

Vermont Association of Broadcasters

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VINIKOOR SELLS STATIONS

Bob Vinikoor, owner of Koor Communications, is selling his radio stations in Vermont and New Hampshire.

Vinikoor is selling his stations to Sugar River Media, LLC, a new group headed by Rob and John Landry.



Bob Vinikoor

The reported \$1.95 million deal involves the sale of Vermont stations WCFR-AM in Springfield, WCVR-AM in Randolph and an FM translator at 106.5 in Springfield.

The New Hampshire stations being sold include WNTK-FM in Newport, WUVR-AM in Lebanon, WCNL-AM in Newport and FM translators in Claremont and West Lebanon.

Non-commercial classical station WSCS-FM in New London has also been purchased by the Sugar River Foundation for a reported \$10,000.

Rob Landry is former chief engineer at classical WCRB-FM in Boston, while his brother John Landry has been an engineer for both the ABC and CBS radio networks in New York.

Bob Vinikoor and his late wife Sheila were loyal supporters of the VAB for nearly 30 years. We thank Bob for his support over the years and wish him the best in his future endeavors!

PRESCOTT TOWER TO BE HONORED

Add Prescott Tower to the list of award winners to be honored at the VAB's annual Hall of Fame Awards Banquet, to be held December 3 at the Hilton Burlington.

The Rutland-based tower company was selected as the 2016 winner of the Snyder-Teffner Award for excellence behind the scenes. The award is named in honor of two longtime engineers, Dennis Snyder and the late Ted Teffner. Prescott has been building broadcast towers and more for 30 years. Current owner Kim Meisinger will represent his company at the banquet. Congratulations!



A Prescott Tower technician on Mt. Washington

REGISTER FOR THE BANQUET BY NOV. 25

The deadline for registering for the VAB Hall of Fame Awards Banquet is Friday, November 25. You can sign up now by [clicking here](#).

The 22nd annual Hall of Fame Awards Banquet is scheduled for Saturday, December 3 at the Hilton Burlington. Seating is limited so you may want to act soon. Special \$60 room rates are being offered for a limited time, subject to availability. [Click here](#) to reserve your room.

The evening will start with a happy hour at 5:30 p.m. A delicious dinner will be served at 7 p.m.

We'll be honoring Hall of Fame inductees Sharon Meyer of WCAX-TV, Tom Messner of WPTZ-TV and the late radio and TV personality Dean Slack.

The Broadcaster of the Year award will be presented to Rod Hill of Hall Communications. Bob Davis of WCAX-TV and Bob Sherman of Great Eastern Radio will receive Distinguished Service awards. The Alan Noyes Community Service award will be presented to WFFF-TV/WVNY-TV.

We hope to see you there!





SONY/WARNER STREAMING DEAL - WHAT IT MEANS

By David Oxenford, [Wilkinson, Barker, Knauer LLP](#)

The NAB announced Oct. 26 that it has entered into agreements with Sony and Warner Music Groups to waive certain of the statutory requirements for broadcasters who stream their over-the-air signals on the Internet. Already, I have received several questions about what this means. Here is a summary of some of the most important aspects of those waivers.

These waivers cover requirements set forth in the Copyright Act which broadcasters, especially those who stream, may have difficulty meeting. Generally, the waivers provide the following:

- Relief from the statutory requirements as to “ephemeral copies” of sound recordings that require that such recordings can be kept for no longer than 6 months. If that rule was to be applied strictly, stations that make a copy of a sound recording in furtherance of their streaming (or for their over-the-air broadcasts), by for instance making a copy of a song so that it can be stored in their digital music storage systems, could keep those copies for only 6 months. After that time, the station would be required to delete any copy of a song and re-record it if they wanted to keep a copy in their music library for another six months.
- The agreements waive the performance complement, which would otherwise limit a station that is streaming its signal from playing more than 2 songs from the same CD or album in a row, or playing more than 3 songs in a row from the same artist, or from playing more than 4 songs from the same artist (or from the same box set) in a 3-hour period. The waivers allow stations to exceed these limits, only if they continue to play music in a manner consistent with normal broadcast operations. However, even with the waiver, no station can play more than half an album consecutively.
- The waivers allow stations to announce upcoming artists, only if they don’t announce the specific times that specific songs will be played.
- The waivers allow some relief from the obligation that a broadcaster streaming their on-air programming on the Internet identify in text on their website or mobile app the name of the song that is playing, the artist who performs the song, and the album from which that song is taken.

In both agreements, stations who stream must pay their required royalties to SoundExchange and otherwise meet all restrictions imposed by the Copyright Act. Under the Sony deal, for stations with larger online audiences exceeding 80,000 Aggregate Tuning Hours per month, restrictions are placed on the station if it streams through an aggregator site (like TuneIn). A station using an aggregator with that size of a listening audience must “geo-fence” its audience - meaning that the audience can only be people with US IP addresses. A station with an audience of that size audience must also, by August 1, 2017, have a “buy button” on their website or app that allows listeners to purchase the song that they are listening to from a recognized service like Amazon or iTunes. Stations can get an exemption from that requirement if they can demonstrate unusual circumstances.

The Sony waiver also requires that broadcasters register to take advantage of the deal, and the NAB is handling the registration for all stations - not just NAB members. The deals are open to all broadcasters, not just NAB members. So even noncommercial stations can take advantage of these deals.

The NAB has not announced agreements with Universal Music, or with any association representing the major independent labels. Thus, if you are playing music from these other labels, none of the waivers apply. At this point, all the statutory obligations still apply. Watch for developments there, as the other labels may decide to negotiate waivers too so as to not give broadcasters an incentive to play less of their music. (Read more of David’s recent articles by visiting www.broadcastlawblog.com).