

2009 satellite funds, arguing that MPAA's "unfounded assertion . . . is simply inaccurate . . ." *Id.* at 6.<sup>3</sup>

Lastly, IPG discounts the above-quoted passage from the Judges' February 11, 2014 *Order Denying IPG Motion for Partial Distribution* regarding the Judges' concerns about IPG's ability and willingness to disgorge funds should the need arise. IPG contends that the Judges' concern expressed in that order (which IPG contends was "unwarranted") "was inspired by nothing more than inflammatory rhetoric of the [Settling Devotional Claimants]." *IPG Reply* at 7.

Before authorizing a partial distribution of royalty funds requested under Section 801(b)(3)(C) of the Copyright Act, the Judges must first publish a notice in the **Federal Register** seeking responses to the request to ascertain whether any claimant entitled to receive such royalty fees has a reasonable objection to the proposed distribution. This Notice seeks comments on whether any interested claimant asserts a reasonable objection to IPG's request. The Judges must receive written objections detailing the existence and extent of any entity's objection(s) by the end of the comment period. The Judges will not consider any objections with respect to the partial distribution motion that come to their attention after the close of that period.

In particular, the Judges seek comment on whether IPG should be considered an "established claimant" for purposes of receiving a partial distribution of royalties, and, if so, for what years and for which Phase I categories, and for which funds. For example, assuming for the sake of argument that IPG is deemed an "established claimant" with respect to the Phase I Program Suppliers Category for cable for a particular year, does that status carry over to other Phase I categories (e.g., Devotionals, Joint Sports, etc.)? Does it carry over to all years? If not, to which years does the "established claimant" status apply? Moreover, does the status of an established cable claimant (or claimant representative) carry over to satellite royalties, as IPG contends, or only to cable royalties? Does the reverse also apply (i.e., is an "established claimant" for purposes of satellite also an "established claimant" for cable)?

<sup>3</sup> The Judges note that MPAA proposed a Program Suppliers satellite share allocation to IPG of 0.20% in 2002 and 0.13% in 2004. For the eight remaining years in controversy, MPAA proposed shares higher than 0.20%. *MPAA-Represented Program Suppliers' Proposed Findings of Fact and Conclusions of Law* at 7 (Aug. 17, 2015).

If the Judges determine that IPG is an "established claimant" for the first time for any fund, are there safeguards (in addition to the pay-back agreement) the Judges can and should employ to ensure that IPG is able and willing to disgorge in the event of overpaid funds? Which safeguards would be appropriate or necessary? How long should they last and how would they be enforced?

If the Judges determine that IPG is entitled to the partial distribution it requests, what methodology should the Judges use to determine the dollar amount to which IPG is entitled? Would it be necessary for the Judges (or the Licensing Division of the Copyright Office, or both) to have access to all applicable Phase I confidential agreements to make the necessary calculations or is another means available? Commenters should consider what special calculations would have to be made to determine IPG's share of the various subfunds (Basic, Syndex and 3.75%) in addition to calculating interest on (and deductions of applicable expenses against) funds deposited with the Licensing Division.

The issues and questions set forth above are not necessarily exhaustive. Commenters may address any other issues or questions that they believe are relevant to the pending Motion.

The Copyright Royalty Board has posted IPG's Motion at <http://www.loc.gov/crb>.

Dated: December 10, 2015.

**Jesse M. Feder,**

*U.S. Copyright Royalty Judge.*

[FR Doc. 2015-31629 Filed 12-15-15; 8:45 am]

**BILLING CODE 1410-72-P**

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nature McGinn, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On November 5, 2015 the National Science Foundation published a notice in the

**Federal Register** of a permit application received. The permit was issued on December 11, 2015 to:

Joseph Wilson, Penguin Films, Ltd.  
Permit No. 2016-022

**Nadene G. Kennedy,**

*Polar Coordination Specialist, Division of Polar Programs.*

[FR Doc. 2015-31637 Filed 12-15-15; 8:45 am]

**BILLING CODE 7555-01-P**

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nature McGinn, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On November 9, 2015 the National Science Foundation published a notice in the **Federal Register** of a permit application received. The permit was issued on December 10, 2015 to:

Vincent J. LiCata Permit No. 2016-017

**Nadene G. Kennedy,**

*Polar Coordination Specialist, Division of Polar Programs.*

[FR Doc. 2015-31591 Filed 12-15-15; 8:45 am]

**BILLING CODE 7555-01-P**

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-244 and 72-67; NRC-2015-0249]

### Exelon Generation Company, LLC; R.E. Ginna Nuclear Power Plant

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Finding of no significant impact with associated environmental assessment; final issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) related to a request to amend Renewed Facility Operating License No. DPR-18,