

August 29, 2019

VIA ELECTRONIC MAIL AND HARDCOPY TO FOLLOW

Jackie J. Livesay
Assistant General Counsel & Vice President, Compliance
Corporation for Public Broadcasting
401 9th Street, NW
Washington, DC 20004-2129

Dear Ms. Livesay,

RE: Audit of Community Service Grants awarded to West Virginia Public Broadcasting, Charleston, West Virginia, for the period July 1, 2016 through June 30, 2018, Report #ASJ1901-1904

We reviewed your letter of specific findings and CPB's determinations for WVPB. We also located documents unavailable at the time of our audit. After review, we agree with most of your findings with the exception of royalty payments.

The audit excluded most royalty payments in FY 18 because we could not provide documentation. Since discovering the documents subsequent to the audit, we determined one payment was ineligible (TV - \$413.20) but would ask the following amounts to be approved:

Radio - \$41,108 for FY 2018 – Memo from NPR, Gemma Hooley, Vice President, Member Partnership and Gregory Lewis, Deputy General Counsel, check, check detail, and deposit copy for the cable royalty award settlements attached

TV - \$3,846.29 for FY 2018 – memo from Sandra Pope, Director, Copyright PBS, for the 2014 US Cable Retransmission Copyright License Royalties – 1st Distribution of Funds, copy of check and deposit ticket attached.

Thank you in advance for considering our request.

Sincerely,



Chuck Roberts
Executive Director and CEO

Attachments (8)

cc: William File III, Chair, Educational Broadcasting Authority

MEMORANDUM

To: Claimants to the 2010-2013 Cable Royalty Funds

From: Gemma Hooley, Vice President, Member Partnership
Gregory A. Lewis, Deputy General Counsel

Re: 2010-2013 Cable Royalty Distribution

Date: April 19, 2018

We are pleased to enclose a check representing your share of the distribution of the previously announced 2010-2013 cable royalty award settlement.

Your licensee authorized NPR to represent it in one or more of those proceedings with respect to one or more of its stations.

The amount of the check reflects the claim year(s) in which your station(s) participated. Individual station awards are as follows:

2010 – \$5,355.40
2011 – \$8,399.39
2012 – \$9,178.62
2013 – \$12,859.66

Thank you for your participation in these proceedings and your support for NPR's efforts on behalf of the pool of public radio claimants.

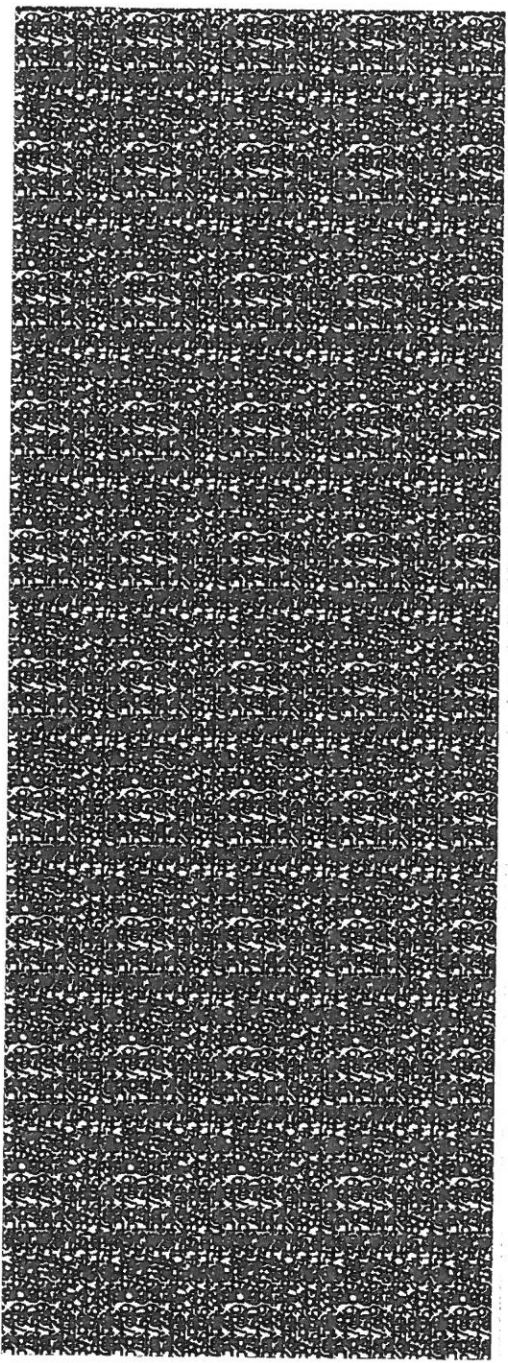
If you have any questions regarding this matter, please contact Greg Lewis at 1-800-235-1212 ext. 2050.

National Public Radio, Inc. Vendor Vendor ID Payment Number Date Check Number
 WV EDUCATIONAL BROADCAST WVEDUCATIONA 011243 04/19/2018 10003642

Invoice Number	Date	Description	Amount	Discount	Paid Amount
2010CR-1	03/01/2018	WUWM chl roy 2010 distrib	\$5,335.40	\$0.00	\$5,335.40
2010CR-2	03/01/2018	WVPG chl roy 2010 distrib	\$5,335.40	\$0.00	\$5,335.40
2011CR	03/01/2018	WVFN chl roy 2011 distrib	\$8,399.39	\$0.00	\$8,399.39
2012CR	03/01/2018	WVFN chl roy 2012 distrib	\$9,178.62	\$0.00	\$9,178.62
2013CR	03/01/2018	WVFN chl roy 2013 distrib	\$12,859.66	\$0.00	\$12,859.66

3576

TOTALS: \$41,108.47 \$0.00 \$41,108.47



CR 12612

State of West Virginia
John D. Perdue, State Treasurer

18092823

Date: 4/24/14

Prepared By: SB

WSWP WV Public Broadcast #2550
124 INDUSTRIAL PARK RD
BEAVER, WV 25813

CURRENCY	DOLLARS	CENTS
x \$100		
x \$50		
x \$20		
x \$10		
x \$5		
x \$2		
x \$1		
COIN		
TOTAL CASH		
CHECKS (INCLUDING BANK, TREASURY OR TRAVELERS) AND MONEY ORDERS		
1 <u>NPR</u>	<u>4108</u>	<u>47</u>
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
FROM BACK		
TOTAL CHECKS		
PLEASE RE-ENTER TOTAL TOTAL HERE	<u>4108</u>	<u>47</u>
PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.		

BB&T

\$

41108.47

02550 - 056

⑆02550056⑆ ⑆051503394⑆0005270013750 13

NATIONAL PUBLIC RADIO, INC.
1101 North Capitol St NE
Washington, DC 20002

SUNTRUST BANK
P.O. BOX 85024
RICHMOND, VA 23285-5024

65-270/550

APR 19 2014

10003642

DATE

CHECK NO.

Pay Forty One Thousand One Hundred Eight Dollars and 47 Cents
to the order of:

WV EDUCATIONAL BROADCASTING AUTHORITY
600 CAPITAL STREET
CHARLESTON, WV 25304

\$41,108.47

⑆10003642⑆ ⑆055002707⑆1000004901483⑆

David S. Carr
Michael J. Carter



TO: WNPB-TV
SCOTT FINN, EXEC DIR
WEST VIRGINIA PUBLIC BCSTG
600 CAPITOL ST
CHARLESTON, WV 25301-1292
sfinn@wvpubcast.org

FROM: **Sandra Pope**, Director, Copyright
PBS
2100 Crystal Drive
Arlington, VA 22202
Tel: 703-739-8665
Email: scope@pbs.org

RE: Summary - 2014 U.S. Cable Retransmission Copyright License Royalties -
1st Distribution of Funds

Date: June 2018

<u>Local Programming</u> These royalties compensate you for your local programming that aired on your station and was retransmitted by cable system(s) to distant subscribers.	\$3846.29
<u>PBS-Distributed Programming</u> These royalties compensate you for PBS-distributed programs that aired on public TV station(s) <u>other</u> than yours and were retransmitted by cable system(s) to distant subscribers.	\$
<u>Syndicated Programming</u> These royalties compensate you for programs that aired on a station other than your own; these programs were obtained from a source other than PBS - for example from NETA, American Public TV, etc. or directly from you.	\$
<u>PBS-Failsafe</u> If none of your programs turned up in our distribution sample, even though PBS fed one or more of them for broadcast during 2014, then our "fail-safe" mechanism kicks in whereby you are compensated from a small pool of money we set aside.	\$
Your TOTAL 2014 U.S. Cable Retransmission Copyright License Royalties - PBS's 1 st Distribution	\$3846.29

Local Programming US Cable Copyright Royalties CY2014 - PBS's 1st Distribution @ June 2018

TOTAL AMOUNT FOR THIS DISTRIBUTION \$ 8,116,119.11
 X % LOCAL PROGRAMS OF TOTAL MINUTES 4.6650%
 = LOCAL PROGRAM AMOUNT FOR DISTRIBUTION \$ 378,616.39

 LOCAL PROGRAM AMOUNT FOR DISTRIBUTION \$ 378,616.39
 - 15% SET ASIDE FOR GUARANTEED MIN. LOCAL PGM \$ (56,792.46)
 = NET LOCAL PGM AMT FOR DIST'N \$ 321,823.93

 LOCAL PGM AMT FOR DIST'N X 15% \$ 56,792.46
 # OF STATIONS \$ 351
 (AMT/# STAs) = GUARANTEED MIN \$ PER STATION \$ 161.80

STATE	LICENSEE/CLAIMANT	CALL SIGN	AVG # SUBSCRIBERS RECEIVING THIS SIGNAL ON DISTANT BASIS	% OF ALL DISTANT SUBSCRIB ERS	GUARANTEE D MIN \$ PER STATION	TOTAL LOCAL ROYALTY - ROUNDED	TOTAL LOCAL ROYALTY
WEST VIRGINIA	West Virginia Educational Broadcasting Authority	WNPB	116,570	1.0173%	\$3,435.7372	\$3,435.74	
WEST VIRGINIA	West Virginia Educational Broadcasting Authority	WPBY	-	0.0000%	\$161.8019	\$161.80	
WEST VIRGINIA	West Virginia Educational Broadcasting Authority	WSWP	3,096	0.0270%	\$248.7531	\$248.75	\$3,846.29



TO: Public Television Claimants to U.S. Cable Copyright Royalties for Calendar Year 2014

FROM: Sandra Pope, Director, Copyright Administration,
(scpop@pbs.org, direct phone 703.739.8665)

Date: June 2018

The Copyright Royalty Board (CRB) of the Library of Congress has released 60% of the total calendar year 2014 cable copyright royalty pool, in shares based on previous CRB decisions, to Public TV claimants' representative, PBS, and other competing claimant groups. (To get its share of the 60% partial distribution, each claimant group representative had to sign an agreement to repay the Library of Congress/Copyright Office any royalties that later turn out to have been overpaid.) PBS is now distributing as much as it can of the 2014 royalties received so far.

Your check or an electronic-payment advisory should be enclosed, along with a statement showing how your cable royalties were calculated. **(IF YOU FORWARD THE CHECK OR ADVISORY TO YOUR ACCOUNTING, OPERATIONS OR ANY OTHER DEPARTMENT, PLEASE ENSURE THAT THIS MEMO AND ALL THE OTHER DOCUMENTS ACCOMPANY IT.)**

If you have received this memo and your statement but no check or PayMode advisory, it could be because you owe PBS money. To ascertain whether that is the case, contact **Kim Glover**, Manager of Accounting Operations, by email at kglover@pbs.org.

The cable royalties are compulsory, blanket license fees paid to the Copyright Office by cable systems, pursuant to the Copyright Act at Title 17, U.S. Code, Section 111. By authority of its Board of Directors, PBS, on behalf of itself and its member stations, filed a claim with the U.S. Copyright Office in July 2015 and has collected 2014 royalties for distant cable retransmissions of stations' and other rights-holders' program properties broadcast on non-commercial, U.S. public television stations. If you were not a PBS member station in 2014, then you filed your own claim for 2014 and authorized PBS to collect royalties on your behalf.

Here are the amounts we received, spent, withheld, and are now paying for calendar year 2014:

Gross 2014 royalties PBS received to date (September 2016)	\$9,147,672.22
Less PBS's actual administrative, legal & settlement expenses to date and contingency to cover any additional expenses and claims*	\$1,031,553.11
= Net total PBS is now distributing to public TV claimants	\$8,116,119.11

**All of PBS's expenses, including salaries and overhead, in connection with our recovery and distribution of these royalties are taken from public TV's royalty award, not from any membership dues or other fees paid by stations or producers.*

13908283

State of West Virginia
John D. Perdue, State Treasurer

Date: 6/29/18

Prepared By: GB

WSWP WV Public Broadcast #2550
124 INDUSTRIAL PARK RD
BEAVER, WV 25813

CURRENCY	DOLLARS	CENTS
x \$100		
x \$50		
x \$20		
x \$10		
x \$5		
x \$2		
x \$1		
COIN		
TOTAL CASH		
CHECKS (INCLUDING BANK, TREASURY OR TRAVELERS) AND MONEY ORDERS		
1 US Cell	1799	78
2 US Cell	2283	17
3 US Cell	800	52
4 Bowles	1800	00
5 wv med	2500	00
6 PBS	3826	29
7		
8		
9		
10		
11		
12		
13		
FROM BACK		
TOTAL CHECKS		
PLEASE RE-ENTER TOTAL TOTAL HERE	13029	76
PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.		

BBST

\$ 13029.76

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CR 127937

4140 2152

THE BACK OF THIS DOCUMENT INCLUDES MICROPRINTED ENDORSEMENT LINES



Public Broadcasting Service
2100 Crystal Drive
Arlington, VA 22202
(703) 739-5216

PAY: Three Thousand Eight Hundred Forty Six and 29/100

TO THE ORDER OF WNPB-TV
600 Capitol Street
Charleston, WV 25301-1292
USA

VENDOR NUMBER	CHECK DATE	CHECK NUMBER
V10-080471	21-JUN-2018	0807026

Not Valid After 180 Days

Bank of America, NA
Washington, DC 20005

PAY EXACTLY \$8,846.29

Randa Bortol
AUTHORIZED SIGNATURE(S)

⑆5097076⑆ ⑆051000017⑆ 004134372723⑆



NO. 5097076

VENDOR NO.: V10-003471

DATE: 21 Jun-2018

VENDOR NAME: WNPB-TV

INVOICE NO.	INVOICE DATE	DESCRIPTION	INVOICE AMOUNT
CCR05232018	8-Jun-2018	CY2014 Cable Copyright Royalties Distribution <i>4140 21500</i>	3,846.29

PLEASE DETACH AND RETAIN THIS STATEMENT AS YOUR RECORD OF PAYMENT.

\$3,846.29

Public Broadcasting Service, 2100 Crystal Drive, Arlington, VA 22202

accountspayable@pbs.org