

From: Mike Silva <M.S [REDACTED]>
Sent: Friday, August 9, 2019 2:03 PM
To: ATR-Antitrust - Internet (ATR) <ANTITRUST.ATR@ATR.USDOJ.gov>
Subject: Support the current Antitrust Consent Decrees

I write to express my opposition to any change to the Antitrust Consent Decrees that have regulated the Performing Rights Organizations (PROs), including Broadcast Music Inc. (BMI) and the American Society of Composers Authors and Publishers (ASCAP), since the early 1940s.

I support the right of creators and artists to be compensated for their work, and the performance of their work, but it must be reasonable. This is a cash grab, pure and simple. It would cause irreparable harm to the music industry, especially in the nonprofit sector.

The termination of the Consent Decrees would allow the PROs to significantly increase rates without any judicial or DOJ oversight. It would also allow the PROs to charge different fees to similar presenters. It would give the PROs the ability to decline licenses, in effect giving the PROs control over which acts are available to specific communities nationwide. This seems contrary to a free market, and very undemocratic, and very un-American.

I have worked in City and County-owned arenas, theaters and convention centers my entire career. These venues exist to provide quality of life for residents and to support recruitment and retention initiatives in every City. Many if not all of these venues are subsidized by local and state tax dollars. Any significant change in fee structures from PRO's will contribute to soaring costs, higher ticket prices and the eventual closing of these facilities across the Country.

BMI is in the Rate Court right now requesting the addition to their licensing fees of ancillary incomes from hospitality and other services that have nothing whatsoever to do with the creation or performance of music and art. Although we do not know how the Rate Court will decide this issue, without judicial oversight under the Consent Decrees, it will be much easier for the PROs to pursue these claims.

The Consent Decrees must remain in place.

Thank you for your consideration.

Michael Silva
Executive Director, VenuWorks of Cedar Rapids L.L.C.
>U.S. Cellular Center
>Paramount Theatre
>McGrath Amphitheatre
>Cedar Rapids Ice Arena

[REDACTED]