

**SUMMARY:** The Copyright Royalty Judges are announcing receipt of a notice of intent to audit the 2006, 2007 and 2008 statements of account submitted by AOL LLC concerning the royalty payments made under two statutory licenses.

**FOR FURTHER INFORMATION CONTACT:**

Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** In 1995, Congress enacted the Digital Performance Right in Sound Recordings Act of 1995 ("DPRA"), Public Law 104-39, which created an exclusive right for copyright owners of sound recordings, subject to certain limitations, to perform publicly sound recordings by means of certain digital audio transmissions.

Among the limitations on the performance right was the creation of a compulsory license for nonexempt noninteractive digital subscription transmissions. 17 U.S.C. 114(f).

Section 114 was later amended with the passage of the Digital Millennium Copyright Act of 1998 ("DMCA"), Public Law 105-304, to cover additional digital audio transmissions, including eligible nonsubscription transmissions.<sup>1</sup> In addition to expanding the section 114 license, the DMCA also created a statutory license to allow a service to make any necessary ephemeral reproductions to facilitate the digital transmission of the sound recording. 17 U.S.C. 112(e).

Licensees may operate under these licenses provided they pay the royalty fees and comply with the terms set by the Copyright Royalty Judges ("Judges"). On May 1, 2007, the Judges issued their final determination setting rates and terms for the section 112 and 114 licenses for the period 2006-2010. 72 FR 24084. As part of the terms set for these licenses, the Judges designated SoundExchange, Inc. as the organization charged with collecting the royalty payments and statements of account and distributing the royalties to the copyright owners and performers entitled to receive such royalties under the section 112 and 114 licenses. 37 CFR 380.4(b)(1). As the designated Collective, SoundExchange may conduct a single audit of a licensee for

any calendar year for the purpose of verifying their royalty payments. SoundExchange must first file with the Judges a notice of intent to audit a licensee and serve the notice on the licensee to be audited. 37 CFR 380.6(b), (c).

On November 5, 2009, pursuant to 37 CFR 380.6(c), SoundExchange filed with the Judges a notice of intent to audit AOL LLC for the years 2006, 2007, and 2008. Section 380.6(c) requires the Judges to publish a notice in the **Federal Register** within 30 days of receipt of the notice announcing the Collective's intent to conduct an audit.

In accordance with 37 CFR 380.6(c), the Copyright Royalty Judges are publishing today's notice to fulfill this requirement with respect to SoundExchange's notice of intent to audit AOL LLC filed November 5, 2009.

Dated: November 17, 2009.

**James Scott Sledge,**

*Chief, U.S. Copyright Royalty Judge.*

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**BILLING CODE 1410-72-P**

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**[Notice: (09-100)]**

### **Notice of Information Collection**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of information collection.

**SUMMARY:** The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. 3506(c)(2)(A)).

**DATES:** All comments should be submitted within 60 calendar days from the date of this publication.

**ADDRESSES:** All comments should be addressed to Mrs. Lori Parker, National Aeronautics and Space Administration, Washington, DC 20546-0001.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Mrs. Lori Parker, NASA PRA Officer, NASA Headquarters, 300 E Street, SW., JE000, Washington, DC 20546, (202) 358-1351, [Lori.Parker-1@nasa.gov](mailto:Lori.Parker-1@nasa.gov).

**SUPPLEMENTARY INFORMATION:**

## **I. Abstract**

The analysis of the Effective Messaging Research survey will position NASA to effectively communicate Agency messages.

## **II. Method of Collection**

All survey responses will be collected by telephone and tabulated electronically.

## **III. Data**

*Title:* Effective Messaging Research.

*OMB Number:* 2700-0113.

*Type of review:* Extension of currently approved collection.

*Affected Public:* Individuals and households, Business or other for-profit, not-for-profit institutions, Federal Government, and State, Local or Tribal Government.

*Number of Respondents:* 2,700.

*Responses per Respondent:* 1.

*Annual Responses:* 2,700.

*Hours per Request:* 0.33 hours.

*Annual Burden Hours:* 900.

## **IV. Request for Comments**

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

**Lori Parker,**

*NASA PRA Clearance Officer.*

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**BILLING CODE 7510-13-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-445 and 50-446; NRC-2009-0510]**

**Luminant Generation Company, LLC; Comanche Peak Steam Electric Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering

<sup>1</sup> An "eligible nonsubscription transmission" is a noninteractive digital audio transmission which, as the name implies, does not require a subscription for receiving the transmission. The transmission must also be made as a part of a service that provides audio programming consisting in whole or in part of performances of sound recordings the primary purpose of which is to provide audio or entertainment programming, but not to sell, advertise, or promote particular goods or services other than sound recordings, live concerts, or other music-related events. 17 U.S.C. 114(j)(6).

issuance of an amendment to Facility Operating License Nos. NPF-87 and NPF-89 in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.90, issued to Luminant Generation Company LLC (the licensee), for operation of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, located in Somervell County, Texas. Therefore, as required by 10 CFR 51.21, the NRC performed an environmental assessment. Based on the results of the environmental assessment, the NRC is issuing a finding of no significant impact.

#### Environmental Assessment

##### *Identification of the Proposed Action:*

The proposed action would change the legal name of the plant from "Comanche Peak Steam Electric Station" to "Comanche Peak Nuclear Power Plant."

The proposed action is in accordance with the licensee's application dated February 11, 2009.

The proposed change also removes the Table of Contents from the Technical Specifications (TSs) and places it under licensee control; deletes TS 3.2.1.1, TS 3.2.3.1, TS 5.5.9.1, TS 5.6.10, and several footnotes from Tables 3.3.1-1 and 3.3.2-1 and TS 3.4.10 since these TSs and footnotes are no longer applicable to CPSES, Unit 1 or Unit 2 operation; rennumbers TS 3.2.1.2 to TS 3.2.1, TS 3.2.3.2 to TS 3.2.3, and TS 5.5.9.2 to TS 5.5.9; deletes several topical reports from the list of approved analytical methods used to determine core operating limits in TS 5.6.5; and corrects various minor editorial errors in the TSs. However, these amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR part 20. The NRC staff has determined that these amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that these amendments involve no significant hazards consideration, and there has been no public comment on such finding published in the **Federal Register** on April 7, 2009 (74 FR 15772). Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the

issuance of these amendments; therefore, this environmental assessment applies to only the plant name change.

##### *The Need for the Proposed Action:*

The proposed action is necessary to reflect the legal change of name of the plant from Comanche Peak Steam Electric Station to Comanche Peak Nuclear Power Plant.

##### *Environmental Impacts of the Proposed Action:*

The NRC has concluded in its evaluation of the proposed action that since this action is for a plant name change only that (1) there is a reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

The details of the staff's safety evaluation will be provided in the license amendment that will be issued as part of the letter to the licensee approving the license amendment.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have any foreseeable impacts to land, air, or water resources, including impacts to biota. In addition, there are also no known socioeconomic or environmental justice impacts associated with such proposed action. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

##### *Environmental Impacts of the Alternatives to the Proposed Action:*

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.*, the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The

environmental impacts of the proposed action and the alternative action are similar.

##### *Alternative Use of Resources:*

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for the CPSES, Units 1 and 2, NUREG-0775, dated September 1981 and Supplement dated October 1989.

##### *Agencies and Persons Consulted:*

In accordance with its stated policy, on August 13, 2009, the staff consulted with the Texas State official, Alice Rogers, Inspection Unit Manager, Texas Department of State Health Services, regarding the environmental impact of the proposed action. The State official had no comments.

#### Finding of No Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated February 11, 2009. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 17th day of November 2009.

For the Nuclear Regulatory Commission.

**Mohan C. Thadani,**

Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E9-28090 Filed 11-20-09; 8:45 am]

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