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From: Jim [mailto:ji[Redacted]]

Sent: Tuesday, November 17, 2015 1:22 PM

To: ATR-LT3-ASCAP-BMI-Decree-Review

Subject: "Consent Decree comments"

Dear Sirs,

We are a very small vineyard and winery (<1000 cases annually) in an economically challenged county (Douglas County) in Oregon. In order to generate interest in our winery and our value added agricultural product (grapes into wine) we promote a "summer concert" series with once-per-month performances by local musicians. These 5 or 6 concerts provide additional employment for our staff, musicians, and caterers as well as sales of our product.

We currently pay licensing fees to three entities, regardless of what music might be played, for which each or any of them may have licensing agreements. We must pay fees they have determined are appropriate regardless of the "take" at the door. The total annual fees end up being more than 50 percent of what we take in for the same period! This leaves little for the struggling musicians or for our company which must subsidize the musicians.

We constantly go through the decision process every year at this time as to whether or not we can continue to offer these concerts. The licensing entities are unwilling to be flexible in their fee schedules in spite of evidence that they are over charging small businesses like ours.

We would love to see them eliminated altogether but could live with reasonable licensing fees based on the actual take at the door or what could be estimated in the case of a "free" concert.

Thanks form the forum.

Sincerely,

Jim Delfino

Delfino Vineyards

Roseburg, Oregon

Sent from j[Redacted] via my iPhone