

From: Audrey Cross <audreythevin>

Sent: Tuesday, July 21, 2020 11:47 AM

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

Subject: ASCAP & BMI

We are a very small NJ winery that periodically offers music to our customers. When we do so, we rarely have more than 25 people present. Yet ASCAP and BMI want to charge us an arm and a leg for the privilege of allowing musicians to perform music which they license. We find their practices to be extortionist and certainly believe that they should not be allowed to collude on pricing.

Further, during COVID we were forced to close from March through the end of June. Yet we were required to continue to pay them with no relief in fees. In addition to the loss of revenue from the lack of sales, we were hobbled with their fees.

We find their practices to be unconscionable. We seriously doubt that any music author or performer who they are supposedly protecting EVER sees a cent of the fees we pay. Instead we suspect that the fees support their administrative structure and pays nice salaries to their executives. If they are allowed to impose higher fees, we will no longer be able to offer music. With today's consumers, if you don't entertain them, they don't come out to buy wine. Higher fees from them would be the death of our business – period.

Please do not give them any further leeway to “tax” us for services we don't use or use minimally.

Audrey Gambino

La Duena de la Vina

Villa Milagro Vineyards

33 County Road 627/Finesville

Phillipsburg, NJ 08865