

NOTICE OF GROUNDS FOR OBJECTION

Filed by Pandora Media LLC (“**Pandora**”).

In relation to proposed tariff *SOCAN Tariff 22.A – Online Music Services (2027-2029)*.

Filed with the Copyright Board on 2025-12-16 pursuant to Rule 18 of *Copyright Board Rules of Practice and Procedure*.

1. Any grounds for why the Board should not approve the proposed tariff despite any alteration of royalties or levies or fixation of terms and conditions

N/A.

2. Any grounds for objecting to any royalty or levy rates in the proposed tariff

Pandora object to the rates set out in section 3.

The Proposed Tariff does not reflect the fair and reasonable value of the public performance or the communication to the public by telecommunication of works in SOCAN’s repertoire. The Proposed Tariff does not reasonably reflect either the amount or the type of the impact of music use by a licensee.

SOCAN is seeking to increase the rates in this tariff, yet it has not offered any justification for the proposed rate increases other than to suggest that it believes the interrogatories will disclose information that will justify the increases.

In particular, Pandora object to the proposed minimum “per play” rates, each of which is unjustified and commercially unreasonable and imposes a “greater of” formula in the tariff.

Further, Pandora objects to the fact that the Statement of Proposed Royalties does not adequately reflect the principle of technological neutrality in that it seeks to collect higher royalty rates from online music services than from other users who make substantially similar uses of music.

3. Any grounds for objecting to any terms or conditions in the proposed tariff

Pandora objects to the reporting and auditing provisions contained in the Statement of Proposed Royalties at sections 4, 5, 8 and 9. Said provisions are intrusive, require the disclosure of potentially sensitive confidential information, and place a disproportionate burden on licensees.

Pandora objects to the requirement to provide certain information even in circumstances where that information is not available to the licensee. This requirement imposes an undue burden on licensees and could result in a licensee being prohibited from relying on the tariff.

Pandora objects to the onerousness of the reporting and payment obligations under sections 4, 5, and 6, including the frequency (which should generally be quarterly rather than monthly).

Pandora also objects to the fact that the Statement of Proposed Royalties requires licensees to retain records for a period of six years at section 8(1). This requirement is unreasonable and places a disproportionate burden on licensees.

Pandora also object to the confidentiality provision at section 9. In particular, it objects to section 9(2)(d) where SOCAN is given the right to share information with anyone who is *presumed* to know confidential information received pursuant to the tariff. This provision could allow for the release of sensitive confidential information to uninvolved third parties.