

From: Cougar Run winery <[REDACTED]>

Sent: Monday, July 20, 2020 3:32 PM

To: ATR-MusicLicensing-Workshop (ATR) <ATR.MusicLicensing-Workshop@ATR.USDOJ.GOV>

Cc: [mka](#) [REDACTED]

Subject: BMI and ASCAP Consent Decrees

Dear Sir/Madam

Lord John Dalberg-Acton said, "Power tends to corrupt, and **absolute power corrupts absolutely.**" This statement would certainly be true if the consent decrees for ASCAP and BMI are removed. These businesses already operate via intimidation, of which our winery has been a target. I can only imagine what they would resort to if given the power to collude, share information and price fix.

These consent decrees, as they stand, allow for a business to purchase a "blanket license" giving them access to the PRO's full repertory. They also allow a business to engage directly with the songwriter to perform their own music.

The COVID-19 pandemic has wreaked havoc on the entire county and wineries are struggling to survive. We strongly feel that these consent decrees for ASCAP and BMI are even more important today than they were in the past. If these decrees are terminated, it would result in the increase in fees and would most assuredly be the death of many in our industry.

We respectfully ask that the Justice Department stand with small businesses and maintain the consent decrees for ASCAP and BMI, ensuring competition and the ability of small wineries such as my own, to provide music to our patrons.

Thank you for listening.

Sincerely,

Deborah C. Filkins

Co-owner Cougar Run Winery, LLC