

Chart Comparing SoundExchange (SX) Rates and Terms to Stream Digital Sound Recordings under Statutory License for 2016-2020

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Definitions: Performance (perf.) – one performance is one sound recording streamed to one listener (*i.e.*, a computing device)
 Aggregate Tuning Hours (ATH) – total programming hours streamed to all listeners (Music ATH excludes non-music programming)
 Statement of Account (SoA) – filed with SX to calculate monthly royalty fees
 Report of Use (RoU) – filed with SX to report featured artist, song title, album title, label, and number of performances
 CRB Rates – official Copyright Royalty Board rates and terms published in the Federal Register. These rates apply absent as settlement “deal”.

Webcaster Options	Eligibility	Minimum Annual Fee	ATH Covered by Min. Fee	Per Performance Royalty Rates	Reporting Requirements	Proxy Fee in lieu of RoU
2016 CRB Commercial Rates & Terms 81 Fed. Reg. 26316 (5/2/2016) § 380.10(a)(1) § 370.4(b)	Commercial Webcaster	\$500 per channel due by 1/31 each year; capped at \$50K per service	N/A – minimum fee at non-subscription rate covers average of 33.6 performances per hour in 2016 (@ 2.8 listeners p/hr. if play 12 songs p/hr.)	2016 – \$0.0017 non-subscription 2016 - \$0.0022 subscription Adjusted annually by CPI	<ul style="list-style-type: none"> Monthly SoA in which excess usage fees owed. Monthly RoU – full census for all webcasters except: Quarterly RoU – two 7-day periods for minimum fee broadcasters (<i>i.e.</i>, b/c’rs that owe no add’l royalties above min. annual fee) 	No
2016 CRB Noncommercial Rates & Terms 81 Fed. Reg. 26316 (5/2/2016) § 380.10(a)(2) § 370.4(b)	Tax Exempt or Governmental Entity	\$500 per channel due by 1/31 each year.	159,140 ATH per month – averages 218 listeners p/hr.	After exceeding monthly ATH, pay per performance rate: 2016 – \$0.0017 Adjusted annually by CPI	<ul style="list-style-type: none"> Monthly SoA in which excess usage fees owed. Monthly RoU – full census for all webcasters except: Quarterly RoU – two 7-day periods for minimum fee broadcasters (<i>i.e.</i>, b/c’rs that owe no add’l royalties above min. annual fee) 	No

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College Broadcasters Noncommercial Educational deal 80 Fed. Reg. 58201 (9/28/2015) §§ 380.21-380.23	Noncommercial webcaster not CPB-qualified and operated by accredited educational institution and staffed mostly by enrolled students; elect by 1/31 each year.	\$500 per channel by 1/31 each year.	159,140 ATH per month per channel – average of 218 listeners p/hr.	After exceeding monthly ATH, pay per performance at commercial rate: 2016 – \$0.0017 Adjusted annually by CPI -If unable to calculate actual total perf., may pay on an ATH basis assuming 12 songs p/hr.	<ul style="list-style-type: none"> Monthly SoA in which excess usage fees owed ≤ 159,140 ATH per channel per month - RoU – two 7-day periods per quarter filed annually by 1/31 -If unable to calculate actual total perf. or ATH, may report channel & play frequency -Elect by 1/31 each yr. >159,140 ATH per month, file full census RoU quarterly; 1 year grace period to include ATH or total performances in RoU. 	\$100 p/yr. per non-commercial educational webcaster if ≤ 80,000 ATH per channel per mon. in prior yr. & not exceed 80,000 ATH more than 1 mon. in current yr. (approx. 109 listeners p/hr.) -Elect by 1/31 each yr.
CPB 80 Fed. Reg. 59589 (10/2/2015) §§ 380.31-380.32	Covered Entities (generally, NPR, APM, PRI or PRX their affiliates, & up to 530 public radio stations named by CPB (e.g., NFCB member, or CPB grantee); elect thru CPB.	CPB pays; covers all channels.	Unlimited.	CPB pays.	<ul style="list-style-type: none"> Entities reporting highest 30% of Music ATH – full census data provided quarterly to NPR Digital Services. Entities reporting lowest 70% of Music ATH – data for two 7-day periods provided quarterly to NPR Digital Services. 	No

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