

**SUMMARY:** The Copyright Royalty Judges are announcing receipt of a notice of intent to audit the 2006, 2007 and 2008 statements of account submitted by AOL LLC concerning the royalty payments made under two statutory licenses.

**FOR FURTHER INFORMATION CONTACT:**

Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** In 1995, Congress enacted the Digital Performance Right in Sound Recordings Act of 1995 ("DPRA"), Public Law 104-39, which created an exclusive right for copyright owners of sound recordings, subject to certain limitations, to perform publicly sound recordings by means of certain digital audio transmissions.

Among the limitations on the performance right was the creation of a compulsory license for nonexempt noninteractive digital subscription transmissions. 17 U.S.C. 114(f).

Section 114 was later amended with the passage of the Digital Millennium Copyright Act of 1998 ("DMCA"), Public Law 105-304, to cover additional digital audio transmissions, including eligible nonsubscription transmissions.<sup>1</sup> In addition to expanding the section 114 license, the DMCA also created a statutory license to allow a service to make any necessary ephemeral reproductions to facilitate the digital transmission of the sound recording. 17 U.S.C. 112(e).

Licenses may operate under these licenses provided they pay the royalty fees and comply with the terms set by the Copyright Royalty Judges ("Judges"). On May 1, 2007, the Judges issued their final determination setting rates and terms for the section 112 and 114 licenses for the period 2006-2010. 72 FR 24084. As part of the terms set for these licenses, the Judges designated SoundExchange, Inc. as the organization charged with collecting the royalty payments and statements of account and distributing the royalties to the copyright owners and performers entitled to receive such royalties under the section 112 and 114 licenses. 37 CFR 380.4(b)(1). As the designated Collective, SoundExchange may conduct a single audit of a licensee for

any calendar year for the purpose of verifying their royalty payments. SoundExchange must first file with the Judges a notice of intent to audit a licensee and serve the notice on the licensee to be audited. 37 CFR 380.6(b), (c).

On November 5, 2009, pursuant to 37 CFR 380.6(c), SoundExchange filed with the Judges a notice of intent to audit AOL LLC for the years 2006, 2007, and 2008. Section 380.6(c) requires the Judges to publish a notice in the **Federal Register** within 30 days of receipt of the notice announcing the Collective's intent to conduct an audit.

In accordance with 37 CFR 380.6(c), the Copyright Royalty Judges are publishing today's notice to fulfill this requirement with respect to SoundExchange's notice of intent to audit AOL LLC filed November 5, 2009.

Dated: November 17, 2009.

**James Scott Sledge,**

*Chief, U.S. Copyright Royalty Judge.*

[FR Doc. E9-27980 Filed 11-20-09; 8:45 am]

**BILLING CODE 1410-72-P**

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (09-100)]

### Notice of Information Collection

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of information collection.

**SUMMARY:** The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. 3506(c)(2)(A)).

**DATES:** All comments should be submitted within 60 calendar days from the date of this publication.

**ADDRESSES:** All comments should be addressed to Mrs. Lori Parker, National Aeronautics and Space Administration, Washington, DC 20546-0001.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Mrs. Lori Parker, NASA PRA Officer, NASA Headquarters, 300 E Street, SW., JE000, Washington, DC 20546, (202) 358-1351, [Lori.Parker-1@nasa.gov](mailto:Lori.Parker-1@nasa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Abstract

The analysis of the Effective Messaging Research survey will position NASA to effectively communicate Agency messages.

## II. Method of Collection

All survey responses will be collected by telephone and tabulated electronically.

## III. Data

*Title:* Effective Messaging Research.

*OMB Number:* 2700-0113.

*Type of review:* Extension of currently approved collection.

*Affected Public:* Individuals and households, Business or other for-profit, not-for-profit institutions, Federal Government, and State, Local or Tribal Government.

*Number of Respondents:* 2,700.

*Responses per Respondent:* 1.

*Annual Responses:* 2,700.

*Hours per Request:* 0.33 hours.

*Annual Burden Hours:* 900.

## IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

**Lori Parker,**

*NASA PRA Clearance Officer.*

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**BILLING CODE 7510-13-P**

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-445 and 50-446; NRC-2009-0510]

**Luminant Generation Company, LLC; Comanche Peak Steam Electric Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering

<sup>1</sup> An "eligible nonsubscription transmission" is a noninteractive digital audio transmission which, as the name implies, does not require a subscription for receiving the transmission. The transmission must also be made as a part of a service that provides audio programming consisting in whole or in part of performances of sound recordings the primary purpose of which is to provide audio or entertainment programming, but not to sell, advertise, or promote particular goods or services other than sound recordings, live concerts, or other music-related events. 17 U.S.C. 114(j)(6).