

State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 17th day of March 2005.

**John Frank,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 05-5609 Filed 3-24-05; 8:45 am]

**BILLING CODE 4510-27-M**

## LEGAL SERVICES CORPORATION

### Sunshine Act Meetings of the Board of Directors Operations and Regulations Committee

*Time and Date:* The Legal Services Corporation Board of Directors Operations and Regulations Committee will meet April 1, 2005, at 9 a.m.

*Location:* Caddell Conference Room, Slaughter Hall, 3rd Floor, University of Virginia School of Law, 580 Massie Road, Charlottesville, Virginia.

*Status of Meetings:* Open.

*Matters to be Considered:*

#### Open Session

1. Approval of agenda.
2. Consider and act on Notice of Proposed Rulemaking on Financial Eligibility, 45 CFR part 1611.
  - a. Staff report;
  - b. OIG's report; and
  - c. Public comment.
3. Other public comment.
4. Consider and act on other business.
5. Consider and act on adjournment of meeting.

*Contact Person for Information:*

Patricia D. Batie, Manager of Board Operations, at (202) 295-1500.

*Special Needs:* Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Patricia D. Batie, at (202) 295-1500.

Dated: March 23, 2005.

**Victor M. Fortuno,**

*Vice President for Legal Affairs, General Counsel & Corporate Secretary.*

[FR Doc. 05-6076 Filed 3-23-05; 2:57 pm]

**BILLING CODE 7050-01-P**

## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 2005-4 CARP SRA-Digital]

### Rate Adjustment for the Satellite Carrier Compulsory License

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice of voluntary negotiation period.

**SUMMARY:** The Copyright Office of the Library of Congress is announcing the voluntary negotiation period for the purpose of determining the royalty fees for the retransmission of digital over-the-air television broadcast signals by satellite carriers under the statutory license.

**DATES:** The voluntary negotiation period commences on March 25, 2005 and concludes on April 25, 2005. Voluntary agreements must be submitted no later than April 25, 2005.

**ADDRESSES:** If hand delivered by a private party, an original and five copies of voluntary agreements should be brought to Room LM-401 of the James Madison Memorial Building between 8:30 a.m. and 5 p.m. and the envelope should be addressed as follows: Copyright Office General Counsel/CARP, U.S. Copyright Office, James Madison Memorial Building, Room LM-401, 101 Independence Avenue, S.E., Washington, D.C. 20559-6000. If delivered by a commercial courier, an original and five copies of voluntary agreements must be delivered to the Congressional Courier Acceptance Site located at 2nd and D Streets, N.E. between 8:30 a.m. and 4 p.m. The envelope should be addressed as follows: Copyright Office General Counsel/CARP, Room LM-403, James Madison Memorial Building, 101 Independence Avenue, S.E., Washington, D.C. If sent by mail (including overnight delivery using U.S. Postal Service Express Mail), an original and five copies of voluntary agreements should be addressed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Voluntary agreements may not be delivered by means of overnight delivery services such as Federal Express, United Parcel Service, etc., due to delays in processing receipt of such deliveries.

#### FOR FURTHER INFORMATION CONTACT:

David O. Carson, General Counsel, or Gina Giuffreda, Attorney Advisor, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, D.C. 20024.

Telephone: (202) 707-8380. Telefax: (202) 252-3423.

#### SUPPLEMENTARY INFORMATION:

##### Background

The satellite carrier compulsory license establishes a statutory copyright licensing scheme for satellite carriers that retransmit over-the-air television broadcast signals to satellite dish owners. 17 U.S.C. 119. Congress created the license in 1988 with the passage of the Satellite Home Viewer Act of 1988. Congress reauthorized the satellite license for additional five-year periods in 1994 and 1999, and the license was slated to expire on December 31, 2004. However, Congress again reauthorized the satellite license for another five years with the passage of the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA") (as part of the Consolidated Appropriations Act, 2005), Pub. L. 108-447, which was signed into law by the President on December 8, 2004.

Rates for the statutory license were initially set by Congress in the Satellite Home Viewer Act of 1988 and then later adjusted by a three-person arbitration panel convened by the former Copyright Royalty Tribunal. 57 FR 19052 (May 1, 1992). When the license was reauthorized in 1994, Congress directed that the rates be adjusted by the Librarian of Congress using the system that replaced the Copyright Royalty Tribunal, namely, a Copyright Arbitration Royalty Panel ("CARP"). Accordingly, the Librarian adjusted the rates in 1997. 62 FR 55742 (October 28, 1997). In the Satellite Home Viewer Improvement Act of 1999, which reauthorized the license for an additional five years, Congress reduced the rates set by the Librarian. 17 U.S.C. 119(c)(4).

SHVERA adopts the rates as reduced by Congress in 1999 for the retransmission of analog signals but calls for the adjustment of those rates.<sup>1</sup> In addition, SHVERA calls for the setting of rates, for the first time, for the retransmission of the primary digital transmissions of network stations and superstations. SHVERA provides that the rates to be paid by satellite carriers for the retransmission of digital signals shall be the rates set by the Librarian in 1997 for the retransmission of analog signals, 37 CFR 258.3(b)(1)&(2), reduced

<sup>1</sup> The Library has begun the process to adjust the rates paid for the retransmission of analog signals. See 69 FR 78482 (December 30, 2004); 70 FR 3656 (January 26, 2005).

by 22.5 percent but provides for a rate adjustment in accordance with the procedures set forth in section 119(c)(1) of the Copyright Act.

On March 8, 2005, the Copyright Office received a letter from EchoStar Satellite L.L.C., DirecTV, Inc., Program Suppliers, and the Joint Sports Claimants requesting that the Office begin the process of setting the rates for the retransmission of digital broadcast signals by initiating a voluntary negotiation period so that rates for both digital and analog signals "will be in place before the July 31, 2005 deadline for satellite carriers to pay royalties for the first accounting period of 2005."<sup>2</sup> Letter at 2. The Office sees no reason not to grant this request. Accordingly, today's notice begins the process mandated by statute.

### Voluntary Negotiation Period

Section 119(c)(2) of the Copyright Act, 17 U.S.C., provides that "[t]he process and requirements for establishing the royalty fee payable . . . for the secondary transmission of the primary digital transmissions of network stations and superstations shall be the same" as that set forth in section 119(c)(1) for the amendment of the rates paid for the retransmission of analog signals. Section 119(c)(1) provides that "the Librarian of Congress shall cause to be published in the **Federal Register** [notice] of the initiation of the voluntary negotiation proceedings for the purpose of determining the royalty fee to be paid by satellite carriers" for the retransmission of digital broadcast signals. This notice initiates the voluntary negotiation period.

The statute does not specify how long the voluntary negotiation period is to last. However, the regulations governing CARP proceedings provide for a "30-day period for negotiation of a settlement" when adjusting rates under the cable, phonorecord and jukebox statutory licenses. 37 CFR 251.63(a). Since the rates will be determined under the current CARP system<sup>3</sup> should parties be unable to negotiate a

voluntary agreement or an objection to such agreement is raised, the Library sees no reason not to adopt the period set forth in § 251.63(a) here. Therefore, the voluntary negotiation period commences today, March 25, 2005, and concludes April 25, 2005.

If a voluntary agreement is reached by the end of the negotiation period, the parties can request that the Librarian publish the agreement for notice and comment in accordance with section 119(c)(1)(D)(ii)(II) and adopt the rates in the voluntary agreement if no objections are received from a party with a significant interest and an intention to participate in a CARP proceeding. 17 U.S.C. 119(c)(1)(D)(ii)(III). Voluntary agreements must be submitted no later than April 25, 2005. If no agreements are received by that time, the Library will proceed in accordance with the rules and regulations of 37 CFR part 251.

Dated: March 22, 2005

**David O. Carson,**

*General Counsel.*

[FR Doc. 05-5953 Filed 3-24-05; 8:45 am]

**BILLING CODE 1410-33-S**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-17]

### Notice of Issuance of Partial Conditional Exemption; Portland General Electric Company, Trojan Independent Spent Fuel Storage Facility

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of partial conditional exemption.

#### FOR FURTHER INFORMATION CONTACT:

Christopher M. Regan, Senior Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-8500; fax number: (301) 415-8555; e-mail: [cmr1@nrc.gov](mailto:cmr1@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Portland General Electric Company (PGE) is the licensee and holder of License No. SNM-2509 for the Trojan Independent Spent Fuel Storage Facility (Trojan ISFSI). In addition, PGE holds License No. NPF-1, pursuant to 10 CFR part 50, for the Trojan Nuclear Plant. The licensee will complete decommissioning of the Trojan Nuclear Plant and intends to terminate its Part 50 license for the Trojan Nuclear Plant.

The Trojan ISFSI contains the spent fuel removed from the Trojan Nuclear Plant.

Currently, the licensee provides financial assurance for the Trojan ISFSI pursuant to 10 CFR 72.30(c)(5), which allows a part 50 license holder to use the financial assurance provisions of part 50 to provide financial assurance for an ISFSI. The licensee maintains an external sinking fund for decommissioning funds pursuant to 10 CFR 50.75(e). However, when its part 50 license is terminated, it will no longer meet the condition of 10 CFR 72.30(c)(5) that allows it to use its existing external sinking fund to provide financial assurance for its ISFSI.

On April 29, 2004, PGE filed a request for NRC approval of a partial exemption from the provision of 10 CFR 72.30(c)(5) that requires an ISFSI licensee to additionally hold a part 50 license in order to use an external sinking fund as the exclusive means of financial assurance for decommissioning costs of an ISFSI.

##### II. Requested Action

Pursuant to the requirements of 10 CFR 72.7, PGE requested a partial exemption from the financial assurance requirements of 10 CFR 72.30(c)(5). The exemption request was "partial" because it would apply only to the requirement that the ISFSI licensee also hold a Part 50 license to use an external sinking fund as its exclusive method of providing financial assurance for its ISFSI. The licensee will continue to provide financial assurance conforming to the requirements of 10 CFR 50.75(e) and (h), although it reserved the right to change to another method as provided in other sections of 10 CFR 72.30(c). The licensee pointed out that the wording of 10 CFR 72.30(c)(5) allowed an "electric utility" to use an external sinking fund as the exclusive method of providing financial assurance when its part 72 ISFSI license was first issued. However, the rule was amended effective on December 24, 2003, which resulted in the change of the condition from "electric utility" to "a part 50 licensee." PGE stated that it will remain an electric utility after the termination of its part 50 license, hence it will continue to meet the intent of the rule as originally issued.

##### III. Discussion

The Commission may grant a specific exemption to the financial assurance requirements of 10 CFR 72.30(c)(5) provided that the requirements of 10 CFR 72.7 are satisfied. The Commission determined that a partial exemption from 10 CFR 72.30(c)(5) meets the

<sup>2</sup> We note that the letter referenced Docket No. 2004-9 CARP SRA, which is the proceeding to adjust the rates for the retransmission of analog signals. As the parties state in their letter, "the analog rates and digital rates are distinct and separate." Letter at 1. We agree. Therefore, we have assigned a separate docket number to this proceeding.

<sup>3</sup> On November 30, 2004, the President signed into law the Copyright Royalty and Distribution Act of 2004, Pub. L. 108-419, which phases out the CARP system and replaces it with three permanent Copyright Royalty Judges. However, SHVERA calls for satellite royalty rates to be determined "under chapter 8 as in effect on the day before the date of enactment of the Copyright Royalty and Distribution Act of 2004." 17 U.S.C. 119(c)(1)(F).