

WOBC 91.5 FM  
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GENERAL COUNSEL  
OF COPYRIGHT

**Comments on Docket No. RM 2002**

DOCKET NO.
RM 2002.1
COMMENT NO. <u>24</u>

To Whom It May Concern,

WOBC is a student-run, non-commercial, college radio station located in Oberlin, Ohio at Oberlin College. It is our understanding that we have the opportunity to make comments on the proposed recordkeeping requirements currently under consideration by the Copyright Office of the United States.

**Background:**

WOBC has been serving the Oberlin College campus and Lorain County for nearly fifty-one years. WOBC has approximately 100 volunteer programmers, including community members, who produce live broadcasts; we air two pre-produced public affairs/news programs each week. WOBC's musical programming covers many genres, and most of this music comes from independent record labels.

WOBC's webcast is a simultaneous broadcast of our on-air programming. Our website is located at: <http://www.wobc.org/>

WOBC's operating budget for fiscal year 2001-2002 is \$24,673 — this figure includes small stipends for five student staff positions. WOBC currently sends royalty payments to SESAC, ASCAP and BMI, and we gladly make these payments to support the artists whose music we play.

We would like to submit the following comments on the proposed reporting requirements:

**PROPOSED RECORDKEEPING REQUIREMENTS:**

**Playlists:**

Almost all of WOBC's programming is done live on the air, with programmers often deciding on the spur of the moment what to play next. There is no such thing as an intended playlist at WOBC, and we do not have our record library indexed in a computer database. Our current playlist tracks the artist, song title, album title and record label; we

WOBC (con't)

use this information to report to various trade organizations so that we can continue to receive promotional copies from the independent labels we give airplay to.

Programmers do input the above mentioned playlist information into the computer so that it is available on-line, but it would be very difficult, if not impossible, for WOBC to compile all the information requested in this proposal. Many programmers use music from their own collection, and records still receive regular airplay. In fact, WOBC would probably have to hire someone to gather the requested information if we wanted to continue webcasting, and our budget (which is allotted yearly by the Student Finance Committee) would not cover this expense. This would greatly impede our goal of providing public access to music and information not widely available through other broadcasting mediums.

**Listener Logs:**

WOBC simultaneously streams its live on-air broadcast. Our programming is available on the net simply by accessing our website. It would be problematic for us to reconfigure to gather the information requested in this proposal, and we question the appropriateness of infringing on our listeners' privacy. It seems to us that Congress shares our concerns on this issue.

**CONCLUSION:**

We believe that the RIAA was not cognizant of the organizational structure of non-commercial, non-automated radio stations that webcast when they made their recordkeeping recommendations to the Copyright Office. We would ask that the unique nature of radio stations such as WOBC---stations that depend upon volunteers instead of paid staff for much of their labor---be taken into consideration as the Copyright Office makes its final decision on establishing realistic recordkeeping requirements.

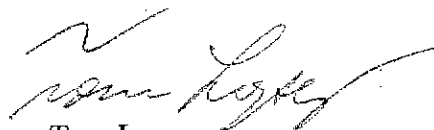
Additionally, we would like to comment on the proposed royalty fees. These would also be a significant hardship for stations like WOBC, and we respectfully request fees more in keeping with our not-for-profit status. The fees currently paid to SESAC, ASCAP, and BMI are manageable, and we would be very willing to pay comparable fees for webcasting.

Thank you for providing the opportunity to submit comments about this proposal.

Respectfully submitted by



Joseph Kremer  
Station Manager



Tom Lopez  
Faculty Advisor