



**Initial Notice of Digital Transmissions of Sound Recordings
under Statutory License**

In accordance with 37 CFR 201.35, the transmission service set forth herein files with the Library of Congress, Copyright Office, an initial notice stating the Service's intention to obtain statutory license under section 114(f) of title 17 of the United States Code, as amended by Public Law 104-39, 109 Stat. 336, and Public Law 105-304, 112 Stat. 2860.

- 1. Name of Service:** KDES Radio Corp./KDES-FM
- 2. Mailing Address:** 2100 Tahquitz Canyon Way
Palm Springs, CA 92262
- 3. Telephone No.:** (760) 325-2582
- 4. Facsimile No.:** (760) 322-3562
- 5. Website Address of Service:** <http://kdes.com>
- 6. Officer or Authorized Representative of Service.**
 - a. Name:** Frederic Supple
 - b. Title:** Senior Vice President/Secretary
 - c. Date:** January 22, 2001
 - d. Signature:** _____

**KDES Radio Corp. maintains that it is exempt from the statutory licensing requirement, as this website simultaneously transmits the signal of broadcast radio station KDES-FM. Whether this constitutes a separate performance for copyright purposes is the subject of ongoing legal proceedings; if it is not adjudged to be a separate performance, KDES Radio Corp. will not pay royalties under the statutory license.

EFFECTIVE DATE
MAR - 8 2001