

requirements in paragraphs (a)(1) through (5) of this section.

■ 11. Revise § 2540.207 to read as follows:

**§ 2540.207 Waiver.**

CNCS may waive provisions of §§ 2540.200 through 2540.206 for good cause, or for any other lawful basis. To request a waiver, submit a written request to NSCHC Waiver Requests, 250 E Street SW, Washington DC 20525, or send your request to [NSCHCwaiverRequest@cns.gov](mailto:NSCHCwaiverRequest@cns.gov).

Dated: February 12, 2021.

**Lisa Guccione,**

*Deputy Chief of Staff.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 1**

[MD Docket No. 20-64; FCC 20-172; FRS 17357]

**Closure of FCC Lockbox 979089 Used To File Fees for Services Provided by the Media Bureau**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Federal Communications Commission (FCC or Commission) adopts an Order that closes Lockbox 979089 and modifies the relevant rule provisions to require electronic filing and fee payments.

**DATES:** Effective March 26, 2021.

**FOR FURTHER INFORMATION CONTACT:**

Warren Firschein, Office of Managing Director at (202) 418-2653 or Roland Helvajian, Office of Managing Director at (202) 418-0444.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order, FCC 20-172, MD Docket No. 20-64, adopted on December 7, 2020 and released on December 10, 2020, which is the subject of this rulemaking. The full text of this document is available for public inspection and copying by downloading the text from the Commission's website at <https://www.fcc.gov/document/closure-lockbox-used-collect-fee-payments-media-bureau>.

**I. Procedural Matters**

*A. Final Regulatory Flexibility Analysis*

1. Section 603 of the Regulatory Flexibility Act, as amended, requires a regulatory flexibility analysis in notice

and comment rulemaking proceedings. See 5 U.S.C. 603(a). As we are adopting these rules without notice and comment, no regulatory flexibility analysis is required.

*B. Final Paperwork Reduction Act of 1995 Analysis*

2. This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

*C. Congressional Review Act*

3. The Commission will not send a copy of the Order pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the adopted rules are rules of agency organization, procedure, or practice that do not "substantially affect the rights or obligations of non-agency parties. See 5 U.S.C. 804(3)(C).

**II. Introduction**

4. In the Order, we reduce expenditures by the Commission and modernize procedures by amending § 1.1104 of our rules, 47 CFR 1.1104, which sets forth the application fees for services administered by the FCC's Media Bureau (MB). The rule amendment reflects the closure of the lockbox (P.O. Box)<sup>1</sup> used for such manual payment of filing fees for nine types of IB services: (1) Commercial TV Services; (2) Commercial AM Radio Stations; (3) Commercial FM Radio Stations; (4) FM Translators; (5) TV Translators and LPTV Stations; (6) FM Booster Stations; (7) TV Booster Stations; (8) Class A TV Services; and (9) Cable Television Services. We discontinue the option of manual fee payments and instead require the use of an electronic payment for each service listed above.

5. Section 1.1104 of the Commission's rules, 47 CFR 1.1104, provides a schedule of application fees for proceedings handled by MB. The rule had also directed filers that do not utilize the Commission's on-line filing

<sup>1</sup> A P.O. Box used for the collection of fees is referred to as a "lockbox" in our rules and other Commission documents. The FCC collects application processing fees using a series of P.O. Boxes located at U.S. Bank in St. Louis, Missouri. See 47 CFR 1.1101-1.1109 (setting forth the fee schedule for each type of application remittable to the Commission along with the correct lockbox).

and fee payment systems to send manual payments to P.O. Box 979089 at U.S. Bank in St. Louis, Missouri. In recent years, there have been a decreasing number of lockbox filers, and it now is rare that the Commission receives a lockbox payment.

6. The Commission has begun to reduce its reliance on P.O. Boxes for the collection of fees, instead encouraging the use of electronic payment systems for all application and regulatory fees and closing certain lockboxes. We find that electronic payment of fees for the services processed by MB reduces the agency's expenditures (including eliminating the annual fee for the bank's services) and the cost of manually processing each transaction, with little or no inconvenience to the Commission's regulatees, applicants, and the public.

7. As part of this effort, we are now closing P.O. Box 979089 and modifying the relevant rule provision that requires payment of fees via the closed P.O. Box. The rules changes are contained in the Appendix of the Order and the Final Rules of this document. We make these changes without notice and comment because they are rules of agency organization, procedure, or practice exempt from the general notice-and-comment requirements of the Administrative Procedure Act, see 5 U.S.C. 553(b)(A).

8. *Implementation.* As a temporary transition measure, for 90 days after publication of this document in the **Federal Register**, U.S. Bank will continue to process payments to P.O. Box 979089. After that date, payments for these MB services must be made in accordance with the procedures set forth on the Commission's website, <https://www.fcc.gov/licensing-databases/fees/application-processing-fees> (Media Bureau Fee Filing Guide). For now, such payments will be made through the Fee Filer Online System (Fee Filer), accessible at <https://www.fcc.gov/licensing-databases/fees/fee-filer>. As we assess and implement U.S. Treasury initiatives toward an all-electronic payment system, we may transition to other secure payment systems with appropriate public notice and guidance.

**III. Ordering Clauses**

9. *Accordingly, it is ordered*, that pursuant to sections 4(i), 4(j), 158, 208, and 224 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 158, 208, and 224, the Order is hereby *adopted* and the rules set forth in the Appendix of the Order are hereby *amended* effective March 26, 2021.

**List of Subjects in 47 CFR Part 1**

Administrative practice and procedure.

**Marlene Dortch**,  
Secretary.

**Editorial note:** This document was received for publication by the Office of the Federal Register on January 4, 2021.

**Final Rules**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 1 as follows:

**PART 1—PRACTICE AND PROCEDURE**

■ 1. The authority citation for part 1 continues to read as follows:

**Authority:** 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461, unless otherwise noted.

■ 2. Amend § 1.1104 by revising the introductory text to read as follows:

**§ 1.1104 Schedule of charges for applications and other filings for media services.**

Remit payment for these services electronically using the Commission's electronic payment system in accordance with the procedures set forth on the Commission's website, [www.fcc.gov/licensing-databases/fees](http://www.fcc.gov/licensing-databases/fees). The asterisk (\*) indicates that multiple stations and multiple fee submissions are acceptable within the same payment.

\* \* \* \* \*

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 1 and 54**

[GN Docket No. 20-32; DA 20-1361; FRS 17443]

**Office of Economics and Analytics and Wireline Competition Bureau Adopt Adjustment Factor Values for the 5G Fund**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final action.

**SUMMARY:** In this document, the Office of Economics and Analytics (Office) and the Wireline Competition Bureau (Bureau) adopt adjustment factor values for an adjustment factor that will be used in bidding in the 5G Fund auctions and applied to the methodology for disaggregating legacy high-cost support.

**DATES:** Effective February 24, 2021.

**ADDRESSES:** Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Kate Mataves, Office of Economics and Analytics, Economic Analysis Division, (202) 391-6272 or [Catherine.Mataves@fcc.gov](mailto:Catherine.Mataves@fcc.gov), or Nicholas Copeland, Office of Economics and Analytics, Economic Analysis Division, (202) 418-1025 or [Nicholas.Copeland@fcc.gov](mailto:Nicholas.Copeland@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *5G Fund Adjustment Values Public Notice* in GN Docket No. 20-32, DA 20-1361, released on November 16, 2020. The full text of this document is available on the Commission's website at <https://www.fcc.gov/document/oea-and-wcb-adopt-adjustment-factor-values-5g-fund>. To request materials in accessible formats for people with disabilities, send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

**Synopsis**

1. The Office of Economics and Analytics (Office) and the Wireline Competition Bureau (Bureau) adopt 5G Fund adjustment factor values to help direct more 5G Fund support to harder to serve areas. Specifically, the values we adopt will increase support levels for bids to serve areas where the terrain elevation variation raises the expected costs of deploying 5G networks, and/or where the business case for 5G otherwise is likely to be weaker, relative to the support for bids for easier to serve areas. Likewise, the adjustment factor values will also be used in the process of disaggregating legacy high-cost support to account for differences between recipients' subsidized service areas. These adjustment factor values will help ensure that additional 5G Fund support goes to the areas that need it the most.

2. In the *5G Fund NPRM and Order*, 85 FR 31636, May 26, 2020, 85 FR 34525, Jun. 5, 2020, the Federal Communications Commission (Commission) proposed to distribute up to \$9 billion in two phases using multi-round, descending clock auctions to assign support for the deployment of 5G service in rural areas. To account for differences in the cost of providing service and business case considerations across eligible areas, the Commission proposed incorporating an adjustment factor into the 5G Fund auctions that would assign a weight to each geographic area, which would be applied to bidding for support amounts to make the areas most difficult to serve

more attractive to bidders and increase the support to such areas. In addition to incorporating an adjustment factor into the 5G Fund auctions, the Commission proposed to apply this adjustment factor to the methodology for disaggregating legacy high-cost support in the transition to 5G Fund support.

3. Legacy high-cost support is currently provided to a competitive eligible telecommunications carrier's entire study area, with no attribution to particular sub-areas within that study area. To illustrate the role of the adjustment factor in the disaggregation of legacy support, consider a hypothetical carrier serving one mountainous census tract and one flat census tract of equal size in its subsidized service area. Such a carrier might require 75% of its support to serve the mountainous tract and 25% to serve the flat tract. Were an unsubsidized carrier to enter the flat tract, which may be more likely given the relatively lower costs in the flat tract, if we did not apply the adjustment factor in calculating disaggregated support, the carrier would lose 50% of its funding and would be unable to continue serving the mountainous tract. However, applying an adjustment factor of three to the mountainous area would result in the carrier retaining 75% of its original support amount and allow it to continue serving the mountainous tract.

4. On June 5, 2020, the Office and Bureau released the *Adjustment Factor Public Notice*, 85 FR 36522, Jun. 17, 2020, which sought comment on the proposed adjustment factor values, the three analyses that inform the values, and the application of the adjustment factor to the disaggregation of legacy support.

5. In the *5G Fund Report and Order*, 85 FR 75770, Nov. 25, 2020, the Commission adopted its proposal to incorporate an adjustment factor into the 5G Fund auctions that will assign a weight to each geographic area and apply that adjustment factor to bidding for support amounts; this adjustment factor also will be applied to the methodology for disaggregating legacy high-cost support. For a 5G Fund auction, the Commission deferred the final determination of the precise manner in which the adjustment factor will be incorporated into the auction mechanism to the pre-auction process. We provide herein the adjustment factor values, and we discuss the studies underlying our decision to adopt these values for use in a 5G Fund auction and in the methodology for the disaggregation of legacy high-cost support.