

Broadcasters voice concern about new proposed fees

■ The suggested fees for radio stations playing music online have some college broadcasters speaking out with their concerns

By John Liebhardt
Oregon Daily Emerald

College radio broadcasters reacted with guarded optimism about the Librarian of Congress' rejection last week of proposed fees stations would pay for playing music online.

By rejecting the rules proposed by the Copyright Arbitration Royalty Panel, Librarian of Congress James H. Billington has until June 20 to determine how much the streaming fees should be. His decision set up a showdown between Internet radio broadcasters and musicians over how much royalty fees are owed to musicians when their songs are played over the Internet.

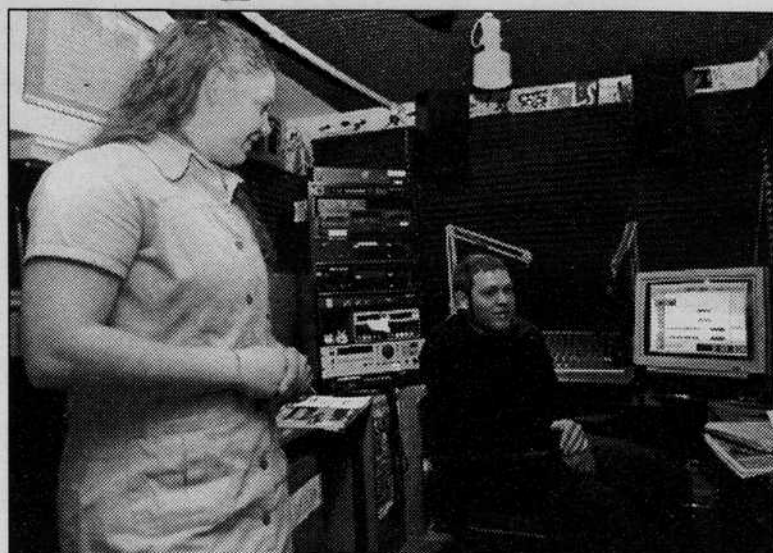
"It is time that (Webcasters) finally start to pay the artists and record companies whose creative output is the most important component of their business," John L. Simson, executive director of the recording industry's lobbying group for Internet issues Sound Exchange, said in a statement.

Journalism professor Al Stavitsky sees the fight over the proposed rules as part of a larger debate regarding artists and other content producers working in new media, such as the Internet. Musicians are closely watching this debate, he said, because they believe the new rule system will fix shortcomings in the traditional broadcast royalty fee structure. Presently, radio stations pay royalty fees to record companies and composers of each song. Stavitsky pointed out that artists who write their own material are compensated for their work. However, singers who cover other people's material are not compensated when their songs are played on the radio.

Local reaction

KWVA General Manager Charlotte Nisser joined a growing chorus of college radio broadcasters in complaining the fees were too restrictive and unfairly hit small, educational radio stations that broadcast on the Internet. Had the fees gone through, she said, KWVA would have been forced to pay an estimated \$3,700 more per year in royalty fees to record companies and musicians.

KWVA and KPSU at Portland State University decided they will continue to broadcast on the



Thomas Patterson Emerald

KWVA General Manager Charlotte Nisser and Chief Engineer Nathan Cox disagree with fees recently suggested by arbitrators for radio stations broadcasting online.

Internet until Billington reaches a decision.

"Until we get a cease and desist order, we've been told to keep streaming," said David Jimenez, KPSU station manager.

"They're braver than we are," said Ann Robinson, assistant director of student media at Oregon State University's station KBVR. Robinson said the station is ready to begin streaming, but won't begin until the legal issues surrounding royalties are cleared up. By staying off the Internet, KBVR joined a growing list of college radio stations that have pulled the plug on streaming out of fear the royalty fees could be too high to pay.

Billington did not give any reasons for his ruling. While most college broadcasters are optimistic, no one is certain if he felt the fees were too restrictive for radio stations.

Part of the proposed rules Billington rejected were:

- Each station broadcasting on the Internet must pay \$500 each year to the recording industry.
- Noncommercial radio stations that broadcast on the Internet would have paid two-hundredths of a cent for every online listener per song.
- Commercial radio stations that broadcast on the Internet would have paid seven-hundredths of a cent for every online listener per song.
- Stations would have been forced to keep strict records of each song played on the Internet.

Nathan Cox, KWVA's chief engineer, said that the rules would have unfairly hit small, independent radio stations. The main prob-

lem, he said, was the committee treated all noncommercial radio stations as equals. This is almost unheard of in other negotiations with artists' organizations such as ASCAP and BMI, which take transmitter size and audience size into account when deciding on-air royalty fees. Because KWVA has a smaller transmitter and audience than say, local radio station KLCC, the University station pays less in royalties to these companies. However, on the Internet, both stations would have been equals.

Online issues

The high costs of streaming on the Internet is another issue. KWVA, like other streaming stations, must pay for equipment and a site license to RealAudio, their streaming provider. Currently, only 50 people can listen to the station on the Internet at one time. KPSU has only enough equipment to provide 30 online listeners, even though the station broadcasts 5 p.m. to 2 a.m. during the week, and noon to 2 a.m. on weekends. When KBVR does go online, they will have capabilities for 20 listeners.

With so few listeners on the Web and such a small market share, many college stations asked if it was worth it for the recording industry to charge them the same fees as stations with many more online listeners.

"How many people are really going to listen to us on the Web? Parents of DJs, former DJs and some people who happen upon us," Robinson of KBVR said.

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mate conditions where the creatures lived and whether it was a larger predator or a victim of prey.

"For us, these fossils are very well preserved," he said. "They show features of the classical mollusk."

Matt Pearson, project manager with Lease Crutcher Lewis, the general contractor for the project, said the majority of construction workers are not as intrigued with what they find as people such as Retalack who study those findings. But he said it's important for the crews to know what they uncover.

"You are always interested in what you find," Pearson said. "You need to know what's in the hole."

The dig is not expected to slow down the construction process of the Lillis Business Complex, expected to be finished in time for the 2003-04 school year.

Retalack has collected fossils from digs all over campus, and said this particular dig is not the largest. He said construction done to

Start digging

People interested in doing their own digging at the Lillis Business Complex need to first clear their visits to the site.

They can check in with Lease Crutcher Lewis project manager Matt Pearson. The construction company's office is located in the portable trailer closest to McKenzie Hall.

Visitors must sign liability forms and wear hard hats while on site.

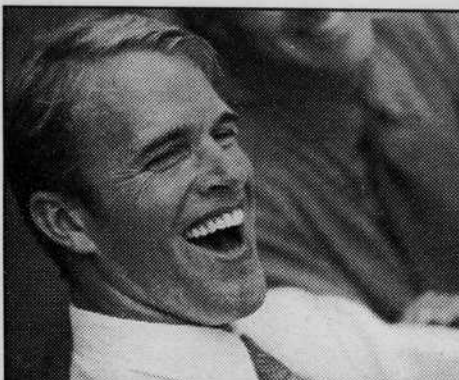
Willamette Hall in the late 1980s and to Knight Library and Cascade Hall were all deeper excavations. At the Cascade dig, he said they found trilobites, hard-shelled segmented sea creatures that existed more than 300 million years ago during the Paleozoic Era.

E-mail features reporter Lisa Toth at lisatoth@dailyemerald.com.

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Fossils

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Throughout his search, Retalack cracked open rocks to find a variety of surf, venus, butter and razor clams as well as scaphopod tusk shells and Cretaceous moon snail shells.

"It's just whack and see what you can find," Retalack said, absorbed in his work. "The best stuff is inside the rock."

Retalack took the specimens worth saving and wrapped them in newspaper to prevent them from being scratched.

"A sack-full should do the trick," he said.

Alberto Perez-Huerta, a graduate student in the geology department, said once the fossils reach the classroom, students will have an important hands-on chance to learn to identify characteristics such as scientific classification, original cli-

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