

**From:** C.M.Dess [mailto:cm [Redacted] ]  
**Sent:** Thursday, November 19, 2015 8:38 PM  
**To:** ATR-LT3-ASCAP-BMI-Decree-Review  
**Subject:** Streaming Rates

Hi,

I'm Charles Desser (CMDess) and a member of ASCAP. All I can speak to is what I've experienced personally in the past year. My royalties which are the main stream of income I receive from the music industry are down around 3/4 this year. I haven't been able to get to the bottom of why that is, though I've questioned my publishers as well as ASCAP. ASCAP informed me that because of low rates my royalties have been lower this year. I have achieved about the same number placements but my credit for these placements was worth less. There are many things that could be impacting such a severe fluctuation but I don't think giving companies more reasons to take their product out of PRO's is going to benefit people like me, of which there are thousands. This is because members share in the overall income of their PRO from what I understand and credits payed to artists are adjusted based on overall income. I have around 400 compositions with ASCAP and I have placements of those works scattered around 50+ TV shows. I usually achieve around 130 new placements around media per quarter, they are small uses mostly and that also hasn't changed this year. My income from my main publisher, who's one of the largest in music licensing for TV is down a little but ASCAP took the most drastic hit. Things need to change. It feels like I have to do more and more each year but the amount that is available is increasingly and exponentially fractionalized due to lack of oversight and checks and balances. I can do more and more to increase income streams but those streams are smaller and smaller when external forces dilute the market in a myriad of ways.

It seems as if the most important thing facing the industry as a whole right now is streaming music rates, who will set them, how high will they be, how they will be enforced, how they will fluctuate and what is most ethical for everyone involved with music. The reason conquering streaming rates is so important to do first is that streaming is it, it's the main way music is distributed and heard now. Streaming works on all your internet enabled devices which saves listeners the trouble of having to port music from place to place or wait around for their songs to come on the radio. So people on both sides of a PRO (creative and administrative) will not know how to calculate niche sectors of the industry appropriately until the main income stream is addressed because that main stream impacts the overall achievable income. So we are dealing with a distorted paradigm until decisions and laws are made regarding internet streaming rates.

I personally have not seen any financial benefit from recent Sony/Pandora agreements that circumvent consent decree rates of the PRO's and for me,

income continues to be a downward spiral despite honest efforts to improve my situation.

Thanks for your time and your service,  
Charles