IF YOU ARE FILING FOR A PRIOR ACCOUNTING PERIOD, CONTACT THE LICENSING DIVISION FOR THE CORRECT FORM.

## SA3 Long Form

instructions

## STATEMENT OF ACCOUNT

Secondary Transmissions by able Systems (Long Form)

General Instructions are at the end of this form [pages (i)-(vii)].

FOR COPYRIGHT OFFICE USE ONLY
DATE RECEIVED

AMOUN

\$

LICENSE USES ON ALLOCATION NUMBER

AUG 2 5 2006

Return to:
Library of Congress
Copyright Office
Licensing Division
121 Independence Ave. SE
Westington, DC 20557-6400
(202), 107-8150

[For courier deliveries, see page i of the general

. A
Accounting
Period

ACCOUNTING PERIOD COVERED BY THIS STATEMENT:

JANUARY 1 - JUNE 30, 2006

B Owner INSTRUCTIONS:

Your file has been established under the information given below. If there are any changes, draw a line through the incorrect information and print or type the correct information beside it.

Give the full legal name of the owner of the cable system. If the owner is a subsidiary of another corporation, give the full corporate title of the subsidiary, not that of the parent corporation.

List any other name or names under which the owner conducts the business of the cable system.

LEGAL NAME OF OWNER/MAILING ADDRESS OF CABLE SYSTEM



007280 2006/1 SA 3

BEND CABLE COMMUNICATIONS LLC PO BOX 70006 EUGENE, OR 97401-0101

C	
System	

INSTRUCTIONS: In line 1, give any business or trade names used to identify the business and operation of the system unless these names already appear in space B. In line 2, give the mailing address of the system, if different from the address given in space B.

1 Bend Cable Communications, LLC

MAILING ADDRESS OF CABLE SYSTEM:

2 (Number, Street, Rural Route, Apartment or Suite Number)

Bend, OR 97701.

(City, Town, State, ZIP Code)

D Area Served INSTRUCTIONS: List each separate community served by the cable system. A "community" is the same as a "community unit" as defined in FCC rules: "...a separate and distinct community or municipal entity (including unincorporated communities within unincorporated areas and including single, discrete unincorporated areas.") 47 C.F.R. §76.5(mm). The first community that you community on all future filings.

Note: Entities and properties such as hotels, apartments, condominiums or mobile home parks should be reported in parentheses below the identified city.

First ►
Community

CITY OR TOWN	STATE	CITY OR TOWN	CTATE
BEND	OR		STATE
Redmond Sisters	OR		
· Sisters · · · · · · · · · · · · · · · · · · ·	OR		•
Unincorporated Deschutes	·CO······OR······I		
	•   • • • • • • • • • • • • • • • • • •		.1
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• • • • • • • • • • • • • • • • • • • •			
		· · · · · · · · · · · · · · · · · · ·	

LEGAL NAME OF OWNER OF CABLE SYSTEM:
BEND CABLE COMMUNICATIONS LLC 007280

Name

## SECONDARY TRANSMISSION SERVICE: SUBSCRIBERS AND RATES

in General: The information in space E should cover all categories of "secondary transmission service" of the cable system: that is, the retransmission of television and radio broadcasts by your system to subscribers. Give information about other services (including pay cable) in space F, not here. All the facts you state must be those existing on the last day of the accounting period (June 30 or December 31, as the case may be).

Number of Subscribers: Both blocks in space E call for the number of subscribers to the cable system, broken down by categories of secondary transmission service. In general, you can compute the number of "subscribers" in each category by counting the number of billings in that category (the number of persons or organizations charged separately for the particular service at the rate indicated—not the number of sets receiving service).

Rata: Give the standard rate charged for each category of service. Include both the amount of the charge and the unit in which it is generally billed. (Example: "\$8/mth"). Summarize any standard rate variations within a particular rate category, but do not include discounts allowed for advance payment.

Block 1:In the left-hand block in space E, the form lists the categories of secondary transmission service that cable systems most commonly provide to their subscribers. Give the number of subscribers and rate for each listed category that applies to your system. Note: Where an individual or organization is receiving service that falls under different categories, that person or entity should be counted as a "subscriber" in each applicable category. Example: a residential subscriber who pays extra for cable service to additional sets would be included in the count under "Service to the First Set," and would be counted once again under "Service to Additional Set(s)."

Block 2: If your cable system has rate categories for secondary transmission service that are different from those printed in block 1, (for example, tiers of services which include one or more secondary transmissions), list them, together with the number of subscribers and rates, in the right-hand block. A two or three word description of the service is sufficient.

BLOCK	1	BLOCK 2				
CATEGORY OF SERVICE	NO. OF SUBSCRIBERS	RATE	CATEGORY OF SERVICE	NO. OF SUBSCRIBERS	RATE	
Residential:						
<ul> <li>Service to First Set</li> </ul>		36.85				
<ul> <li>Service to Additional Set(s)</li> </ul>	21,341	.0.00				
•FM Radio (if separate rate)						
			.35/room/mo.			
ommercial	631	4,35-56	.89/mo	.]		
/				1		
	1	1 1		1		
	1	1 1				

## SERVICES OTHER THAN SECONDARY TRANSMISSIONS: RATES

In General: Space F calls for rate (not subscriber) information with respect to all your cable system's services that were not covered in space E. That is, those services that are not offered in combination with any secondary transmission service for a single fee. There are two exceptions: you do not need to give rate information concerning: (1) services furnished at cost; and (2) services or facilities furnished to nonsubscribers. Rate information should include both the amount of the charge and the unit in which it is usually billed. If any rates are charged on a variable per-program basis, enter only the letters "PP" in the rate column.

Block 1: Give the standard rate charged by the cable system for each of the applicable services listed.

Block 2: List any services that your cable system furnished or offered during the accounting period that were not listed in block 1 and for which a separate charge was made or established. List these other services in the form of a brief (two or three word) description, and include the rate for each.

	BLOCK 2				
CATEGORY OF SERVICE	RATE	CATEGORY OF SERVICE	CATEGORY OF SERVICE	RATE	
Continuing Services: Pay Cable Pay Cable—Add'l Channel Fire Protection Burglar Protection Installation: Residential First Set Additional Set(s) FM Radio (if separate rate) Converter	36.25 *27.50	Installation: Non-Residential  · Motel, Hotel  · Commercial  · Pay Cable  · Pay Cable—Add'l Channel  · Fire Protection  · Burglar Protection  Other Services:  · Reconnect  · Disconnect  · Outlet Relocation  · Move to New Address	25.00	CONTINUING SERVICES Starz Multiplex HBOPremium Multiplex SHO/TMC Premium Multiplex ST/HBO/TMC Prem: Multiplex 'Variety+Movies+Sports-Pak: (VS Basic+Movies+Music Pak: (MM) Basic+Movies+Sports MM +VS +HBO or ST/TMC MM+VS+HBO+SHO/TMC	9,95 9,95 27,50 39,00

E

Secondary transmission Service: Subscribers and Rates

F

Services Other Than Secondary Transmissions: Rates Name

LEGAL NAME OF OWNER OF CABLE SYSTEM:

BEND CABLE COMMUNICATIONS LLC 007280

## G

# Primary Transmitters: Television

### INSTRUCTIONS:

General: In space G, identify every television station (including translator stations and low power television stations) carried by your cable system during the accounting period, except: (1) stations carried only on a part-time basis under FCC rules and regulations in effect on June 24, 1981 permitting the carriage of certain network programs [sections 76.59(d)(2) and (4), 76.61(e)(2) and (4) or 76.63 (referring to 76.61(e)(2) and (4))]; and (2) certain stations carried on a substitute program basis, as explained in the next paragraph.

Substitute Basis Stations: With respect to any distant stations carried by your cable system on a substitute program basis under specific FCC rules, regulations, or authorizations:

- Do not list the station here in space G—but do list it in space I (the Special Statement Program Log)—if the station was
  carried only on a substitute basis.
- List the station here, and also in space I, if the station was carried both on a substitute basis and also on some other basis. For futher information concerning substitute basis stations, see page (v) of the General Instructions.
   Column 1: List each station's call sign.
   Do not report origination program services such as HBO, ESPN, etc.

Column 2: Give the number of the channel on which the station's broadcasts are carried in its own community. This may be different from the channel on which your cable system carried the station.

Column 3: Indicate in each case whether the station is a network station, an independent station, or a noncommercial educational station, by entering the letter "N" (for network), "I" (for independent) or "E" (for noncommercial educational).

Column 4: If the station is "distant" enter "Yes." If not, enter "No." For explanation of what a "distant station" is, see page (iv) of the General Instructions.

Column 5: If you have entered "Yes" in column 4, you must complete column 5, stating the basis on which your cable system carried the the distant station during the accounting period. Indicate by entering "LAC" if your cable system carried the distant station on a part-time basis because of lack of activated channel capacity. If you carried the channel on any other basis, enter "O." For a further explanation of these two categories, see page (iv) of the General Instructions.

Column 6: Give the location of each station. For U.S. stations, list the community to which the station is licensed by the FCC. For Mexican or Canadian stations, if any, give the name of the community with which the station is identified.

1. CALL SIGN	2. B'CAST CHANNEL NUMBER	3. TYPE OF STATION	4. DISTANT? (Yes or No)	5. BASIS OF CARRIAGE (If Distant)	6. LOCATION OF STATION
KOIN-TV	6	N	Yes	0	Portland, OR
KOAB-TV	3	E	No		Bend, OR
KTVZ	5	N	No	• • • • • • • • • • • • • • • • • • • •	Bend, OR
KEZI-TV	9	N	Yes	0	Eugene, OR
KFXO-LP	39	1	No		Bend, OR
KOAB-DT	11	E	No	-	Bend, OR
KATU-DT	43	N	Yes	0	Portland, OR
KVAL-DT	25	N	Yes	0	Eugene, OR
KTVZ-DT	18	N	No		Bend, OR
-					
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1	BLE COMM		CATIONS LLC 007280					Name
PRIMARY General: d basis w	Li <b>s</b> t every rad	dio sta	S: RADIO tion carried on a separate an e "generally receivable" by y	nd discrete bas our cable syste	is and list the	se Fi	M stations carried on an all- bunting period.	Н
expected, or intervals. For Instructions. Column 1 Column 2 Column 3 signal, indica Column 4	able if: (1) "if the basis of detailed info : Identify the : State whet : If the radio ite this by pla : Give the st	t is call monitormation the call second action that is a station action;	ring All-Band FM Carriage: rried by the system whenevering, to be received at the hon about the the Copyright Countries of each station carried. The station is AM or FM. The signal was electronically a check mark in the "S/D" countries is location (the community to if any, the community with we community we community with we community with we community with we community we community w	er it is received eadend, with the Office Regulation processed by Diumn.	at the system's Forms on this posterior the cable systems on the cable systems in the cable systems.	em's h M and oint, s stem	neadend"; and (2) it can be tenna, during certain stated see page (v) of the General as a separate and discrete	Primary Transmitters: Radio
CALL SIGN	AM or FM	S/D	LOCATION OF STATION	CALL SIGN	AM or FM	S/D	LOCATION OF STATION	
KGON KWBX KOAB KXIQ KINK	FM FM FM FM FM	X X X	Portland, OR Bend, OR Bend, OR Bend, OR Portland, OR					
							• • • • • • • • • • • • • • • • • • • •	

Name	LEGAL NAME OF OWNER OF CABLE SYSTI							
						÷		
	BEND CABLE COMMUNICA	ATIONS	LLC 007280					
Substitute Carriage:	GENERAL In space I, identify every nonne on a substitute basis during authorizations. For a further explinstructions.	the accor	unting period,	under specific present	and former	FCC rules, requ	lations, or	
Special Statement and Program Log	SPECIAL STATEMENT CONCERNING SUBSTITUTE CARRIAGE     During the accounting period, did your cable system carry, on a substitute basis, any nonnetwork television program broadcast by a distant station?							
	2. LOG OF SUBSTITUTE PRO In General: List each substitute If you need more space, please Column 1: Give the title of operiod, was broadcast by a distaunder certain FCC rules, regulated to not use general categories librasketball: 76ers vs. Bulls." Column 2: If the program was Column 3: Give the call sign Column 4: Give the broadcacase of Mexican or Canadian second for the month affirst. Example: for May 7 give "Substituted for minutes. Example: Give minutes. Example: Give minutes. Example: Enter the letter "Full of the delete under FCC rules and regwas substituted for programmin October 19, 1976.	program of attach ace attach ace attach ace every non ant stations, or a ke "movie as broade as broade as broade as tations, if attached a proper a	dditional pages network televis and that your cauthorizations. "s" or "basketbal east live, enter "ation broadcast is location (the any, the commen your system carried ted program wan effect during t	ion program ("substituted sable system substituted See page (v) of the Gent." List specific program of the substitute programment of the substitute of	e program" if for the pro- leral Instruc- leral Instruction is lication is lication is iden leral Instruction is lication in lication is lication in lication is lication in lication is lication in lication in lication in lication in lication in lication is lication in licatio	that, during the agramming of anotations for further in ample, "I Love Luccensed by the FC tified). se numerals, with em. List the times :28:30 p.m. should your system was etter "P" if the lister	accounting ther station of the station of the station of the stated of t	
j	SUB	STITUTE	PROGRAM			SUBSTITUTE		
				'	CARRIA	GE OCCURRED	7. REASON FOR	
	1. TITLE OF PROGRAM	2. LIVE? Yes or No		4. STATION'S LOCATION	5. MONTH AND DAY		7. REASON FOR DELETION	
	1. TITLE OF PROGRAM  N/A		3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	
			3. STATION'S CALL SIGN	4. STATION'S LOCATION	5. MONTH	GE OCCURRED  6. TIMES	FOR	

FORM SAS. PAGE 6	<b>)</b> .					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
LEGAL NAME OF OWNE BEND CABLE (			007280				Name
PART-TIME CAI neral: This ge due to la your system carr Column 1 (Ca column 5 of spac Column 2 (Da during the accou Give the mont "4/10." • State the start of the television Example: "12:	RRIAGE LOG space ties in wack of activated ied that station. Ill Sign): Give to the Grand hours on the grand hours on the grand hours on the grand hand day when the grand ending and ending a station's broad 30 a.m.—3:15 a	ith column 5 or channel capa . If you need not the call sign or carriage . If the carriage times of carriade deast day, you .m. app."	of space G. If y city, you are re nore space, pl f every distant For each station occurred. Use age to the near I may give an a	equired to complease attach add to station whose to the dates are numerals, with rest quarter hour approximate endi	ete this log giving to itional pages. Dasis of carriage you and hours when pathe month first. E. In any case when no hour, followed by	ge as "LAC" for part-time he total dates and hours ou identified by "LAC" in the carriage occurred example: for April 10 give e carriage ran to the ency the abbreviation "app.	Part-Time Carriage Log
		DATES AND	O HOURS OF	PART-TIME CA	RRIAGE		
	WHEN CA	RRIAGE OC	CURRED		WHEN CAF	RRIAGE OCCURRED	
CALL SIGN	DATE	HO! FROM	JRS TO	CALL SIGN	DATE	HOURS FROM TO	
N/A				1		_	
		-			1		
<u> </u>			·				
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			-				
						— — —	

LEGAL NAME OF OWNER OF CABLE SYSTEM: Name BEND CABLE COMMUNICATIONS LLC 007280 **GROSS RECEIPTS** Κ Instructions: The figure you give in this space determines the form you file and the amount you pay. Enter the total of all amounts ("gross receipts") paid to your cable system by subscribers for the system's "secondary transmission service" (as identified in space E) during the accounting period. For a further explanation of how to compute this amount, see page **Gross Receipts** (vi) of the General Instructions. Gross receipts from subscribers for secondary transmission service(s) 7.292.000.00 during the accounting period. (Amount of "gross receipts") IMPORTANT: You must complete a statement in space P concerning gross receipts. INSTRUCTIONS FOR COMPUTING THE COPYRIGHT ROYALTY FEE Use the blocks in this space L to determine the royalty fee you owe: · Complete block 1, showing your Minimum Fee. Complete block 2, showing whether your system carried any distant television stations. Copyright Royalty Fee If your system did not carry any distant television stations, leave block 3 blank. Enter the amount of the Minimum Fee from block 1 on line 1 of block 4, and calculate the Total Royalty Fee. If your system did carry any distant television stations you must complete the applicable parts of the DSE Schedule accompanying this form and attach the Schedule to your Statement of Account. ▶ If part 8 or part 9, Block A, of the DSE Schedule was completed, the base rate fee should be entered on line 1 of Block 3 below. ▶ If part 6 of the DSE Schedule was completed, the amount from line 7 of Block C should be entered on line 2 in Block ▶ If part 7 or part 9, Block B, of the DSE Schedule was completed, the surcharge amount should be entered on line 2 in Block 4 below. Block MINIMUM FEE: All cable systems with semiannual "gross receipts" of \$527,600 or more are required to pay at least the Minimum Fee, regardless of whether they carried any distant stations. This fee is 1.013 percent of the system's "gross receipts" for the accounting period. 7,292,000.00 Line 1. Enter the amount of "gross receipts" from space K...... Line 2. Multiply the amount in line 1 by .01013 Enter the result here. 73,868.00 This is your Minimum Fee..... DISTANT TELEVISION STATIONS CARRIED: Your answer here must agree with the information you gave in Block space G. If, in space G, you identified any stations as "distant" by stating "Yes" in column 4, you must check "Yes" Did your cable system carry any distant television stations during the accounting period? Yes—Complete the DSE Schedule. ☐ No-Leave block 3 below blank and complete line 1, block 4. Line 1. BASE RATE FEE: Enter the Base Rate Fee from either Part 8, section 3 or 73,868.00 4, or Part 9, Block A of the DSE Schedule. If none, enter zero............▶\$ Block 3 Line 2. 3.75 Fee: Enter the total fee from line 7, Block C, Part 6 of the DSE 0.00 Schedule. If none, enter zero..... Line 3. Add lines 1 and 2 and enter 73,868.00 Block Line 1. BASE RATE FEE/3.75 FEE, or MINIMUM FEE: Enter either the minimum fee from Block 1 or the sum of the Base Rate Fee/3.75 Fee from Block 3, line 3, 73.868.00 whichever is larger..... Line 2. SYNDICATED EXCLUSIVITY SURCHARGE: Enter the fee from either part 7 (block D, section 3 or 4) or part 9 (block B) of the DSE Schedule. If none, enter 0.00 Line 3. INTEREST CHARGE: Enter the amount from line 4, space Q, page 9 (Interest 0.00 Worksheet)..... 73,868.00 TOTAL ROYALTY FEE. Add Lines 1, 2 and 3 of Block 4 and enter total here..... Remit this amount via electronic payment; or in the form of a certified check, cashier's check, or money order, payable to Register of Copyrights. Do not send cash. We recommend electronic payments.

BEND CABLE COMMUNICATIONS LLC 007280	Name
CHANNELS  ' UCTIONS: You must give: (1) the number of channels on which the cable system carried television broadcast is to its subscribers; and, (2) the cable system's total number of activated channels, during the accounting period.  1. Enter the total number of channels on which the cable system carried television broadcast stations.  2. Enter the total number of activated channels on which the cable system carried television broadcast stations and nonbroadcast services  50	M Channels
INDIVIDUAL TO BE CONTACTED IF FURTHER INFORMATION IS NEEDED: (Identify an individual to whom we can write or call about this Statement of Account.)  Thomas H. Palmer  (541) 683-4511 Telephone.  (Area Code)  Address. 1144 Willagillespie Road, Suite 33, P.O. Box 70006  (Number, Street, Rural Route, Apartment or Suite Number)	N Contact
Eugene, OR.97401.  (City, Town, State, ZIP Code)  Fax (optional)  CERTIFICATION: (This Statement of Account must be certified and signed in accordance with Copyright Office Regulations, as explained in the General Instructions.)	0
(Owner other than corporation or partnership) I am the owner of the cable system as identified in line 1 of space B; or  (Agent of owner other than corporation or partnership) I am the duly authorized agent of the owner of the cable system as identified in line 1 of space B, and that the owner is not a corporation or partnership; or  (Officer or partner) I am an officer (if a corporation) or a partner (if a partnership) of the legal entity identified as owner of the cable system in line 1 of space B.  I have examined the Statement of Account and hereby declare under penalty of law that all statements of fact contained herein are true, complete, and correct to the best of my knowledge, information, and belief, and are made in good faith. [18 U.S.C., Section 1001(1986)]	Certification
Handwritten signature: Romas H. Palmer  Typed or printed name: Thomas H. Palmer  Treasurer  Title: (Title of official position held in corporation or partnership)  August 23, 2006  Date:	

	NOD 2000/1	FORM SA3. PAGE 9
Name	LEGAL NAME OF OWNER OF CABLE SYSTEM: BEND CABLE COMMUNICATIONS LLC 007280	
Statement of Gross Receipts	SPECIAL STATEMENT CONCERNING GROSS RECTHE Satellite Home Viewer Act of 1988 amended Title 17, sect sentence:  "In determining the total number of subscribers and the groof providing secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions of primary broadca and amounts collected from subscribers receiving secondary transmissions	tion 111(d)(1)(A), of the Copyright Act by adding the following oss amounts paid to the cable system for the basic service ast transmitters, the system shall not include subscribers dary transmissions pursuant to section 119." ee the note on page(vi) of the General Instructions.  any amounts of gross receipts for secondary transmissions
	and list the satellite carrier(s) below.	
	Name	Mailing Address
	Name	Name
Q	WORKSHEET FOR COMPUTING INTEREST	
Interest sessment	You must complete this worksheet for those royalty payment For an explanation of interest assessment, see page (vii) Go	is submitted as a result of a late payment or underpayment. eneral Instructions.
<u>'</u>	Line 1 Enter the amount of late payment or underpaymen	t <b>s</b>
		×%
	Line 2 Multiply line 1 by the interest rate* and enter the su	ım here
		x days
	Line 3 Multiply line 2 by the number of days late and enter	r the sum here
		x .00274
	Line 4 Multiply line 3 by .00274** enter here and on line 3, space L, (page 7)	, Block 4,
	, , , , , , , , , , , , , , , , , , ,	(interest charge)
	* Contact the Licensing Division at (202) 707-8150 (8:30 a.r. holidays) for the interest rate for the accounting period in  ** This is the decimal equivalent of 1/365, which is the interest NOTE: If you are filing this worksheet covering a Statement of list below the Owner, Address, First Community Served, and	which the late payment or underpayment occurred.  est assessment for one day late.  f Account already submitted to the Copyright Office, please
	Owner	
	First Community Served	

## INSTRUCTIONS FOR DSE SCHEDULE

#### WHAT IS A "DSE"

The term "distant signal equivalent" ("DSE") refers to the numerical value ven by the Copyright Act to each distant television station carried by a able system during an accounting period. Your system's total number of DSEs determines the royalty you owe.

#### FORMULAS FOR COMPUTING A STATION'S DSE

There are two different formulas for computing DSEs: (1) a basic formula for all distant stations listed in space G (page 3); and (2) a special formula for those stations carried on a substitute basis and listed in space I (page 5). (Note that, if a particular station is listed in both space G and space I, a DSE must be computed twice for that station: once under the basic formula and again under the special formula. However, a station's total DSE is not to exceed its full type-value. If this happens, contact the Licensing Division.)

### BASIC FORMULA: FOR ALL DISTANT STATIONS LISTED IN SPACE G OF SA3 (LONG FORM)

Step 1: Determine the station's TYPE-VALUE. For purposes of computing DSEs, the Copyright Act gives different values to distant stations depending upon their type. If, as shown in space G of your Statement of Account (page 3), a distant station is:

NONCOMMERCIAL EDUCATIONAL: its type-value is .............. 0.25

Note that local stations are not counted at all in computing DSEs.

Step 2: Calculate the station's BASIS OF CARRIAGE VALUE: The DSE of a station also depends on its basis of carriage. If, as shown in space G of your Form SA3, the station was carried part-time because of lack of activated channel capacity its basis of carriage value is determined by (1) calculating the number of hours the cable system carried the station during the accounting period; and (2) dividing that number by the total number of hours the station broadcast over the air during the accounting period. The basis of carriage value for all other stations listed in space G is 1.0.

Step 3: Multiply the result of step 1 by the result of step 2. This gives you the particular station's DSE for the accounting period. (Note that, for stations other than those carried on a part-time basis due to lack of activated channel spacity, actual multiplication is not necessary since the DSE will always be

same as the type value.)

#### SPECIAL FORMULA: FOR STATIONS LISTED IN SPACE I OF SA3 (LONG FORM)

Step 1: For each station, calculate the number of programs that, during the accounting period: were broadcast live by the station; and were substituted for programs deleted at the option of the cable system.

(These are programs for which you have entered "Yes" in column 2 and

"P" in column 7 of space I.)

Step 2: Divide the result of step 1 by the total number of days in the calendar year (365-or 366 in a leap year). This gives you the particular station's DSE for the accounting period.

### **TOTAL OF DSEs**

In part 5 of this Schedule you are asked to add up the DSEs for all of the distant television stations your cable system carried during the accounting period. This is the total sum of all DSEs computed by the basic formula and by the special formula.

## THE ROYALTY FEE

The total royalty fee is determined by calculating the Minimum Fee and the Base Rate Fee. In addition, cable systems located within certain television market areas may be required to calculate the 3.75 Fee and/or the Syndicated Exclusivity Charge.

The 3.75 Fee. If a cable system located in whole or in part within a television market added stations after June 24, 1981, that would not have been "permitted" under FCC rules, regulations and authorizations (hereafter referred to as "the former FCC rules") in effect on June 24, 1981, the system must compute the 3.75 fee using a formula based on the number of DSEs added. These DSEs used in computing the 3.75 Fee will not be used in computing the Base Rate Fee and Syndicated Exclusivity Surcharge.

The Syndicated Exclusivity Surcharge. Cable systems located in whole or in part within a major television market, as defined by FCC rules nd regulations, must calculate a Syndicated Exclusivity Surcharge for the

riage of any commercial VHF station that places a Grade B contour, in ole or in part, over the cable system which would have been subject to me FCC's syndicated exclusivity rules in effect on June 24, 1981.

The Minimum Fee/Base Rate Fee/3.75% Fee. All cable systems filing SA3 (Long Form) must pay at least the Minimum Fee which is 1.013% of "gross receipts." The cable system pays either the "Minimum Fee," or the sum of the "Base Rate Fee" and the "3.75% Fee", whichever is larger, and a "Syndicated Exclusivity Surcharge," as applicable.

What is a "Permitted" Station? A "permitted" station refers to a distant station whose carriage is not subject to the 3.75% Rate, but is subject to the Base Rate and, where applicable, the Syndicated Exclusivity Surchard. A "permitted" station would include the following:

1) A station actually carried within any portion of a cable system prior to June 25, 1981, pursuant to the former FCC rules.

2) A station first carried after June 24, 1981, which could have been carried under FCC rules in effect on June 24, 1981, if such carriage would not have exceeded the market quota imposed for the importation of distant stations under those rules.

3) A station of the same type substituted for a carried network, noncom-3) A station of the same type substituted for a carried network, noncommercial educational, or regular independent station for which a quota was or would have been imposed under FCC rules (47 CFR 76.59 (b),(c), 76.61 (b),(c),(d), and 767.63 (a) [referring to 76.61 (b),(d)]) in effect on June 24, 1981.

4) A station carried pursuant to an individual waiver granted between April 16, 1976, and June 25, 1981 under the FCC rules and regulations

in effect on April 15, 1976.

5) In the case of a station carried prior to June 25, 1981, on a parttime and/or substitute basis only, that fraction of the current DSE represented

by prior carriage.

NOTE: If your cable system carried a station which you believe qualifies as a "permitted" station but does not fall into one of the above categories, please attach written documentation to the Statement of Account detailing the basis for its classification.

Substitution of Grandfathered Stations. Under section 76.65 of the former FCC rules, a cable system was not required to delete any station that it was authorized to carry or was lawfully carrying prior to March 31, 1972, even if the total number of distant stations carried exceeded the market quota imposed for the importation of distant stations. Carriage of these "grandfathered" stations is not subject to the 3.75% Rate, but is subject to the Base Rate, and where applicable, the Syndicated Exclusivity Surcharge. The Copyright Royalty Tribunal has stated its view that, since section 76.65 of the former FCC rules would not have permitted substitution of a grandfathered station, the 3.75% Rate applies to a station substituted for a grandfathered station if carriage of the station exceeds the market quota imposed for the importation of distant stations.

#### COMPUTING THE 3.75% RATE-PART 6 OF THE DSE SCHEDULE

- Determine which distant stations were carried by the system pursuant to former FCC rules in effect on June 24, 1981.
- Identify any station carried prior to June 25, 198l, on a substitute and/or part-time basis only and complete the log to determine the portion of the DSE exempt from the 3.75% Rate.
- Subtract the number of DSEs resulting from this carriage from the number of DSEs reported in part 5 of the DSE Schedule. This is the total number of DSEs subject to the 3.75% Rate. Multiply these DSEs x gross receipts x .0375. This is the 3.75 Fee.

### COMPUTING THE SYNDICATED EXCLUSIVITY SURCHARGE— PART 7 OF THE DSE SCHEDULE

- Determine if any portion of the cable system is located within a top 100 major television market as defined by the FCC rules and regulation in effect on June 24, 1981. If no portion of the cable system is located in a major television market, part 7 does not have to be completed.
- Determine which station(s) reported in block B, part 6 is a commercial VHF station and places a Grade B contour in whole, or in part, over the cable system. If none of these stations are carried part 7 does not have
- Determine which of those stations reported in block b, part 7 of the DSE Schedule were carried before March 31,1972. These stations are exempt from the FCC's syndicated exclusivity rules in effect on June 24, 1981. If you qualify to calculate the royalty fee based upon the carriage of partially-distant stations, and you elect to do so, you must compute the surcharge in part 9 of this Schedule.
- Subtract the exempt DSEs from the number of DSEs determined in block B of part 7. This is the total number of DSEs subject to the Syndicated Exclusivity Surcharge.
- Compute the Syndicated Exclusivity Surcharge based upon these DSEs and the appropriate formula for the system's market position.

\$120,000.00

1.389

,527.43

1,215.60 311.83

\$1,527,43

#### COMPUTING THE BASE RATE FEE-PART 8 OF THE DSE SCHEDULE

Determine whether any of the stations you carried were "partially-distant"-that is, whether you retransmitted the signal of one or more stations to subscribers located within the station's local service area and, at the me time, to other subscribers located outside that area.

JIf none of the stations were "partially-distant," calculate your Base Rate Fee according to the following rates—for the system's permitted DSEs as reported in block B, part 6 or from part 5, whichever is applicable. First DSE

1.013% of "gross receipts" Each of the second, third, and fourth DSEs .668% of "gross receipts" The fifth and each additional DSE 314% of "gross receipts"

## PARTIALLY-DISTANT STATIONS-PART 9 OF THE DSE SCHEDULE

If any of the stations were "partially-distant":

- 1. Divide all of your subscribers into "subscriber groups" depending on their location. A particular "subscriber group" consists of all subscribers who are "distant" with respect to exactly the same complement of stations.
  - 2. Identify the communities/areas represented by each subscriber group. 3. For each "subscriber group," calculate the total number of DSEs of

that group's complement of stations. If your system is located wholly outside all major and smaller television markets, give each station's DSEs as you gave them in parts 2, 3, and 4 of

the Schedule; or If any portion of your system is located in a major or smaller television

market, give each station's DSE as you gave it in block B, part 6 of this

4. Determine the portion of the total "gross receipts" you reported in space K (page 7) that is attributable to each "subscriber group."

5. Calculate a separate Base Rate Fee for each "subscriber group." using (1) the rates given above; (2) the total number of DSEs for that group's complement of stations; and (3) the amount of "gross receipts" attributable to that group.

6. Add together the Base Rate Fees for each "subscriber group" to

determine the system's total Base Rate Fee.

7. If any portion of the cable system is located in whole or in part within a major television market, you may also need to complete part 9, block B of the Schedule to determine the Syndicated Exclusivity Surcharge.

What To Do If You Need More Space on the DSE Schedule. There are no printed continuation sheets for the Schedule. In most cases the blanks provided should be large enough for the necessary information. If you need more space in a particular part, make a photocopy of the page in question (identifying it as a "Continuation Sheet"), enter the additional information on that copy, and attach it to the DSE Schedule.

Rounding Off DSEs. In computing DSEs on the DSE Schedule, you may round off to no less than the third decimal point. If you round off a DSE in any case, you must round off DSEs throughout the Schedule as follows:

When the fourth decimal point is 1, 2, 3, or 4 the third decimal remains unchanged (example: .34647 is rounded to .346).

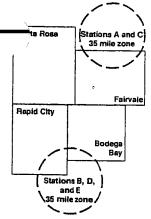
When the fourth decimal point is 5, 6, 7, 8, or 9 the third decimal is rounded up (example: .34651 is rounded to .347).

The example below is intended to supplement the instructions for calculating only the Base Rate Fee for "partially-distant" stations. The cable system would also be subject to the Syndicated Exclusivity Surcharge for "partially-distant" stations, if any portion is located within a major television

#### EXAMPLE:

## COMPUTATION OF COPYRIGHT ROYALTY FEE FOR CABLE SYSTEM CARRYING "PARTIALLY-DISTANT" STATIONS

In most cases under current FCC rules all of Fairvale would be within the local service area of both stations A and C and all of Rapid City and Bodega Bay would be within the local service ares of stations B, D and E,



Minimum Fee Total "Gross Receipts" \$600,000.00 x .01013 \$6,078.00

First Subscriber Gre (Santa Rosa)	oup	Second Subscriber (Rapid City and Bode		Third Subscriber G (Fairvale)	roup
"Gross Receipts" DSEs Base Rate Fee	\$310,000.00 2.472 \$6,188.52	"Gross Receipts" DSEs Base Rate Fee	\$170,000.00 1.083	"Gross Receipts" DSEs	\$12
\$310,000 x .01013 x \$310,000 x .00668 x 1	1.0 = 3,140.30	\$170,000 x .01013 x \$170,000 x .00668 x .		Base Rate Fee \$120,000 x .01013 x \$120,000 x .00668 x	
Base Rate Fee	\$6,188.52	Base Rate Fee	\$1,816.36	Base Rate Fee	\$

Total Base Rate Fee: \$6,188.52 + \$1,816.36 + \$1,527.43 = \$9,532.31. In this example, the cable system would enter \$9,532.31 in space L, Block 3, line 1, (page 7).

Owner

LEGAL NAME OF OWNER OF CABLE SYSTEM:

## BEND CABLE COMMUNICATIONS LLC 007280

2

## Computation of DSEs for Category "0" Stations

## **INSTRUCTIONS:**

In the column headed "Call Sign": list the call signs of all distant stations identified by the letter "O" in column 5 of space G (page 3).

In the column headed "DSE": for each independent station, give the DSE as "1.0"; for each network or noncommer-cial educational station, give the DSE as ".25."

		CATEGORY "O" STA	ATIONS: DSE	s	
CALL SIGN	DSE	CALL SIGN	DSE	CALL SIGN	DSE
KATU-DT	.25	KEZI-TV	.25	KVAL-DT	.25
KOIN-TV	.25				
· • • • • • • • • • • • • • • • • • • •					
				1	

## SUM OF DSEs OF CATEGORY "O" STATIONS:

Add the DSEs of each station.

Enter the sum here and in line 1 of part 5 of this Schedule......

1.00

BEND CABLE COMMUNICATIONS LLC 007280							Name	
II TIONS FOR COMPUTATION OF DSEs FOR STATIONS CARRIED PART-TIME DUE TO LACK OF ACTIVATED CHANNEL C. /TY  Column 1: List the call sign of all distant stations identified by "LAC" in column 5 of space G (page 3).  Column 2: For each station, give the number of hours your cable system carried the station during the accounting period. This figure should correspond with the information given in space J. Calculate only one DSE for each station.  Column 3: For each station, give the total number of hours that the station broadcast over the air during the accounting period.  Column 4: Divide the figure in column 2 by the figure in column 3, and give the result in decimals in column 4. This figure must be carried out at least to the third decimal point. This is the "basis of carriage value" for the station.  Column 5: For each independent station give the "type-value" as "1.0." For each network or noncommercial educational station, give the "type-value" as ".25."  Column 6: Multiply the figure in column 4 by the figure in column 5, and give the result in column 6. Round to no less than the third decimal point. This is the station's "DSE." (For more information on rounding, see page (vii) of the General Instructions.)								Gomputation of DSEs for Category "LAC" Stations
	CA	TEGORY "LAG	C" STATIONS	S: COMPUTA	ATION OF DSEs			
1. CALL SIGN	2. NUMBE OF HOI CARRIE SYSTE	JRS OF ED BY STA	MBER 4 HOURS ATION AIR	1. BASIS OF CARRIAGE VALUE	5. TYPE VALUE	6. DSE		
		÷ ÷	=		X X X	=		
		÷	=		х х х	=		
SUM OF DSE	Es OF CATEGORY 's of each station.	÷			x x N/A	<u>-</u>		
IN TIONS FOR COMPUTATION OF DSEs FOR SUBSTITUTE-BASIS STATIONS:  Coi								4 Computation of DSEs for Substitute- Basis Stations
	1			r	TATION OF DSE	<del></del>	I	
1. CALL SIGN	2. NUMBER OF PROGRAMS	3. NUMBER OF DAYS IN YEAR	4. DSE	1. CALL SIGN	2. NUMBER OF PROGRAMS	3. NUMBER OF DAYS IN YEAR	4. DSE	
	÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       ÷     =       † <td></td>							
SUM OF DSEs OF SUBSTITUTE-BASIS STATIONS: Add the DSEs of each station. Enter the sum here and in line 3 of part 5 of this Schedule,								
number of DS pber inber	BER OF DSEs: Give SEs applicable to you r of DSEs from part 2 r of DSEs from part 4 r of DSEs from part 4	r system.	· · · · · · · · · · · · · · · · · · ·		0	.00 .00 .00	ride the total	5 Total Number of DSEs

								USE SCH	EDULE. PAGE 1:	
Name		OWNER OF CABLE		IS LLC 0	07280					
6 Computation of	In block A:  If your ans Schedule.	NS: Block A mus	e the remain	nder of part	6 and part 7 of ther	DSE Sched	ule blank a	nd complete part 8,	(page 16) of the	
3.75 Fee		If your answer if "No," complete blocks B and C below.  BLOCK A: TELEVISION MARKETS								
	BLOCK A: TELEVISION MARKETS									
	☐ ☐ ✓ es — C	Is the "cable system" located wholly outside of all major and smaller markets as defined under section 76.5 of FCC rules and regulations in effect on June 24, 1981?  ———————————————————————————————————								
			BLO	CK B: CA	RRIAGE OF PE	RMITTE	D DSEs			
	Column 1: CALL SIGN	List the call sig under FCC rui Instructions for	ns of distant les and requ	stations liste	ed in port 2. 2. and 4	-64-1-0-1		our system was "per anation of "permitte	mitted" to carry	
	Column 2: BASIS OF PERMITTED CARRIAGE  Enter the appropriate letter indicating the basis on which you carried a "permitted station."  (Note the FCC rules and regulations cited below pertain to those in effect on June 24, 1981.)  A Stations carried pursuant to the FCC "market quota" rules (76.57, 76.59(b), 76.61(b)(c), 76.63(a) referring to 76.61(b)(c))  B Specialty Station as defined in 76.5(kk) (76.59(d)(1), 76.61(e)(1), 76.63(a) referring to 76.61(e)(1)  C Noncommerical Educational Station (76.59(c), 76.61(d), 76.63(a) referring to 76.61(d))  Grandfathered Station (76.65) (see paragraph regarding Substitution of Grandfathered Stations in the Instructions for DSE Schedule).  E Carried pursuant to individual waiver of FCC rules (76.7)  F A station previously carried on a part-time or substitute basis prior to June 25, 1981  G Commercial UHF Station within Grade-B contour (76.59(d)(5), 76.63(a) referring to 76.61(e)(5))  Column 3:  List the DSE for each distant station listed in parts 2, 3, and 4 of the Schedule. *(Note: For those stations identified by the letter "F" in column 2, you must complete the workshoot on page 14 of the Schedule.								the Instructions 5.61(e)(5))	
	1. CALL 2. P	<del></del>	3. DSE	ou must con	nplete the workshee	T on page 1	4 of this Sc	nedule to determine	the DSE.)	
	SIGN BASIS SIGN BASIS 1. CALL 2. PERMI						2. PERMITTED BASIS	3. DSE		
	KEZI-TV	D	.25	KVAL-		25		••••••••	ļ	
					•					
		<del></del> , <u>-</u>		<u> </u>		L	<u> </u>			
	• SUM OF PERM	MITTED DSEs—	1.00							
			BLO	CK C: CC	OMPUTATION (	OF 3.75 F	EE	<del></del>		
Do any of these DSEs represent partially					Schedule			1.00		
permitted/ partially non-	Line 2: Enter the	'SUM OF PERM	ITTED DSE	s" from block	k B above		• • • •	1.00		
permitted carriage? If yes, see	Line 3: Subtract li (If zero, le	ine 2 from line 1. eave lines 4-7 bla	This is the to	otal number eed to part 7	of DSEs subject to 7 of this Schedule) .	the 3.75 rat	te.	.00		
instructions on inside er of this								×.03	75	
					· · · · · · · ·			· ▶ \$ ×		
					2. block 3, space L (			\$		

DSE SCHEDULE. P.	AGE 14.						•	ACCOUNT	TING PERIOD 2006/1
LEGAL NAME OF OWN			SLLC	007280					Name
Column 1: List the Column 1: List the Column 2: Indicate Column 3: Indicate Column 4: Indicate (Note th A—Part 76.5 B—Late S—Sub Gene Column 5: Indicate Column 6: Compart in block IMPORTANT: The	ust complete 25, 1981 icall sign for the DSE for the account the basis the FCC time spece 9(d)(1),76. inhight progestitute Carrieral Instructive station et the DSE for column information	ete this worksh- under former or each distant or this station nting period a of carriage on crules and re- ialty programs of 1(e)(1), or Car- triage under ce- tions. I's DSE for the figures listed in 3 of part 6 for	eet for the FCC rule; station is for a sin, and year is which the gulations ming: Cas. 6.63 (referriage uncertain FC) ecurrent a column this staticolumns	ose stations id as governing dentified by to gle accounting the station was cited below priage, on a pring to 76.6 der FCC rules Corules, regulaccounting positions.	PERMITTED PART-1 lentified by the letter "F part-time and substituthe letter "F" in column g period, occurring be carriage and DSE occurring be pertain to those in effect of the letter	in column 2 te carriage.) 1 2 of part 6 etween Janu urred, (e.g., e of the follo ect on June 6 ecialty progra , 76.61(e)(3) ons. For furth parts 2, 3, a two figures I	cofblock B, part 6 (i.e.) of the DSE Schedule ary 1, 1978 and June 1981/1). wing letters: 24, 1981.) amming under FCC r or 76.63 (referring to the explanation see p and 4 of this Schedule here. This figure should	those stations a 30, 1981. ules, sections a 76.61(e)(3)). age (v) of the a. uld be entered	Worksheet
- Clatement of Accou	int on me i	n me Licensin	g Divisio	1.					
1. CALL SIGN	2.1	PRIOR	3. AC	COUNTING	O ON A PART-TIME A	5. P	RESENT 6. P	ERMITTED	·
INSTRUCTIONS: BI In block A: If your answer is If your answer is If your answer is Is any portion of	leck A mus "Yes," con "No," leave	st be complete npiete blocks e blocks B and BLC e system withi	d.  B and C, C blank  CK A:  n a top 1	below. and complete MAJOR TI 00 major tele Complete block	te part 8 of the DSE SELEVISION MAR	Schedule.  KET  ned by section  No—Procee	on 76.5 of FCC rules d to part 8	in	Computation of the Syndicated Exclusivity Surcharge
BLOCK B: Carria							tation of Exempt D		;
Is any station listed in block B of part 6 a commercial VHF station that places a Grade B contour, in whole or in part, over the cable system?  Was any station listed in block B of Part 7 carried in any community served by the cable system prior to March 31, 1972? (refer to former FCC rule 76.159)  Yes—List each station below with its appropriate permitted DSE value.  No—Enter zero and proceed to part 8.									
CALL SIGN	DSE	CALL S	IGN	DSE	CALL SIGN	DSE	CALL SIGN	DSE	
		TOTAL D	SEC						
		TOTALD	OES			:	TOTAL DSEs	<u> </u>	·

		DSE SCHEDULE	. PAGE 15.							
Name		L NAME OF OWNER OF CABLE SYSTEM: ND CABLE COMMUNICATIONS LLC 007280								
7		BLOCK D: COMPUTATION OF THE SYNDICATED EXCLUSIVITY SURCHARGE	<del></del>							
	Section 1	Enter the amount of "Gross Receipts" from space K (page 7)								
Computation of the Syndicated	Section 2	A. Enter the Total DSEs from Block B of Part 7.								
Exclusivity Surcharge		B. Enter the total number of exempt DSEs from Block C of Part 7.								
		C. Subtract line B from line A and enter here. This is the total number of DSEs subject to the surcharge computation. If zero, proceed to part 8.								
	• Is ar	ny portion of the cable system within a top 50 television market as defined by the FCC?  ☐ Yes—Complete section 3 below.								
	ļ	SECTION 3: TOP 50 TELEVISION MARKET								
	Section 3a	Did your cable system retransmit the signals of any partially-distant television stations during the accounting period?  ☐ Yes—Complete part 9 of this Schedule.  ☐ No—Complete the applicable section below.								
		If the figure in section 2, line C is 4.000 or less, compute your surcharge here and leave section 3b blank. NOTE: If the DSE is 1.0 or less, multiply the "gross receipts" x .00599 x the DSE. Enter the result on line A below.								
	:	A. Enter .00599 of "gross receipts" (the amount in section1)								
		B. Enter .00377 of "gross receipts" (the amount in section 1)								
		C. Subtract 1.000 from total permitted DSEs (the figure on line C in section 2) and enter here								
		D. Multiply line B by line C and enter here.	· .							
<del></del> ;		E. Add lines A and D. This is your surcharge. Enter here and on line 2 of block 4 in space L (page 7) Syndicated Exclusivity Surcharge								
	Section 3b	If the figure in section 2, line C is more than 4.000, compute your surcharge here and leave section 3a blank.								
		A. Enter .00599 of "gross receipts" (the amount in section 1)\$								
		B. Enter .00377 of "gross receipts" (the amount in section 1)								
		C. Multiply line B by 3.000 and enter here\$								
		D. Enter .00178 of "gross receipts" (the amount in section 1)								
		E. Subtract 4.000 from total DSEs (the figure on line C in section 2) and enter here								
		F. Multiply line D by line E and enter here								
		G. Add lines A, C, and F. This is your surcharge.  Enter here and on line 2, block 4, space L (page 7)  Syndicated Exclusivity Surcharge								
		SECTION 4: SECOND 50 TELEVISION MARKET								
	Section [	Did your cable system retransmit the signals of any partially-distant television stations during the accounting period?  □ Yes—Complete part 9, of the Schedule. □ No—Complete the following sections.								
		If the figure in section 2, line C is 4.000 or less, compute your surcharge here and leave section 4b blank. NOTE: If the is 1.0 or less, multiply the "gross receipts" x .003 x the DSE. Enter the result on line A below.  A. Enter .00300 of "gross receipts" (the amount in section 1)								
		B. Enter .00189 of "gross receipts" (the amount in section 1)\$								
	i	C.Subtract 1.000 from total permitted DSEs (the figure on line C in section 2)  and enter here								
		D. Multiply line B by line C and enter here								
	;	E. Add lines A and D. This is your surcharge. Enter here and in line 2, block 4, space L (page 7) Syndicated Exclusivity Surcharge \$\$								

	L NAME OF OWNER OF CABLE SYSTEM: ND CABLE COMMUNICATIONS LLC 007280	Name
	ND CABLE COMMUNICATIONS LLC 007280	7 Computation of the Syndicated Exclusivity Surcharge
	RUCTIONS:	· · · · · · · · · · · · · · · · · · ·
<ul><li>In</li><li>If y</li><li>If y</li><li>bla</li><li>What i</li></ul>	nust complete this part of the DSE Schedule for the SUM OF PERMITTED DSEs in Part 6, Block B; however, if block A of part 6 hecked "yes," use the total number of DSEs from part 5.  block A, indicate, by checking "Yes" or "No," whether your system carried any partially-distant stations.  your answer is "No," compute your system's Base Rate Fee in block B. Leave part 9 blank.  your answer is "Yes" (that is, if you carried one or more partially-distant stations), you must complete part 9. Leave block B below link.  Is a "partially-distant station?" A station is "partially-distant" if, at the time your system carried it, some of your subscribers were d within that station's local service area and others were located outside that area. For the definition of a station's "local service see the "Distant Station" section on page (iv) of the General Instructions.	Computation of Base Rate Fee
	BLOCK A: CARRIAGE OF PARTIALLY-DISTANT STATIONS	
ection	cour cable system retransmit the signals of any partially-distant television stations during the accounting period?  Yes—Complete part 9 of this Schedule.  No—Complete the following sections.  BLOCK B: NO PARTIALLY-DISTANT STATIONS—COMPUTATION OF BASE RATE FEE  Enter the amount of "gross receipts from space K (page 7).  \$\frac{7,292,000.00}{\text{s}}\$	
ection 2	Enter the total number of permitted DSEs from block B, part 6 of this Schedule.  (If block A of part 6 was checked "yes,"  use the total number of DSEs from part 5.)  1.00	i
3	If the figure in section 2 is 4.000 or less, compute your Base Rate Fee here and leave section 4 blank.  NOTE: If the DSE is 1.0 or less, multiply the "gross receipts" x .01013 x the DSE. Enter the result on line A below.  A. Enter .01013 of "gross receipts"  (the amount in section 1)	,
	B. Enter .00668 of "gross receipts" (the amount in section 1) \$48,711.00	
	C. Subtract I.000 from total DSEs .00 (the figure in section 2) and enter here	
	D. Multiply line B by line C and enter here	į
	E. Add lines A, and D. This is your Base Rate Fee. Enter here and in block 3, line 1, space L (page 7)  Base Rate Fee 73,868.00 \$	

Name		BEND CABLE COMMUNICATIONS LLC 007280							
8 Computation of Base Rate Fee	Section 4	If the figure in section 2 is more than 4.000, compute your Base Rate Fee here and leave section 3 blank.  A. Enter .01013 of "gross receipts" (the amount in section 1).  B. Enter .00668 of "gross receipts" (the amount in section 1).  C. Multiply line B by 3.000 and enter here.  D. Enter .00314 of "gross receipts" (the amount in section 1).							
·		E. Subtract 4.000 from total DSEs (the figure in section 2) and enter here.  F. Multiply line D by line E and enter here.  G. Add lines A, C, and F. This is your Base Rate Fee. Enter here and in block 3, line 1, space L (page 7)  Base Rate Fee.							

9

Computation
of
Base Rate Fee
and
Syndicated
Exclusivity
Surcharge
for
PartiallyDistant

Stations

In General: If any of the stations you carried was "partially-distant," the statute allows you, in computing your Base Rate Fee, to exclude receipts from subscribers located within the station's local service area from your system's total "gross receipts." To take advantage of this exclusion, you must

First: Divide all of your subscribers into "subscriber groups," each group consisting entirely of subscribers that are "distant" to the same group of stations.

Next: Treat each subscriber group as if it were a separate cable system. Determine the number of DSEs and the portion of your system's "gross receipts" attributable to that group, and calculate a separate Base Rate Fee for each group.

Finally: Add up the separate Base Rate Fees for each subscriber group. That total is the Base Rate Fee for your system.

Important: If any portion of your cable system is located within the top 100 television market and the station is **not exempt**, you must **also** compute a Syndicated Exclusivity Surcharge for each subscriber group. In this case, complete both block A and B below. However, if your cable system is wholly located outside all major television markets, complete block A only.

## How to identify a Subscriber Group

Step 1: Determine the local service area of each wholly-distant and each partially-distant station you carried.

Step 2: For each wholly-distant and each partially-distant station you carried, determine which of your subscribers were located outside the station's local service area. A subscriber located outside the local service area of a station is "distant" to that station (and, by the same token, the station is "distant" to the subscriber.)

Step 3: Divide your subscribers into subscriber groups according to the complement of stations to which they are "distant." Each subscriber group must consist entirely of subscribers who are "distant" to exactly the same complement of stations. Note that a cable system will have only one subscriber group when the distant stations it carried have local service areas that coincide.

Computing the Base Rate Fee for each subscriber group: Block A contains separate sections, one for each of your system's subscriber groups.

In each section:

- Identify the communities/areas represented by each subscriber group.
- Give the call sign for each of the stations in the subscriber group's complement—that is, each station that is "distant" to all of the subscribers in the group.
- If
- 1) your system is located wholly outside all major and smaller televison markets, give each station's DSE as you gave it in parts 2, 3, and 4 of this Schedule; or.
- 2) any portion of your system is located in a major or smaller televison market, give each station's DSE as you gave it in block B, part 6 of this Schedule.
- Add the DSEs for each station. This gives you the total DSEs for the particular subscriber group.
- Calculate "gross receipts" for the subscriber group. For further explanation of "gross receipts" see page (vi) of the General Instructions.
- Compute a Base Rate Fee for each subscriber group using the formula outline in block B of part 8 of this Schedule on the preceding
  page. In making this computation, use the DSE and "gross recipts" figure applicable to the particular subscriber group (that is, the total
  DSEs for that group's complement of stations and total "gross receipts" from the subscribers in that group). You do not need to show
  your actual calculations on the form.

	CK A: COM	PUTATION OF E	BASE RAT	E FEES FOR EA	CH SUBSC	RIBER GROUP	5	+
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Name

LEGAL NAME OF OWNER OF CABLE SYSTEM:

### BEND CABLE COMMUNICATIONS LLC 007280

9

BLOCK B: COMPUTATION OF SYNDICATED EXCLUSIVITY SURCHARGE FOR EACH SUBSCRIBER GROUP

Computation Base Rate Fee and **Syndicated Exclusivity** Surcharge for Partially-Distant

Stations

If your cable system is located within a top 100 television market and the station is not exempt, you must also compute a Syndicated Exclusivity Surcharge. Indicate which major televison market any portion of your cable system is located in as defined by section 76.5 of FCC rules in effect on June 24, 1981;

☐ First 50 major television market

FIRST SUBSCRIBER GROUP

☐ Second 50 major television market

SECOND SUBSCRIBER GROUP

Line 1: Enter the VHF DSEs.

**INSTRUCTIONS:** 

- Step 1: In line 1, give the total DSEs by subscriber group for commercial VHF Grade B contour stations listed in block A, part 9 of this Schedule.
- Step 2: In line 2 give the total number of DSEs by subscriber group for the VHF Grade B contour stations that were classified as "Exempt DSEs" in block C, part 7 of this Schedule. If none enter zero.
- Step 3: In line 3 subtract line 2 from line 1. This is the total number of DSEs used to compute the surcharge.
- Step 4: Compute the surcharge for each subscriber group using the formula outlined in block D, section 3 or 4 of part 7 of this Schedule. In making this computation use "Gross Receipts" figures applicable to the particular group. You do not need to show your actual calculations on this form.

Line 1: Enter the VHF DSEs	Line 1: Enter the VHF DSEs
Line 2: Enter the "Exempt DSEs	Line 2: Enter the "Exempt DSEs
Line 3: Subract line 2 from line 1 and enter here. This is the total number of DSEs for this subscriber group subject to the surcharge computation	Line 3: Subract line 2 from line 1 and enter here. This is the total number of DSEs for this subscriber group subject to the surcharge computation
SYNDICATED EXCLUSIVITY SURCHARGE First Group\$	SYNDICATED EXCLUSIVITY SURCHARGE Second Group\$
THIRD SUBSCRIBER GROUP	FOURTH SUBSCRIBER GROUP
Line 1: Enter the VHF DSEs	Line 1: Enter the VHF DSEs
Line 2: Enter the "Exempt DSEs	Line 2: Enter the "Exempt DSEs
Line 3: Subract line 2 from line 1 and enter here. This is the total number of DSEs for this subscriber group subject tot the surcharge computation	Line 3: Subract line 2 from line 1 and enter here. This is the total number of DSEs for this subscriber group subject to the surcharge computation
SURCHARGE Third Group\$	SURCHARGE Fourth Group. \$
SYNDICATED EXCLUSIVITY SURCHARGE: Add the surcharge	for each subscriber group as shown

in the boxes above. Enter here and in block 4, line 2 of space L (page 7) ......

# IF YOU ARE FILING FOR A PRIOR ACCOUNTING PERIOD, CONTACT THE LICENSING DIVISION FOR THE CORRECT FORM.

## **USE THIS FORM WHEN:**

- You are the owner (or represent the owner) of a cable system; and
- You are filing the semiannual Statement of Account required by the copyright law; and
- Your system's semiannual "gross receipts for secondary transmissions" (the figure you give in space K of the form) is \$527,600 or more; and
- You are also depositing the required semiannual royalty fee with the Licensing Division of the Copyright Office.

IF YOUR FIGURE FOR SEMIANNUAL "GROSS RECEIPTS" IN SPACE K IS LESS THAN \$527,600, USE SA1-2 (SHORT FORM)

## GENERAL !NSTRUCTIONS FOR SA3 (LONG FORM)

## CABLE SYSTEMS AND THE COPYRIGHT LAW (P.L. 94-553)

Cable systems are subject to copyright liability for their use of copyrighted material in "secondary transmissions" (the retransmission of television and radio broadcasts to subscribers). Cable retransmissions of copyrighted programming are subject to a system of "statutory licensing." Among other things this means that twice a year the owner of a cable system must send a Statement of Account, together with a royalty fee, to the Licensing Division of the Copyright Office.

## "Primary Transmissions" and "Secondary Transmissions"

oviding copyright liability for cable systems, the law draws inction between "primary transmissions" and "secondary transmissions":

- "Primary Transmissions": These include broadcasts by radio and television stations to the public that are retransmitted by cable systems to their subscribers.
- "Secondary Transmissions": This is the basic service of retransmitting television and radio broadcasts to subscribers. The statute requires all U.S. cable systems, regardless of how many subscribers they have or wheth-er they are carrying any distant signals, to pay some copyright royalties. However, instead of obliging cable systems to bargain individually for each copyrighted program they retransmit, the law offers them the opportunity of obtaining a "statutory license" for secondary transmissions.

Note: "Secondary transmissions" do not include transmissions originated by a cable system (including local origination cablecasting, pay cable, program services, background music services, and originations on leased or access channels). Cable systems must negotiate for the use of any copyrighted material in the programming they originate, and their originations are not subject to story licensing.

## HOW TO FILE THE STATEMENT OF ACCOUNT AND ROYALTY FEE

First: Study the general information on these pages and read through the detailed instructions in the Statement of Account form itself. Before you start completing the form, make sure that you have collected all of the necessary information and that you are using the right form.

Second: Fill out the Statement of Account form, giving all of the required information about your cable system and about the television and radio stations carried by it. Use a typewriter, or print the information in black ink. If you need more space, use one or more Continuation Sheets.

Third: Certify the Statement of Account by signing at space O. The Statement of Account is not acceptable unless it bears the original handwritten signature of one of the persons indicated in space O as authorized to certify it under Copyright Office Regulations.

Fourth: Make an electronic payment (see Note below) or obtain a certified check, cashier's check or money order in the amount you have calculated in space L, to cover the copyright royalty fee. Payment in any other form (such as personal or company checks) will be returned. The remittance should be payable to Register of Copyrights. Do not send cash. We recommend electronic payments.

Fifth: Send the completed Statement of Account, together with one legible copy of the Statement of Account, all Continuation Sheets, the DSE Schedule if required, and the copyright royalty fee, to Library of Congress, Copyright Office, Licensing Division, 101 Independence Avenue SE, Washington, DC 20557-6400. For courier deliveries, see <a href="https://www.copyright.gov/mail.htmlforupdated">www.copyright.gov/mail.htmlforupdated</a> information.

Sixth: The Copyright Office will retain your Statement of Account and make it a part of our public records. You should therefore keep a copy of the entire Statement, as filed, in case you need it for future reference.

**Note:** For detailed instructions concerning electronic payents, contact the Licensing Division for Circular 74 which is so available online at <a href="https://www.copyright.gov/circs">www.copyright.gov/circs</a>

### HOW THE "STATUTORY LICENSE" WORKS

In general, having a statutory license means that a cable system can retransmit broadcast programming without violating the copyright law, as long as it complies with certain paperwork requirements and, twice a year, deposits a royalty fee with the Copyright Office.

- The cable system can, without negotiated licenses or advance permission from copyright owners, retransmit signals of any U.S. television or radio stations that it is authorized to carry under FCC rules, regulations, or authorizations (plus Mexican or Canadian Stations in certain cases); and
- The cable system must file Statements of Account with the Copyright Office and must also deposit a semiannual royalty. The amount of the royalty, which is established under a statutory formula, depends on the total of the system's gross receipts for secondary transmission service.
- Every six months the cable system must send the Copyright Office a Statement of Account on this form, SA3 (Long Form), or on SA1-2 (Short Form) (if the system's "gross receipts" for the accounting period are less than \$527,600).

Each semiannual Statement of Account must be accompanied by the deposit of a royalty fee covering retransmissions during the preceding six months in the form of an electronic payment or a certified check, cashier's check or money order payable to Register of Copyrights.

## Why Having a Statutory License Is Important

Most television and radio broadcasts contain copyrighted maberial. Without a statutory license, a cable system would either have to negotiate licenses for all copyrighted programming it betransmits or run the risk of substantial civil (or, in some cases, priminal) liability for multiple acts of copyright infringement.

## Who Can Utilize the Statutory License

Inder the statute and Copyright Office Regulations, retransmissions are subject to statutory licensing only if they are made by "cable systems".

"Cable system": A "cable system" is defined as " a facility, located in any State, Territory, Trust Territory, or Possession, that in whole or in part receives signals transmitted or programs broadcast by one or more television broadcast stations licensed by the Federal Communications Commission, and makes secondary transmissions of such signals or programs by wires, cables, microwave, or other communications channels to subscribing members of the public who pay for such service." A system that meets this definition is considered a "cable system" for copyright purposes, even if the FCC excludes it from being considered a "cable system" because of the number or nature of its subscribers or the nature of its secondary transmissions.

"Individual" cable system: An "individual" cable system is defined generally as "each cable system recognized as a distinct entity under the rules, regulations, and practices of the Federal Communications Commission..." In addition, two or more cable facilities are considered as one "individual" cable system if either: (A) the facilities are in contiguous communities and are under common ownership or control; or (B) the facilities operate from one headend. Thus, even if they are owned by different entities, two cable facilities will be considered as one "individual" cable system if they share a common headend

## WHAT A STATUTORY LICENSE DOES NOT PERMIT YOU TO DO

The statutory authority given to cable systems to retransmit television and radio broadcasts under a statutory license is limited in several ways:

- Originations. To repeat: a cable system's statutory license extends only to secondary transmissions (retransmissions). It does not permit the system to make any originations of copyrighted material without a negotiated license covering that material.
- Nonsimultaneous Retransmissions. In general, to be subject to statutory licensing under the copyright law, a cable retransmission must be simultaneous with the broadcast being carried. As a rule, taping or other recording of the program is not permitted. Taping for delayed retransmission is permissible only for some (not all) cable systems located outside the 48 contiguous States; and, even in these exceptional cases, there are further limitations and conditions that the cable system must meet.
- FCC Violations. The broadcast signals that a cable system can carry under a statutory license are limited to those that it is permitted to carry under FCC rules, regu-lations, and authorizations. If signal carriage is in violation of FCC requirements, the cable system may be subject under the Copyright Act to a separate action for copyright infringement for each unauthorized retransmission.
- Foreign Signals. In general, the copyright law does not permit a cable system to retransmit signals of foreign television and radio stations under a statutory license. The only exceptions have to do with the signals of certain Mexican and Canadian stations. Unless foreign signals fall within these exceptions, their carriage would not be authorized under a statutory license, even if permissible under FCC rules.
- Program Alteration or Commercial Substitution. Cable systems are not permitted to alter the content of retransmitted programs, or to change, delete, or substitute commercials or station announcements in or adjacent to programs being carried. There is only one exception: un-der certain circumstances, substitutions involving "commercial advertising market research" may be permitted.