

JENNER & BLOCK

December 18, 2009

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Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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Re: Ex Parte Notice, MB Docket No. 09-143, *In the Matter of Petition Regarding the Actions of Certain Radio Broadcasters in Opposition to the Performance Rights Act*

Dear Ms. Dortch:

On December 17 and 18, 2009, representatives of MusicFIRST met with representatives of the Media Bureau and Enforcement Bureau, respectively, to discuss the above-referenced proceeding. Attending the December 17 meeting were Bill Freedman, Mary Beth Murphy, and Diana Sokolow of the Media Bureau, Mitch Glazier, Steve Marks, and Victoria Sheckler of the Recording Industry Association of America, Al Mottur of Brownstein Hyatt Farber Schreck, LLP, and the undersigned. Attending the December 18 meeting were Michele Ellison, Bill Davenport, Hillary DeNigro, and Anjali Sing of the Enforcement Bureau, Steve Marks and Victoria Sheckler of the Recording Industry Association of America, and the undersigned.

In both meetings, MusicFIRST reiterated the points made in its comments and reply comments that certain broadcasters are violating their public interest obligations by intimidating artists who support the Performance Rights Act, running misleading spots about the Act, and refusing to run MusicFIRST's ads. In addition, MusicFIRST explained that, as described in its reply comments, certain broadcasters have violated the Commission's public disclosure rules by failing to place records related to Performance Rights Act advertising in their public files. MusicFIRST urged the Commission to investigate these matters and to consider the findings in connection with relevant license renewal proceedings. In the December 18 meeting with the Enforcement Bureau, MusicFIRST left behind a single copy of the attached materials.

In accordance with §1.1206 of the Commission rules, one copy of this letter is being filed electronically via ECFS, and one delivered via email to the FCC participants.

Sincerely,

/s/

Samuel L. Feder