

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

RADIO MUSIC LICENSE COMMITTEE, INC.,

Petitioner,

v.

BROADCAST MUSIC, INC.,

Respondent.

Case No.: 1:22-cv-05023-JPC

Related to *United States v. Broadcast  
Music, Inc.*, 64 Civ. 3787 (LLS)

**PROPOSED FINAL ORDER**

Pursuant to Section XIV of the Consent Decree, as amended, in *United States v. Broadcast Music, Inc.* 64 Civ. 3787, petitioner Radio Music License Committee, Inc., (“Petitioner” or “RMLC”) and respondent Broadcast Music Inc. (“BMI”), having entered into a settlement agreement in this proceeding resulting in negotiated and agreed-upon forms of BMI music performing rights license agreements; and RMLC and BMI having agreed that such forms of license agreements lawfully may be entered into by each party to this proceeding; and RMLC and BMI having consented to the entry of this Order to carry out the agreements they have reached; and notice of the settlement of this proceeding having been given to the United States of America and to all “Bound Stations” as defined in Paragraph 2 below,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The form of the BMI 2022 Radio Station Blanket/ Per Program License Agreement (and its annexed exhibits), attached hereto as Exhibit A (“BMI-22 Radio License”), covering the period January 1, 2022 through December 31, 2029 (the “License Period”), and the final license fees and terms of the 2022 License for the License Period, are as agreed to by the parties. The license fees set forth in the BMI-22 Radio License are reasonable and non-

discriminatory for the License Period and comply with the terms of the BMI Consent Decree, *United States v. Broadcast Music, Inc.*, 1966 Trade Cas. (CCH) ¶ 71, 941 (S.D.N.Y. Dec.29 1966), *amended by*, *United States v. Broadcast Music, Inc.*, 1996-1 Trade Cas. ¶ 71, 378 (S.D.N.Y. Nov. 18, 1994).

2. BMI shall provide written notice to each station or group of stations that has agreed to be bound by the outcome of this proceeding or negotiation by the RMLC (collectively “Bound Stations”) that a copy of this Final Order and the BMI-22 Radio License are available on BMI’s website (www.bmi.com) no later than one week after the Final Order is entered. Upon written request, BMI shall provide to RMLC a copy of the above-referenced notice letter sent to a particular Bound Station. All Bound Stations shall be deemed to have elected to be licensed under the BMI-22 Radio License and, if applicable, under the Radio License For Group Owner Rider appended hereto as Exhibit B, in the form elected under the BMI 2017-2021 Radio Station Blanket/ Per Program License Agreement, as of the date of this Final Order. Appended hereto as Exhibit C is a list of the Bound Stations. Radio stations, other than Bound Stations, that have applied for a BMI License may, by agreement with BMI, amend or supplement the list attached as Exhibit C.

3. Each Bound Station’s license fee shall be determined in accordance with the provisions of the BMI-22 Radio License.

4. Entry of this Order is without prejudice to any arguments or positions the Petitioners or any other commercial radio station, commercial radio station owner, or BMI may assert in any future proceeding to determine what constitute reasonable blanket license or program-period license fees for commercial radio stations or commercial radio station owners; the terms of such licenses; the methodology for calculating the license fees; or the

reasonableness of the structure of the licenses or license fees, for the period  
January 1, 2029, or anytime thereafter [as discussed at the September 3, 2025, conference - JPC].  
beginning ~~January 1, 2028 or anytime thereafter.~~

5. In connection with administration of the BMI-22 Radio License, some 8,895 radio stations are either represented by RMLC directly or have otherwise agreed to be bound by the licenses negotiated by RMLC. RMLC has incurred and will incur costs in connection with the administration of the BMI-22 Radio License and RMLC's ongoing representation of radio stations in regard to music performances. To fairly and equitably distribute among all radio stations operating under and benefitting from the BMI-22 Radio License the costs of administration of the BMI-22 Radio License and RMLC's ongoing representation of the radio industry in regard to music performance licenses, each station licensed pursuant to the BMI-22 Radio License shall pay to the RMLC, beginning with the calendar year 2025 on presentation of a statement from the RMLC in conformity with this order:


- i. \$28.50 per year if the station's annualized broadcast license fees due to BMI are less than \$6,500.00;
- ii. \$285.00 per year if the station's annualized broadcast license fees due to BMI are at least \$6,500.00 and less than \$20,000.00; and
- iii. \$1,080.00 per year if the station's annualized broadcast license fees due to BMI are \$20,000.00 or more.

Such payments as provided herein shall be made to the RMLC by the earlier of August 31 of each calendar year or within 30 days of receipt by Licensee of an invoice from RMLC. The BMI licensee as of June 1 of each calendar year shall be responsible for payments to RMLC for that calendar year. RMLC may impose a late payment charge of 1% per month from the date the payment was due on any payment that is received by the RMLC after the date payment

was due, and RMLC may further assess stations for the full amount of costs incurred by RMLC in connection with collecting such amounts.

6. The settlement and this Order resolve the pending Petition. The Court retains continuing jurisdiction over this proceeding, including under Docket No. 22-cv-5023 (S.D.N.Y.), for the purpose of enforcing this Order and the terms, conditions, and obligations of BMI, RMLC, and the Bound Stations, as set forth in the BMI-22 Radio License and the letter agreement between BMI and the RMLC, dated August 14, 2025.

Dated: September 3, 2025

  
JOHN P. CRONAN  
United States District Judge