

From: Michael Crane <[REDACTED]>
Sent: Wednesday, August 7, 2019 2:51 PM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: BMI/ASCAP public comment

I STRONGLY disagree with the U.S. Department of Justice ending the Antitrust Consent Decrees which have regulated the Performing Rights Organizations (PRO) BMI and ASCAP since 1941.

Ending this decree would SEVERELY adversely impact performing arts centers across North Carolina as well as ALL OTHER NON- PROFIT, EDUCATIONAL, COMMUNITY, state and national performance venues, as well as restaurants, hotels, breweries, wineries, and bars ACROSS THE ENTIRE NATION in the following manner:

- it would allow BMI and ASCAP to increase fees, without any judicial or DOJ oversight, to every performance venue, thereby raising tickets prices for consumers; and
- it would endow BMI and ASCAP with the ability to unfairly control the performing artists that venues may hire.

Ending this decree WILL create significant uncertainty in how arts and concert venues and promoters would license performance rights for events going forward.

I serve on the board of the North Carolina Presenters Consortium and am aware firsthand of how the arts favorably impacts the economy, but also painfully aware of how a shift in expenses (eg: NC repeal of sales tax exemption on concerts) can SHUTTER venues.

I am employed by a state university and operate a performing arts series as a quasi-non-profit within those confines. I operate without subsidy and have recently, in fact, had my "budget dust" interest income swept centrally, presumably to cover losses incurred by Athletics. While BMI/ASCAP payments are handled centrally, we must reiterate annually that the concerts we stage are a drop in the bucket as compared to the music played in elevators and offices across our system.

The industry is difficult enough to navigate without the support and oversight of the DOJ.

Thank you for your time,

Michael Crane
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