Song Title;
 - (C) (1) International Standard Recording Code (ISRC), **or**
(2) the Album Title **and** Marketing Label;
 - (D) (1) The actual total performances of the sound recording during the reporting period (“performances” means total number of streaming connections to each song, not the number of times a song is played), **or**
(2) Aggregate Tuning Hours, Channel or program name, **and** Play frequency (the number of times a song is played).

Format

Files with headers:

If a service elects to submit files with headers, the following elements, in order, must occupy the first 14 rows of a report of use:

- (A) Name of service;
- (B) Name of contact person;
- (C) Street address of the service;
- (D) City, state and zip code of the service;
- (E) Telephone number of the contact person;
- (F) E-mail address of the contact person;
- (G) Start of the reporting period (YYYYMMDD);
- (H) End of the reporting period (YYYYMMDD);
- (I) Report generation date (YYYYMMDD);
- (J) Number of rows in data file, beginning with 15th row;
- (K) Text indicator character (must be unique and must never be found in the report’s data content);
- (L) Field delimiter character (the field delimiter character must be unique and must never be found in the report’s data content. Delimiters must be used even when certain elements are not being reported);
- (M) Blank line; and
- (N) Report headers (Featured Artist, Sound Recording Title, etc.).

* A-F may not exceed 255 characters per row and G-I should not exceed 8 characters per row.

Data text fields begin on row 15 of a report header. A carriage return must be at the end of each row thereafter. Abbreviations within data fields are not permitted.

Files without headers:

If a service elects to submit files without headers, the following format requirements must be met:

- (A) ASCII delimited format, using pipe (|) characters as delimiters, with no headers or footers;
- (B) Carats (^) should surround strings;
- (C) No carats (^) should surround dates and numbers;
- (D) A carriage return must be at the end of each line;
- (E) All data for one record must be on a single line; and
- (F) Abbreviations within data fields are not permitted.

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Delivery Format & Methods

Reports of use must be maintained and delivered in electronically and delivered in ASCII format. All reports of use must be in ASCII format and compressed using the .zip, .Z or .gz formats.

SoundExchange will post on its website Microsoft Excel and Corel Quatro spreadsheet templates which will convert the entered data into ASCII text files that can be compressed and submitted.

Reports of use will be accepted by SoundExchange via FTP, e-mail attachments, CD-ROM or floppy disks:

- (A) FTP Delivery. SoundExchange will, by December 5, 2006, post on its Web site instructions for applying for a username, password and delivery instructions, and will respond to the request within 15 days.
- (B) E-mail, CD-ROM and Floppy disk delivery. E-mail delivery will be sent to info@soundexchange.com via an attachment. CD-ROM and floppies should be sent to SoundExchange, Inc., 1330 Connecticut Avenue, NW., #330, Washington, DC 20036.

The following information needs to be included with each report:

- (A) The full name and address of the service;
- (B) The contact person's name, telephone number and e-mail address;
- (C) The start and end date of the reporting period;
- (D) The number of rows in the data file. If the report of use is a file using headers, counting of the rows should begin with row 15. If the report of use is a file without headers, counting of the rows should begin with row 1; and
- (E) The name of the file attached.

This information will either be in the body of the e-mail or on a cover letter with the physical media. FTP instructions will be provided by SoundExchange. Reports on physical media are limited to one disk per reporting period.

Other

Reporting period: Two periods of 7 consecutive days for each calendar quarter of the year. The two weeks need not be consecutive, but both weeks must be completely within the calendar quarter.

Signature: Reports of Use shall include a signed statement by the appropriate officer or representative of the service attesting, under penalty of perjury, that the information contained in the report is believed to be accurate and is maintained by the service in its ordinary course of business. The signature shall be accompanied by the printed or typewritten name and the title of the person signing the Report, and by the date of the signature.

Retention: Stations need to retain copies of their reports for three years.

File naming: Reports of use must be given a name followed by the start and end date of the reporting period, which must be separated by a dash and in the format (YYYYMMDD) with the file type extension of ".txt".

Example: AcmeMusicCo20050101-20050331.txt

Links:

CRB Decision: <http://www.loc.gov/crb/fedreg/2006/71fr59010-9.html>

SX Excel Template: http://soundexchange.com/licensee/documents/Excel_Template.xls

NAME_OF_SERVICE	TRANSMISSION_CATEGORY	FEATURED_ARTIST	SOUND_RECORDING_TITLE	ISRC	ALBUM_TITLE	MARKETING_LABEL	ACTUAL_TOTAL_PERFORMANCES	AGGREGATE_TUNING_HOURS	TU_OR_PROG_RAM_NAM	FREQUENC
Your University - WXYZ	G	tapes 'n tapes	in houston		the loon	xl		3.1	WXYZ	1
Your University - WXYZ	G	unicorns	jellybones		who will cut our hair	alien8		3.1	WXYZ	1
Your University - WXYZ	G	zero zero	true zero		arm gold	jade tree		3.1	WXYZ	1
Your University - WXYZ	G	secret machine	i hate pretending		ten silver drops	reprise		3.1	WXYZ	1
Your University - WXYZ	G	royal trux	stevie		accelerator	'drag city records		3.1	WXYZ	1

^NAME_OF_SERVICE^|^TRANSMISSION_CATEGORY^|^FEATURED_ARTIST^|^SOUND_RECORDING_TITLE^|^ISRC^|^ALBUM_TITLE^|^MARKETING_LABEL^|^ACTUAL_TOTAL_PERFORMANCES^|^AGGREGATE_TUNING_HOURS^|^CHANNEL_OR_PROGRAM_NAME^|^PLAY_FREQUENCY^|^

^Your University - WXYZ^|^G^|^tapes 'n tapes^|^in houston^|^the loon^|^xl^|^3.1^|^WXYZ^|^1^|^

^Your University - WXYZ^|^G^|^unicorns^|^jellybones^|^who will cut our hair^|^alien8^|^3.1^|^WXYZ^|^1^|^

^Your University - WXYZ^|^G^|^zero zero^|^true zero^|^arm gold^|^jade tree^|^3.1^|^WXYZ^|^1^|^

^Your University - WXYZ^|^G^|^secret machine^|^i hate pretending^|^ten silver drops^|^reprise^|^3.1^|^WXYZ^|^1^|^

^Your University - WXYZ^|^G^|^royal trux^|^stevie^|^accelerator^|^'drag city records^|^3.1^|^WXYZ^|^1^|^