

be determined by voluntary agreement among the affected parties, or if necessary, through compulsory arbitration conducted pursuant to Chapter 8 of the Copyright Act. Rates and terms are set for a two-year period through this process, unless a different period is otherwise agreed upon by the parties as part of a negotiated agreement.

Parties may submit such an agreement to the Copyright Office and request that the Office publish the proposed rates and terms in the **Federal Register** for comment from the public. If no party with a substantial interest and an intent to participate in an arbitration proceeding files a comment opposing the negotiated rates and terms, the Librarian may adopt the proposed terms and rates without convening a copyright arbitration royalty panel. 37 CFR 251.63(b). On the other hand, if the affected parties are unable to reach an industry-wide agreement, or only certain parties negotiate private license agreements, then rates and terms for the statutory licenses are established through the arbitration process.

The arbitration process begins when an interested party files a petition with the Librarian of Congress during the 60-day period specified by the statute and requests that the rates be set through the CARP process. The petition must be filed by a party with a significant interest in the outcome of the proceeding and it must identify "the extent to which the petitioner's interest is shared by other owners or users." 17 CFR 251.62(a). For both the section 112 and section 114 licenses, the period for filing a petition to set rates and terms for the 2005 and 2006 license period shall begin on July 1, 2004. 17 U.S.C. 112(e)(6) and 114(f)(2)(C)(ii)(II).

Initiation of Voluntary Negotiations

Unless the schedule for setting terms and rates has been readjusted by the parties in a previous rate adjustment proceeding, §§ 112(e)(6) and 114(f)(2)(C)(i)(II) of the Copyright Act require the publication of a notice in January 2000, and at 2-year intervals thereafter, initiating the voluntary negotiation periods for determining reasonable rates and terms for the statutory licenses permitting the public performance of a sound recording by means of certain digital transmissions and the making of an ephemeral recording in accordance with § 112(e). See 65 FR 2194 (January 13, 2000) and 67 FR 4472 (January 30, 2002). The publication of today's notice fulfills this requirement.

The negotiation period shall begin on January 6, 2004 and end on June 30,

2004. Parties who negotiate a voluntary license agreement during this period are encouraged to submit two copies of the agreement to the Copyright Office at the appropriate address listed above within 30 days of its execution.

Petitions

In the absence of a license agreement negotiated under 17 U.S.C. 112(e)(4) or 114(f)(2)(A), those copyright owners of sound recordings and entities availing themselves of the statutory licenses are subject to arbitration upon the filing of a petition by a party with a significant interest in establishing reasonable terms and rates for the statutory licenses. Petitions must be filed in accordance with 17 U.S.C. 112(e)(7), 114(f)(2)(C)(ii)(II), and 803(a)(1) and may be filed any time during the sixty-day period beginning on July 1, 2004. See also, 37 CFR 251.61. Parties should submit petitions to the Copyright Office at the appropriate address given in this notice. The petitioner must deliver an original and five copies to the Office.

Dated: December 30, 2003.

Marilyn J. Kretsinger,

Associate General Counsel.

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MEDICARE PAYMENT ADVISORY COMMISSION

Commission Meeting

AGENCY: Medicare Payment Advisory Commission.

ACTION: Notice of meeting.

SUMMARY: The Commission will hold its next public meeting on Wednesday, January 14, 2004, and Thursday, January 15, 2004, at the Ronald Reagan Building, International Trade Center, 1300 Pennsylvania Avenue, NW., Washington, DC. The meeting is tentatively scheduled to begin at 9 a.m. on January 14, and at 9 a.m. on January 15.

Topics for discussion include: recommendations on payment adequacy analyses for hospitals, physicians, outpatient dialysis, ambulatory surgical centers, home health, and skilled nursing facilities; and Medicare+Choice. Presentations will also be made on long-term care hospitals and dual eligible beneficiaries.

Agencies will be e-mailed approximately one week prior to the meeting. The final agenda will be available on the Commission's Web site (<http://www.MedPAC.gov>).

ADDRESSES: MedPAC's address is: 601 New Jersey Avenue, NW., Suite 9000,

Washington, DC 20001. The telephone number is (202) 220-3700.

FOR FURTHER INFORMATION CONTACT: Diane Ellison, Office Manager, (202) 220-3700.

Mark E. Miller,

Executive Director.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293]

Entergy Nuclear Generation Company, Entergy Nuclear Operations, Inc.; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has granted the request of Entergy Nuclear Operations, Inc. (the licensee) to withdraw its August 19, 2002, application for proposed amendment to Facility Operating License No. DPR-35 for the Pilgrim Nuclear Power Station, located in Plymouth County, Massachusetts. The licensee's application was supplemented by letters dated February 14, March 27, and April 14, 2003.

The proposed amendment would have modified the facility Technical Specifications (TSs) pertaining to post-accident monitoring instrumentation requirements to make the TSs more consistent with the Standard Technical Specifications for boiling water reactors.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on December 24, 2002 (67 FR 78519). However, by letter dated November 6, 2003, the licensee withdrew the amendment request.

For further details with respect to this action, see the application for amendment dated August 19, 2002, as supplemented by letters dated February 14, March 27, and April 14, 2003, and the licensee's letter dated November 6, 2003, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://>