

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[MD Docket Nos. 19–105; FCC 19–37]

#### Assessment and Collection of Regulatory Fees for Fiscal Year 2019

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) proposes to revise its Schedule of Regulatory Fees to recover an amount of \$339,000,000 that Congress has required the Commission to collect for fiscal year 2019.

**DATES:** Submit comments on or before June 7, 2019; and reply comments on or before June 24, 2019.

**ADDRESSES:** You may submit comments, identified by MD Docket No. 19–105, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Federal Communications Commission's website:* <http://www.fcc.gov/cgb/ecfs>. Follow the instructions for submitting comments.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Roland Helvajian, Office of Managing Director at (202) 418–0444.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rulemaking (NPRM), MD Docket No. 19–105, FCC 19–37, adopted on May 7, 2019 and released on May 8, 2019. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A257, Portals II, Washington, DC 20554. This document is available in alternative formats (computer diskette, large print, audio record, and Braille). Persons with disabilities who need documents in these formats may contact the FCC by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202–418–0530 or TTY: 202–418–0432.

## I. Procedural Matters

### A. Ex Parte Information

1. This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission's ex parte rules.<sup>1</sup> Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) of the Commission's rules or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

### B. Filing Instructions

2. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of*

*Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St. SW, Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to FCC, 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

3. *People with Disabilities:* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), 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).

### C. Initial Regulatory Flexibility Analysis

4. An initial regulatory flexibility analysis (IRFA) is contained in this summary. Comments to the IRFA must be identified as responses to the IRFA and filed by the deadlines for comments on the Notice of Proposed Rulemaking. The Commission will send a copy of the Notice of Proposed Rulemaking, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

### D. Initial Paperwork Reduction Act of 1995 Analysis

5. This document does not contain new or modified information collection requirements subject to the Paperwork

<sup>1</sup> 47 CFR 1.1200 *et seq.*

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).

## II. Introduction

6. In this Notice of Proposed Rulemaking (*NPRM*), we seek comment on the Commission's proposed regulatory fees for fiscal year (FY) 2019. Specifically, we propose to collect \$339,000,000 in regulatory fees for FY 2019,<sup>2</sup> pursuant to sections 9 and 9A of the Communications Act of 1934, as amended (Act or Communications Act), and the Commission's FY 2019 Appropriation.<sup>3</sup> The proposed regulatory fee schedule for FY 2019 is set forth in Tables 2 and 3. For comparison purposes, the FY 2018 regulatory fee rates are listed in Table 7. In this *NPRM*, we also seek comment on modifications to the Commission's regulatory fee authority under the RAY BAUM'S Act of 2018.

## III. Background

7. In 2018, as part of the RAY BAUM'S Act, Congress revised the Commission's regulatory fee authority by modifying section 9 and adding section 9A to the Communications Act.<sup>4</sup> In making such changes, Congress deleted outdated language from the statute, removed the now obsolete statutory schedule of regulatory fees originally adopted in 1993,<sup>5</sup> redirected the Commission on how to update regulatory fees, and revised and reformatted other provisions of the statute.<sup>6</sup> Congress directed the Commission to complete a regulatory

fee rulemaking under the modified statute by October 2019.<sup>7</sup>

8. Congress established the Commission's regulatory fee authority in 1993 when Congress adopted a statutory schedule of regulatory fees and charged the Commission with updating and amending the schedule pursuant to statutory guidance on an annual basis.<sup>8</sup> The Commission discharged its statutory obligation by (1) adopting regulatory fee rules<sup>9</sup> and descriptions of each fee category listed in the statute<sup>10</sup> and (2) annually making adjustments to the fee schedule through a notice and comment rulemaking proceeding.<sup>11</sup> Such annual reviews of the fee schedule proposed revisions to the schedule to reflect changes in the amount of the Commission's appropriation and other changes based upon the criteria included in section 9 of the Communications Act.

9. Since 1993, the Commission has made numerous changes to the schedule. In making such changes, the Commission used the statutory criterion that the fee reflect the benefits provided to the payor of the fee and factors reasonably related to that criterion. For example, in the *FY 2013 Report and Order*, the Commission updated the full-time equivalents (FTE)<sup>12</sup> allocations to

more accurately reflect the number of FTEs working on regulation and oversight of regulatees in the fee categories.<sup>13</sup> The Commission has since updated the FTE allocations annually. Other recent examples include the *FY 2015 NPRM*, where the Commission adopted a regulatory fee category for Direct Broadcast Satellite (DBS), as a subcategory of the cable television and IPTV fee category.<sup>14</sup> In explaining the change, the Commission described both the change in the service and the Commission's regulation thereof in the decades since adoption of the original fee schedule and how DBS providers benefited from the work of Media Bureau FTEs on multichannel video programming distributors (MVPDs).<sup>15</sup> And in the *FY 2016 Report and Order*, the Commission adjusted regulatory fees for radio and television broadcasters, based on the type and class of service and on the population served.<sup>16</sup> The Commission has also made other improvements to its regulatory fee analysis as part of its annual review. For example, in the *FY 2017 Report and Order*, the Commission included non-common carrier terrestrial international bearer circuits in the regulatory fee methodology and increased the de minimis threshold to \$1,000 for annual regulatory fee payors.<sup>17</sup>

## IV. Discussion

10. In this *NPRM*, we (1) explain and seek comment on the RAY BAUM'S Act modifications to the Commission's regulatory fee authority; (2) propose and seek comment on a schedule, as set forth in Tables 2 and 3, of FY 2019 regulatory fees, which are due in September 2019; and (3) propose and seek comment on granular aspects of the regulatory fee calculation for DBS

<sup>2</sup> *See* section 102(e)(1) of the RAY BAUM'S Act of 2018 ("Not later than 1 year after the effective date described in section 103 of this title, the Commission shall complete a rulemaking proceeding under subsection (d) of section 9 of the Communications Act of 1934, as amended by subsection (b) of this section."). Congress also provided that the Commission should file a progress report with Congress. *See* uncodified provision of section 102(e)(2) of the RAY BAUM'S Act of 2018 ("If the Commission has not completed the rulemaking proceeding required by paragraph (1) by the date that is 6 months after the effective date described in section 103 of this title, the Commission shall submit to Congress a report on the progress of such rulemaking proceeding.").

<sup>3</sup> Section 6002(a) of the Omnibus Budget Reconciliation Act of 1993 (hereinafter, "1993 Budget Act"). *See* Public Law Number 103–66, Title VI, 6002(a), 107 Stat. 397 (approved August 10, 1993). Congress made subsequent minor amendments to the schedule.

<sup>4</sup> Currently codified in 47 CFR 1.1152–1.1156.

<sup>5</sup> *Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year*, Report and Order, 9 FCC Rcd 5333, 5344 and Appendix B (1994), *recon. denied*, 10 FCC Rcd 12759 (1995) (1994 *Report and Order*) (providing the full descriptions of the fee categories).

<sup>6</sup> For a summary of recent changes and improvements to the regulatory fee schedule, *see Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, Report and Order and Notice of Proposed Rulemaking, 33 FCC 5091, 5093–94, paragraph 5 (2018) (*FY 2018 NPRM*).

<sup>7</sup> One FTE, a "Full Time Equivalent" or "Full Time Employee," is a unit of measure equal to the work performed annually by a full-time person (working a 40 hour workweek for a full year) assigned to the particular job, and subject to agency personnel staffing limitations established by the U.S. Office of Management and Budget.

<sup>13</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2013*, Report and Order, 28 FCC Rcd 12351, 12354–58, paragraphs 10–20 (2013) (*FY 2013 Report and Order*).

<sup>14</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2015*, Notice of Proposed Rulemaking, Report and Order, 30 FCC Rcd 5354, 5364–5373, paragraphs 28–41 (2015) (*FY 2015 NPRM*).

<sup>15</sup> The Commission stated "[s]ince DBS providers generally benefit from the regulatory activities of the Media Bureau, much like cable operators and IPTV providers, the Commission can attribute Media Bureau FTEs to DBS providers and require them to pay Media Bureau regulatory fees." *FY 2015 NPRM*, 30 FCC at 5370, paragraph 35. MVPD is defined in section 602(13) of the Act, 47 U.S.C. 522(13).

<sup>16</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2016*, Report and Order, 31 FCC Rcd 10339, 10350–51, paragraphs 31–33 (2016) (*FY 2016 Report and Order*).

<sup>17</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7057, 7071–74, paragraphs 34–35, 38–42 (2017) (*FY 2017 Report and Order*).

<sup>2</sup> Fiscal year 2019 started on October 1, 2018.

<sup>3</sup> 47 U.S.C. 159. Consolidated Appropriations Act, 2019, Public Law Number 116–6, Division D—Financial Services and General Government Appropriations Act, 2019, Title V—Independent Agencies (2019) (*FY 2019 Appropriation*).

<sup>4</sup> Consolidated Appropriations Act, 2018, Division P—RAY BAUM'S Act of 2018, Title I, FCC Reauthorization, Public Law Number 115–141, section 102, 132 Stat. 348, 1082–86 (2018) (codified at 47 U.S.C. 159, 159A). Congress provided an effective date of October 1, 2018 for such changes.

<sup>5</sup> As explained below, the Commission annually conducts a rulemaking proceeding to update the schedule of regulatory fees—adding, deleting, and adjusting fee categories and fee rates pursuant to guidance provided in section 9. Thus, the schedule found in prior section 9 represents the initial baseline schedule of regulatory fee categories and rates.

<sup>6</sup> The changes are discussed in detail below. Table 8 contains the full text of section 9 before and after the effective date of the RAY BAUM'S Act modifications.

providers, full-power broadcast television, and international bearer circuits. Finally, we reaffirm and restate certain rules that are fundamental to the enforcement and collection aspects of the Commission's regulatory fee regime.

#### A. RAY BAUM'S Act Modifications to the Commission's Regulatory Fee Authority

11. Although aspects of section 9 of the Communications Act have been modified by the RAY BAUM'S Act, the Commission's core responsibilities under the statute remain unchanged. The Commission remains charged with ensuring that regulatory fees will result in collections of amounts that can reasonably be expected to equal amounts appropriated by Congress for each fiscal year.<sup>18</sup>

12. In the RAY BAUM'S Act modifications, Congress deleted the obsolete schedule of regulatory fees codified in the former section 9(g) of the Act<sup>19</sup> and directed the Commission to establish a new schedule of regulatory fees and to provide annual updates thereafter.<sup>20</sup> In plain terms, Congress directed the Commission to establish a new schedule of regulatory fees by amending "the schedule of regulatory fees established under this section if the Commission determines that the schedule requires amendment so that such fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities."<sup>21</sup> Each year thereafter, the Commission is required to adjust the schedule of regulatory fees established under this section to "(A) reflect unexpected increases or decreases in the number of units subject to the payment of such fees; and (B)

<sup>18</sup> 47 U.S.C. 159(a) ("shall assess and collect regulatory fees"), 159(b) ("Commission shall assess and collect regulatory fees at such rates as the Commission shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the amounts described in subsection (a) with respect to such fiscal year."). See also 47 U.S.C. 156(b).

<sup>19</sup> Although the Commission adopts a new schedule of regulatory fees each fiscal year in the Commission's rules, the initial (obsolete) schedule remained in former section 9(g) of the Act.

<sup>20</sup> 47 U.S.C. 159(b) (requirement to establish a schedule); see *supra* n.7 (citing uncodified provision of section 102(e)(1) of the RAY BAUM'S Act of 2018, which directs the Commission to "complete a rulemaking proceeding under subsection (d) of section 9 of the Communications Act of 1934, as amended by subsection (b) of this section").

<sup>21</sup> 47 U.S.C. 159(d). Such changes are referred to as amendments under section 9(d) in section 9A(a) referencing adjustments under section 9(d).

result in the collection of the amount required" by the Commission's annual appropriation.<sup>22</sup> In such annual regulatory fee adjustments, the Commission may make further amendments to the schedule if the Commission determines that the statutory criteria are satisfied.

13. The scheme as articulated under the RAY BAUM'S Act is closely aligned to how the Commission implemented its authority under the prior version of section 9 of the Communications Act. Under both old and new versions of the statute, the Commission is charged with assessing and collecting regulatory fees that will result in collections of amounts that can reasonably be expected to equal amounts appropriated by Congress for each fiscal year.<sup>23</sup> Again, under both old and new versions of the statute, regulatory fees are initially apportioned across fee categories based on the number of FTEs and adjusted "to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities."<sup>24</sup> Not surprisingly, the Commission's consideration of changes, additions, or deletions to its fee schedule since 1993 have been focused on the FTE burdens related to the regulatory fee category at issue. As exercised, the Commission's fee determinations have been carefully considered.<sup>25</sup> Thus, in this NPRM we are proposing to hew closely to our prior annual process for adjusting and amending fee categories and the fee schedule. We seek comment on this proposal.

14. Certain language was, however, deleted from section 9 in the RAY BAUM'S Act. First, the prior statute identified three bureaus that have since been renamed.<sup>26</sup> Second, the prior statute included a list of examples of factors relevant to the Commission's inquiry into benefits provided the payor of the fee; those examples were "service area coverage, shared use versus exclusive use, and other factors that the Commission determines are necessary in the public interest."<sup>27</sup> Third, while both versions of the statute require the Commission to take into consideration in its annual review unexpected

<sup>22</sup> 47 U.S.C. 159(c). Such changes are referred to as adjustments under section 9(c) in section 9A(a) referencing adjustments under section 9(c).

<sup>23</sup> Compare prior section 9(a) with new sections 9(a) and (b).

<sup>24</sup> Compare prior section 9(b)(1)(A) with new section new 9(d).

<sup>25</sup> See *supra* paragraph 4 (summarizing several prior Commission regulatory fee orders making revisions to our methodology).

<sup>26</sup> The Private Radio Bureau, Mass Media Bureau, Common Carrier Bureau.

<sup>27</sup> See prior section 9(b)(1)(A).

increases or decreases in the "number of units" subject to the payment of regulatory fees, the prior statute specifically mentioned licensees.<sup>28</sup> Finally, under the prior version of section 9, in amending the schedule of regulatory fees, the Commission could take into consideration "additions, deletions, or changes in the nature of its services as a consequence of Commission rulemaking proceedings or changes in law."<sup>29</sup> The old version of the statute described the annual changes as either mandatory amendments<sup>30</sup> or permitted amendments;<sup>31</sup> under the RAY BAUM'S Act, the changes are described as adjustments<sup>32</sup> or amendments.<sup>33</sup> We seek comment on how these deletions and changes impact the Commission's responsibilities in assessing and collecting regulatory fees. Commenters should discuss any effect on the Commission's proposed regulatory fee methodology due to deletion of language or the reformulation of the requirements under section 9.<sup>34</sup>

15. We remind commenters of certain unvarying aspects of the Commission's assessment and collection of regulatory fees that they should take into consideration when making comments on our proposals. Regulatory fees, mandated by Congress, are collected to recover the Commission's costs "to the extent, and in the total amounts, provided for in Appropriation Acts."<sup>35</sup> Thus, the Commission has no discretion regarding the total amount to be collected in any given fiscal year. Regulatory fees are to reflect "the full-time equivalent number of employees

<sup>28</sup> Compare prior section 9(b)(2) "be adjusted to reflect . . . unexpected increases or decreases in the number of licensees or units" with new section 9(c)(1)(A) "reflect unexpected increases or decreases in the number of units subject to the payment of such fees. . . ."

<sup>29</sup> See prior section 9(b)(3).

<sup>30</sup> See prior section 9(b)(2) entitled "Mandatory Adjustment of Schedule." These adjustments occurred if the Commission determined "that the Schedule requires amendment to comply with the requirements" of prior section 9(b)(1)(A).

<sup>31</sup> See prior section 9(b)(3) entitled "Permitted Amendments."

<sup>32</sup> 47 U.S.C. 159(c) Adjustment of Schedule.

<sup>33</sup> 47 U.S.C. 159(d) Amendments to Schedule.

<sup>34</sup> The Commission has stated that three overarching goals for assessing regulatory fees are fairness, administrability, and sustainability. See *Procedures for Assessment and Collection of Regulatory Fees, Notice of Proposed Rulemaking*, 27 FCC Rcd 8458, 8464–65, paragraphs 14–16 (2012) (*FY 2012 NPRM*). Commenters should discuss whether these three goals are still applicable under the new sections 9 and 9A in the RAY BAUM'S Act. The concept of administrability would include the difficulty in collecting regulatory fees under a system that could have unpredictable dramatic shifts in assessed fees in certain categories from year to year.

<sup>35</sup> 47 U.S.C. 159(a).

within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities."<sup>36</sup> Thus the calculation and allocation of FTEs across regulatory fee categories is, by statute, at the heart of the Commission's methodology in calculating regulatory fees. Regulatory fees recover the Commission's direct costs—that is, costs attributable to a specific regulatory activity (e.g., the salaries and benefits of Commission employees that work on the oversight and regulation of local exchange carriers). Regulatory fees also recover indirect costs, i.e., common costs that are not attributable to a specific regulatory activity. These costs are for general overhead, administration, and support, such as rent, utilities, salaries, and benefits of information technology and other employees whose work supports the core bureaus, and general-purpose equipment.<sup>37</sup> Regulatory fees also cover the costs incurred in regulating entities that are statutorily exempt from paying regulatory fees<sup>38</sup> and entities whose regulatory fees are waived.<sup>39</sup> We also remind commenters that FTE time devoted to developing and implementing the Commission's spectrum auctions is not included in the calculation of regulatory fees and is not offset by the collection of regulatory fees. Instead, such FTE time is offset by the auction proceeds that the Commission is permitted to retain pursuant to section 309(j)(8)(B)<sup>40</sup> of the Communications Act and the Commission's annual appropriation.<sup>41</sup>

### B. Allocating FTEs Across Categories for FY 2019

16. Applying the section 9 requirements to calculate regulatory fees, we propose to allocate the total collection target across all regulatory fee categories. We propose that for FY 2019 the allocation of fees to fee categories will be based on the Commission's calculation of FTEs in each regulatory fee category. Our proposed methodology is generally consistent with that employed in FY 2018. As a general matter, we reasonably expect that the work of the FTEs in the four "core" bureaus (i.e., Wireline Competition Bureau, Wireless Telecommunications Bureau, International Bureau, and Media Bureau)<sup>42</sup> will remain focused on the industry segment regulated by each of those bureaus. The work of the FTEs in the indirect bureaus and offices benefits the Commission and the telecommunications industry and is not specifically focused on the regulatees and licensees of a core bureau. The total FTEs for each fee category includes the direct FTEs associated with that category, plus a proportional allocation of indirect FTEs.<sup>43</sup>

17. Historically, the Commission allocates the total amount to be collected among the various regulatory fee categories within each of the core bureaus. Each regulatee within a fee category then pays its proportionate share based on an objective measure of size (e.g., revenues or number of subscribers).<sup>44</sup> We propose that non-auctions FTEs will be classified as "direct" if the employee is in one of the four core bureaus; otherwise, the FTEs will be classified as "indirect."<sup>45</sup> We

propose that each regulatee within a fee category pays its proportionate share based on an objective measure (e.g., revenues or number of subscribers). Our proposed calculations are illustrated in Table 1. The sources for the unit estimates that are used in these calculations are listed in Table 4.

18. We propose to allocate the total amount to be collected among the regulatory fee categories within each of the core bureaus and base the FY 2019 FTE allocations on a percentage that proportionally reflects the changes in FTEs in the core bureaus over the course of FY 2019.<sup>46</sup> We project approximately \$25.39 million (7.49% of the total FTE allocation) in fees from International Bureau regulatees; \$85.15 million (25.12% of the total FTE allocation) in fees from Wireless Telecommunications Bureau regulatees; \$106.64 million (31.46% of the total FTE allocation) from Wireline Competition Bureau regulatees; and \$121.82 million (35.93% of the total FTE allocation) from Media Bureau regulatees. We seek comment on our calculation for the FY 2019 FTEs.

19. The above allocations across the core bureaus are further allocated across the regulatory fee categories within each core bureau to reflect FTE use. The specific fee proposals and the specific

Enforcement Bureau, Consumer & Governmental Affairs Bureau, Public Safety and Homeland Security Bureau, part of the International Bureau, part of the Wireline Competition Bureau, Chairman and Commissioners' offices, Office of the Managing Director, Office of General Counsel, Office of the Inspector General, Office of Communications Business Opportunities, Office of Engineering and Technology, Office of Legislative Affairs, Office of Strategic Planning and Policy Analysis, Office of Workplace Diversity, Office of Media Relations, Office of Economics and Analytics, and Office of Administrative Law Judges.

<sup>46</sup> In the past, we have based the FTE count in the core bureaus on the number of FTEs in the beginning of the fiscal year. The Commission took two actions during FY 2019 that significantly impacted the numbers of FTEs in the core bureaus. First, staff reassignments to the Office of Economics and Analytics (OEA) were formally effective on December 11, 2018. See *Establishment of the Office of Economics and Analytics*, Order, 33 FCC Rcd 1539 (2018); FCC Opens Office Of Economics And Analytics, Federal Communications Commission News Release, December 11, 2018, <https://www.fcc.gov/document/fcc-opens-office-economics-and-analytics>. The creation of OEA resulted in the reassignment of 95 FTEs (of which 64 were not auctions-funded) to the new OEA as indirect FTEs. Second, staff reassignments for Equal Employment Opportunity enforcement moved seven FTEs from the Media Bureau to the Enforcement Bureau effective March 15, 2019. See *Transfer of EEO Audit and Enforcement Responsibilities to Enforcement Bureau*, Public Notice, DA 19-186 (released Mar. 15, 2019). Our calculation accounts for (1) the direct FTEs in the four core bureaus prior to the formation of OEA, (2) the direct FTEs in the four core bureaus following the formation of OEA, and (3) the direct FTEs in the four core bureaus following the reorganization that moved seven FTEs from the Media Bureau to the Enforcement Bureau, and thus from direct to indirect, on March 15, 2019.

<sup>36</sup> 47 U.S.C. 159(d).

<sup>37</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2004*, Report and Order, 19 FCC Rcd 11662, 11666, paragraph 11 (2004) (FY 2004 Report and Order). As the Commission explained, adjustments to the fee schedule due to increases or decreases in the amount of units or licensees may not implicate costs. *FY 2004 Report and Order*, 19 FCC Rcd at 11666, paragraph 9. Further, an attempt to adjust fees to mirror costs would be unworkable because any reduction in one category must be counterbalanced by increases in other categories. *Id.*, 19 FCC Rcd at 11666, paragraph 10.

<sup>38</sup> For example, governmental and nonprofit entities, amateur radio operators, and noncommercial radio and television stations are exempt from regulatory fees under section 9(e)(1). 47 U.S.C. 159(e)(1); 47 CFR 1.1162.

<sup>39</sup> 47 CFR 1.1166.

<sup>40</sup> 47 U.S.C. 309(j)(8)(B) (providing that "the salaries and expenses account of the Commission shall retain as an offsetting collection such sums as may be necessary from such proceeds for the costs of developing and implementing the program required by this subsection.")

<sup>41</sup> See, e.g., FY 2019 Appropriation ("proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed \$130,284,000 for fiscal year 2019").

<sup>42</sup> The phrase "core" bureaus was first adopted in the *FY 2012 NPRM* where the Commission explained that under (prior) section 9(b)(1)(A), the Commission was instructed to calculate the regulatory fees by determining the FTEs performing the activities enumerated in section 9(a)(1) within the Private Radio Bureau, Mass Media Bureau, and Common Carrier Bureau, and other offices of the Commission, and those bureaus had subsequently been renamed as the Wireless Telecommunications Bureau, Media Bureau, and Wireline Competition Bureau, and a new International Bureau had been formed. *FY 2012 NPRM*, 27 FCC Rcd at 8460, paragraph 5 & n.5. The Commission explained that "[f]or simplicity and ease of reference, in this Notice we will refer to these four bureaus as the 'core' bureaus or the 'core licensing' bureaus." *Id.*

<sup>43</sup> The Commission observed in the *FY 2013 Report and Order* that "the high percentage of the indirect FTEs is indicative of the fact that many Commission activities and costs are not limited to a particular fee category and instead benefit the Commission as a whole." See *FY 2013 Report and Order*, 28 FCC Rcd at 12357, paragraph 17. The new Office of Economics and Analytics consists of indirect FTEs.

<sup>44</sup> See *FY 2012 NPRM*, 27 FCC Rcd at 8461-62, paragraphs 8-11.

<sup>45</sup> The indirect FTEs are the non-auctions employees from the following bureaus and offices:

mechanism for calculating them can be viewed in Tables 1, 2, 3, 4, and 5. Presented as a percentage of each bureau's allocation, our FY 2019 regulatory fee proposals can be viewed as follows: The International Bureau regulatory fees allocated across International Bureau services: Bearer Circuits (3.76%), Submarine Cable (24.85%), GSO Space Stations (61.61%), NGSO Space Stations (4.27%), and Earth Stations (5.51%); the Wireless Telecommunications Bureau regulatory fees allocated across Wireless services: CMRS (Cell and Messaging) (87.67%), BRS/LMDS (1.14%), and Multi-Year Wireless regulatory fees (11.19%); the Wireline Competition Bureau regulatory fees allocated across Wireline services: ITSP as 100% with the Toll Free Number regulatory fee subcategory as 12 cents per toll free number (which can be viewed as 3.71% of the total Wireline Competitive Bureau allocation this year); and the Media Bureau regulatory fees allocated across media services: Broadcast Radio Station fees (24.52%), Television (20.48%), and Cable TV Systems (including IPTV) and DBS (55%).

20. The Commission first provided full descriptions of the regulatory fee categories in the *1994 Report and Order*.<sup>47</sup> These categories have changed over time through rulemaking and Table 6 contains an enumeration of the regulatory fee categories the Commission used to assess regulatory fees for FY 2018. We propose to use the same categories for FY 2019 and seek comment on each fee category in Table 6.

### C. Direct Broadcast Satellite (DBS) Regulatory Fees

21. DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic dish antenna at the subscriber's location. The two DBS providers, AT&T and DISH Network, are MVPDs.<sup>48</sup> The Media Bureau oversees the regulation of MVPDs, *i.e.*, regulated companies that make available for purchase, by subscribers or customers, multiple channels of video programming. The Media Bureau relies on a common pool of FTEs to carry out its oversight of MVPDs and other video distribution providers.<sup>49</sup> These responsibilities include market modifications, local-

into-local, must-carry and retransmission consent disputes, program carriage and program access complaints, over-the-air reception device declaratory rulings and waivers, media rule modernization, media ownership, and proposed transactions.<sup>50</sup>

22. For Media Bureau activities in FY 2019, the Commission must collect \$67.02 million in regulatory fees from cable TV systems, IPTV providers, and DBS operators. Based on our prior regulatory fee decisions, the Commission proposes to assess cable TV systems and IPTV providers at the same rate for regulatory fee purposes—with the total fee due being based on subscribership. The Commission has previously taken a different approach when it adopted Media Bureau-based regulatory fees on DBS operators. Specifically, in FY 2015, the Commission decided to phase in the new Media Bureau-based regulatory fee for DBS, starting at 12 cents per subscriber per year, as a subcategory in the cable television and IPTV category.<sup>51</sup> At the same time, the Commission committed to updating the regulatory fee rate in future years “as necessary for ensuring an appropriate level of regulatory parity and considering the resources dedicated to this new regulatory fee subcategory.”<sup>52</sup> Accordingly, the Commission increased the regulatory fee for DBS operators to 24 cents and then 36 cents per subscriber per year, with the regulatory fees paid by DBS operators reducing those paid by other MVPDs.<sup>53</sup> For FY 2018, the Commission continued the transition by increasing the DBS regulatory fee rate to 48 cents per subscriber per year.<sup>54</sup> The Commission explained that the DBS regulatory fee is based on the significant number of Media Bureau FTEs that work on MVPD issues that include DBS, “not a particular number of FTEs focused solely on DBS” or “specific recent proceedings.”<sup>55</sup>

<sup>50</sup> *FY 2018 Report and Order*, 33 FCC Rcd at 8944–8500, paragraph 8.

<sup>51</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2015*, Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10277, paragraph 20 (2015) (*FY 2015 Report and Order*).

<sup>52</sup> *FY 2015 Report and Order*, 30 FCC Rcd at 10277, paragraph 20.

<sup>53</sup> *FY 2017 Report and Order*, 32 FCC Rcd at 7067, paragraph 20; *FY 2016 Report and Order*, 31 FCC Rcd at 10350, paragraph 30. In each of these years, the Commission also assessed a separate one-time fee on DBS operators on a per-subscriber basis to account for moving expenses.

<sup>54</sup> *FY 2018 NPRM*, 33 FCC Rcd at 5099, paragraph 19.

<sup>55</sup> *FY 2018 Report and Order*, 33 FCC Rcd at 8501, paragraph 11; *FY 2017 Report and Order*, 32 FCC

23. The Commission previously concluded that the continued participation of DBS operators in Commission proceedings, and the use of a pool of Media Bureau FTEs to oversee MVPD issues, justifies increasing the DBS regulatory fee rate.<sup>56</sup> We seek comment on whether Media Bureau resources working on MVPD proceedings, including DBS, support continuing to phase in the DBS regulatory fee rate to bring it closer to the cable television/IPTV rate, which, for FY 2019, is proposed to be 86 cents per subscriber, per year. We recognize that DBS is not identical to cable television and IPTV; however, services that are not technologically identical nevertheless can warrant placement in the same regulatory fee category, *e.g.*, the ITSP category includes a range of carriers that are not regulated identically.<sup>57</sup> Cable television, IPTV, and DBS all receive oversight and regulation by Media Bureau FTEs working on MVPD issues.<sup>58</sup>

24. We propose to continue the phase in and set a DBS regulatory fee rate of 60 cents per subscriber per year, a 12-cent increase from the rate we used in FY 2018. In doing so, we invite comment concerning whether this continued “phase in” is still permissible under the RAY BAUM'S Act and whether this continued “phase in” is still good policy. In the alternative, we seek comment on including DBS fully in the cable television/IPTV rate, which would then be approximately 77 cents per subscriber per year, or adopting a different rate for DBS.

Rcd at 7067–68, paragraphs 22–23; *see also FY 2015 NPRM*, 30 FCC Rcd at 5369, paragraph 33 (“We also reject the argument raised by DIRECTV and DISH that section 9 of the Act requires us to ‘show that DBS and cable occupy a comparable number of FTEs.’”).

<sup>56</sup> *FY 2018 Report and Order*, 33 FCC Rcd at 8501, paragraph 11.

<sup>57</sup> ITSP, regulated by the Wireline Competition Bureau, includes interexchange carriers (IXCs), incumbent local exchange carriers (LECs), toll resellers, Voice over Internet Providers (VoIP), and other service providers, all of which involve different degrees of regulatory oversight.

<sup>58</sup> As the Commission observed in the FY 2018 Report and Order, “Although a common pool of FTEs work on MVPD and related issues for DBS operators, IPTV providers, and cable TV systems, . . . we believe it is prudent to adopt our proposal to increase such rates by less than one cent per subscriber per month. . . .” *FY 2018 Report and Order*, 33 FCC Rcd at 8500, paragraph 10. The Commission has consistently observed that the Media Bureau FTEs work on the regulation and oversight of MVPDs, that includes DBS, cable television, and IPTV. *See FY 2017 Report and Order*, 32 FCC Rcd at 7065, paragraph 19; *FY 2016 Report and Order*, 31 FCC Rcd at 10350, paragraph 30.

<sup>47</sup> *1994 Report and Order*, 9 FCC Rcd at 5344.

<sup>48</sup> MVPD is defined in section 602(13) of the Act, 47 U.S.C. 522(13).

<sup>49</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, Report and Order and Order, 33 FCC Rcd 8497, 8944, paragraph 8 (2018) (*FY 2018 Report and Order*).

#### D. Broadcast Television Stations

25. Historically, regulatory fees for full-power television stations were based on the Nielsen Designated Market Area (DMA) groupings 1–10, 11–25, 26–50, 51–100, and remaining markets (DMAs 101–210). In the *FY 2018 NPRM*, we sought comment on whether using the actual population covered by the station's contours instead of using DMAs would more accurately reflect the actual market served by a full-power broadcast television station for purposes of assessing regulatory fees.<sup>59</sup> We proposed this change in methodology, which was consistent with the methodology used for AM and FM broadcasters and would better “take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities.”<sup>60</sup> We sought comment on whether, for FY 2019 and going forward, regulatory fees should be assessed for full-power broadcast television stations based on the actual population covered by the station's contour, instead of DMAs.<sup>61</sup> We also sought comment on whether to phase in the implementation of this methodology.<sup>62</sup>

26. In the *FY 2018 Report and Order*, we adopted the proposed methodology and stated that in order to facilitate the transition to this new fee structure, for FY 2019, we planned to adopt a fee based on an average of the historical DMA methodology and the population covered by a full-power broadcast station's contour for FY 2019.<sup>63</sup> The RAY BAUM'S Act instructs the Commission, when considering its annual review, to “take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities.”<sup>64</sup> Because the standard considered when adopting the proposed methodology for establishing full-power television station regulatory fees and the related transition in the *FY 2018 Report and Order* parallels the RAY BAUM'S Act standard, we tentatively conclude that the new methodology adopted last year is consistent with the RAY BAUM'S Act. Accordingly, consistent with our FY 2018 analysis, we propose FY 2019 fees for full-power broadcast television stations based on an average of the DMA methodology and the population covered by a full-power broadcast

television station's contour. We also propose adopting a factor of .72 of one cent (\$.007224) for FY 2019 full-power broadcast television station fees.<sup>65</sup> As in the *FY 2018 Report and Order*, the population data for broadcasters' service areas is extracted from the TVStudy database, based on a station's projected noise-limited service contour.<sup>66</sup> Table 3 lists this population data for each licensee. Table 3 also lists the DMA-based fee, the population-based fee (population multiplied by \$.007224), and the resulting proposed regulatory fee for FY 2019 (*i.e.*, the average of the DMA-based fee and population-based fee) for each full-power broadcast television station, including each satellite station. We seek comment on these proposed fees.<sup>67</sup>

#### E. Terrestrial and Satellite International Bearer Circuits (IBCs)

27. The Commission previously sought comment on adopting a tiered methodology for assessing terrestrial and satellite international bearer circuit regulatory fees.<sup>68</sup> For FY 2018, the Commission assessed terrestrial and satellite common carrier and non-common carrier IBC regulatory fees on a per-circuit basis, using Gbps as the measurement rather than 64 kbps and stated in the *FY 2018 NPRM* that it expected to have sufficient circuit information from payors in September 2018 to consider a tiered rate structure for FY 2019.<sup>69</sup>

28. Now that we have FY 2018 circuit information for common carrier and non-common carrier terrestrial circuits, we believe that we should not move to a tiered structure for assessing IBC regulatory fees. Due to the wide range of numbers of circuits among carriers, particularly between the satellite and the terrestrial carriers—a tiered system,

such as the two-tiered system previously proposed by CenturyLink,<sup>70</sup> would result in large increases in fees for the smaller carriers that do not appear to be “reasonably related to the benefits provided to the payor of the fee[] by the Commission's activities,” as required by section 9(d) of the Act.<sup>71</sup> More specifically, FY 2019 IBC fees that would be assessed on the 13 carriers currently in this fee category using the existing per-Gbps methodology would range from approximately \$121 all the way to \$355,000 per carrier, and condensing such a large range of fees to two tiers would require a substantial fee increase for the smaller carriers. To avoid such increases, we believe that we would need to adopt a complex tiering system of at least seven tiers, and several of these tiers would apply to only one carrier. We believe that such a complex tiered system would not be an improvement over the current methodology. Accordingly, we propose to continue to base non-common carrier and common carrier satellite and terrestrial IBC fees on the per Gbps rate in Table 2, which would be \$121 for FY 2019. We seek comment on this proposal.

29. To the extent that commenters nevertheless believe that we should adopt a tiered structure for assessing IBC regulatory fees, we seek comment on what that structure should look like. For example, notwithstanding the concerns discussed above, should we adopt the following seven-tiered system, and if so, why?

- Systems with capacities less than 5 Gbps would pay a flat \$150 fee.
- Systems with capacities equal to 5 Gbps or greater, but less than 50 Gbps, would pay a flat \$750 fee.
- Systems with capacities equal to 50 Gbps or greater, but less than 250 Gbps, would pay a flat \$11,200 fee.
- Systems with capacities equal to 250 Gbps or greater, but less than 750 Gbps, would pay a flat \$45,000 fee.
- Systems with capacities equal to 750 Gbps or greater, but less than 1,200 Gbps, would pay a flat \$135,000 fee.

<sup>59</sup> The factor of .72 of one cent was derived by taking the revenue amount required from all television fee categories and dividing it by the total population count of all “feeable” call signs.

<sup>60</sup> 47 CFR 73.622(e).

<sup>61</sup> See 47 U.S.C. 159(d) (“the Commission shall by rule amend the schedule of regulatory fees established under this section if the Commission determines that the schedule requires amendment so that such fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities.”).

<sup>62</sup> *FY 2018 NPRM*, 33 FCC Rcd at 5100–5101, paragraphs 22–26.

<sup>63</sup> *FY 2018 NPRM*, 33 FCC Rcd at 5100–5101, paragraphs 22–26. In the *FY 2017 Report and Order*, the Commission concluded that IBCs should be assessed regulatory fees for non-common carrier, as well as common carrier, terrestrial circuits. *FY 2017 Report and Order*, 32 FCC Rcd at 7071–7072, paragraphs 34–35. This new fee was first assessed in FY 2018.

<sup>70</sup> Level 3 Communications (now, CenturyLink) proposed a “flat, per provider fee, with a reduced amount for the smaller providers” and argued that this “two-tier methodology . . . is more efficient than a multi-tier methodology because the Commission need identify only one break point, and is less burdensome for providers because, once they pass the ‘small provider’ threshold, they will simply pay the ‘large’ fee category each year.” See Comments of Level 3 Communications, MD Docket No. 16–166 at 3–4 (filed June 23, 2016); see also Comments of CenturyLink, MD Docket No. 18–175, at 2–3 (filed June 21, 2018). CenturyLink did not define the “break point” between small and large provider.

<sup>71</sup> 47 U.S.C. 159(d).

<sup>59</sup> *FY 2018 NPRM*, 33 FCC Rcd at 5102, paragraph 28.

<sup>60</sup> *Id.* (quoting prior section 9(b)(1)(A)).

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> *FY 2018 Report and Order*, 33 FCC Rcd at paragraph 14.

<sup>64</sup> 47 U.S.C. 159(d).

- Systems with capacities equal to 1,200 Gbps or greater, but less than 2,500 Gbps, would pay a flat \$270,000 fee.

- Systems with capacities equal to or greater than 2,500 Gbps would pay a flat \$345,000 fee.

30. For any tiered structure proposed, commenters should explain why their proposal would be an improvement over the current methodology and how the resulting fees would be “reasonably related to the benefits provided to the payor of the fee[] by the Commission’s activities.”<sup>72</sup>

#### F. De Minimis Regulatory Fees

31. Section 9(e)(2) of the RAY BAUM’S Act provides the Commission with discretion to exempt a party from paying regulatory fees when the Commission determines that the cost of collection exceeds the amount collected.<sup>73</sup> Specifically, section 9(e)(2) provides that the Commission may exempt a party from paying regulatory fees if “in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party. . . .”<sup>74</sup> Below, we seek comment on how to implement section 9(e)(2).

32. Since 1996, the Commission has provided a de minimis threshold for regulatory fee payments by exempting a regulatee from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities was less than the threshold for a given fiscal year. In adopting the first de minimis threshold for regulatory fees of \$10.00, the Commission found that the cost of processing small payments resulted in a net loss to the U.S. Department of the Treasury.<sup>75</sup> The Commission subsequently revised the de minimis threshold in 2014 to \$500.00 based in part on the costs of assessing and

collecting regulatory fees from non-payers.<sup>76</sup> The Commission estimated that the cost of collection of an unpaid regulatory fee was at least \$350.00.<sup>77</sup> The Commission explained that the increase in the de minimis threshold to \$500.00 would provide financial relief to small entities and reduce the administrative burden on the Commission that would result from attempting to collect unpaid fees.<sup>78</sup> The Commission noted that smaller entities are at greater risk of missing regulatory fee deadlines and that many such entities are subject to little Commission oversight and regulation.<sup>79</sup> The Commission increased the de minimis threshold to \$1,000.00 in 2017, observing that the cost of researching and creating a bill to send to a non-payor, and completing follow-up discussion and correspondence, had increased since the FY 2014 regulatory fee proceeding.<sup>80</sup> The Commission further found that the \$350.00 estimate of collection costs in the *FY 2014 Report and Order* did not include the Commission’s overhead costs.<sup>81</sup>

33. We view new section 9(e)(2) as codifying our authority to adopt a de minimis exemption. Section 9(e)(2) provides the Commission with discretion to exempt a “party” and to provide relief based on the cost of collection, both of which were factors considered in the existing de minimis exemption. The adoption of a monetary threshold applied against the total amount due in a given fiscal year continues to be, in our estimation, an efficient mechanism for reducing the Commission’s costs in assessing and collecting regulatory fees.

34. We have analyzed an average cost of collection of a delinquent bill today and estimate that the cost to the Commission would exceed \$1,000.00. For delinquent bills, the Commission’s administrative process includes various functions such as gathering data from the bureaus and external sources (*e.g.*, the Universal Service Administrative Company (USAC)); validating data and preparing the data for billing; validating outstanding bills; preparing delinquency bills for transfer to collection agent for processing; discussing bills with regulatees when

they call with questions; addressing bill disputes (*e.g.*, Centralized Receivable Service (CRS), U.S. Department of the Treasury, and FCC Help Desks); and processing payments received from CRS and U.S. Department of the Treasury. We thus seek comment on a section 9(e)(2) annual regulatory fee de minimis exemption of \$1,000.00.

35. We also propose to exclude multi-year regulatory fees from the proposed section 9(e)(2) exemption. Historically, the de minimis threshold has applied only to annual regulatory fee filers and did not include regulatory fees paid through multi-year filings. The Commission excluded multi-year wireless fees from the de minimis exemption because the process of paying multi-year regulatory fees is a separate process from annual regulatory fee filings, and including multi-year fees in the threshold would significantly increase the Commission’s administrative costs.<sup>82</sup> Section 9(e)(2) provides the Commission with discretion as to whether and how to provide this exemption; specifically, it states that the Commission “may exempt” a party from paying regulatory fees. We propose to exclude multi-year licenses from the new section 9(e)(2) exemption due to the administrative costs associated with implementing such an exemption for these fees. We seek comment on this proposal.

#### G. Additional Regulatory Fee Reform

36. We also seek comment on additional regulatory fee reform and ways to further improve our regulatory fee process to make it less burdensome for all entities. In particular, we seek comment on whether our fee setting methodologies could be improved or updated to ensure that our regulatory fees are more equitable or otherwise streamlined to make the fee schedule simpler. As part of this analysis, we seek comment on the costs and benefits of reforming our fee-setting process.

#### H. Restatement of Certain Rules Fundamental to Waiver, Enforcement and Collection of Regulatory Fees

37. The RAY BAUM’S Act moved and reformatted certain provisions of prior section 9 relating to waiver, enforcement and collection of regulatory fees.<sup>83</sup> Because these provisions are

<sup>72</sup> 47 U.S.C. 159(d).

<sup>73</sup> 47 U.S.C. 159(e)(2). Similarly, section 9(e)(1) exempts from regulatory fees governmental and nonprofit entities, amateur radio operators, and noncommercial radio and television stations. Governmental entities, nonprofits, and amateur radio operators were exempt under the prior version of section 9(h). Under § 1.1162 of our rules, governmental entities, nonprofits, amateur radio operators, special emergency radio and public safety radio licensees, and noncommercial educational radio and television licensees are exempt from regulatory fees. 47 CFR 1.1162. The new section 9(e)(1) incorporated this exemption from our rules into the statute.

<sup>74</sup> 47 U.S.C. 159(e)(2).

<sup>75</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 1996*, Notice of Proposed Rulemaking, 11 FCC Rcd 16515, 16530, paragraphs 50–51 (1996) (*FY 1996 NPRM*); *Assessment and Collection of Regulatory Fees for Fiscal Year 1996*, Report and Order, 11 FCC Rcd 18774, 18792, paragraph 50 (1996) (*FY 1996 Report and Order*).

<sup>76</sup> See *Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10767, 10775–76, paragraph 21 (2014) (*FY 2014 Report and Order*).

<sup>77</sup> *Id.*

<sup>78</sup> *Id.*, 29 FCC Rcd at 10775, paragraph 20.

<sup>79</sup> *Id.*

<sup>80</sup> *FY 2017 Report and Order*, 32 FCC Rcd at 7073, paragraph 40.

<sup>81</sup> *Id.*

<sup>82</sup> For example, all annual regulatory fees are due and payable in September of each fiscal year allowing for tracking by fee category and FRN within a single database (Fee Filer). The multi-year regulatory fees due dates are spread throughout each year and these fee categories are not included in the annual regulatory fee database.

<sup>83</sup> Compare old sections 9(c) and (d) with new section 9A(c) and (d). In addition to the rule

essential to the Commission's exercise of its statutory authority here, we take this opportunity to explain essential aspects of the statute and also note that our application of these provisions remains unchanged.

#### 1. Waiver, Reduction and Deferral of Regulatory Fees

38. Section 9A of the Communications Act, as amended by the RAY BAUM'S Act, permits the Commission to waive, reduce, or defer payment of a regulatory fee and associated interest charges and penalties for good cause if the waiver, reduction, or deferral (collectively, waiver or waive) would serve the public interest.<sup>84</sup> The Commission interprets this provision narrowly to permit only those waivers "unambiguously articulating 'extraordinary circumstances' outweighing the public interest in recouping the cost of the Commission's regulatory services for a particular regulatee."<sup>85</sup> Within this standard, the Commission recognizes that in exceptional circumstances, financial hardship may justify waiving and/or deferring a party's regulatory fees.<sup>86</sup> Financial inability, however, must be conclusively proven and the burden of proof for doing so lies solely with the regulatee seeking relief. Mere allegations of financial loss will not support a waiver request. Rather, as the Commission has stated, "it is incumbent upon each regulatee to fully document its financial position and show that it lacks sufficient funds to pay the regulatory fees and to maintain its service to the public."<sup>87</sup> The Commission has suggested that documents that may be relevant to prove financial inability include balance sheets and profit and loss statements (audited if available), twelve month cash flow projections (with an explanation of how calculated), a list of officers and highest paid employees other than officers, and each individual's compensation, or similar information.<sup>88</sup> We emphasize, however, that the foregoing list of documents is not exhaustive and it is up to each

changes discussed below, we propose to delete § 1.1163 of the Commission's rules as redundant given the statutory language and plan to adopt changes in our Report and Order to § 1.1166 of the Commission's rules that track the revised statutory language.

<sup>84</sup> *Id.*

<sup>85</sup> *FY 1994 Report and Order*, 9 FCC Rcd at 5344, paragraph 29.

<sup>86</sup> *Implementation of Section 9 of the Communications Act*, Memorandum Opinion and Order, 10 FCC Rcd 12759, 12761–12762, paragraphs 12–14 (1995).

<sup>87</sup> *Id.* at 12762, paragraph 13.

<sup>88</sup> *Id.*

regulatee to determine the documentation required to prove financial hardship in its own case.

39. The Commission has previously stated that with respect to waiver, reduction, and deferral requests based on financial hardship, the Commission will base its decision on the information submitted with the request as well as "any additional information available in the Commission's records."<sup>89</sup> We are not bound, nor is it an efficient use of the Commission's time, to search our records for information or documents that might be relevant to a request for waiver, reduction or deferral of a regulatory fee. Therefore, we propose to eliminate consideration of information and documents available in our records and instead, require that any party seeking regulatory fee relief, regardless of the basis for its request, must include with its request all documents and information the requestor believes to be relevant to prove its case, regardless of whether or not such documentation or information exists in Commission records.<sup>90</sup>

40. The Commission frequently receives requests to waive regulatory fees owed by regulatees in bankruptcy or receivership, who cite the fact of the bankruptcy or receivership as proof of the regulatee's financial hardship, justifying waiver. Here we wish to emphasize the standard to which the Commission hews in determining whether to grant relief in such cases. While the Commission recognizes that the fact of a bankruptcy or receivership filing may be sufficient evidence of financial hardship, we consider such cases individually,<sup>91</sup> taking into account a number of other factors that are relevant to the question of whether the regulatee lacks sufficient funds to pay the regulatory fees and to maintain its service to the public. Although the factors we consider are case-specific, they might include for example, whether the regulatee intends to reorganize or liquidate in bankruptcy, the reason for the bankruptcy or receivership filing, the regulatee's ability or plan to obtain post-petition financing, the number, type and amount of other claims asserted against the regulatee in the bankruptcy or receivership case, and the priority accorded under bankruptcy or receivership law to the Commission's regulatory fee claim.

<sup>89</sup> *FY 1994 Report and Order*, 9 FCC Rcd at 5346.

<sup>90</sup> We would except from this requirement administrative and judicial decisions and orders, for which a citation would be sufficient.

<sup>91</sup> *FY 2003 Report and Order*, 18 FCC Rcd. at 15990, paragraph 13.

41. We also remind regulatees that requests to waive their regulatory fees must be properly filed by the date on which such fees are due.<sup>92</sup>

#### 2. Enforcement

42. *Late payment penalty and interest.* Regulatory fee payments must be paid by their due date. Section 9A(c)(1) of the Act requires the Commission to impose a late payment penalty of 25 percent of unpaid regulatory fee debt, to be assessed on the first day following the deadline for payment of the fees. Section 9A(c)(2) of the Act requires the Commission to assess interest at the rate set forth in 31 U.S.C. 3717 on all unpaid regulatory fees, including the 25 percent penalty, until the debt is paid in full.<sup>93</sup> The RAY BAUM'S Act, however, prohibits the Commission from assessing the administrative costs of collecting delinquent regulatory fee debt.<sup>94</sup> Thus, while section 9A(c) of the Act leaves intact those parts of § 1.1940 of the Commission's rules pertaining to penalty and interest charges, the Commission will no longer assess administrative costs on delinquent regulatory fee debts.<sup>95</sup>

43. *Collection and offset.* The Commission will pursue collection of all past due regulatory fees, including penalties and accrued interest, using collection remedies available to it under the Debt Collection Improvement Act of 1996, its implementing regulations and federal common law. These remedies include offsetting regulatory fee debt against monies owed to the debtor by the Commission, and referral of the debt to the United States Treasury for further collection efforts, including centralized offset against monies other federal agencies may owe the debtor.<sup>96</sup>

44. *Red light.* Failure to timely pay regulatory fees, penalties or accrued interest will also subject regulatees to the Commission's "red light" rule, which generally requires the Commission to withhold action on and subsequently dismiss applications and other requests for benefits by any entity owing debt, including regulatory fee debt, to the Commission.<sup>97</sup>

45. *Revocation.* In addition to financial penalties, section 9(c)(3) of the

<sup>92</sup> *FY 1994 Report and Order*, 9 FCC Rcd at 5345, paragraph 34.

<sup>93</sup> 47 U.S.C. 159A(c)(1).

<sup>94</sup> Section 9A(c)(2) provides that "section 3717 shall not otherwise apply to such a fee or penalty."

<sup>95</sup> See *FY 2018 Report and Order*, 33 FCC Rcd at 8502–8503, paragraphs 16–17 (adopting this amendment to § 1.1940 of our rules to conform to the RAY BAUM'S Act).

<sup>96</sup> 31 U.S.C. 3701 *et seq.*; 31 CFR 901 *et seq.*; 47 CFR 1.1901 *et seq.*

<sup>97</sup> See 47 CFR 1.1910.

Act,<sup>98</sup> and § 1.1164(f) of the Commission's rules<sup>99</sup> grant the Commission the authority to revoke authorizations for failure to pay regulatory fees in a timely fashion. Should a fee delinquency not be rectified in a timely manner the Commission may require the licensee to file with documented evidence within sixty (60) calendar days that full payment of all outstanding regulatory fees has been made, plus any associated penalties as calculated by the Secretary of Treasury in accordance with § 1.1164(a) of the Commission's rules,<sup>100</sup> or show cause why the payment is inapplicable or should be waived or deferred. Failure to provide such evidence of payment or to show cause within the time specified may result in revocation of the station license.<sup>101</sup>

## V. Procedural Matters

46. Included below are procedural items as well as our current payment and collection methods. We include these payments and collection procedures here as a useful way of reminding regulatory fee payers and the public about these aspects of the annual regulatory fee collection process.

### A. Payment of Regulatory Fees

47. *Credit Card Transaction Levels.* Since June 1, 2015, in accordance with U.S. Treasury Announcement No. A-2014-04 (July 2014), the highest amount that can be charged on a credit card for transactions with federal agencies is \$24,999.99.<sup>102</sup> Transactions greater than \$24,999.99 will be rejected. This limit applies to single payments or bundled payments of more than one bill. Multiple transactions to a single agency in one day may be aggregated and treated as a single transaction subject to the \$24,999.99 limit. Customers who wish to pay an amount greater than \$24,999.99 should consider available electronic alternatives such as Visa or MasterCard debit cards, ACH debits from a bank account, and wire transfers.

Each of these payment options is available after filing regulatory fee information in Fee Filer. Further details will be provided regarding payment methods and procedures at the time of FY 2019 regulatory fee collection in Fact Sheets, <https://www.fcc.gov/regfees>.

48. *Payment Methods.* Pursuant to an Office of Management and Budget (OMB) directive,<sup>103</sup> the Commission is moving towards a paperless environment, extending to disbursement and collection of select federal government payments and receipts.<sup>104</sup> In 2015, the Commission stopped accepting checks (including cashier's checks and money orders) and the accompanying hardcopy forms (e.g., Forms 159, 159-B, 159-E, 159-W) for the payment of regulatory fees.<sup>105</sup> During the fee season for collecting regulatory fees, regulatees can pay their fees by credit card through *Pay.gov*,<sup>106</sup> ACH, debit card,<sup>107</sup> or by wire transfer. Additional payment instructions are posted on the Commission's website at <http://transition.fcc.gov/fees/regfees.html>. The receiving bank for all wire payments is the U.S. Treasury, New York, NY (TREAS NYC). Any other form of payment (e.g., checks, cashier's checks, or money orders) will be rejected. For payments by wire, a Form 159-E should still be transmitted via fax so that the Commission can associate the wire payment with the correct regulatory fee information. The fax should be sent to the Federal Communications Commission at (202) 418-2843 at least one hour before initiating the wire transfer (but on the same business day) so as not to delay crediting their account. Regulatees should discuss arrangements (including bank closing schedules) with their bankers several days before they plan to make the wire transfer to allow sufficient time for the transfer to be initiated and completed before the deadline. Complete instructions for

<sup>103</sup> Office of Management and Budget (OMB) Memorandum M-10-06, Open Government Directive, Dec. 8, 2009; see also <http://www.whitehouse.gov/the-press-office/2011/06/13/executive-order-13576-delivering-efficient-effective-and-accountable-gov>.

<sup>104</sup> See U.S. Department of the Treasury, Open Government Plan 2.1, September 2012.

<sup>105</sup> *FY 2015 Report and Order*, 30 FCC Rcd at 10282-83, paragraph 35. See 47 CFR 1.1158.

<sup>106</sup> In accordance with U.S. Treasury Financial Manual Announcement No. A-2014-04 (July 2014), the amount that may be charged on a credit card for transactions with federal agencies has been reduced to \$24,999.99.

<sup>107</sup> In accordance with U.S. Treasury Financial Manual Announcement No. A-2012-02, the maximum dollar-value limit for debit card transactions is eliminated. Only Visa and MasterCard branded debit cards are accepted by *Pay.gov*.

making wire payments are posted at <http://transition.fcc.gov/fees/wiretran.html>.

49. *Standard Fee Calculations and Payment Dates.*—The Commission will accept fee payments made in advance of the window for the payment of regulatory fees. The responsibility for payment of fees by service category is as follows:

- *Media Services:* Regulatory fees must be paid for initial construction permits that were granted on or before October 1, 2018 for AM/FM radio stations, VHF/UHF broadcast television stations, and satellite television stations. Regulatory fees must be paid for all broadcast facility licenses granted on or before October 1, 2018.

- *Wireline (Common Carrier) Services:* Regulatory fees must be paid for authorizations that were granted on or before October 1, 2018. In instances where a permit or license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the permit or license as of the fee due date. Audio bridging service providers are included in this category.<sup>108</sup> For Responsible Organizations (RespOrgs) that manage Toll Free Numbers (TFN), regulatory fees should be paid on all working, assigned, and reserved toll free numbers as well as toll free numbers in any other status as defined in § 52.103 of the Commission's rules.<sup>109</sup> The unit count should be based on toll free numbers managed by RespOrgs on or about December 31, 2018.

- *Wireless Services:* CMRS cellular, mobile, and messaging services (fees based on number of subscribers or telephone number count): Regulatory fees must be paid for authorizations that were granted on or before October 1, 2018. The number of subscribers, units, or telephone numbers on December 31, 2018 will be used as the basis from which to calculate the fee payment. In instances where a permit or license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the permit or license as of the fee due date.

- *Wireless Services, Multi-year fees:* The first eight regulatory fee categories in our Schedule of Regulatory Fees pay "small multi-year wireless regulatory fees." Entities pay these regulatory fees in advance for the entire amount period covered by the five-year or ten-year terms of their initial licenses, and pay regulatory fees again only when the license is renewed or a new license is

<sup>108</sup> Audio bridging services are toll teleconferencing services.

<sup>109</sup> 47 CFR 52.103.

<sup>98</sup> 47 U.S.C. 159(c)(3).

<sup>99</sup> 47 CFR 1.1164(f).

<sup>100</sup> 47 CFR 1.1164(a).

<sup>101</sup> See, e.g., *Cortaro Broadcasting Corp.*, Order to Pay or Show Cause, 32 FCC Rcd 9336 (MB 2017).

<sup>102</sup> Customers who owe an amount on a bill, debt, or other obligation due to the federal government are prohibited from splitting the total amount due into multiple payments. Splitting an amount owed into several payment transactions violates the credit card network and Fiscal Service rules. An amount owed that exceeds the Fiscal Service maximum dollar amount, \$24,999.99, may not be split into two or more payment transactions in the same day by using one or multiple cards. Also, an amount owed that exceeds the Fiscal Service maximum dollar amount may not be split into two or more transactions over multiple days by using one or more cards.

obtained. We include these fee categories in our rulemaking to publicize our estimates of the number of “small multi-year wireless” licenses that will be renewed or newly obtained in FY 2019.

- *Multichannel Video Programming Distributor Services (cable television operators, CARS licensees, DBS, and IPTV)*: Regulatory fees must be paid for the number of basic cable television subscribers as of December 31, 2018.<sup>110</sup> Regulatory fees also must be paid for CARS licenses that were granted on or before October 1, 2018. In instances where a permit or license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the permit or license as of the fee due date. For providers of DBS service and IPTV-based MVPDs, regulatory fees should be paid based on a subscriber count on or about December 31, 2018. In instances where a permit or license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the permit or license as of the fee due date.

- *International Services*: Regulatory fees must be paid for (1) earth stations and (2) geostationary orbit space stations and non-geostationary orbit satellite systems that were licensed and operational on or before October 1, 2018. In instances where a permit or license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the permit or license as of the fee due date.

- *International Services (Submarine Cable Systems)*: Regulatory fees for submarine cable systems are to be paid on a per cable landing license basis based on circuit capacity as of December 31, 2018. In instances where a license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the license as of the fee due date. For regulatory fee purposes, the allocation in FY 2019 will remain at 87.6 percent for submarine

cable and 12.4 percent for satellite/terrestrial facilities.

- *International Services (Terrestrial and Satellite Services)*: Regulatory fees for terrestrial and satellite IBCs are to be paid based on active (used or leased) international bearer circuits as of December 31, 2018 in any terrestrial or satellite transmission facility for the provision of service to an end user or resale carrier. When calculating the number of such active circuits, entities must include circuits used by themselves or their affiliates. For these purposes, “active circuits” include backup and redundant circuits as of December 31, 2018. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits.<sup>111</sup> In instances where a permit or license is transferred or assigned after October 1, 2018, responsibility for payment rests with the holder of the permit or license as of the fee due date. For regulatory fee purposes, the IBC allocation in FY 2019 will remain at 87.6 percent for submarine cable and 12.4 percent for satellite/terrestrial facilities.

*B. Commercial Mobile Radio Service (CMRS) and Mobile Services Assessments*

50. The Commission will compile data from the Numbering Resource Utilization Forecast (NRUF) report that is based on “assigned” telephone number (subscriber) counts that have been adjusted for porting to net Type 0 ports (“in” and “out”).<sup>112</sup> This information of telephone numbers (subscriber count) will be posted on the Commission’s electronic filing and payment system (Fee Filer) along with the carrier’s Operating Company Numbers (OCNs).

51. A carrier wishing to revise its telephone number (subscriber) count can do so by accessing Fee Filer and follow the prompts to revise their telephone number counts. Any revisions to the telephone number counts should be accompanied by an explanation or

supporting documentation.<sup>113</sup> The Commission will then review the revised count and supporting documentation and either approve or disapprove the submission in Fee Filer. If the submission is disapproved, the Commission will contact the provider to afford the provider an opportunity to discuss its revised subscriber count and/or provide additional supporting documentation. If we receive no response from the provider, or we do not reverse our initial disapproval of the provider’s revised count submission, the fee payment must be based on the number of subscribers listed initially in Fee Filer. Once the timeframe for revision has passed, the telephone number counts are final and are the basis upon which CMRS regulatory fees are to be paid. Providers can view their final telephone counts online in Fee Filer. A final CMRS assessment letter will not be mailed out.

52. Because some carriers do not file the NRUF report, they may not see their telephone number counts in Fee Filer. In these instances, the carriers should compute their fee payment using the standard methodology that is currently in place for CMRS Wireless services (*i.e.*, compute their telephone number counts as of December 31, 2018), and submit their fee payment accordingly. Whether a carrier reviews its telephone number counts in Fee Filer or not, the Commission reserves the right to audit the number of telephone numbers for which regulatory fees are paid. In the event that the Commission determines that the number of telephone numbers that are paid is inaccurate, the Commission will bill the carrier for the difference between what was paid and what should have been paid.

**VI. Tables**

Regulatory fees for the first seven fee categories below shaded are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

TABLE 1—CALCULATION OF FY 2019 REVENUE REQUIREMENTS AND PRO-RATA FEES

Fee category	FY 2019 payment units	Yrs	FY 2018 revenue estimate	Pro-rated FY 2019 revenue requirement	Computed FY 2019 regulatory fee	Rounded FY 2019 reg. fee	Expected FY 2019 revenue
PLMRS (Exclusive Use) .....	450	10	\$85,000	\$112,500	\$25.00	\$25	\$112,500

<sup>110</sup> Cable television system operators should compute their number of basic subscribers as follows: Number of single family dwellings + number of individual households in multiple dwelling unit (apartments, condominiums, mobile home parks, etc.) paying at the basic subscriber rate + bulk rate customers + courtesy and free service. Note: Bulk-Rate Customers = Total annual bulk-rate charge divided by basic annual subscription rate for

individual households. Operators may base their count on “a typical day in the last full week” of December 2018, rather than on a count as of December 31, 2018.

<sup>111</sup> We encourage terrestrial and satellite service providers to seek guidance from the International Bureau’s Telecommunications and Analysis Division to verify their particular IBC reporting

processes to ensure that their calculation methods comply with our rules.

<sup>112</sup> See *FY 2005 Report and Order*, 20 FCC Rcd at 12264, paragraphs 38–44.

<sup>113</sup> In the supporting documentation, the provider will need to state a reason for the change, such as a purchase or sale of a subsidiary, the date of the transaction, and any other pertinent information that will help to justify a reason for the change.

TABLE 1—CALCULATION OF FY 2019 REVENUE REQUIREMENTS AND PRO-RATA FEES—Continued

Fee category	FY 2019 payment units	Yrs	FY 2018 revenue estimate	Pro-rated FY 2019 revenue requirement	Computed FY 2019 regulatory fee	Rounded FY 2019 reg. fee	Expected FY 2019 revenue
PLMRS (Shared use) .....	12,400	10	1,250,000	1,239,999	10.00	10	1,240,000
Microwave .....	10,000	10	1,937,500	2,500,000	25.00	25	2,500,000
Marine (Ship) .....	7,100	10	1,072,500	1,065,000	15.00	15	1,065,000
Aviation (Aircraft) .....	4,500	10	400,000	450,000	10.00	10	450,000
Marine (Coast) .....	60	10	30,000	24,000	40.00	40	24,000
Aviation (Ground) .....	1,100	10	200,000	220,000	20.00	20	220,000
AM Class A <sup>1</sup> .....	61	1	266,175	285,628	4,682	4,675	285,175
AM Class B <sup>1</sup> .....	1,389	1	3,274,450	3,543,984	2,551	2,550	3,541,950
AM Class C <sup>1</sup> .....	773	1	1,177,200	1,268,909	1,642	1,650	1,275,450
AM Class D <sup>1</sup> .....	1,256	1	3,907,800	4,192,065	3,338	3,350	4,207,600
FM Classes A, B1 & C3 <sup>1</sup> .....	2,904	1	8,152,450	8,809,970	3,038	3,025	8,784,600
FM Classes B, C, C0, C1 & C2 <sup>1</sup> .....	3,075	1	10,009,600	10,794,578	3,510	3,500	10,762,500
AM Construction Permits <sup>2</sup> .....	3	1	4,950	1,980	660	660	1,980
FM Construction Permits <sup>2</sup> .....	67	1	105,185	77,050	1,150	1,150	77,050
Satellite TV .....	125	1	189,000	202,847	1,623	1,625	203,125
Digital TV Mkt 1–10 .....	143	1	7,164,000	7,722,293	54,002	54,000	7,722,000
Digital TV Mkt 11–25 .....	140	1	5,243,000	5,693,047	40,665	40,675	5,694,500
Digital TV Mkt 26–50 .....	186	1	4,729,725	5,052,126	27,162	27,150	5,049,900
Digital TV Mkt 51–100 .....	291	1	3,617,750	3,939,717	13,539	13,550	3,943,050
Digital TV Remaining Markets .....	375	1	1,594,900	1,668,991	4,451	4,450	1,668,750
Digital TV Construction Permits <sup>2</sup> .....	3	1	12,300	13,350	4,450	4,450	13,350
LPTV/Translators/Boosters/Class A TV .....	4,100	1	1,515,820	1,622,772	345.3	345	1,621,500
CARS Stations .....	175	1	188,125	201,018	1,218	1,225	202,125
Cable TV Systems, including IPTV .....	57,000,000	1	46,970,000	48,767,045	.8556	.86	49,020,000
Direct Broadcast Satellite (DBS) .....	30,000,000	1	15,360,000	18,011,242	.6004	.60	18,000,000
Interstate Telecommunication Service Providers .....	\$32,200,000,000	1	100,686,000	102,695,189	0.003189	0.00319	102,718,000
Toll Free Numbers .....	33,000,000	1	3,320,000	3,954,211	0.1198	0.12	3,960,000
CMRS Mobile Services (Cellular/Public Mobile) .....	421,000,000	1	80,800,000	78,424,217	0.1863	0.19	79,990,000
CMRS Messag. Services .....	1,900,000	1	80,000	152,000	0.0800	0.080	152,000
BRS/ <sup>3</sup> .....	1,260	1	705,000	869,400	690	690	869,400
LMDS .....	140	1	240,000	96,600	690	690	96,600
Per Gbps circuit Int'l Bearer Circuits—Terrestrial (Common & Non-Common) & Satellite (Common & Non-Common) .....	7,440	1	685,102	900,785	121.073	121	900,240
Submarine Cable Providers (See chart at bottom of Table 2) <sup>4</sup> .....	38.00	1	4,959,035	6,363,608	167,463	167,475	6,364,050
Earth Stations .....	3,300	1	1,105,000	1,399,050	424	425	1,402,500
Space Stations (Geostationary) .....	98	1	12,401,450	15,643,457	159,627	159,625	15,643,250
Space Stations (Non-Geostationary) .....	7	1	859,425	1,084,200	154,886	154,875	1,084,125
***** Total Estimated Revenue to be Collected .....			324,365,671	339,062,828			340,866,270
***** Total Revenue Requirement .....			322,035,000	339,000,000			339,000,000
Difference .....			2,330,671	62,828			1,866,270

Notes on Table 1:

<sup>1</sup> The fee amounts listed in the column entitled "Rounded New FY 2019 Regulatory Fee" constitute a weighted average broadcast regulatory fee by class of service. The actual FY 2019 regulatory fees for AM/FM radio station are listed on a grid located at the end of Table 2.

<sup>2</sup> The AM and FM Construction Permit revenues and the Digital (VHF/UHF) Construction Permit revenues were adjusted, respectively, to set the regulatory fee to an amount no higher than the lowest licensed fee for that class of service. Reductions in the Digital (VHF/UHF) Construction Permit revenues, and in the AM and FM Construction Permit revenues, were offset by increases in the revenue totals for Digital television stations by market size, and in the AM and FM radio stations by class size and population served, respectively.

<sup>3</sup> MDS/MMDS category was renamed Broadband Radio Service (BRS). See Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150–2162 and 2500–2690 MHz Bands, Report & Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 14165, 14169, paragraph 6 (2004).

<sup>4</sup> The chart at the end of Table 2 lists the submarine cable bearer circuit regulatory fees (common and non-common carrier basis) that resulted from the adoption of the Assessment and Collection of Regulatory Fees for Fiscal Year 2008, Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6388 (2008) and Assessment and Collection of Regulatory Fees for Fiscal Year 2008, Second Report and Order, 24 FCC Rcd 4208 (2009).

Regulatory fees for the first eight fee categories below are collected by the Commission in advance to cover the

term of the license and are submitted at the time the application is filed.

TABLE 2—PROPOSED REGULATORY FEES FOR FY 2019

Fee category	Annual regulatory fee (U.S. \$'s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90) .....	25
Microwave (per license) (47 CFR part 101) .....	25
Marine (Ship) (per station) (47 CFR part 80) .....	15
Marine (Coast) (per license) (47 CFR part 80) .....	40
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category) .....	10
PLMRS (Shared Use) (per license) (47 CFR part 90) .....	10
Aviation (Aircraft) (per station) (47 CFR part 87) .....	10

TABLE 2—PROPOSED REGULATORY FEES FOR FY 2019—Continued

Fee category	Annual regulatory fee (U.S. \$'s)
Aviation (Ground) (per license) (47 CFR part 87)	20
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.19
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08
Broadband Radio Service (formerly MMDS/MDS) (per license) (47 CFR part 27)	690
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	690
AM Radio Construction Permits	660
FM Radio Construction Permits	1,150
AM and FM Broadcast Radio Station Fees	See Table Below
Digital TV (47 CFR part 73) VHF and UHF Commercial	(*)
Construction Permits	4,450
Low Power TV, Class A TV, TV/FM Translators & Boosters (47 CFR part 74)	345
CARS (47 CFR part 78)	1,225
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV	.86
Direct Broadcast Service (DBS) (per subscriber) (as defined by section 602(13) of the Act)	.60
Interstate Telecommunication Service Providers (per revenue dollar)	.00319
Toll Free (per toll free subscriber) (47 C.F.R. 52.101 (f) of the rules)	.12
Earth Stations (47 CFR part 25)	425
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	159,625
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	154,875
International Bearer Circuits—Terrestrial/Satellites (per Gbps circuit)	121
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

(\*) See Table 3; also available at <https://www.fcc.gov/licensing-databases/fees/regulatory-fees>.

PROPOSED FY 2019 RADIO STATION REGULATORY FEES

Population served	AM Class A	AM Class B	AM Class C	AM Class D	FM Classes A, B1 & C3	FM Classes B, C, C0, C1 & C2
<= 25,000	\$1,000	\$760	\$660	\$725	\$1,150	\$1,325
25,001–75,000	1,575	1,150	990	1,000	1,725	2,000
75,001–150,000	2,375	1,700	1,475	1,625	2,600	2,975
150,001–500,000	3,550	2,575	2,225	2,450	3,875	4,475
500,001–1,200,000	5,325	3,850	3,350	3,675	5,825	6,700
1,200,001–3,000,000	7,975	5,775	5,025	5,500	8,750	10,075
3,000,001–6,000,000	11,950	8,650	7,525	8,250	13,100	15,100
>6,000,000	17,950	13,000	11,275	12,400	19,650	22,650

FY 2019 INTERNATIONAL BEARER CIRCUITS—SUBMARINE CABLE SYSTEMS

Submarine cable systems (capacity as of December 31, 2018)	Proposed fee amount for FY 2019
Less than 50 Gbps	\$12,575
50 Gbps or greater, but less than 250 Gbps	25,150
250 Gbps or greater, but less than 1,000 Gbps	50,300
1,000 Gbps or greater, but less than 4,000 Gbps	100,600
4,000 Gbps or greater	201,225

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KAAL	52,021	\$376	\$4,450	\$2,413
KAAS-TV	220,262	1,591	13,550	7,571
KABB	2,474,296	17,875	27,150	22,513
KABC-TV	17,791,505	128,532	54,000	91,266
KABY-TV	137,331	992	4,450	2,721
KAUT-TV	1,608,476	11,620	27,150	19,385
KAUZ-TV	381,671	2,757	4,450	3,604
KAVU-TV	320,484	2,315	4,450	3,383
KAWK	136,033	983	40,675	20,829
KAYU-TV	809,464	5,848	13,550	9,699
KADN-TV	877,965	6,343	4,450	5,396

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KAEF-TV	138,085	998	4,450	2,724
KAIL-TV	188,810	1,364	13,550	7,457
KAIL	1,967,744	14,216	13,550	13,883
KAIT	861,149	6,221	4,450	5,336
KAJB	383,886	2,773	4,450	3,612
KAKE	803,937	5,808	13,550	9,679
KAKW-DT	2,615,956	18,899	27,150	23,024
KALB-TV	943,307	6,815	4,450	5,632
KALO	948,683	6,854	13,550	10,202
KAZD	6,747,915	48,749	4,450	26,600
KAZQ	1,097,010	7,925	27,150	17,538
KAZT-TV	436,925	3,157	40,675	21,916
KBAK-TV	1,510,400	10,912	4,450	7,681
KBCA	463,075	3,345	4,450	3,898
KBCB	1,256,193	9,075	40,675	24,875
KBCW	8,020,424	57,943	54,000	55,971
KBFD-DT	953,207	6,886	13,550	10,218
KBIM-TV	205,701	1,486	27,150	14,318
KBJR-TV	275,585	1,991	4,450	3,220
KAMC	391,526	2,829	4,450	3,639
KAME-TV	611,981	4,421	4,450	4,436
KAMR-TV	366,476	2,648	4,450	3,549
KAPP	319,797	2,310	4,450	3,380
KARD	703,234	5,080	4,450	4,765
KARE	3,924,944	28,355	40,675	34,515
KARK-TV	1,212,038	8,756	13,550	11,153
KARZ-TV	1,186,579	8,572	13,550	11,061
KASA-TV	1,161,789	8,393	27,150	17,772
KASN	1,117,403	8,073	13,550	10,811
KBLN-TV	297,384	2,148	4,450	3,299
KBLR	1,964,979	14,196	27,150	20,673
KBMT	743,009	5,368	4,450	4,909
KBMY	119,993	867	4,450	2,658
KBOI-TV	716,754	5,178	4,450	4,814
KBRR	149,869	1,083	4,450	2,766
KBSD-DT	155,012	1,120	13,550	7,335
KBSH-DT	102,781	743	13,550	7,146
KBSI	752,366	5,435	13,550	9,493
KBSL-DT	49,814	360	13,550	6,955
KASW	4,170,505	30,129	40,675	35,402
KASY-TV	1,140,916	8,242	27,150	17,696
KATC	1,348,897	9,745	4,450	7,097
KATN	97,466	704	4,450	2,577
KATU	2,978,043	21,514	40,675	31,095
KATV	1,257,777	9,087	13,550	11,318
KCBD	414,804	2,997	4,450	3,723
KDKA-TV	3,611,796	26,093	40,675	33,384
KDKF	71,413	516	4,450	2,483
KDLH	263,422	1,903	4,450	3,177
KBSV	1,352,166	9,769	40,675	25,222
KBTU-TV	734,008	5,303	4,450	4,876
KBTX-TV	4,048,516	29,248	13,550	21,399
KBVO	1,498,015	10,822	27,150	18,986
KBVU	135,249	977	4,450	2,714
KBZK	116,485	842	4,450	2,646
KCAL-TV	17,734,310	128,119	54,000	91,060
KCAU-TV	783,655	5,661	4,450	5,056
KCBA	3,094,778	22,358	4,450	13,404
KCBS-TV	17,595,935	127,120	54,000	90,560
KDLO-TV	208,354	1,505	4,450	2,978
KDLT-TV	645,391	4,663	4,450	4,556
KDLV-TV	96,873	700	4,450	2,575
KDMD	374,951	2,709	4,450	3,579
KDNL-TV	2,987,219	21,581	40,675	31,128
KDOC-TV	17,564,367	126,891	54,000	90,446
KDRV	519,706	3,755	4,450	4,102
KDSM-TV	1,096,220	7,919	13,550	10,735
KDTV-DT	7,921,124	57,225	54,000	55,613
KCBY-TV	89,156	644	4,450	2,547
KCCI	1,102,130	7,962	13,550	10,756

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KCCW-TV	284,280	2,054	40,675	21,364
KCDO-TV	2,798,103	20,215	40,675	30,445
KCEB	1,163,228	8,404	13,550	10,977
KCEC	3,874,159	27,988	40,675	34,332
KCEN-TV	1,795,767	12,973	13,550	13,262
KCET	16,875,019	121,911	54,000	87,956
KCFW-TV	148,162	1,070	4,450	2,760
KDTX-TV	6,593,327	47,633	54,000	50,816
KDVR	3,430,717	24,785	40,675	32,730
KECI-TV	235,954	1,705	4,450	3,077
KEYY-TV	399,372	2,885	4,450	3,668
KELO-TV	705,364	5,096	4,450	4,773
KENS	2,493,265	18,012	27,150	22,581
KENV-DT	47,220	341	27,150	13,746
KEPR-TV	453,259	3,275	4,450	3,862
KERO-TV	1,285,357	9,286	4,450	6,868
KESQ-TV	917,395	6,628	4,450	5,539
KCHF	1,118,671	8,082	27,150	17,616
KCIT	382,477	2,763	4,450	3,607
KCLO-TV	138,413	1,000	4,450	2,725
KCNC-TV	3,794,400	27,412	40,675	34,044
KCNS	8,048,427	58,145	54,000	56,072
KCOP-TV	17,976,764	129,871	54,000	91,935
KCOY-TV	664,655	4,802	4,450	4,626
KCPM	90,266	652	4,450	2,551
KCPQ	4,439,875	32,075	40,675	36,375
KCRA-TV	10,612,483	76,668	40,675	58,672
KETD	3,098,889	22,388	40,675	31,531
KETH-TV	6,088,821	43,988	54,000	48,994
KETK-TV	1,031,567	7,452	4,450	5,951
KETV	1,355,714	9,794	13,550	11,672
KEYC-TV	544,900	3,937	4,450	4,193
KEYE-TV	2,588,622	18,701	27,150	22,926
KEYT-TV	1,419,564	10,255	4,450	7,353
KEYU	339,348	2,452	4,450	3,451
KEZI	885,667	6,398	4,450	5,424
KFBB-TV	93,519	676	4,450	2,563
KCRG-TV	1,180,361	8,527	13,550	11,039
KCSG	174,814	1,263	27,150	14,206
KCTV	2,547,456	18,404	27,150	22,777
KCVU	630,068	4,552	4,450	4,501
KCWE	2,460,172	17,773	27,150	22,462
KCWI-TV	1,043,811	7,541	13,550	10,545
KCWV	207,398	1,498	4,450	2,974
KCWX	3,961,044	28,616	27,150	27,883
KCWY-DT	79,948	578	4,450	2,514
KDAF	6,648,507	48,031	54,000	51,016
KFCT	795,114	5,744	40,675	23,210
KFDA-TV	385,064	2,782	4,450	3,616
KFDM	732,665	5,293	4,450	4,872
KICU-TV	8,233,041	59,479	54,000	56,739
KIDK	305,509	2,207	4,450	3,329
KIDY	116,614	842	4,450	2,646
KIEM-TV	174,390	1,260	4,450	2,855
KIFI-TV	325,086	2,349	4,450	3,399
KIII	569,864	4,117	4,450	4,283
KDBC-TV	1,015,564	7,337	13,550	10,443
KDCU-DT	796,251	5,752	13,550	9,651
KDEN-TV	3,376,799	24,395	40,675	32,535
KDFI	6,605,830	47,723	54,000	50,861
KDFW	6,658,976	48,107	54,000	51,053
KFDX-TV	381,703	2,758	4,450	3,604
KFFV	3,783,380	27,333	40,675	34,004
KFFX-TV	409,952	2,962	4,450	3,706
KFJX	515,708	3,726	4,450	4,088
KIKU	953,896	6,891	13,550	10,221
KILM	17,058,741	123,239	54,000	88,619
KIMA-TV	308,604	2,229	4,450	3,340
KIMT	702,390	5,074	4,450	4,762
KINC	2,002,066	14,464	27,150	20,807

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KING-TV	4,063,674	29,357	40,675	35,016
KINT-TV	1,015,582	7,337	13,550	10,443
KION-TV	2,400,317	17,341	4,450	10,895
KIRO-TV	95,004	686	40,675	20,681
KITV	953,207	6,886	13,550	10,218
KFMB-TV	3,947,735	28,520	27,150	27,835
KFNB	80,382	581	4,450	2,515
KFNE	54,988	397	4,450	2,424
KFNR	10,988	79	4,450	2,265
KFOR-TV	1,639,592	11,845	27,150	19,498
KFOX-TV	1,023,999	7,398	13,550	10,474
KFPH-DT	347,579	2,511	40,675	21,593
KFPX-TV	963,969	6,964	13,550	10,257
KFQX	186,473	1,347	4,450	2,899
KFRE-TV	1,721,275	12,435	13,550	12,993
KIVI-TV	710,819	5,135	4,450	4,793
KJJC	80,732	583	4,450	2,517
KJLA	17,653,508	127,535	54,000	90,768
KJRH-TV	1,416,108	10,230	13,550	11,890
KJRR	45,515	329	4,450	2,389
KJRW	137,375	992	4,450	2,721
KJTL	379,594	2,742	4,450	3,596
KJTV-TV	409,786	2,960	4,450	3,705
KJUD	31,229	226	4,450	2,338
KJZZ-TV	2,388,054	17,252	27,150	22,201
KFSF-DT	7,348,828	53,091	54,000	53,545
KFSM-TV	906,728	6,551	13,550	10,050
KFSN-TV	1,747,889	12,627	13,550	13,089
KFTA-TV	818,859	5,916	13,550	9,733
KFTC	61,990	448	40,675	20,561
KFTH-DT	6,080,688	43,929	54,000	48,965
KFTR-DT	17,560,679	126,865	54,000	90,432
KFTU-DT	113,876	823	13,550	7,186
KFTV-DT	1,807,731	13,060	13,550	13,305
KFVE	953,895	6,891	13,550	10,221
KKAI	955,203	6,901	13,550	10,225
KKAP	957,786	6,919	13,550	10,235
KKCO	7,360	53	4,450	2,252
KKJB	629,939	4,551	4,450	4,500
KKPX-TV	7,902,064	57,087	54,000	55,544
KKTV	2,795,275	20,194	13,550	16,872
KLAS-TV	2,094,297	15,130	27,150	21,140
KLAX-TV	367,212	2,653	4,450	3,551
KLBK-TV	387,909	2,802	4,450	3,626
KLBY	34,288	248	13,550	6,899
KFVS-TV	810,574	5,856	13,550	9,703
KFWD	6,610,836	47,759	54,000	50,880
KFXA	875,538	6,325	13,550	9,938
KFXK-TV	926,496	6,693	4,450	5,572
KFXL-TV	361,632	2,613	4,450	3,531
KFYR-TV	130,881	946	4,450	2,698
KGAN	1,083,213	7,826	13,550	10,688
KGBT-TV	1,230,798	8,892	13,550	11,221
KGBY	270,089	1,951	4,450	3,201
KGCW	888,054	6,416	4,450	5,433
KLCW-TV	376,430	2,719	4,450	3,585
KLDO-TV	250,832	1,812	4,450	3,131
KLEI-TV	82,902	599	13,550	7,074
KLEW-TV	134,163	969	13,550	7,260
KLFY-TV	1,355,890	9,795	4,450	7,123
KLJB	960,055	6,936	4,450	5,693
KLKN	932,757	6,739	4,450	5,594
KLRT-TV	1,171,678	8,465	13,550	11,007
KLSR-TV	564,415	4,078	4,450	4,264
KLST	199,067	1,438	4,450	2,944
KGEB	1,186,225	8,570	13,550	11,060
KGET-TV	917,927	6,631	4,450	5,541
KGIN	230,535	1,665	4,450	3,058
KGLA-DT	1,645,641	11,889	27,150	19,519
KGMB	953,398	6,888	13,550	10,219

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: ½ Pop. fee ½ DMA fee
KGMC	1,759,725	12,713	13,550	13,131
KGMD-TV	94,323	681	13,550	7,116
KGMV	193,564	1,398	13,550	7,474
KGNS-TV	267,236	1,931	4,450	3,190
KGO-TV	8,283,429	59,843	54,000	56,921
KLTJ	6,034,131	43,593	54,000	48,796
KLTV	1,069,690	7,728	4,450	6,089
KLUJ-TV	1,195,751	8,639	13,550	11,094
KLUZ-TV	1,079,718	7,800	27,150	17,475
KLWB	1,216,359	8,787	4,450	6,619
KLWY	541,043	3,909	4,450	4,179
KMAU	213,060	1,539	13,550	7,545
KMAX-TV	10,644,556	76,900	40,675	58,788
KGPE	1,699,131	12,275	13,550	12,913
KGPX-TV	698,441	5,046	13,550	9,298
KGTV	3,960,667	28,613	27,150	27,882
KGUN-TV	1,552,522	11,216	13,550	12,383
KGW	3,058,216	22,094	40,675	31,384
KGWC-TV	80,475	581	4,450	2,516
KGWL-TV	38,125	275	4,450	2,363
KGWN-TV	469,467	3,392	4,450	3,921
KMBC-TV	2,507,895	18,118	27,150	22,634
KMBH	1,225,732	8,855	13,550	11,203
KMCB	69,357	501	4,450	2,476
KMCC	2,064,592	14,915	27,150	21,033
KMCI-TV	2,362,805	17,070	27,150	22,110
KMCY	71,797	519	4,450	2,484
KMEG	701,162	5,065	4,450	4,758
KMEX-DT	17,628,354	127,354	54,000	90,677
KGWR-TV	51,315	371	4,450	2,410
KHAW-TV	95,204	688	13,550	7,119
KHBC-TV	74,884	541	13,550	7,045
KHBS	631,770	4,564	13,550	9,057
KHGI-TV	233,973	1,690	4,450	3,070
KHME	181,345	1,310	4,450	2,880
KHMT	175,601	1,269	4,450	2,859
KHNL	953,398	6,888	13,550	10,219
KMGH-TV	3,815,253	27,563	40,675	34,119
KMID	383,449	2,770	4,450	3,610
KMIR-TV	862,440	6,231	4,450	5,340
KMIZ	550,860	3,980	4,450	4,215
KMLU	711,951	5,143	4,450	4,797
KMOH-TV	199,885	1,444	40,675	21,060
KMOT	81,517	589	4,450	2,519
KMOV	3,035,077	21,927	40,675	31,301
KHOG-TV	765,360	5,529	13,550	9,540
KHON-TV	953,207	6,886	13,550	10,218
KHOU	6,137,449	44,339	54,000	49,170
KHQA-TV	318,469	2,301	4,450	3,375
KHQ-TV	822,371	5,941	13,550	9,746
KHRR	1,172,397	8,470	13,550	11,010
KHSD-TV	188,735	1,363	4,450	2,907
KHSV	2,062,231	14,898	27,150	21,024
KNVO	1,241,165	8,967	13,550	11,258
KNWA-TV	815,678	5,893	13,550	9,721
KNXV-TV	4,183,943	30,226	40,675	35,451
KOAA-TV	1,391,946	10,056	13,550	11,803
KOAM-TV	595,307	4,301	4,450	4,375
KOAT-TV	1,153,633	8,334	27,150	17,742
KOB	1,152,841	8,329	27,150	17,739
KOBF	201,911	1,459	27,150	14,304
KOBI	571,963	4,132	4,450	4,291
KHVO	94,226	681	13,550	7,115
KIAH	6,054,519	43,740	54,000	48,870
KMPH-TV	1,725,397	12,465	13,550	13,007
KMPX	6,678,829	48,250	54,000	51,125
KMSB	1,321,614	9,548	13,550	11,549
KMSP-TV	3,832,040	27,684	40,675	34,180
KMSS-TV	1,068,120	7,716	13,550	10,633
KMTR	589,948	4,262	4,450	4,356

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KMTV-TV	1,346,474	9,727	13,550	11,639
KOBR	211,709	1,529	27,150	14,340
KOCB	1,629,783	11,774	27,150	19,462
KOCO-TV	1,716,569	12,401	27,150	19,776
KOCW	83,807	605	13,550	7,078
KODE-TV	607,048	4,386	4,450	4,418
KOGG	190,829	1,379	13,550	7,464
KOHD	201,310	1,454	4,450	2,952
KOIN	2,983,136	21,551	40,675	31,113
KOKH-TV	1,627,116	11,755	27,150	19,452
KMTW	761,521	5,502	13,550	9,526
KMVT	184,647	1,334	4,450	2,892
KMVU-DT	308,150	2,226	4,450	3,338
KMYA-DT	200,764	1,450	13,550	7,500
KMYS	2,273,888	16,427	27,150	21,789
KMYT-TV	1,314,238	9,495	13,550	11,522
KMYU	133,563	965	27,150	14,057
KNAZ-TV	332,321	2,401	40,675	21,538
KNBC	17,859,647	129,025	54,000	91,512
KOKI-TV	1,366,220	9,870	13,550	11,710
KOLD-TV	988,704	7,143	13,550	10,346
KOLN	1,225,400	8,853	4,450	6,651
KOLO-TV	959,178	6,929	4,450	5,690
KOLR	1,076,144	7,774	13,550	10,662
KOMO-TV	4,123,984	29,793	40,675	35,234
KONG	4,006,008	28,941	40,675	34,808
KOPX-TV	1,513,730	10,936	27,150	19,043
KORO	560,983	4,053	4,450	4,251
KOSA-TV	340,978	2,463	4,450	3,457
KNBN	145,493	1,051	4,450	2,751
KNCT	2,247,724	16,238	13,550	14,894
KNDB	118,154	854	4,450	2,652
KNDM	72,216	522	4,450	2,486
KNDO	314,875	2,275	4,450	3,362
KNDU	475,612	3,436	4,450	3,943
KNEP	101,389	732	4,450	2,591
KNHL	277,777	2,007	4,450	3,228
KNIC-DT	2,398,296	17,326	27,150	22,238
KNIN-TV	709,494	5,126	4,450	4,788
KOTA-TV	174,876	1,263	4,450	2,857
KOTI	298,175	2,154	4,450	3,302
KOTV-DT	49,496	358	13,550	6,954
KOVR	10,759,811	77,733	40,675	59,204
KOZL-TV	992,495	7,170	13,550	10,360
KPAX-TV	206,895	1,495	4,450	2,972
KPAZ-TV	4,190,080	30,271	40,675	35,473
KQCW-DT	1,128,198	8,151	13,550	10,850
KQDS-TV	305,747	2,209	4,450	3,329
KQED	8,195,398	59,207	54,000	56,603
KNLC	2,944,530	21,272	40,675	30,974
KNOE-TV	733,097	5,296	4,450	4,873
KNOP-TV	87,904	635	4,450	2,543
KNRR	25,957	188	4,450	2,319
KNSD	3,541,824	25,587	27,150	26,369
KNSO	2,092,512	15,117	13,550	14,334
KNTV	8,022,662	57,959	54,000	55,979
KNVA	2,412,222	17,427	27,150	22,288
KNVN	495,403	3,579	4,450	4,014
KPDX	2,970,703	21,461	40,675	31,068
KQET	2,981,040	21,536	4,450	12,993
KQME	188,783	1,364	4,450	2,907
KQTV	1,494,987	10,800	4,450	7,625
KRBC-TV	229,395	1,657	4,450	3,054
KRBK	983,888	7,108	13,550	10,329
KRCA	17,791,505	128,532	54,000	91,266
KRCB	5,320,127	38,435	54,000	46,217
KRCG	684,989	4,949	4,450	4,699
KRCR-TV	485,749	3,509	4,450	3,980
KRCW-TV	2,966,577	21,432	40,675	31,053
KPEJ-TV	368,212	2,660	4,450	3,555

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KPHO-TV	4,195,073	30,307	40,675	35,491
KPIC	53,109	384	4,450	2,417
KPIF	255,766	1,848	4,450	3,149
KPIX-TV	8,340,753	60,257	54,000	57,128
KPJK	7,672,473	55,429	54,000	54,714
KPLC	1,406,085	10,158	4,450	7,304
KPLO-TV	55,827	403	4,450	2,427
KPLR-TV	2,968,619	21,446	40,675	31,061
KPMR	1,731,370	12,508	4,450	8,479
KRDK-TV	349,941	2,528	4,450	3,489
KRDO-TV	2,622,603	18,947	13,550	16,248
KREG-TV	149,306	1,079	40,675	20,877
KREM	817,619	5,907	13,550	9,728
KREN-TV	810,039	5,852	4,450	5,151
KREX-TV	145,700	1,053	4,450	2,751
KREY-TV	74,963	542	4,450	2,496
KREZ-TV	148,079	1,070	27,150	14,110
KRGV-TV	1,247,057	9,009	13,550	11,280
KRII	133,840	967	4,450	2,708
KPNZ	2,394,311	17,297	27,150	22,224
KPOB-TV	144,525	1,044	13,550	7,297
KPPX-TV	4,186,998	30,248	40,675	35,462
KPRC-TV	6,099,422	44,064	54,000	49,032
KPRY-TV	42,521	307	4,450	2,379
KPTH	583,937	4,219	4,450	4,334
KPTM	1,388,670	10,032	13,550	11,791
KPTV	2,998,460	21,662	40,675	31,168
KPVI-DT	271,379	1,961	4,450	3,205
KPXB-TV	6,062,472	43,798	54,000	48,899
KRIS-TV	561,825	4,059	4,450	4,254
KRIV	6,078,936	43,916	54,000	48,958
KRNV-DT	981,687	7,092	4,450	5,771
KRON-TV	8,050,508	58,160	54,000	56,080
KRQE	1,158,673	8,371	27,150	17,760
KRTN-TV	96,062	694	27,150	13,922
KRTV	92,687	670	4,450	2,560
KRWB-TV	111,538	806	27,150	13,978
KRWF	85,596	618	40,675	20,647
KRXI-TV	569,533	4,115	4,450	4,282
KPXC-TV	3,399,664	24,560	40,675	32,618
KPXD-TV	6,603,994	47,710	54,000	50,855
KPXE-TV	2,437,178	17,607	27,150	22,379
KPXG-TV	3,026,219	21,863	40,675	31,269
KPXJ	1,026,423	7,415	13,550	10,483
KPXL-TV	2,257,007	16,305	27,150	21,728
KPXM-TV	3,507,312	25,338	40,675	33,007
KPXN-TV	17,058,741	123,239	54,000	88,619
KPXO-TV	959,493	6,932	13,550	10,241
KPXR-TV	828,915	5,988	13,550	9,769
KSAN-TV	135,063	976	4,450	2,713
KSAS-TV	752,513	5,436	13,550	9,493
KSTU	2,384,996	17,230	27,150	22,190
KSTW	4,265,956	30,819	40,675	35,747
KSVI	175,390	1,267	4,450	2,859
KSWB-TV	3,787,157	27,360	27,150	27,255
KSWO-TV	483,132	3,490	4,450	3,970
KSWT	396,278	2,863	4,450	3,656
KSYS	519,209	3,751	4,450	4,100
KTAB-TV	270,967	1,958	4,450	3,204
KQCA	9,931,378	71,748	40,675	56,211
KQCD-TV	35,623	257	4,450	2,354
KSAT-TV	2,530,706	18,283	27,150	22,716
KSAX	359,400	2,596	40,675	21,636
KSAX-TV	4,207,660	30,398	40,675	35,536
KSBI	1,577,231	11,394	27,150	19,272
KSBW	5,083,461	36,725	4,450	20,587
KSBY	535,029	3,865	4,450	4,158
KSCC	502,915	3,633	4,450	4,042
KSCI	17,447,903	126,050	54,000	90,025
KTAL-TV	1,110,819	8,025	13,550	10,787

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KTAS	471,882	3,409	4,450	3,930
KTAZ	4,176,236	30,171	40,675	35,423
KTBC	3,242,215	23,423	27,150	25,286
KTBO-TV	1,585,283	11,453	27,150	19,301
KTBS-TV	1,163,228	8,404	13,550	10,977
KTBU	6,076,521	43,899	54,000	48,950
KTBW-TV	4,202,104	30,358	40,675	35,516
KTBY	348,080	2,515	4,450	3,482
KSCW-DT	915,691	6,615	13,550	10,083
KSDK	2,986,764	21,577	40,675	31,126
KSEE	1,749,448	12,639	13,550	13,094
KSFY-TV	670,536	4,844	4,450	4,647
KSGW-TV	62,178	449	4,450	2,450
KSHB-TV	2,361,771	17,062	27,150	22,106
KSHV-TV	937,203	6,771	13,550	10,160
KSKN	731,818	5,287	13,550	9,418
KSLA	1,009,108	7,290	13,550	10,420
KTCW	100,392	725	4,450	2,588
KTDO	1,015,338	7,335	13,550	10,443
KTEL-TV	53,423	386	27,150	13,768
KTEN	566,422	4,092	4,450	4,271
KTFD-TV	3,265,713	23,593	40,675	32,134
KTFF-DT	2,162,454	15,622	13,550	14,586
KTFK-DT	6,969,307	50,349	40,675	45,512
KTFN	1,015,088	7,333	13,550	10,442
KTFQ-TV	1,136,300	8,209	27,150	17,680
KTGM	159,358	1,151	4,450	2,801
KSL-TV	2,390,708	17,271	27,150	22,211
KSMO-TV	2,401,134	17,347	27,150	22,248
KSNB-TV	658,560	4,758	4,450	4,604
KSNC	174,135	1,258	13,550	7,404
KSNF	500,881	3,619	4,450	4,034
KSNG	145,058	1,048	13,550	7,299
KSNK	48,715	352	13,550	6,951
KSNT	622,818	4,499	4,450	4,475
KSNV	33,709	244	27,150	13,697
KSNW	789,136	5,701	13,550	9,626
KTHV	1,284,362	9,279	13,550	11,414
KTIV	688,477	4,974	4,450	4,712
KTKA-TV	567,958	4,103	4,450	4,277
KTLA	17,994,407	129,998	54,000	91,999
KTLM	373,084	2,695	13,550	8,123
KTMD	6,074,240	43,883	54,000	48,941
KTMF	187,251	1,353	4,450	2,901
KTVM-TV	277,657	2,006	4,450	3,228
KTVN	955,300	6,901	4,450	5,676
KTVO	148,780	1,075	4,450	2,762
KSPS-TV	819,981	5,924	13,550	9,737
KSPX-TV	6,745,180	48,730	40,675	44,702
KSQA	382,328	2,762	4,450	3,606
KSTC-TV	3,796,912	27,430	40,675	34,053
KSTF	51,317	371	4,450	2,410
KSTP-TV	3,788,898	27,372	40,675	34,024
KSTR-DT	6,617,736	47,809	54,000	50,904
KSTS	7,645,340	55,233	54,000	54,616
KTMW	2,261,671	16,339	27,150	21,745
KTNL-TV	8,642	62	4,450	2,256
KTVQ	179,797	1,299	4,450	2,874
KTVT	6,912,366	49,937	54,000	51,969
KTVU	7,913,996	57,174	54,000	55,587
KTVW-DT	4,173,111	30,148	40,675	35,412
KTVX	2,381,728	17,206	27,150	22,178
KTVZ	201,828	1,458	4,450	2,954
KTWO-TV	80,426	581	4,450	2,516
KTXA	6,876,811	49,681	54,000	51,840
KTXD-TV	6,546,692	47,296	54,000	50,648
KTXH	6,092,710	44,016	54,000	49,008
KTNV-TV	2,094,506	15,131	27,150	21,141
KTOO-TV	31,269	226	4,450	2,338
KTPX-TV	1,066,196	7,703	13,550	10,626

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KTRE	441,879	3,192	4,450	3,821
KTRK-TV	6,114,259	44,172	54,000	49,086
KTRV-TV	714,833	5,164	4,450	4,807
KTSF	7,921,124	57,225	54,000	55,613
KTSM-TV	1,015,348	7,335	13,550	10,443
KTTC	815,213	5,889	4,450	5,170
KTTM	76,133	550	4,450	2,500
KTXL	7,355,088	53,136	40,675	46,905
KTXS-TV	247,603	1,789	4,450	3,119
KUAM-TV	159,358	1,151	4,450	2,801
KUBD	14,858	107	4,450	2,279
KUBE-TV	6,062,183	43,795	54,000	48,898
KUCW	2,388,146	17,253	27,150	22,201
KULR-TV	177,242	1,280	4,450	2,865
KUMV-TV	41,607	301	4,450	2,375
KUNP	130,559	943	40,675	20,809
KUNS-TV	4,023,436	29,067	40,675	34,871
KTTU	1,324,801	9,571	13,550	11,560
KTTV	17,952,596	129,696	54,000	91,848
KTTW	329,557	2,381	4,450	3,415
KTUL	1,416,959	10,237	13,550	11,893
KTUU-TV	380,240	2,747	4,450	3,598
KTUZ-TV	1,668,531	12,054	27,150	19,602
KTVA	342,517	2,474	4,450	3,462
KTVB	719,145	5,195	4,450	4,823
KTVC	137,239	991	4,450	2,721
KTVD	3,845,148	27,779	40,675	34,227
KUOK	28,974	209	27,150	13,680
KUPB	318,914	2,304	4,450	3,377
KUPK	149,642	1,081	13,550	7,316
KUPT	87,602	633	27,150	13,891
KUPX-TV	2,374,672	17,156	27,150	22,153
KUSA	3,803,461	27,478	40,675	34,076
KVVU-TV	2,042,029	14,752	27,150	20,951
KVYE	396,495	2,864	4,450	3,657
KWAB-TV	50,707	366	4,450	2,408
KWBA-TV	1,129,524	8,160	13,550	10,855
KTVE	641,139	4,632	4,450	4,541
KTVF	68,847	497	4,450	2,474
KTVH-DT	228,832	1,653	4,450	3,052
KTVI	2,979,889	21,528	40,675	31,101
KTVK	4,184,825	30,233	40,675	35,454
KTVL	415,327	3,000	4,450	3,725
KUSI-TV	3,572,818	25,811	27,150	26,481
KUTH-DT	2,219,788	16,037	27,150	21,593
KUTP	4,191,015	30,277	40,675	35,476
KUTV	2,388,211	17,253	27,150	22,202
KWBN	953,207	6,886	13,550	10,218
KWBQ	1,148,810	8,299	27,150	17,725
KWCH-DT	883,647	6,384	13,550	9,967
KWCM-TV	252,284	1,823	40,675	21,249
KWES-TV	424,862	3,069	4,450	3,760
KWEX-DT	2,365,653	17,090	27,150	22,120
KWGN-TV	3,706,495	26,777	40,675	33,726
KWHB	1,104,914	7,982	13,550	10,766
KWHD	97,959	708	13,550	7,129
KWHE	952,966	6,885	13,550	10,217
KUVE-DT	1,264,962	9,139	13,550	11,344
KUVI-DT	1,006,905	7,274	4,450	5,862
KUVN-DT	6,682,825	48,279	54,000	51,140
KUVS-DT	4,043,413	29,211	40,675	34,943
KVAL-TV	1,016,673	7,345	4,450	5,897
KVAW	76,153	550	27,150	13,850
KVCT	288,221	2,082	4,450	3,266
KVCW	33,709	244	27,150	13,697
KVDA	2,400,582	17,343	27,150	22,246
KVEA	17,925,427	129,500	54,000	91,750
KWHM	175,045	1,265	13,550	7,407
KWHY-TV	17,343,236	125,294	54,000	89,647
KWKB	1,121,676	8,103	13,550	10,827

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KWKT-TV	1,010,550	7,301	13,550	10,425
KWNB-TV	91,093	658	4,450	2,554
KWPX-TV	4,220,008	30,487	40,675	35,581
KWQC-TV	1,080,156	7,803	4,450	6,127
KWSD	280,675	2,028	4,450	3,239
KWTV-DT	1,628,106	11,762	27,150	19,456
KWTX-TV	2,071,023	14,962	13,550	14,256
KVEO-TV	1,244,504	8,991	13,550	11,270
KVEW	476,720	3,444	4,450	3,947
KVHP	743,167	5,369	4,450	4,909
KVIA-TV	1,015,350	7,335	13,550	10,443
KVIE	10,772,354	77,823	40,675	59,249
KVIH-TV	91,912	664	4,450	2,557
KVII-TV	379,042	2,738	4,450	3,594
KVLY-TV	347,517	2,511	4,450	3,480
KVMD	6,145,526	44,398	54,000	49,199
KVME-TV	26,711	193	54,000	27,096
KWWL	1,171,751	8,465	13,550	11,008
KWWT	293,291	2,119	4,450	3,284
KWYB	86,495	625	4,450	2,537
KXAN-TV	2,678,666	19,352	27,150	23,251
KXAS-TV	6,774,295	48,940	54,000	51,470
KXGN-TV	14,217	103	4,450	2,276
KXII	2,323,974	16,789	4,450	10,620
KXLA	17,653,508	127,535	54,000	90,768
KXLF-TV	258,100	1,865	4,450	3,157
KXLT-TV	348,025	2,514	4,450	3,482
KVOA	1,317,956	9,521	13,550	11,536
KVOS-TV	2,019,168	14,587	40,675	27,631
KVRR	356,645	2,577	4,450	3,513
KVSN-DT	2,711,724	19,590	13,550	16,570
KVTH-DT	303,744	2,194	13,550	7,872
KVTJ-DT	1,466,517	10,595	4,450	7,522
KVTN-DT	936,328	6,764	13,550	10,157
KVUE	2,661,290	19,226	27,150	23,188
KVUI	248,405	1,795	4,450	3,122
WACY-TV	920,090	6,647	13,550	10,099
KXLY-TV	784,334	5,666	13,550	9,608
KXMA-TV	32,005	231	4,450	2,341
KXMB-TV	142,755	1,031	4,450	2,741
KXMC-TV	97,569	705	4,450	2,577
KXMD-TV	37,962	274	4,450	2,362
KXNW	602,168	4,350	13,550	8,950
KXRM-TV	1,843,363	13,317	13,550	13,434
KXTV	10,759,864	77,733	40,675	59,204
WADL	4,610,514	33,308	40,675	36,992
WAFB	1,857,882	13,422	13,550	13,486
WAFF	1,197,068	8,648	13,550	11,099
WAGA-TV	6,000,355	43,349	54,000	48,674
WAGM-TV	64,721	468	13,550	7,009
WAKA	769,765	5,561	4,450	5,006
WALA-TV	1,320,419	9,539	13,550	11,545
WALB	773,899	5,591	4,450	5,020
KXTX-TV	6,716,749	48,524	54,000	51,262
KXVA	185,478	1,340	4,450	2,895
KXVO	1,333,338	9,633	13,550	11,591
KXXV	1,771,620	12,799	13,550	13,174
KYAZ	6,075,053	43,888	54,000	48,944
KYES-TV	381,413	2,755	4,450	3,603
KYLE-TV	324,032	2,341	13,550	7,945
KYMA-DT	398,681	2,880	4,450	3,665
WAMI-DT	5,406,932	39,062	40,675	39,868
WAND	1,400,271	10,116	13,550	11,833
WANE-TV	1,108,844	8,011	4,450	6,230
WAOE	613,812	4,434	4,450	4,442
WAOW	636,957	4,602	4,450	4,526
WAPA-TV	3,764,742	27,198	4,450	15,824
WAPT	793,621	5,733	13,550	9,642
WAQP	1,992,340	14,393	13,550	13,972
KYOU-TV	651,334	4,705	4,450	4,578

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
KYTV	1,041,020	7,521	13,550	10,535
KYTX	901,751	6,515	4,450	5,482
KYUR	379,943	2,745	4,450	3,597
KYUS-TV	12,496	90	4,450	2,270
KYVV-TV	67,201	485	27,150	13,818
KYW-TV	11,061,941	79,916	54,000	66,958
WATC-DT	5,637,070	40,724	54,000	47,362
WATE-TV	1,874,433	13,542	13,550	13,546
WATL	5,882,837	42,500	54,000	48,250
WATM-TV	937,438	6,772	4,450	5,611
WATN-TV	1,787,595	12,914	13,550	13,232
WAVE	1,846,212	13,338	27,150	20,244
WAVY-TV	2,039,358	14,733	27,150	20,942
KZJL	6,007,975	43,404	54,000	48,702
KZJO	4,179,154	30,192	40,675	35,433
KZTV	567,635	4,101	4,450	4,275
WAAY-TV	1,530,431	11,056	13,550	12,303
WABC-TV	22,032,680	159,172	54,000	106,586
WABG-TV	393,020	2,839	4,450	3,645
WABI-TV	530,773	3,835	4,450	4,142
WAWD	553,676	4,000	13,550	8,775
WAWV-TV	705,549	5,097	4,450	4,774
WAXN-TV	659,816	4,767	40,675	22,721
WBAL-TV	9,596,587	69,329	27,150	48,240
WBAY-TV	1,225,928	8,857	13,550	11,203
WBBH-TV	2,046,391	14,784	13,550	14,167
WBBJ-TV	662,148	4,784	4,450	4,617
WABM	1,703,202	12,305	27,150	19,727
WACH	1,317,429	9,518	13,550	11,534
WACP	9,415,263	68,019	54,000	61,010
WBFF	8,509,757	61,478	27,150	44,314
WBFS-TV	5,349,613	38,648	40,675	39,661
WBIH	736,501	5,321	4,450	4,885
WBIR-TV	1,978,347	14,292	13,550	13,921
WBBM-TV	9,977,169	72,079	54,000	63,039
WBBZ-TV	1,269,256	9,170	13,550	11,360
WBDB	3,660,544	26,445	13,550	19,998
WCCT-TV	4,776,733	34,509	27,150	30,829
WCCU	395,106	2,854	13,550	8,202
WCHS-TV	1,352,824	9,773	13,550	11,662
WCIA	796,609	5,755	13,550	9,652
WBKB-TV	136,823	988	4,450	2,719
WBKI	1,983,992	14,333	4,450	9,392
WBKO	963,413	6,960	4,450	5,705
WBKP	55,655	402	4,450	2,426
WBNA	1,699,683	12,279	27,150	19,715
WBNG-TV	1,657,643	11,975	4,450	8,213
WBNS-TV	2,847,721	20,573	27,150	23,861
WBNX-TV	3,642,304	26,313	40,675	33,494
WCIU-TV	9,891,328	71,459	54,000	62,729
WCIV	1,125,558	8,131	13,550	10,841
WCIX	554,002	4,002	13,550	8,776
WCJB-TV	977,492	7,062	4,450	5,756
WCLJ-TV	2,258,426	16,316	27,150	21,733
WCMH-TV	2,756,260	19,912	27,150	23,531
WCNC-TV	3,822,849	27,618	40,675	34,146
WCOV-TV	862,899	6,234	4,450	5,342
WBOC-TV	783,438	5,660	4,450	5,055
WBOY-TV	711,302	5,139	4,450	4,794
WBPH-TV	12,689,628	91,675	54,000	72,837
WBPX-TV	6,732,628	48,639	54,000	51,319
WBRC	1,852,997	13,387	27,150	20,268
WBRE-TV	3,553,761	25,674	13,550	19,612
WBRZ-TV	2,223,336	16,062	13,550	14,806
WBSF	987,886	7,137	13,550	10,343
WCPO-TV	3,328,920	24,049	27,150	25,600
WCPX-TV	9,674,477	69,892	54,000	61,946
WCSC-TV	1,028,018	7,427	13,550	10,488
WCSH	1,682,955	12,158	13,550	12,854
WCTE	612,760	4,427	27,150	15,788

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WCTI-TV	1,680,664	12,142	13,550	12,846
WCTV	1,049,825	7,584	4,450	6,017
WCTX	7,845,782	56,681	27,150	41,915
WBTW	4,433,020	32,026	40,675	36,350
WBTW	1,975,457	14,271	4,450	9,361
WBUI	981,884	7,093	13,550	10,322
WBUP	126,472	914	4,450	2,682
WBXX-TV	2,142,548	15,479	13,550	14,514
WBZ-TV	7,764,394	56,093	54,000	55,046
WCAU	11,012,279	79,557	54,000	66,778
WCAV	949,729	6,861	4,450	5,656
WCVB-TV	7,741,540	55,928	54,000	54,964
WCVI-TV	50,601	366	4,450	2,408
WCWF	1,040,984	7,520	13,550	10,535
WCWJ	1,582,959	11,436	27,150	19,293
WCWN	1,698,469	12,270	13,550	12,910
WCYB-TV	3,032,475	21,908	13,550	17,729
WDAF-TV	2,539,581	18,347	27,150	22,748
WDAM-TV	512,594	3,703	4,450	4,077
WCAX-TV	784,748	5,669	13,550	9,610
WCBT-TV	1,100,127	7,948	13,550	10,749
WCBI-TV	680,511	4,916	4,450	4,683
WCBS-TV	1,752,130	12,658	54,000	33,329
WCCB	3,542,464	25,592	40,675	33,134
WCCO-TV	3,837,442	27,723	40,675	34,199
WDEF-TV	1,731,483	12,509	13,550	13,029
WDFX-TV	271,499	1,961	4,450	3,206
WDAY-TV	339,239	2,451	4,450	3,450
WDAZ-TV	151,720	1,096	4,450	2,773
WDBB	1,669,214	12,059	27,150	19,605
WDBD	919,098	6,640	13,550	10,095
WDBJ	1,606,844	11,608	13,550	12,579
WDCA	8,070,491	58,304	54,000	56,152
WETP-TV	2,087,588	15,082	13,550	14,316
WEUX	379,158	2,739	4,450	3,595
WDHN	452,377	3,268	4,450	3,859
WDIO-DT	341,506	2,467	4,450	3,459
WDIV-TV	5,425,162	39,193	40,675	39,934
WDJT-TV	3,085,540	22,291	27,150	24,721
WDKA	621,903	4,493	13,550	9,021
WDKY-TV	1,159,126	8,374	13,550	10,962
WDLI-TV	4,165,601	30,094	40,675	35,384
WDPB	594,332	4,294	54,000	29,147
WDPN-TV	11,594,463	83,763	54,000	68,881
WEWS-TV	4,112,984	29,714	40,675	35,194
WEYI-TV	2,664,319	19,248	13,550	16,399
WFAA	6,957,935	50,267	54,000	52,133
WFBT	814,185	5,882	13,550	9,716
WFDC-DT	8,155,998	58,922	54,000	56,461
WFFF-TV	592,012	4,277	13,550	8,913
WFFT-TV	1,088,489	7,864	4,450	6,157
WFGX	1,440,245	10,405	13,550	11,977
WFIE	731,856	5,287	4,450	4,869
WDPX-TV	6,732,628	48,639	54,000	51,319
WDRB	1,987,708	14,360	27,150	20,755
WDSE	330,994	2,391	4,450	3,421
WDSI-TV	1,100,302	7,949	13,550	10,749
WDSU	1,613,076	11,653	27,150	19,402
WDTI	2,095,312	15,137	27,150	21,144
WDTN	3,660,544	26,445	13,550	19,998
WDTV	962,532	6,954	4,450	5,702
WFLA-TV	5,450,176	39,374	40,675	40,025
WFLD	9,957,301	71,935	54,000	62,968
WFLI-TV	1,272,913	9,196	13,550	11,373
WFLX	5,730,443	41,399	27,150	34,274
WFMJ-TV	3,504,955	25,321	4,450	14,886
WFMZ-TV	4,772,783	34,480	27,150	30,815
WFMZ-TV	12,689,628	91,675	54,000	72,837
WFNA	1,283,160	9,270	13,550	11,410
WDVM-TV	2,667,801	19,273	54,000	36,637

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WDWL	2,638,361	19,060	4,450	11,755
WEAR-TV	1,524,131	11,011	13,550	12,280
WEAU	991,019	7,159	4,450	5,805
WEBA-TV	639,244	4,618	4,450	4,534
WECT	1,134,918	8,199	4,450	6,325
WEEK-TV	698,238	5,044	4,450	4,747
WFOR-TV	5,398,266	38,999	40,675	39,837
WFOX-TV	1,602,888	11,580	27,150	19,365
WFPX-TV	2,218,968	16,031	40,675	28,353
WFQX-TV	537,340	3,882	4,450	4,166
WFRV-TV	1,201,204	8,678	13,550	11,114
WFSB	4,818,020	34,807	27,150	30,979
WFTC	3,787,177	27,360	40,675	34,017
WEHT	847,299	6,121	4,450	5,286
WEMT	1,727,493	12,480	13,550	13,015
WENY-TV	543,162	3,924	4,450	4,187
WEPX-TV	859,535	6,210	13,550	9,880
WESH	4,107,172	29,672	40,675	35,173
WETA-TV	7,607,834	54,962	54,000	54,481
WETK	670,087	4,841	13,550	9,195
WETM-TV	721,800	5,215	4,450	4,832
WFXG	1,126,348	8,137	4,450	6,294
WFTS-TV	5,077,970	36,685	40,675	38,680
WFTT-TV	4,523,828	32,682	40,675	36,678
WFTV	762,903	5,511	40,675	23,093
WFTX-TV	1,775,097	12,824	13,550	13,187
WFTY-DT	5,678,755	41,025	54,000	47,513
WFUP	217,655	1,572	4,450	3,011
WFUT-DT	19,992,096	144,430	54,000	99,215
WFXB	1,511,681	10,921	4,450	7,685
WHBQ-TV	1,736,335	12,544	13,550	13,047
WFXL	793,637	5,734	4,450	5,092
WFXP	583,315	4,214	4,450	4,332
WFXR	1,432,348	10,348	13,550	11,949
WFXT	7,366,667	53,220	54,000	53,610
WFXU	211,721	1,530	4,450	2,990
WFXV	633,597	4,577	4,450	4,514
WFXW	274,078	1,980	4,450	3,215
WGAL	7,775,662	56,174	27,150	41,662
WHDF	1,266,286	9,148	13,550	11,349
WHDH	7,319,659	52,880	54,000	53,440
WHDT	5,640,324	40,748	27,150	33,949
WHEC-TV	1,322,243	9,552	13,550	11,551
WHFT-TV	5,417,409	39,137	40,675	39,906
WHIO-TV	3,896,757	28,152	13,550	20,851
WHIZ-TV	910,864	6,580	4,450	5,515
WHKY-TV	3,038,732	21,953	40,675	31,314
WGBA-TV	1,170,375	8,455	13,550	11,003
WGBC	249,415	1,802	4,450	3,126
WGBO-DT	9,771,815	70,595	54,000	62,298
WGCL-TV	6,027,276	43,543	54,000	48,772
WGEM-TV	333,383	2,408	4,450	3,429
WGEN-TV	43,037	311	40,675	20,493
WGFL	759,234	5,485	4,450	4,967
WHLT	484,404	3,500	4,450	3,975
WHMB-TV	2,847,719	20,573	27,150	23,861
WHME-TV	1,271,796	9,188	13,550	11,369
WHNS	2,549,397	18,418	27,150	22,784
WHNT-TV	1,569,885	11,341	13,550	12,446
WHO-DT	1,151,807	8,321	13,550	10,936
WHOI	679,446	4,909	4,450	4,679
WGGB-TV	3,443,447	24,877	4,450	14,663
WGHP	3,774,522	27,269	27,150	27,209
WGMB-TV	1,739,804	12,569	13,550	13,059
WGME-TV	1,308,896	9,456	13,550	11,503
WGNO	1,641,765	11,861	27,150	19,505
WGNT	1,875,612	13,550	27,150	20,350
WGN-TV	9,942,959	71,832	54,000	62,916
WHP-TV	3,046,418	22,008	27,150	24,579
WHPX-TV	4,851,563	35,049	27,150	31,100

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WHSV-TV	206,445	1,491	4,450	2,971
WHTM-TV	2,829,585	20,442	27,150	23,796
WHYY-TV	10,379,045	74,982	54,000	64,491
WIAT	1,837,072	13,272	27,150	20,211
WIBW-TV	1,089,708	7,872	4,450	6,161
WGPX-TV	1,952,062	14,102	27,150	20,626
WGRZ	1,878,725	13,573	13,550	13,561
WGTA	1,061,654	7,670	54,000	30,835
WGTQ	95,618	691	4,450	2,570
WGTU	358,543	2,590	4,450	3,520
WGWG	986,963	7,130	13,550	10,340
WGWV	1,677,166	12,116	27,150	19,633
WGXA	759,936	5,490	4,450	4,970
WHAM-TV	1,323,785	9,564	13,550	11,557
WHAS-TV	1,982,756	14,324	27,150	20,737
WICD	1,238,332	8,946	13,550	11,248
WICS	1,011,833	7,310	13,550	10,430
WICU-TV	716,630	5,177	4,450	4,814
WICZ-TV	976,771	7,057	4,450	5,753
WIDP	2,559,306	18,489	4,450	11,470
WIFS	1,400,358	10,117	13,550	11,833
WILX-TV	3,378,644	24,409	4,450	14,429
WINK-TV	1,851,105	13,373	13,550	13,462
WINP-TV	2,804,646	20,262	40,675	30,468
WIPL	671,201	4,849	13,550	9,200
WHBF-TV	1,807,539	13,058	4,450	8,754
WIRS	3,714,677	26,836	4,450	15,643
WIRT-DT	127,001	918	4,450	2,684
WIS	2,644,715	19,106	13,550	16,328
WISC-TV	1,830,642	13,225	13,550	13,388
WISE-TV	1,089,665	7,872	4,450	6,161
WISH-TV	2,912,963	21,044	27,150	24,097
WISN-TV	2,938,180	21,226	27,150	24,188
WITF-TV	2,412,561	17,429	27,150	22,290
WIPX-TV	2,258,426	16,316	27,150	21,733
WJW	3,977,148	28,732	40,675	34,704
WJWN-TV	1,962,885	14,181	4,450	9,315
WJXT	1,608,682	11,622	27,150	19,386
WJXX	1,618,191	11,690	27,150	19,420
WJYS	9,647,321	69,696	54,000	61,848
WJZ-TV	9,366,690	67,668	27,150	47,409
WJZY	4,054,244	29,289	40,675	34,982
WKAQ-TV	3,697,088	26,709	4,450	15,580
WITI	3,117,342	22,521	27,150	24,835
WITN-TV	1,768,040	12,773	13,550	13,161
WIVB-TV	1,538,108	11,112	13,550	12,331
WIVT	856,453	6,187	4,450	5,319
WIWN	3,462,960	25,018	27,150	26,084
WIYC	526,556	3,804	4,450	4,127
WJAC-TV	379,178	2,739	4,450	3,595
WKBD-TV	4,986,483	36,024	40,675	38,350
WKBN-TV	2,068,935	14,947	4,450	9,698
WKBS-TV	831,411	6,006	40,675	23,341
WKBT-DT	866,325	6,259	4,450	5,354
WKBW-TV	2,033,929	14,694	13,550	14,122
WKCF	4,032,154	29,130	40,675	34,902
WKEF	3,623,762	26,179	13,550	19,865
WJAR	6,537,858	47,232	13,550	30,391
WJAX-TV	1,630,782	11,781	27,150	19,466
WJBF	1,601,531	11,570	4,450	8,010
WJBK	5,748,623	41,530	40,675	41,103
WJCL	938,086	6,777	13,550	10,164
WJCT	1,624,624	11,737	27,150	19,443
WJEB-TV	1,607,510	11,613	27,150	19,382
WKMG-TV	3,803,492	27,478	40,675	34,076
WKNX-TV	1,684,178	12,167	13,550	12,859
WKOI-TV	3,660,544	26,445	13,550	19,998
WKOP-TV	1,532,125	11,069	13,550	12,309
WKOW	1,918,224	13,858	13,550	13,704
WKPT-TV	1,085,875	7,845	13,550	10,697

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WKPV	2,550,642	18,427	4,450	11,438
WJET-TV	704,806	5,092	4,450	4,771
WJFW-TV	277,530	2,005	4,450	3,227
WJHG-TV	856,973	6,191	4,450	5,321
WJHL-TV	2,202,140	15,909	13,550	14,730
WJKT	654,460	4,728	4,450	4,589
WJLA-TV	8,970,526	64,806	54,000	59,403
WJLP	21,384,863	154,492	54,000	104,246
WJMN-TV	160,991	1,163	4,450	2,807
WKRC-TV	3,281,914	23,710	27,150	25,430
WKRQ-TV	1,499,595	10,834	13,550	12,192
WKRQ-TV	2,410,573	17,415	27,150	22,282
WKTC	1,386,422	10,016	13,550	11,783
WKTU	1,573,503	11,368	4,450	7,909
WKYC	4,154,903	30,017	40,675	35,346
WKYT-TV	1,138,566	8,225	13,550	10,888
WLAJ	1,865,669	13,478	4,450	8,964
WJPX	3,254,481	23,512	4,450	13,981
WJRT-TV	2,788,684	20,146	13,550	16,848
WJTC	1,347,474	9,735	13,550	11,642
WJTV	987,206	7,132	13,550	10,341
WLFI-TV	2,243,009	16,204	4,450	10,327
WLFL	3,640,360	26,299	40,675	33,487
WLGA	950,018	6,863	4,450	5,657
WLII-DT	2,801,102	20,236	4,450	12,343
WLIO	1,070,641	7,735	4,450	6,092
WLAX	513,319	3,708	4,450	4,079
WLBT	948,671	6,854	13,550	10,202
WLBZ	373,129	2,696	4,450	3,573
WLEX-TV	969,543	7,004	13,550	10,277
WMDN	278,227	2,010	4,450	3,230
WMDT	731,931	5,288	4,450	4,869
WMFD-TV	1,561,367	11,280	40,675	25,977
WMFP	5,792,048	41,844	54,000	47,922
WMGM-TV	807,797	5,836	54,000	29,918
WLIW	14,117,756	101,992	54,000	77,996
WLJC-TV	1,433,458	10,356	13,550	11,953
WLKY	1,854,829	13,400	27,150	20,275
WLMB	2,754,484	19,899	13,550	16,725
WLMT	1,736,552	12,545	13,550	13,048
WLNE-TV	5,705,441	41,218	13,550	27,384
WLNS-TV	1,865,669	13,478	4,450	8,964
WLNY-TV	5,983,123	43,224	54,000	48,612
WMGT-TV	601,894	4,348	4,450	4,399
WMOR-TV	5,386,517	38,914	40,675	39,795
WMOW	121,150	875	4,450	2,663
WMSN-TV	1,579,847	11,413	13,550	12,482
WMTJ	3,143,148	22,707	4,450	13,579
WMTV	1,548,616	11,188	13,550	12,369
WMTW	1,940,292	14,017	13,550	13,784
WMUR-TV	5,192,179	37,510	54,000	45,755
WLOS	3,762,204	27,180	27,150	27,165
WLOV-TV	609,526	4,403	4,450	4,427
WLOX	1,182,149	8,540	4,450	6,495
WLPX-TV	1,021,171	7,377	13,550	10,464
WLS-TV	10,174,464	73,504	54,000	63,752
WLTU-DT	5,427,398	39,210	40,675	39,942
WLTX	1,597,791	11,543	13,550	12,547
WMYA-TV	1,577,439	11,396	27,150	19,273
WMYD	5,601,422	40,467	40,675	40,571
WMYT-TV	4,054,244	29,289	40,675	34,982
WMYV	3,808,852	27,517	27,150	27,333
WNAB	2,072,197	14,970	27,150	21,060
WNAC-TV	7,310,183	52,811	13,550	33,181
WNBC	20,064,358	144,952	54,000	99,476
WLTZ	689,521	4,981	4,450	4,716
WLUC-TV	92,246	666	4,450	2,558
WLUK-TV	1,251,563	9,042	13,550	11,296
WLWT	3,319,556	23,982	27,150	25,566
WMAQ-TV	9,914,395	71,625	54,000	62,813

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WMAR-TV	9,203,498	66,489	27,150	46,820
WMAZ-TV	1,185,678	8,566	4,450	6,508
WNBW-DT	633,243	4,575	4,450	4,512
WNCF	667,683	4,824	4,450	4,637
WNCN	3,427,038	24,758	40,675	32,717
WNCT-TV	1,933,527	13,969	13,550	13,759
WNDU-TV	1,807,909	13,061	13,550	13,306
WNDY-TV	2,912,963	21,044	27,150	24,097
WNEM-TV	1,617,082	11,682	13,550	12,616
WMBB	935,027	6,755	4,450	5,602
WMBC-TV	18,706,132	135,140	54,000	94,570
WMBD-TV	733,039	5,296	4,450	4,873
WMBF-TV	445,363	3,217	4,450	3,834
WMCN-TV	10,379,045	74,982	54,000	64,491
WMC-TV	2,047,403	14,791	13,550	14,171
WMDE	6,384,827	46,126	54,000	50,063
WNLO	1,538,108	11,112	13,550	12,331
WNNE	792,551	5,726	13,550	9,638
WNEP-TV	73,667	532	13,550	7,041
WNET	20,826,756	150,460	54,000	102,230
WNEU	3,471,700	25,081	54,000	39,540
WNIN	883,322	6,381	4,450	5,416
WNJU	20,064,358	144,952	54,000	99,476
WNJX-TV	1,585,248	11,452	4,450	7,951
WNKY	385,619	2,786	4,450	3,618
WPBN-TV	411,213	2,971	4,450	3,710
WPBT	5,442,761	39,321	40,675	39,998
WNOL-TV	1,632,389	11,793	27,150	19,471
WNPX-TV	2,216,062	16,010	27,150	21,580
WNSC-TV	2,072,821	14,975	40,675	27,825
WNTZ-TV	338,422	2,445	4,450	3,447
WNUV	9,098,694	65,732	27,150	46,441
WNWO-TV	2,232,660	16,130	13,550	14,840
WNYA	1,540,430	11,129	13,550	12,339
WNYB	1,630,417	11,779	13,550	12,664
WPCB-TV	2,722,282	19,667	40,675	30,171
WPCH-TV	5,986,720	43,250	54,000	48,625
WPCT	195,270	1,411	4,450	2,930
WPCW	3,393,365	24,515	40,675	32,595
WPDE-TV	1,764,645	12,748	4,450	8,599
WPEC	5,788,448	41,818	27,150	34,484
WPFO	870,698	6,290	13,550	9,920
WPGA-TV	559,495	4,042	4,450	4,246
WNYO-TV	1,539,525	11,122	13,550	12,336
WNYS-TV	1,690,696	12,214	13,550	12,882
WNYT	1,967,183	14,212	13,550	13,881
WNYW	20,307,995	146,712	54,000	100,356
WOAI-TV	2,457,441	17,753	27,150	22,452
WOAY-TV	569,330	4,113	4,450	4,282
WOFL	3,941,895	28,478	40,675	34,576
WPGH-TV	3,132,507	22,630	40,675	31,653
WPGX	425,098	3,071	4,450	3,761
WPHL-TV	10,421,216	75,287	54,000	64,643
WPIX	20,638,932	149,103	54,000	101,552
WPLG	5,587,129	40,363	40,675	40,519
WPMI-TV	1,467,869	10,604	13,550	12,077
WPNT	3,130,920	22,619	40,675	31,647
WOGX	1,112,408	8,036	4,450	6,243
WOI-DT	1,212,356	8,759	13,550	11,154
WOIO	3,821,233	27,606	40,675	34,140
WOLE-DT	2,896,629	20,926	4,450	12,688
WOLF-TV	3,006,606	21,721	13,550	17,635
WOLO-TV	2,635,115	19,037	13,550	16,294
WOOD-TV	2,507,053	18,112	27,150	22,631
WOPX-TV	3,826,498	27,644	40,675	34,160
WPPX-TV	8,206,117	59,284	54,000	56,642
WPRI-TV	7,306,169	52,782	13,550	33,166
WPSD-TV	883,812	6,385	13,550	9,967
WPSG	10,232,988	73,927	54,000	63,963
WPTA	1,083,373	7,827	4,450	6,138

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WPTV-TV	5,840,102	42,191	27,150	34,671
WPTZ	792,551	5,726	13,550	9,638
WPVI-TV	13,926,891	100,613	54,000	77,306
WORA-TV	2,733,629	19,749	4,450	12,099
WOST	1,193,381	8,621	4,450	6,536
WOTF-TV	3,288,537	23,758	40,675	32,216
WOTV	2,277,566	16,454	27,150	21,802
WOWK-TV	1,176,043	8,496	13,550	11,023
WOWT	1,380,979	9,977	13,550	11,763
WPWR-TV	9,957,301	71,935	54,000	62,968
WPXA-TV	6,594,205	47,639	54,000	50,819
WPXC-TV	1,561,014	11,277	27,150	19,214
WPXD-TV	5,133,364	37,085	40,675	38,880
WPXE-TV	3,163,550	22,855	27,150	25,002
WPXG-TV	2,577,848	18,623	54,000	36,312
WPAN	637,347	4,604	13,550	9,077
WPBF	3,190,307	23,048	27,150	25,099
WPXK-TV	1,907,446	13,780	13,550	13,665
WPXL-TV	1,566,829	11,319	27,150	19,235
WPXM-TV	5,206,059	37,610	40,675	39,143
WPXN-TV	20,465,198	147,848	54,000	100,924
WPXP-TV	5,565,072	40,204	27,150	33,677
WPXQ-TV	3,281,532	23,707	13,550	18,628
WPXR-TV	1,300,747	9,397	13,550	11,474
WPXH-TV	1,495,586	10,805	27,150	18,977
WPXI	480,916	3,474	40,675	22,075
WPXJ-TV	2,257,059	16,306	13,550	14,928
WREX	2,303,027	16,638	4,450	10,544
WRFB	2,674,527	19,322	4,450	11,886
WRGB	2,886,233	20,851	13,550	17,201
WRGT-TV	3,252,046	23,494	13,550	18,522
WRIC-TV	1,996,265	14,422	13,550	13,986
WRLH-TV	1,950,292	14,090	13,550	13,820
WPXS	1,152,104	8,323	40,675	24,499
WPXT	760,491	5,494	13,550	9,522
WPXU-TV	690,613	4,989	13,550	9,270
WPXV-TV	1,905,128	13,763	27,150	20,457
WPXW-TV	8,091,469	58,456	54,000	56,228
WPXX-TV	1,562,675	11,289	13,550	12,420
WQAD-TV	1,079,594	7,799	4,450	6,125
WRNN	19,853,836	143,431	54,000	98,716
WROC-TV	1,187,949	8,582	13,550	11,066
WRPT	110,009	795	4,450	2,622
WRPX-TV	2,218,968	16,031	40,675	28,353
WRSP-TV	904,190	6,532	13,550	10,041
WRTV	2,919,683	21,093	27,150	24,121
WRUA	2,905,193	20,988	4,450	12,719
WQCW	1,319,392	9,532	13,550	11,541
WQED	3,270,764	23,629	40,675	32,152
WQHA	1,052,107	7,601	4,450	6,025
WQHS-DT	3,837,316	27,722	40,675	34,199
WQMY	410,269	2,964	13,550	8,257
WQOW	369,066	2,666	4,450	3,558
WQPX-TV	1,515,992	10,952	13,550	12,251
WSAV-TV	1,000,315	7,227	13,550	10,388
WSAW-TV	652,442	4,713	4,450	4,582
WSAZ-TV	1,184,629	8,558	13,550	11,054
WSBK-TV	7,161,406	51,737	54,000	52,868
WSBS-TV	42,952	310	40,675	20,493
WSBT-TV	1,691,194	12,218	13,550	12,884
WSB-TV	1,504,105	10,866	54,000	32,433
WQRF-TV	1,326,695	9,585	4,450	7,017
WQTO	2,864,201	20,692	4,450	12,571
WRAL-TV	3,643,511	26,322	40,675	33,499
WRAZ	3,605,228	26,045	40,675	33,360
WRBL	1,493,140	10,787	4,450	7,618
WRBU	2,737,188	19,774	40,675	30,225
WRBW	4,025,123	29,079	40,675	34,877
WRCB	1,587,742	11,470	13,550	12,510
WRC-TV	8,001,448	57,805	54,000	55,903

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WRDC	3,624,288	26,183	40,675	33,429
WSCG	867,516	6,267	13,550	9,909
WSCV	5,465,435	39,484	40,675	40,080
WSEE-TV	556,533	4,021	4,450	4,235
WSES	1,548,117	11,184	4,450	7,817
WSET-TV	1,569,722	11,340	13,550	12,445
WSFA	1,168,636	8,443	4,450	6,446
WSFL-TV	5,316,261	38,407	40,675	39,541
WSFX-TV	928,247	6,706	4,450	5,578
WSIL-TV	672,560	4,859	13,550	9,204
WSJV	1,522,499	10,999	13,550	12,275
WRDQ	3,931,023	28,399	40,675	34,537
WRDW-TV	1,564,584	11,303	4,450	7,877
WREG-TV	1,642,307	11,865	13,550	12,707
WSNS-TV	9,914,395	71,625	54,000	62,813
WSOC-TV	1,119,856	8,090	40,675	24,383
WSPX-TV	1,106,838	7,996	13,550	10,773
WSST-TV	345,428	2,495	4,450	3,473
WSTE-DT	3,723,967	26,903	4,450	15,677
WSKY-TV	1,934,585	13,976	27,150	20,563
WSLS-TV	1,440,376	10,406	13,550	11,978
WSMH	2,339,224	16,899	13,550	15,225
WSMV-TV	2,447,769	17,684	27,150	22,417
WTNZ	1,722,805	12,446	13,550	12,998
WTOC-TV	993,098	7,175	13,550	10,362
WTOG	4,796,964	34,655	40,675	37,665
WTOK-TV	410,134	2,963	4,450	3,706
WSTM-TV	1,458,931	10,540	13,550	12,045
WSTR-TV	3,252,460	23,497	27,150	25,323
WSUR-DT	3,716,312	26,848	4,450	15,649
WSVI	50,601	366	4,450	2,408
WSVN	5,588,760	40,375	40,675	40,525
WSWB	1,500,450	10,840	13,550	12,195
WSWG	363,166	2,624	4,450	3,537
WSYM-TV	1,516,677	10,957	4,450	7,704
WTOL	4,184,020	30,227	13,550	21,888
WTOM-TV	83,379	602	4,450	2,526
WTOV-TV	3,892,886	28,124	4,450	16,287
WTPX-TV	255,972	1,849	4,450	3,150
WTRF-TV	2,941,511	21,251	4,450	12,850
WTSF	593,934	4,291	13,550	8,920
WTSP	116,070	839	40,675	20,757
WTTA	5,450,176	39,374	40,675	40,025
WSYR-TV	1,329,933	9,608	13,550	11,579
WSYT	1,878,638	13,572	13,550	13,561
WSYX	2,635,937	19,043	27,150	23,096
WTAE-TV	1,815,300	13,114	40,675	26,895
WTAJ-TV	1,080,523	7,806	4,450	6,128
WTAP-TV	472,761	3,415	4,450	3,933
WTAT-TV	1,153,279	8,332	13,550	10,941
WTCE-TV	2,600,584	18,788	27,150	22,969
WTEN	1,768,667	12,778	13,550	13,164
WTGS	967,792	6,992	13,550	10,271
WTTE	2,636,341	19,046	27,150	23,098
WTTG	8,070,491	58,304	54,000	56,152
WTTK	2,817,698	20,356	27,150	23,753
WTTQ	1,817,151	13,128	27,150	20,139
WTTV	2,362,145	17,065	27,150	22,108
WTTW	9,729,982	70,293	54,000	62,146
WTVA	717,035	5,180	4,450	4,815
WTVC	1,579,628	11,412	13,550	12,481
WTVD	4,012,851	28,990	40,675	34,833
WTVF	1,839,337	13,288	27,150	20,219
WTHI-TV	928,934	6,711	4,450	5,580
WTHR	2,988,174	21,588	27,150	24,369
WTIC-TV	5,314,290	38,392	27,150	32,771
WTIN-TV	3,714,547	26,835	4,450	15,643
WTKR	2,142,272	15,477	27,150	21,313
WTLF	349,696	2,526	4,450	3,488
WTLH	1,038,086	7,500	4,450	5,975

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WTLJ	1,622,365	11,721	27,150	19,435
WTLV	1,757,600	12,698	27,150	19,924
WTVG	4,274,274	30,879	13,550	22,214
WTVH	1,350,223	9,755	13,550	11,652
WTVI	2,853,540	20,615	40,675	30,645
WTVJ	5,458,451	39,434	40,675	40,054
WTVM	1,498,667	10,827	4,450	7,638
WTVO	1,409,708	10,184	4,450	7,317
WTVQ-DT	989,180	7,146	13,550	10,348
WTVR-TV	1,808,516	13,065	13,550	13,308
WTVT	5,475,385	39,556	40,675	40,116
WTMJ-TV	3,010,678	21,750	27,150	24,450
WTNH	7,845,782	56,681	27,150	41,915
WTVZ-TV	2,156,534	15,580	27,150	21,365
WTWC-TV	1,032,942	7,462	4,450	5,956
WTWO	737,757	5,330	4,450	4,890
WTVF-TV	1,477,715	10,676	54,000	32,338
WTVL-TV	1,054,514	7,618	4,450	6,034
WUCW	3,664,480	26,474	40,675	33,574
WUHF	1,152,580	8,327	13,550	10,938
WTVW	791,430	5,718	4,450	5,084
WTVX	2,962,933	21,405	27,150	24,278
WTVY	974,532	7,040	4,450	5,745
WVIZ	3,638,440	26,285	40,675	33,480
WVLA-TV	1,897,179	13,706	13,550	13,628
WVLT-TV	1,874,453	13,542	13,550	13,546
WVNS-TV	911,630	6,586	4,450	5,518
WVNY	721,176	5,210	13,550	9,380
WVOZ-TV	1,132,932	8,185	4,450	6,317
WUJA	2,638,361	19,060	4,450	11,755
WUNI	7,209,571	52,085	54,000	53,042
WUPA	5,946,477	42,960	54,000	48,480
WUPL	1,632,100	11,791	27,150	19,470
WUPV	1,654,049	11,949	13,550	12,750
WUPW	2,074,890	14,990	13,550	14,270
WUPX-TV	1,147,454	8,290	13,550	10,920
WVPX-TV	4,165,601	30,094	40,675	35,384
WVSN	2,869,888	20,733	4,450	12,592
WVTA	1,232,486	8,904	13,550	11,227
WVTB	454,244	3,282	13,550	8,416
WVTM-TV	1,876,825	13,559	27,150	20,354
WVTV	2,999,694	21,671	27,150	24,410
WVUE-DT	1,658,125	11,979	27,150	19,564
WUSA	8,970,526	64,806	54,000	59,403
WUTF-TV	8,557,497	61,823	54,000	57,911
WUTR	526,114	3,801	4,450	4,125
WUTV	1,405,230	10,152	13,550	11,851
WUVC-DT	3,528,124	25,488	40,675	33,082
WUVG-DT	2,203,405	15,918	54,000	34,959
WUXP-TV	2,316,872	16,738	27,150	21,944
WVAH-TV	1,373,707	9,924	13,550	11,737
WVBT	1,848,277	13,353	27,150	20,251
WVCY-TV	3,117,342	22,521	27,150	24,835
WVVA	1,035,752	7,483	4,450	5,966
WVXF	85,191	615	4,450	2,533
WWAY	1,206,281	8,715	4,450	6,582
WVBT	1,911,854	13,812	13,550	13,681
WWCP-TV	2,811,278	20,310	4,450	12,380
WWCW	1,404,553	10,147	13,550	11,849
WWDP	5,792,048	41,844	54,000	47,922
WWHO	2,879,726	20,804	27,150	23,977
WWJ-TV	5,374,064	38,824	40,675	39,750
WWJX	518,866	3,748	13,550	8,649
WVEA-TV	4,283,915	30,949	40,675	35,812
WVEC	2,179,223	15,744	27,150	21,447
WVEN-TV	3,607,540	26,062	40,675	33,369
WVEO	1,153,382	8,332	4,450	6,391
WVER	760,072	5,491	13,550	9,521
WVFX	731,193	5,282	4,450	4,866
WVII-TV	368,022	2,659	4,450	3,554

TABLE 3<sup>1</sup>—FY 2019 FULL-POWER BROADCAST TELEVISION REGULATORY FEES BY CALL SIGN—Continued

Call sign	Population	Population based fee	DMA based fee	Blended: 1/2 Pop. fee 1/2 DMA fee
WVIR-TV	1,944,353	14,047	4,450	9,248
WWLP	3,838,272	27,729	4,450	16,090
WWL-TV	1,756,442	12,689	27,150	19,920
WWMB	1,460,406	10,551	4,450	7,500
WWMT	2,460,942	17,779	27,150	22,464
WWNY-TV	365,677	2,642	4,450	3,546
WWOR-TV	19,853,836	143,431	54,000	98,716
WWPX-TV	3,892,904	28,124	54,000	41,062
WWSB	3,340,133	24,130	40,675	32,403
WVIT	4,963,855	35,861	27,150	31,505
WWTW	9,729,982	70,293	54,000	62,146
WWUP-TV	116,638	843	4,450	2,646
WXII-TV	3,434,637	24,813	27,150	25,982
WXIN	2,721,639	19,662	27,150	23,406
WXIX-TV	2,825,570	20,413	27,150	23,781
WXLV-TV	4,362,761	31,518	27,150	29,334
WXMI	191,107	1,381	27,150	14,265
WXOW	425,378	3,073	4,450	3,762
WXPX-TV	4,566,037	32,987	40,675	36,831
WWSI	11,012,279	79,557	54,000	66,778
WWTI	196,531	1,420	4,450	2,935
WWTW	1,034,174	7,471	4,450	5,961
WXCW	1,749,847	12,642	13,550	13,096
WXIA-TV	6,179,680	44,644	54,000	49,322
WYOU	3,553,761	25,674	13,550	19,612
WYOW	91,233	659	4,450	2,555
WYPX-TV	1,167,975	8,438	13,550	10,994
WYTV	2,068,935	14,947	4,450	9,698
WYZZ-TV	1,042,140	7,529	4,450	5,989
WXTX	700,123	5,058	4,450	4,754
WXXA-TV	1,775,667	12,828	13,550	13,189
WXXV-TV	1,178,251	8,512	4,450	6,481
WXYZ-TV	5,591,434	40,395	40,675	40,535
WYDC	393,843	2,845	4,450	3,648
WYDO	1,097,745	7,931	13,550	10,740
WYFF	2,586,888	18,689	27,150	22,919
WYMT-TV	1,180,276	8,527	13,550	11,038
WZBJ	1,606,844	11,608	13,550	12,579
WZDX	1,557,490	11,252	13,550	12,401
WZMQ	73,423	530	4,450	2,490
WZPX-TV	2,094,029	15,128	27,150	21,139
WZRB	952,279	6,880	13,550	10,215
WZTV	2,311,143	16,697	27,150	21,923
WZVI	55,804	403	4,450	2,427
WZVN-TV	1,916,098	13,843	13,550	13,696
WZZM	1,574,546	11,375	27,150	19,263

<sup>1</sup> Table 3 is also available as a spreadsheet on the Commission's website at <https://www.fcc.gov/licensing-databases/fees/regulatory-fees>, including the Facility Identification number and DMA for each call sign.

TABLE 3 CONTINUED—ADDITIONAL CALL SIGNS NOT INCLUDED PREVIOUSLY IN APPENDIX C

Call sign	Population	Population based fee	DMA based fee	Blended 1/2 Pop. fee & 1/2 DMA fee
KAZA-TV	11,151,141	\$80,560	\$54,000	\$67,280
KBEH	17,343,236	125,294	54,000	89,647
KEMO-TV	5,097,701	36,828	54,000	45,414
KHSL-TV	627,256	4,532	4,450	4,491
KOFY-TV	5,097,701	36,828	54,000	45,414
KPNX	4,216,950	30,465	40,675	35,570
KSMS-TV	1,251,045	9,038	4,450	6,744
KTLN-TV	5,209,087	37,632	54,000	45,816
KTNC-TV	8,048,427	58,145	54,000	56,072
KXLN-DT	6,078,071	43,910	54,000	48,955
WBMM	577,653	4,173	4,450	4,312
WCWG	3,434,637	24,813	27,150	25,982
WDCW	8,155,998	58,922	54,000	56,461
WGGN-TV	1,991,462	14,387	40,675	27,531
WGGT-TV	2,163,321	15,629	13,550	14,589

TABLE 3 CONTINUED—ADDITIONAL CALL SIGNS NOT INCLUDED PREVIOUSLY IN APPENDIX C—Continued

Call sign	Population	Population based fee	DMA based fee	Blended 1/2 Pop. fee & 1/2 DMA fee
WJAL	8,970,526	64,806	54,000	59,403
WLLA	2,041,934	14,752	27,150	20,951
WLOO	917,998	6,632	13,550	10,091
WLVI	7,319,659	52,880	54,000	53,440
WLWC	3,281,532	23,707	13,550	18,628
WMLW-TV	1,822,297	13,165	27,150	20,157
WPMT	2,412,561	17,429	27,150	22,290
WSPA-TV	3,393,072	24,513	13,550	19,031
WTCV	3,254,481	23,512	4,450	13,981
WTVE	4,027,248	29,094	54,000	41,547
WUAB	3,821,233	27,606	40,675	34,140
WUTB	8,509,757	61,478	27,150	44,314
WUVN	1,132,445	8,181	27,150	17,666
WUVP-DT	10,421,216	75,287	54,000	64,643
WWJE-DT	7,209,571	52,085	54,000	53,042
WXBW	3,046,418	22,008	27,150	24,579
WXFT-DT	10,174,464	73,504	54,000	63,752
WXTV-DT	19,992,096	144,430	54,000	99,215
WYCI	34,169	247	13,550	6,898
WYCW	3,393,072	24,513	13,550	19,031
WZME	5,996,408	43,320	54,000	48,660

In order to calculate individual service fees for FY 2019, we adjusted FY 2018 payment units for each service to more accurately reflect expected FY 2019 payment liabilities. We obtained our updated estimates through a variety of means. For example, we used Commission licensee data bases, actual prior year payment records and industry and trade association projections when available. The databases we consulted include our Universal Licensing System (ULS), International Bureau Filing System (IBFS), Consolidated Database System (CDBS) and Cable Operations and Licensing System (COALS), as well

as reports generated within the Commission such as the Wireless Telecommunications Bureau's *Numbering Resource Utilization Forecast*.

We sought verification for these estimates from multiple sources and, in all cases, we compared FY 2019 estimates with actual FY 2018 payment units to ensure that our revised estimates were reasonable. Where appropriate, we adjusted and/or rounded our final estimates to take into consideration the fact that certain variables that impact on the number of payment units cannot yet be estimated

with sufficient accuracy. These include an unknown number of waivers and/or exemptions that may occur in FY 2019 and the fact that, in many services, the number of actual licensees or station operators fluctuates from time to time due to economic, technical, or other reasons. When we note, for example, that our estimated FY 2019 payment units are based on FY 2018 actual payment units, it does not necessarily mean that our FY 2019 projection is exactly the same number as in FY 2018. We have either rounded the FY 2019 number or adjusted it slightly to account for these variables.

TABLE 4—SOURCES OF PAYMENT UNIT ESTIMATES FOR FY 2019

Fee category	Sources of payment unit estimates
Land Mobile (All), Microwave, Marine (Ship & Coast), Aviation (Aircraft & Ground), Domestic Public Fixed (Units are Licenses).	Based on Wireless Telecommunications Bureau (WTB) projections of new applications and renewals taking into consideration existing Commission licensee data bases. Aviation (Aircraft) and Marine (Ship) estimates have been adjusted to take into consideration the licensing of portions of these services on a voluntary basis.
CMRS Cellular/Mobile Services (Units are Subscribers or Telephone #s).	Based on WTB projection reports, and FY 2018 payment data.
CMRS Messaging Services (Units are Subscribers or Telephone #s).	Based on WTB reports, and FY 2018 payment data.
AM/FM Radio Stations (Units are Licensed Stations).	Based on CDBS data, adjusted for exemptions, and actual FY 2018 payment units.
Digital TV Stations (Combined VHF/UHF units) (Units are Licensed Stations).	Based on CDBS data, adjusted for exemptions, and actual FY 2018 payment units.
AM/FM/TV Construction Permits (Units are Holders of Permits).	Based on CDBS data, adjusted for exemptions, and actual FY 2018 payment units.
LPTV, Translators and Boosters, Class A Television (Units are Licensed Stations or Facilities).	Based on CDBS data, adjusted for exemptions, and actual FY 2018 payment units.
BRS (formerly MDS/MMDS)	Based on WTB reports and actual FY 2018 payment units.
LMDS (Units are Holders of Licenses)	Based on WTB reports and actual FY 2018 payment units.
Cable Television Relay Service (CARS) Stations (Units are Holders of Licenses).	Based on data from Media Bureau's COALS database and actual FY 2018 payment units.
Cable Television System Subscribers, Including IPTV Subscribers (Units are Subscribers).	Based on publicly available data sources for estimated subscriber counts and actual FY 2018 payment units.

TABLE 4—SOURCES OF PAYMENT UNIT ESTIMATES FOR FY 2019—Continued

Fee category	Sources of payment unit estimates
Interstate Telecommunication Service Providers (Units are Revenues).	Based on FCC Form 499–Q data for the four quarters of calendar year 2018, the Wireline Competition Bureau projected the amount of calendar year 2018 revenue that will be reported on 2018 FCC Form 499–A worksheets due in April 2019.
Earth Stations (Units are Licensed Earth Stations).	Based on International Bureau (“IB”) licensing data and actual FY 2018 payment units.
Space Stations (GSOs & NGSOs) (Units are Licensed and Operational Satellites).	Based on IB data reports and actual FY 2018 payment units.
International Bearer Circuits (Units are Gbps Circuits).	Based on IB reports and submissions by licensees, adjusted as necessary.
Submarine Cable Licenses (Units are Submarine Cable Systems).	Based on IB license information.

Table 5

*Factors, Measurements, and Calculations That Determine Station Signal Contours and Associated Population Coverages*

AM Stations

For stations with nondirectional daytime antennas, the theoretical radiation was used at all azimuths. For stations with directional daytime antennas, specific information on each day tower, including field ratio, phase, spacing, and orientation was retrieved, as well as the theoretical pattern root-mean-square of the radiation in all directions in the horizontal plane (RMS) figure (milliVolt per meter (mV/m) @ 1 km) for the antenna system. The standard, or augmented standard if pertinent, horizontal plane radiation pattern was calculated using techniques and methods specified in §§ 73.150 and 73.152 of the Commission’s rules. Radiation values were calculated for each of 360 radials around the transmitter site. Next, estimated soil conductivity data was retrieved from a database representing the information in FCC Figure R3. Using the calculated horizontal radiation values, and the retrieved soil conductivity data, the distance to the principal community (5 mV/m) contour was predicted for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2010 block centroids were contained in the polygon. (A block centroid is the center point of a small area containing population as computed by the U.S. Census Bureau.) The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

FM Stations

The greater of the horizontal or vertical effective radiated power (ERP)

(kW) and respective height above average terrain (HAAT) (m) combination was used. Where the antenna height above mean sea level (HAMSL) was available, it was used in lieu of the average HAAT figure to calculate specific HAAT figures for each of 360 radials under study. Any available directional pattern information was applied as well, to produce a radial-specific ERP figure. The HAAT and ERP figures were used in conjunction with the Field Strength (50–50) propagation curves specified in 47 CFR 73.313 of the Commission’s rules to predict the distance to the principal community (70 dBu (decibel above 1 microVolt per meter) or 3.17 mV/m) contour for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2010 block centroids were contained in the polygon. The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

Table 6

*Summary of Regulatory Fee Categories*

Media Bureau

The fee categories associated with the Media Bureau are as follows:

AM and FM Broadcast Radio Stations

1. The AM/FM broadcast radio station regulatory fees are based on population served and class of station. This grid showing the AM and FM regulatory fees based on population served and class of station has been modified over time to take into account a trend toward increases in population and more powerful signal strength.<sup>1</sup> In general,

stations with greater populations (e.g., Metropolitan areas) pay higher fees than stations located in rural areas with lower populations.

AM and FM Construction Permits That Were Granted for AM/FM Radio Stations

2. AM and FM Construction Permits (CP) are precursors to obtaining a license. These permits are granted so that the studio, the antenna, and other relevant aspects of the station can be constructed before a license is issued by the Commission.

Digital Full Service Television Broadcast Stations (Including Satellite Stations)

3. Digital full-service television broadcast stations, including satellite stations, are historically categorized by their Nielsen Designated Market Areas (DMA). In section D, below, we seek comment on changing this methodology for FY 2019.

Low Power TV, Class A TV, and TV/FM Translators and Boosters

4. Low Power Television (LPTV) stations may retransmit the programs and signals of a TV Broadcast Station, originate programming, and/or operate as a subscription service. This category also includes translators and boosters operating under part 74 of the Commission’s rules which rebroadcast the signals of full service stations on a frequency different from the parent station (translators) or on the same frequency (boosters). The stations in this category are secondary to full service stations in terms of frequency priority.

5. Translators are generally not affiliated with commercial broadcasters, are nonprofit, unprofitable, or only marginally profitable, serve small rural communities, and are supported financially by the residents of the communities served.

<sup>1</sup> See, e.g., *FY 2017 Report and Order*, 32 FCC Rcd at 7069, paragraph 28; *FY 2016 Report and Order*, 31 FCC Rcd at 10351, paragraph 33; *Assessment and Collection of Regulatory Fees for Fiscal Year 2003*, Report and Order, 18 FCC Rcd 15985, 15986–87, paragraph 4 (2003) (*FY 2003 Report and Order*).

### Cable Antenna Relay Service (CARS)

6. CARS stations are used to transmit television and related audio signals, signals of AM and FM Broadcast Stations, and cablecasting from the point of reception to a terminal point from where the signals are distributed to the public by a Cable Television System.

### Cable Television, IPTV, and DBS (Currently, a Subcategory of Cable Television and IPTV)

7. Regulatory fees for FY 2019 for cable television, internet Protocol Television (IPTV), and DBS are based on the number of subscribers as of December 31, 2018. The cable television category includes operators of Cable Television Systems, providing or distributing programming or other services to subscribers under part 76 of the Commission's rules. IPTV is digital television delivered through a high speed internet connection, instead of by the traditional cable method. IPTV service generally is offered bundled with the customer's internet and telephone or VoIP services. DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic dish antenna at the subscriber's location. The two DBS providers, AT&T<sup>2</sup> and DISH Network, are MVPDs.<sup>3</sup> This regulatory fee subcategory was based on Media Bureau FTE activity involving regulation and oversight of all MVPDs, which included DBS providers.<sup>4</sup> In 2015, the Commission included DBS as a subcategory of the cable television/IPTV regulatory fee. In section C, *supra*, we seek comment in this proceeding on adopting new regulatory fees for FY 2019 for DBS.

### Wireline Competition Bureau

8. The regulatory fees for Wireline Competition Bureau regulatees are in the ITSP fee category. Toll Free Numbers are a subcategory of the ITSP category. Audio bridging service providers are also included in the ITSP category.

### ITSP

9. The regulatory fees for ITSP are based on revenues from interexchange service. On April 1st of each year, ITSP providers file FCC Form 499–A with

<sup>2</sup> AT&T and DIRECTV merged in 2015. *See Applications of AT&T and DIRECTV for Consent to Assign or Transfer Control of Licenses and Authorizations*, Memorandum Opinion and Order, 30 FCC Rcd 9131 (2015).

<sup>3</sup> MVPD is defined in section 602(13) of the Act, 47 U.S.C. 522(13).

<sup>4</sup> *FY 2015 NPRM*, 30 FCC Rcd at 5367–68, paragraph 31.

USAC based on their FCC Form 499–Q (Quarterly) information. The FCC Form 499–A filing is the basis for the total amount of revenues upon which regulatory fees will be assessed, excluding exempt revenue from cooperatives, satellites, and wireless companies. For FY 2019, the ITSP fee rate is calculated by dividing the target revenue goal by the non-exempt revenue reported in the FCC Form 499–A.<sup>5</sup> The resulting figure is the ITSP fee factor that regulatees will multiply against specific revenue lines on FCC Form 499–A to determine their regulatory fee assessment.

### Toll Free

10. In the *FY 2014 Report and Order*,<sup>6</sup> the Commission adopted a regulatory fee category for each toll free number managed by a Responsible Organization or RespOrg.<sup>7</sup> In the *FY 2015 Report and Order*, the Commission first adopted a regulatory fee to be assessed per toll free number.<sup>8</sup> The Commission obtains a specific toll-free number count from SOMOS<sup>9</sup> for each operating RespOrg.

<sup>5</sup> The ITSP fee category represents 30.41% of the total regulatory fees assessed, which when multiplied by the overall regulatory fee goal of \$339 million, results in the ITSP target revenue goal of \$103.107 million. The Commission in FY 2019 estimates that the ITSP unit count is \$32.2 billion. The revenue target goal of \$103.107 divided by \$32.2 billion results in an ITSP fee factor of \$.00320.

<sup>6</sup> *See Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10767, 10777–79, paragraphs 25–28 (2014) (*FY 2014 Report and Order*). We adopted this category for working, assigned, and reserved toll free numbers and for toll free numbers that are in the “transit” status, or any other status as defined in section 52.103 of the Commission's rules. The regulatory fee is limited to toll free numbers that are accessible within the United States.

<sup>7</sup> A RespOrg is a company that manages toll free telephone numbers for subscribers. RespOrgs use the SMS/800 database to verify the availability of specific numbers and to reserve the numbers for subscribers. *See* 47 CFR 52.101(b). Commission FTEs in the Wireline Competition Bureau and the Enforcement Bureau work on toll free numbering issues and other related activities. As a result, the Commission adopted a regulatory fee for each toll free number controlled or managed by a RespOrg because many toll free numbers are controlled or managed by RespOrgs that are not carriers, and therefore, had not been paying regulatory fees. In the *FY 2014 Report and Order*, the Commission stated that: “Based on evaluation, the FTEs involved in toll free issues are primarily from the Wireline Competition Bureau. . . . Accordingly, a regulatory fee assessed on toll free numbers reduces the ITSP regulatory fee total.” *FY 2014 Report and Order*, 29 FCC Rcd at 10778, paragraph 27 (footnote omitted).

<sup>8</sup> *FY 2015 Report and Order*, 30 FCC Rcd at 10271–72, paragraph 9.

<sup>9</sup> SOMOS is an organization that grants toll-free numbers to Responsible Organizations.

### Wireless Telecommunications Bureau

11. The fee categories associated with the Wireless Telecommunications Bureau are as follows:

#### CMRS

12. CMRS is a service providing interconnected mobile radio services for profit to the public, or to such classes of eligible users as to be effectively available to a substantial portion of the public. Each licensee in this group pays an annual regulatory fee for each mobile or cellular unit (mobile or telephone number) assigned to its customers, including resellers of its services. The most common use of cellular spectrum is mobile voice and data services, including cell phone, text messaging, and internet service. Cellular licenses are issued by market areas and channel blocks. Part 22 paging (messaging services)<sup>10</sup> is also considered a CMRS service. Because the customer base continues on a long-term decline, the paging services fee has been frozen at eight cents per subscriber since FY 2002.<sup>11</sup>

#### Other Wireless Services, Subject to Multiyear Fees

13. In addition to CMRS, there are eight wireless services whose licensees pay regulatory fees. These multiyear fees are paid in advance and for the amount of the ten year term of the license.<sup>12</sup>

14. *Microwave*. Common carrier microwave stations, authorized under part 101 of the Commission's rules, are generally used in a point-to-point configuration for long-haul backbone connections or to connect points on the telephone network which cannot be connected using standard wire line or fiber optic because of cost or terrain. These systems are also used to connect cellular sites to the telephone network and to relay television signals.

15. *Marine, ship and coast*. Maritime Mobile Services are authorized in part 80 of the Commission's rules.<sup>13</sup> A ship station includes all the transmitting and receiving equipment installed aboard a ship for communications afloat. Depending on the size and other factors, the ship radio station must meet certain

<sup>10</sup> CMRS messaging replaced the CMRS one-way paging fee category. *See Assessment and Collection of Regulatory Fees for Fiscal Year 1997*, Report and Order, 12 FCC Rcd 17161, 17184–85, paragraph 60 (1997) (*FY 1997 Report and Order*).

<sup>11</sup> *See FY 2003 Report and Order*, 18 FCC Rcd at 15992, paragraph 21.

<sup>12</sup> *See Assessment and Collection of Regulatory Fees for Fiscal Year 2005*, Report and Order, 20 FCC Rcd 12259, 12267, paragraph 26 (2005) (*FY 2005 Report and Order*).

<sup>13</sup> 47 CFR part 80.

requirements established by law or treaty. Marine coast stations serve the maritime community as commercial mobile radio service providers, permitting ships to send and receive messages and to interconnect with the public switched telephone network. In addition to providing needed services for a fee, public coast stations have obligations to monitor distress frequencies and to relay messages free of charge to search and rescue personnel.

16. *Rural Radio*. The Rural Radiotelephone Service is in the 152–159 MHz and 454–460 MHz spectrum bands and authorized under part 22 of the Commission's rules. Rural Radiotelephone spectrum is used to provide analog telephone service to subscribers in locations too remote for traditional wireline service.

17. *PLMRS, exclusive use and shared use*. Private land mobile radio systems (PLMRS), authorized under Part 90 of the Commission's rules, are used by companies, local governments, and other organizations to meet a wide range of communication requirements. These services include Land Mobile Radio Services operating under parts 90 and 95 of the Commission's rules. Services in this category provide one- or two-way communications between vehicles, persons or fixed stations and include radiolocation services, industrial radio services, and land transportation radio services.<sup>14</sup>

18. *Aviation, aircraft and ground*. The Aviation Services are authorized in part 87 of the Commission's rules.<sup>15</sup> Aircraft radio stations include all types of radio transmitting equipment used aboard an aircraft, e.g., two-way radiotelephones, radar, radio navigation equipment, and emergency locator transmitters. The primary purpose of aircraft radio equipment is to ensure safety of aircraft in flight.

<sup>14</sup> We note that prior section 9(b)(1)(A) listed as examples of factors related to "benefits provided" a regulate to include "service area coverage, shared use versus exclusive use, and other factors that the Commission determines are necessary in the public interest." Current sections 9 and 9A do not mention shared use versus exclusive use.

<sup>15</sup> 47 CFR part 87.

Broadband Radio Service (BRS) and Local Multipoint Distribution Service (LMDS)

19. Broadband Radio Service and Local Multipoint Distribution Services are authorized under parts 27 and 101 of the Commission's Rules to use microwave frequencies for video and data distribution within the United States. BRS and LMDS fees are assessed at the same fee rate and on a per license basis.

International Bureau

20. The fee categories associated with the International Bureau are as follows:

Space Stations and Earth Stations

21. The International Bureau's oversight and regulation of the satellite industry involves FTEs working on legal, technical, and policy issues pertaining to both space station and earth station operations and is therefore interdependent to some degree.<sup>16</sup> For FY 2019, regulatory fees must be paid for licensed earth stations and for geostationary orbit space stations and non-geostationary orbit satellite systems that were licensed and operational on or before October 1, 2018.

International Bearer Circuits

22. We assess regulatory fees on international bearer circuits (IBCs) which consist of terrestrial and satellite<sup>17</sup> and submarine cable.<sup>18</sup> The IBC regulatory fees are calculated by apportioning the revenue requirement

<sup>16</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, Notice of Proposed Rulemaking, Second Further Notice of Proposed Rulemaking, and Order, 29 FCC Rcd 6417, 6428, paragraph 29 (2014) (*FY 2014 NPRM*).

<sup>17</sup> Regulatory fees for terrestrial and satellite IBCs are paid based on active (used or leased) international bearer circuits as of December 31, 2018 in any terrestrial or satellite transmission facility for the provision of service to an end user or resale carrier. Active circuits include backup and redundant circuits as of December 31, 2018. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits.

<sup>18</sup> Submarine cables provide the primary means of connectivity—voice, data and internet—between the United States and the rest of the world as well as connectivity between the mainland United States and consumers in Alaska, Hawaii, Guam, American Samoa, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

between (1) terrestrial and satellite<sup>19</sup> and (2) submarine cable;<sup>20</sup> 12.4 percent of total IBC fees are allocated for terrestrial and satellite IBC fees and 87.6 per cent are allocated for submarine cable fees. The proposed FY 2019 submarine cable regulatory fees are paid on a per cable landing license basis<sup>21</sup> based on circuit capacity as of December 31, 2018. The submarine cable regulatory fee methodology is based on an industry proposal adopted in 2009.<sup>22</sup> The proposed methodology for the FY 2019 terrestrial and satellite IBC regulatory fees is discussed in detail in section E below.

FY 2018 regulatory fees for the first eight fee categories below are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

<sup>19</sup> Initially, this fee category was for common carrier IBCs. The Commission added non-common carrier satellite IBCs in this regulatory fee category in 1997. See *FY 1997 Report and Order*, 12 FCC Rcd at 17189, paragraph 71. More recently, the Commission added non-common carrier terrestrial IBCs in this regulatory fee category in 2017. See *FY 2017 Report and Order*, 32 FCC Rcd at 7071–72, paragraphs 34–35.

<sup>20</sup> The submarine cable regulatory fee includes services provided to common carriers using the submarine cables, in addition to the International Bureau's regulatory activity concerning submarine cables, such as the bureau's review, analysis, and grant of applications for submarine cable landing license applications, as well as transfers, assignments, and modifications. See *FY 2015 Report and Order*, 30 FCC Rcd at 10273, paragraph 12. The bureau also coordinates processing of submarine cable landing license applications with the relevant Executive Branch agencies, and the bureau's services provided to common carriers using the submarine cable circuits, include benchmarks enforcement, protection from anticompetitive actions by foreign carriers, foreign ownership rulings (Petitions for Declaratory Rulings, or PDRs), section 214 authorizations, and bilateral and multilateral negotiations and representation of U.S. interests at international organizations. See *FY 2015 Report and Order*, 30 FCC Rcd at 10273, paragraph 12.

<sup>21</sup> A cable landing license must be obtained prior to landing a submarine cable to connect the continental United States with any foreign country; Alaska, Hawaii or the U.S. territories or possessions with a foreign country, the continental United States, or with each other; and points within the continental United States, Alaska, Hawaii or a territory or possession in which the cable is laid within international waters.

<sup>22</sup> See *Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, Second Report and Order, 24 FCC Rcd 4208 (2009) (*Submarine Cable Order*).

TABLE 7—FY 2018 SCHEDULE OF REGULATORY FEES

Fee category	FY 2018 annual regulatory fee (U.S. \$s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	\$25
Microwave (per license) (47 CFR part 101)	25
Marine (Ship) (per station) (47 CFR part 80)	15
Marine (Coast) (per license) (47 CFR part 80)	40
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	10
PLMRS (Shared Use) (per license) (47 CFR part 90)	10
Aviation (Aircraft) (per station) (47 CFR part 87)	10
Aviation (Ground) (per license) (47 CFR part 87)	20
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.20
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08
Broadband Radio Service (formerly MMDS/MDS) (per license) (47 CFR part 27)	600
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	600
AM Radio Construction Permits	550
FM Radio Construction Permits	965
Digital TV (47 CFR part 73) VHF and UHF Commercial	
Markets 1–10	49,750
Markets 11–25	37,450
Markets 26–50	25,025
Markets 51–100	12,475
Remaining Markets	4,100
Construction Permits	4,100
Satellite Television Stations (All Markets)	1,500
Low Power TV, Class A TV, TV/FM Trans. & Boosters (47 CFR part 74)	380
CARS (47 CFR part 78)	1,075
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV	.77
Direct Broadcast Service (DBS) (per subscriber) (as defined by section 602(13) of the Act)	.48
Interstate Telecommunication Service Providers (per revenue dollar)	.00291
Toll Free (per toll free subscriber) (47 CFR 52.101(f) of the rules)	.10
Earth Stations (47 CFR part 25)	325
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	127,850
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	122,775
International Bearer Circuits—Terrestrial/Satellites (per Gbps circuit)	176
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

FY 2018 RADIO STATION REGULATORY FEES

Population served	AM Class A	AM Class B	AM Class C	AM Class D	FM Classes A, B1 & C3	FM Classes B, C, C0, C1 & C2
<= 25,000	\$880	\$635	\$550	\$605	\$965	\$1,100
25,001–75,000	1,325	950	825	910	1,450	1,650
75,001–150,000	1,975	1,425	1,250	1,350	2,175	2,475
150,001–500,000	2,975	2,150	1,850	2,050	3,250	3,725
500,001–1,200,000	4,450	3,225	2,775	3,050	4,875	5,575
1,200,001–3,000,00	6,700	4,825	4,175	4,600	7,325	8,350
3,000,001–6,000,00	10,025	7,225	6,275	6,900	11,000	12,525
>6,000,000	15,050	10,850	9,400	10,325	16,500	18,800

FY 2018 INTERNATIONAL BEARER CIRCUITS—SUBMARINE CABLE

Submarine cable systems (capacity as of December 31, 2017)	Fee amount for FY 2018
<50 Gbps	\$9,850
50 Gbps or greater, but less than 250 Gbps	19,725
250 Gbps or greater, but less than 1,000 Gbps	39,425
1,000 Gbps or greater, but less than 4,000 Gbps	78,875
4000 Gbps or greater	157,750

**VII. Initial Regulatory Flexibility Analysis**

53. As required by the Regulatory Flexibility Act of 1980, as amended

(RFA),<sup>1</sup> the Commission prepared this

<sup>1</sup> 5 U.S.C. 603. The RFA, 5 U.S.C. 601–612 has been amended by the Small Business Regulatory

Initial Regulatory Flexibility Analysis

Enforcement Fairness Act of 1996 (SBREFA), Public Law Number 104–121, Title II, 110 Stat. 847 (1996).

(IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in the Notice of Proposed Rulemaking (NPRM). Written comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadline for comments on this NPRM. The Commission will send a copy of the NPRM, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).<sup>2</sup> In addition, the NPRM and IRFA (or summaries thereof) will be published in the **Federal Register**.<sup>3</sup>

#### A. Need for, and Objectives of, the Notice

54. The NPRM seeks comment regarding adopting proposed regulatory fees for Fiscal Year 2019. The proposed regulatory fees are attached to the NPRM in Tables 2 and 3. This regulatory fee NPRM is needed each year because the Commission is required by Congress to adopt regulatory fees each year “to recover the costs of carrying out the activities described in section 6(a) only to the extent, and in the total amounts, provided for in Appropriation Acts.”<sup>4</sup> The objective of the NPRM is to propose regulatory fees for fiscal year 2019 and adopt regulatory fee reform to improve the regulatory fee process. The NPRM seeks comment on the Commission’s proposed regulatory fees for fiscal year (FY) 2019. The NPRM proposes to collect \$339,000,000 in regulatory fees for FY 2019, as detailed in the proposed fee schedules in Table 2, including a proposed increase in the DBS fee rate to 60 cents per subscriber and proposed fees for full-power broadcast televisions using an average of the actual population covered by the station’s contour and the Nielsen Designated Market Area (DMA)-based fee, as set forth in Table 3. Historically, the regulatory fee for full-power broadcast television stations was based on the DMA groupings 1–10, 11–25, 26–50, 51–100, and the remaining markets (101–210), as well as satellite stations that traditionally pay a much lower fee. Additionally, the NPRM seeks comment on replacing our existing annual de minimis threshold of \$1000 with a new section 9(e)(2) annual regulatory fee exemption of \$1,000.

#### B. Legal Basis

55. This action, including publication of proposed rules, is authorized under sections (4)(i) and (j), 9, 9A, and 303(r)

of the Communications Act of 1934, as amended.<sup>5</sup>

#### C. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

56. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted.<sup>6</sup> The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”<sup>7</sup> In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.<sup>8</sup> A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.<sup>9</sup>

57. Small Entities. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe here, at the outset, three comprehensive small entity size standards that could be directly affected by the proposals under consideration.<sup>10</sup> As of 2009, small businesses represented 99.9 percent of the 27.5 million businesses in the United States, according to the SBA.<sup>11</sup> In addition, a “small organization is generally any not-for-profit enterprise which is independently owned and operated and not dominant in its field.”<sup>12</sup> In addition, the term “small governmental jurisdiction” is defined generally as “governments of cities, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.”<sup>13</sup> U.S. Census Bureau data for 2011 indicate that there were 90,056 local governmental

jurisdictions in the United States.<sup>14</sup> We estimate that, of this total, as many as 89,327 entities may qualify as “small governmental jurisdictions.”<sup>15</sup> Thus, we estimate that most local government jurisdictions are small.

58. Wired Telecommunications Carriers. The U.S. Census Bureau defines this industry as “establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable and IPTV) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.”<sup>16</sup> The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.<sup>17</sup> Census data for 2012 shows that there were 3,117 firms that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees.<sup>18</sup> Thus, under this size standard, the majority of firms in this industry can be considered small.

59. Local Exchange Carriers (LECs). Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. The closest

<sup>14</sup> See SBA, Office of Advocacy, “Frequently Asked Questions,” available at [https://www.sba.gov/sites/default/files/advocacy/SB-FAQ-2016\\_WEB.pdf](https://www.sba.gov/sites/default/files/advocacy/SB-FAQ-2016_WEB.pdf).

<sup>15</sup> The 2011 U.S. Census Data for small governmental organizations are not presented based on the size of the population in each organization. As stated above, there were 90,056 local governmental organizations in 2011. As a basis for estimating how many of these 90,056 local governmental organizations were small, we note that there were a total of 729 cities and towns (incorporated places and civil divisions) with populations over 50,000. See [http://factfinder.census.gov/faces/tables/services/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tables/services/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table). If we subtract the 729 cities and towns that exceed the 50,000 population threshold, we conclude that approximately 789,237 are small.

<sup>16</sup> See <http://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

<sup>17</sup> See 13 CFR 120.201, NAICS code 517110.

<sup>18</sup> [http://factfinder.census.gov/faces/table/services/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/table/services/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>5</sup> 47 U.S.C. 154(i) and (j), 159, 159A, and 303(r).

<sup>6</sup> 5 U.S.C. 603(b)(3).

<sup>7</sup> 5 U.S.C. 601(6).

<sup>8</sup> 5 U.S.C. 601(3) (incorporating by reference the definition of “small-business concern” in the Small Business Act, 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.”

<sup>9</sup> 15 U.S.C. 632.

<sup>10</sup> See 5 U.S.C. 601(3)–(6).

<sup>11</sup> See SBA, Office of Advocacy, “Frequently Asked Questions,” available at [https://www.sba.gov/sites/default/files/advocacy/SB-FAQ-2016\\_WEB.pdf](https://www.sba.gov/sites/default/files/advocacy/SB-FAQ-2016_WEB.pdf).

<sup>12</sup> 5 U.S.C. 601(4).

<sup>13</sup> 5 U.S.C. 601(5).

<sup>2</sup> 5 U.S.C. 603(a).

<sup>3</sup> *Id.*

<sup>4</sup> 47 U.S.C. 159(a).

applicable NAICS code category is for Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees.<sup>19</sup> According to census data from 2012, there were 3,117 establishments that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees.<sup>20</sup> The Commission estimates that most providers of local exchange service are small entities that may be affected by the rules proposed in the *NPRM*.

60. Incumbent LECs. Neither the Commission nor the SBA has developed a small business size standard specifically for incumbent local exchange services. The closest applicable NAICS code category is Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees.<sup>21</sup> According to census data from 2012, 3,117 firms operated in that year. Of this total, 3,083 operated with fewer than 1,000 employees.<sup>22</sup> According to Commission data, 1,307 carriers reported that they were incumbent local exchange service providers.<sup>23</sup> Of this total of 1,307 incumbent local exchange service providers, an estimated 1,006 operated with 1,500 or fewer employees.<sup>24</sup> Consequently, the Commission estimates that most providers of incumbent local exchange service are small businesses that may be affected by the rules proposed in this *NPRM*.

61. Competitive Local Exchange Carriers (Competitive LECs), Competitive Access Providers (CAPs), Shared-Tenant Service Providers, and Other Local Service Providers. Neither the Commission nor the SBA has developed a small business size standard specifically for these service providers. The appropriate NAICS code category is Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees.<sup>25</sup> U.S. Census data for 2012 indicate that 3,117 firms operated during that year. Of that number, 3,083 operated with fewer than 1,000

employees.<sup>26</sup> Based on this data, the Commission concludes that the majority of Competitive LECs, CAPs, Shared-Tenant Service Providers, and Other Local Service Providers are small entities. According to the Commission data, 1,442 carriers reported that they were engaged in the provision of either competitive local exchange services or competitive access provider services.<sup>27</sup> Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees. In addition, 17 carriers have reported that they are Shared-Tenant Service Providers, and all 17 are estimated to have 1,500 or fewer employees.<sup>28</sup> Also, 72 carriers have reported that they are Other Local Service Providers.<sup>29</sup> Of this total, 70 have 1,500 or fewer employees.<sup>30</sup> Consequently, the Commission estimates that most providers of competitive local exchange service, competitive access providers, Shared-Tenant Service Providers, and Other Local Service Providers are small entities that may be affected by rules proposed in this *NPRM*.

62. Interexchange Carriers (IXCs). Neither the Commission nor the SBA has developed a definition for Interexchange Carriers. The closest NAICS code category is Wired Telecommunications Carriers as defined in paragraph 6 of this IRFA. The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.<sup>31</sup> U.S. Census data for 2012 indicate that 3,117 firms operated during that year. Of that number, 3,083 operated with fewer than 1,000 employees.<sup>32</sup> According to Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services.<sup>33</sup> Of this total, an estimated 317 have 1,500 or fewer employees. Consequently, the Commission estimates that the majority of interexchange service providers are small entities that may be affected by rules proposed in this *NPRM*.

63. Prepaid Calling Card Providers. Neither the Commission nor the SBA has developed a small business size standard specifically for prepaid calling

card providers. The appropriate NAICS code category for prepaid calling card providers is Telecommunications Resellers. This industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual networks operators (MVNOs) are included in this industry.<sup>34</sup> Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.<sup>35</sup> U.S. Census data for 2012 show that 1,341 firms provided resale services during that year. Of that number, 1,341 operated with fewer than 1,000 employees.<sup>36</sup> Thus, under this category and the associated small business size standard, the majority of these prepaid calling card providers can be considered small entities. According to Commission data, 193 carriers have reported that they are engaged in the provision of prepaid calling cards.<sup>37</sup> All 193 carriers have 1,500 or fewer employees.<sup>38</sup> Consequently, the Commission estimates that the majority of prepaid calling card providers are small entities that may be affected by rules proposed in this *NPRM*.

64. Local Resellers. Neither the Commission nor the SBA has developed a small business size standard specifically for Local Resellers. The SBA has developed a small business size standard for the category of Telecommunications Resellers. Under that size standard, such a business is small if it has 1,500 or fewer employees.<sup>39</sup> Census data for 2012 show that 1,341 firms provided resale services during that year.<sup>40</sup> Of that number, 1,341 operated with fewer than 1,000 employees.<sup>41</sup> Under this category and the associated small business size

<sup>34</sup> <http://www.census.gov/cgi-bin/ssd/naics/naicsrch>.

<sup>35</sup> 13 CFR 121.201, NAICS code 517911.

<sup>36</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>37</sup> See *Trends in Telephone Service*, at Table 5.3.

<sup>38</sup> *Id.*

<sup>39</sup> 13 CFR 121.201, NAICS code 517911.

<sup>40</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>41</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>19</sup> 13 CFR 121.201, NAICS code 517110.

<sup>20</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>21</sup> 13 CFR 121.201, NAICS code 517110.

<sup>22</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>23</sup> See *Trends in Telephone Service*, Federal Communications Commission, Wireline Competition Bureau, Industry Analysis and Technology Division at Table 5.3 (September 2010) (*Trends in Telephone Service*).

<sup>24</sup> See *id.*

<sup>25</sup> 13 CFR 121.201, NAICS code 517110.

<sup>26</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>27</sup> See *Trends in Telephone Service*, at Table 5.3.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> 13 CFR 121.201, NAICS code 517110.

<sup>32</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>33</sup> See *Trends in Telephone Service*, at Table 5.3.

standard, the majority of these local resellers can be considered small entities. According to Commission data, 213 carriers have reported that they are engaged in the provision of local resale services.<sup>42</sup> Of this total, an estimated 211 have 1,500 or fewer employees.<sup>43</sup> Consequently, the Commission estimates that the majority of local resellers are small entities that may be affected by rules proposed in this *NPRM*.

65. Toll Resellers. The Commission has not developed a definition for Toll Resellers. The closest NAICS code Category is Telecommunications Resellers, and the SBA has developed a small business size standard for the category of Telecommunications Resellers.<sup>44</sup> Under that size standard, such a business is small if it has 1,500 or fewer employees.<sup>45</sup> Census data for 2012 show that 1,341 firms provided resale services during that year.<sup>46</sup> Of that number, 1,341 operated with fewer than 1,000 employees.<sup>47</sup> Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 881 carriers have reported that they are engaged in the provision of toll resale services.<sup>48</sup> Of this total, an estimated 857 have 1,500 or fewer employees.<sup>49</sup> Consequently, the Commission estimates that the majority of toll resellers are small entities that may be affected by the rules proposed in the *NPRM*.

66. Other Toll Carriers. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. The closest applicable NAICS code category is for Wired Telecommunications Carriers, as defined in paragraph 6 of this IRFA. Under that size standard, such a business is small if it has 1,500 or fewer employees.<sup>50</sup> Census data for 2012 shows that there were 3,117 firms that

operated that year.<sup>51</sup> Of this total, 3,083 operated with fewer than 1,000 employees.<sup>52</sup> Thus, under this category and the associated small business size standard, the majority of Other Toll Carriers can be considered small. According to Commission data, 284 companies reported that their primary telecommunications service activity was the provision of other toll carriage.<sup>53</sup> Of these, an estimated 279 have 1,500 or fewer employees.<sup>54</sup> Consequently, the Commission estimates that most Other Toll Carriers are small entities that may be affected by the rules proposed in the *NPRM*.

67. Wireless Telecommunications Carriers (except Satellite). This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless internet access, and wireless video services.<sup>55</sup> The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees. For this industry, Census Data for 2012 show that there were 967 firms that operated for the entire year.<sup>56</sup> Of this total, 955 firms had fewer than 1,000 employees.<sup>57</sup> Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities. Similarly, according to Commission data, 413 carriers reported that they were engaged in the provision of wireless telephony, including cellular service, Personal Communications Service (PCS), and Specialized Mobile Radio (SMR) services.<sup>58</sup> Of this total, an estimated 261 have 1,500 or fewer employees.<sup>59</sup> Thus, using available data, we estimate that the majority of wireless firms can

be considered small and may be affected by rules proposed in this *NPRM*.

68. Television Broadcasting. This Economic Census category “comprises establishments primarily engaged in broadcasting images together with sound. These establishments operate television broadcasting studios and facilities for the programming and transmission of programs to the public.”<sup>60</sup> These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA has created the following small business size standard for Television Broadcasting firms: Those having \$38.5 million or less in annual receipts.<sup>61</sup> The 2012 Economic Census reports that 751 television broadcasting firms operated during that year. Of that number, 656 had annual receipts of less than \$25 million per year. Based on that Census data we conclude that a majority of firms that operate television stations are small. The Commission has estimated the number of licensed commercial television stations to be 1,387.<sup>62</sup> In addition, according to Commission staff review of the BIA Advisory Services, LLC’s *Media Access Pro Television Database* on March 28, 2012, about 950 of an estimated 1,300 commercial television stations (or approximately 73 percent) had revenues of \$14 million or less.<sup>63</sup> We therefore estimate that the majority of commercial television broadcasters are small entities.

69. In assessing whether a business concern qualifies as small under the above definition, business (control) affiliations<sup>64</sup> must be included. Our estimate, therefore, likely overstates the number of small entities that might be affected by our action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, an element of the definition of “small business” is that the entity not be

<sup>60</sup> U.S. Census Bureau, 2012 NAICS code Economic Definitions, <http://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

<sup>61</sup> 13 CFR 121.201, NAICS code 515120.

<sup>62</sup> See FCC News Release, “Broadcast Station Totals as of December 31, 2011,” dated January 6, 2012; [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2012/db0106/DOC-311837A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0106/DOC-311837A1.pdf).

<sup>63</sup> We recognize that BIA’s estimate differs slightly from the FCC total given *supra*.

<sup>64</sup> “[Business concerns] are affiliates of each other when one concern controls or has the power to control the other or a third party or parties controls or has to power to control both.” 13 CFR 21.103(a)(1).

<sup>51</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>52</sup> *Id.*

<sup>53</sup> *Trends in Telephone Service*, at Table 5.3.

<sup>54</sup> *Id.*

<sup>55</sup> NAICS code 517210. See <http://www.census.gov/cgi-bin/ssd/naics/naicsrch>.

<sup>56</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>57</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>58</sup> *Trends in Telephone Service*, at Table 5.3.

<sup>59</sup> *Id.*

<sup>42</sup> See *Trends in Telephone Service*, at Table 5.3.

<sup>43</sup> *Id.*

<sup>44</sup> 13 CFR 121.201, NAICS code 517911.

<sup>45</sup> *Id.*

<sup>46</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table).

<sup>47</sup> *Id.*

<sup>48</sup> *Trends in Telephone Service*, at Table 5.3.

<sup>49</sup> *Id.*

<sup>50</sup> 13 CFR 121.201, NAICS code 517110.

dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific television station is dominant in its field of operation. Accordingly, the estimate of small businesses to which rules may apply does not exclude any television station from the definition of a small business on this basis and is therefore possibly over-inclusive to that extent.

70. In addition, the Commission has estimated the number of licensed noncommercial educational (NCE) television stations to be 396.<sup>65</sup> These stations are non-profit, and therefore considered to be small entities.<sup>66</sup> There are also 2,528 low power television stations, including Class A stations (LPTV).<sup>67</sup> Given the nature of these services, we will presume that all LPTV licensees qualify as small entities under the above SBA small business size standard.

71. Radio Broadcasting. This Economic Census category “comprises establishments primarily engaged in broadcasting programs by radio to the public. Programming may originate in their own studio, from an affiliated network, or from external sources.”<sup>68</sup> The SBA has established a small business size standard for this category, which is: Such firms having \$38.5 million or less in annual receipts.<sup>69</sup> U.S. Census data for 2012 show that 2,849 radio station firms operated during that year.<sup>70</sup> Of that number, 2,806 operated with annual receipts of less than \$25 million per year.<sup>71</sup> According to Commission staff review of BIA Advisory Services, LLC’s *Media Access Pro Radio Database* on March 28, 2012, about 10,759 (97 percent) of 11,102 commercial radio stations had revenues of \$38.5 million or less. Therefore, the majority of such entities are small entities.

72. In assessing whether a business concern qualifies as small under the

above size standard, business affiliations must be included.<sup>72</sup> In addition, to be determined to be a “small business,” the entity may not be dominant in its field of operation.<sup>73</sup> It is difficult at times to assess these criteria in the context of media entities, and our estimate of small businesses may therefore be over-inclusive.

73. Cable Television and other Subscription Programming. This industry comprises establishments primarily engaged in operating studios and facilities for the broadcasting of programs on a subscription or fee basis. The broadcast programming is typically narrowcast in nature, e.g., limited format, such as news, sports, education, or youth-oriented. These establishments produce programming in their own facilities or acquire programming from external sources. The programming material is usually delivered to a third party, such as cable systems or direct-to-home satellite systems, for transmission to viewers.<sup>74</sup> The SBA has established a size standard for this industry of \$38.5 million or less. Census data for 2012 shows that there were 367 firms that operated that year.<sup>75</sup> Of this total, 319 operated with annual receipts of less than \$25 million.<sup>76</sup> Thus under this size standard, the majority of firms offering cable and other program distribution services can be considered small and may be affected by rules proposed in this *NPRM*.

74. Cable Companies and Systems. The Commission has developed its own small business size standards for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers nationwide.<sup>77</sup> Industry data indicate that there are currently 4,600 active cable systems in the United States.<sup>78</sup> Of this total, all but ten cable operators nationwide are small under the 400,000-subscriber size

standard.<sup>79</sup> In addition, under the Commission’s rate regulation rules, a “small system” is a cable system serving 15,000 or fewer subscribers.<sup>80</sup> Current Commission records show 4,600 cable systems nationwide.<sup>81</sup> Of this total, 3,900 cable systems have less than 15,000 subscribers, and 700 systems have 15,000 or more subscribers, based on the same records.<sup>82</sup> Thus, under this standard as well, the Commission estimates that most cable systems are small entities.

75. Cable System Operators (Telecom Act Standard). The Communications Act also contains a size standard for small cable system operators, which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than 1 percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed \$250,000,000.”<sup>83</sup> There are approximately 52,403,705 cable video subscribers in the United States today.<sup>84</sup> Accordingly, an operator serving fewer than 524,037 subscribers shall be deemed a small operator if its annual revenues, when combined with the total annual revenues of all its affiliates, do not exceed \$250 million in the aggregate.<sup>85</sup> Based on available data, we find that all but nine incumbent cable operators are small entities under this size standard.<sup>86</sup> The Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed \$250 million.<sup>87</sup> Although it seems certain that some of these cable system operators are affiliated with entities whose gross annual revenues exceed \$250,000,000, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

<sup>65</sup> See *FCC News Release*, “Broadcast Station Totals as of December 31, 2011,” dated January 6, 2012; [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2012/db0106/DOC-311837A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0106/DOC-311837A1.pdf).

<sup>66</sup> See generally 5 U.S.C. 601(4), (6). Noncommercial television stations are not required to pay regulatory fees. 47 U.S.C. 159(e)(1)(C).

<sup>67</sup> See *FCC News Release*, “Broadcast Station Totals as of December 31, 2011,” dated January 6, 2012; [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2012/db0106/DOC-311837A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0106/DOC-311837A1.pdf).

<sup>68</sup> <http://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

<sup>69</sup> 13 CFR 121.201, NAICS code 515112.

<sup>70</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSZ5&prodType=table).

<sup>71</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSZ5&prodType=table).

<sup>72</sup> “Concerns and entities are affiliates of each other when one controls or has the power to control the other, or a third party or parties controls or has the power to control both. It does not matter whether control is exercised, so long as the power to control exists.” 13 CFR 121.103(a)(1).

<sup>73</sup> 13 CFR 121.102(b) (an SBA regulation).

<sup>74</sup> <https://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

<sup>75</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSZ5&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSZ5&prodType=table).

<sup>76</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSZ5&prodType=Table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSZ5&prodType=Table).

<sup>77</sup> 47 CFR 76.901(e).

<sup>78</sup> August 15, 2015 Report from the Media Bureau based on data contained in the Commission’s Cable Operations and Licensing System (COALS). See [www.fcc.gov/coals](http://www.fcc.gov/coals).

<sup>79</sup> See SNL KAGAN at [www.snl.com/interactivex/top\\_cableMSOs.aspx?period2015Q1&sortcol=subscribersbasic&sortorder=desc](http://www.snl.com/interactivex/top_cableMSOs.aspx?period2015Q1&sortcol=subscribersbasic&sortorder=desc).

<sup>80</sup> 47 CFR 76.901(c).

<sup>81</sup> See footnote 2, *supra*.

<sup>82</sup> August 5, 2015 report from the Media Bureau based on its research in COALS. See [www.fcc.gov/coals](http://www.fcc.gov/coals).

<sup>83</sup> 47 CFR 76.901 (f) and notes ff. 1, 2, and 3.

<sup>84</sup> See SNL KAGAN at [www.snl.com/interactivex/MultichannelIndustryBenchmarks.aspx](http://www.snl.com/interactivex/MultichannelIndustryBenchmarks.aspx).

<sup>85</sup> 47 CFR 76.901(f) and notes ff. 1, 2, and 3.

<sup>86</sup> See SNL KAGAN at [www.snl.com/Interactivex/TopCableMSOs.aspx](http://www.snl.com/Interactivex/TopCableMSOs.aspx).

<sup>87</sup> The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority’s finding that the operator does not qualify as a small cable operator pursuant to 47 CFR 76.901(f) of the Commission’s rules. See 47 CFR 76.901(f).

76. Direct Broadcast Satellite (DBS) Service. DBS Service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic dish antenna at the subscriber's location. DBS is now included in SBA's economic census category "Wired Telecommunications Carriers." The Wired Telecommunications Carriers industry comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VOIP services, wired (cable) audio and video programming distribution; and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.<sup>88</sup> The SBA determines that a wireline business is small if it has fewer than 1500 employees.<sup>89</sup> Census data for 2012 indicate that 3,117 wireline companies were operational during that year. Of that number, 3,083 operated with fewer than 1,000 employees.<sup>90</sup> Based on that data, we conclude that the majority of wireline firms are small under the applicable standard. However, currently only two entities provide DBS service, which requires a great deal of capital for operation: AT&T and DISH Network.<sup>91</sup> AT&T and DISH Network each report annual revenues that are in excess of the threshold for a small business. Accordingly, we must conclude that DBS service is provided only by large firms.

77. All Other Telecommunications. "All Other Telecommunications" is defined as follows: This U.S. industry is comprised of establishments that are primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation. This industry also

includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems. Establishments providing internet services or Voice over internet Protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.<sup>92</sup> The SBA has developed a small business size standard for "All Other Telecommunications," which consists of all such firms with gross annual receipts of \$32.5 million or less.<sup>93</sup> For this category, census data for 2012 show that there were 1,442 firms that operated for the entire year. Of these firms, a total of 1,400 had gross annual receipts of less than \$25 million.<sup>94</sup> Thus, a majority of "All Other Telecommunications" firms potentially affected by the proposals in the *NPRM* can be considered small.

78. RespOrgs. Responsible Organizations, or RespOrgs, are entities chosen by toll free subscribers to manage and administer the appropriate records in the toll free Service Management System for the toll free subscriber.<sup>95</sup> Although RespOrgs are often wireline carriers, they can also include non-carrier entities. Therefore, in the definition herein of RespOrgs, two categories are presented, *i.e.*, Carrier RespOrgs and Non-Carrier RespOrgs.

79. Carrier RespOrgs. Neither the Commission, the U.S. Census, nor the SBA have developed a definition for Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Carrier RespOrgs are Wired Telecommunications Carriers,<sup>96</sup> and Wireless Telecommunications Carriers (except satellite).<sup>97</sup>

80. The U.S. Census Bureau defines Wired Telecommunications Carriers as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies.

Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.<sup>98</sup> The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.<sup>99</sup> Census data for 2012 show that there were 3,117 Wired Telecommunications Carrier firms that operated for that entire year. Of that number, 3,083 operated with less than 1,000 employees.<sup>100</sup> Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.

81. The U.S. Census Bureau defines Wireless Telecommunications Carriers (except satellite) as establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves, such as cellular services, paging services, wireless internet access, and wireless video services.<sup>101</sup> The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.<sup>102</sup> Census data for 2012 show that 967 Wireless Telecommunications Carriers operated in that year. Of that number, 955 operated with less than 1,000 employees.<sup>103</sup> Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

82. Non-Carrier RespOrgs. Neither the Commission, the U.S. Census, nor the SBA have developed a definition of Non-Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Non-Carrier RespOrgs are "Other Services Related to

<sup>88</sup> <http://www.census.gov/cgi-bin/sssd/naics.naicsrch>.

<sup>89</sup> 13 CFR 120.201, NAICS code 517110.

<sup>90</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ4&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table).

<sup>91</sup> <http://www.census.gov/cgi-bin/sssd/naics.naicsrch>.

<sup>92</sup> 13 CFR 120.201, NAICS code 517120.

<sup>93</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ4&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table).

<sup>88</sup> <http://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

<sup>89</sup> NAICS code 517110; 13 CFR 121.201.

<sup>90</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ4&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table).

<sup>91</sup> See 15th Annual Video Competition Report, 28 FCC Rcd at 1057, section 27.

<sup>92</sup> <http://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

<sup>93</sup> 13 CFR 121.201; NAICS code 517919.

<sup>94</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSSZ4&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table).

<sup>95</sup> See 47 CFR 52.101(b).

<sup>96</sup> 13 CFR 121.201, NAICS code 517110.

<sup>97</sup> *Id.*

Advertising”<sup>104</sup> and “Other Management Consulting Services.”<sup>105</sup>

83. The U.S. Census defines Other Services Related to Advertising as comprising establishments primarily engaged in providing advertising services (except advertising agency services, public relations agency services, media buying agency services, media representative services, display advertising services, direct mail advertising services, advertising material distribution services, and marketing consulting services).<sup>106</sup> The SBA has established a size standard for this industry as annual receipts of \$15 million dollars or less.<sup>107</sup> Census data for 2012 show that 5,804 firms operated in this industry for the entire year. Of that number, 5,612 operated with annual receipts of less than \$10 million.<sup>108</sup> Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.

84. The U.S. Census defines Other Management Consulting Services as establishments primarily engaged in providing management consulting services (except administrative and general management consulting; human resources consulting; marketing consulting; or process, physical distribution, and logistics consulting). Establishments providing telecommunications or utilities management consulting services are included in this industry.<sup>109</sup> The SBA has established a size standard for this industry of \$15 million dollars or less.<sup>110</sup> Census data for 2012 show that 3,683 firms operated in this industry for that entire year. Of that number, 3,632 operated with less than \$10 million in annual receipts.<sup>111</sup> Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.<sup>112</sup>

<sup>104</sup> 13 CFR 120.201, NAICS code 541890.

<sup>105</sup> 13 CFR 120.201, NAICS code 541618.

<sup>106</sup> <http://www.census.gov/cgi-bin/sssd/naics.naicsrch>.

<sup>107</sup> 13 CFR 120.201, NAICS code 541890.

<sup>108</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSZ4&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSZ4&prodType=table).

<sup>109</sup> <http://www.census.gov/cgi-bin/sssd/naics.naicsrch>.

<sup>110</sup> 13 CFR 120.201, NAICS code 541618.

<sup>111</sup> [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN\\_2012\\_US\\_51SSZ4&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSZ4&prodType=table).

<sup>112</sup> The four NAICS code-based categories selected above to provide definitions for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs.

85. In addition to the data contained in the four (see above) U.S. Census NAICS code categories that provide definitions of what services and functions the Carrier and Non-Carrier RespOrgs provide, Somos, the trade association that monitors RespOrg activities, compiled data showing that as of July 1, 2016 there were 23 RespOrgs operational in Canada and 436 RespOrgs operational in the United States, for a total of 459 RespOrgs currently registered with Somos.

#### *D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements*

86. This NPRM does not propose any changes to the Commission’s current information collection, reporting, recordkeeping, or compliance requirements.

#### *E. Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered*

87. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives, among others: (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.<sup>113</sup>

88. This NPRM seeks comment on the Commission’s regulatory fee collection for Fiscal Year 2019, as required by Congress each year. Specifically, the Commission asks for comment each year in the Regulatory Flexibility Analysis on how to minimize adverse economic impact, imposed by our proposed rules, on small entities. Additionally, this year the Commission sought comment on how modifications to section 9 of the Communications Act in the RAY BAUM’S Act, impacted the Commission’s core responsibilities under the statute. As discussed in the order, the Commission remains charged with ensuring that regulatory fees will result in collections of amounts that can reasonably be expected to equal amounts appropriated by Congress for each fiscal year.<sup>114</sup> We find that the

<sup>113</sup> 5 U.S.C. 603(c)(1)–(c)(4).

<sup>114</sup> 47 U.S.C. 159(a) (“shall assess and collect regulatory fees”), 159(b) (“Commission shall assess and collect regulatory fees at such rates as the

scheme as articulated under the RAY BAUM’S Act is closely aligned to how the Commission implemented its authority under the prior version of section 9 of the Communications Act.

89. The NPRM seeks comment on the Commission’s proposed regulatory fees for fiscal year (FY) 2019. The NPRM proposes to collect \$339,000,000 in regulatory fees for FY 2019, as detailed in the proposed fee schedules in Table 2, including an increase in the DBS fee rate to 60 cents per subscriber. DBS providers are not small entities. The NPRM seeks comment on changing the methodology for assessing regulatory fees for full-power broadcast television stations to use an average of the actual population and the DMA-based rate. The NPRM also seeks comment on its proposal to continue to base non-common carrier and common carrier satellite and terrestrial IBC fees on the per Gbps rate in Table 2, which would be \$121 for FY 2019. This proposal would ensure that satellite and terrestrial IBC fees remain proportional to the size of the regulated entity and avoid unreasonable increases in such regulatory fees on small entities. The NPRM also seeks comment on replacing our existing annual de minimis threshold of \$1,000 with a new section 9(e)(2) annual regulatory fee exemption of \$1,000. This exemption will reduce burdens on small entities with regulatory fees that total \$1,000 or less than \$1,000.

#### *F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules*

90. None.

### VIII. Ordering Clause

91. Accordingly, *it is ordered* that, pursuant to the authority found in Sections 4(i) and (j), 9, 9A, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 159, 159A, and 303(r), this Notice of Proposed Rulemaking *is hereby adopted*.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

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Commission shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the amounts described in subsection (a) with respect to such fiscal year.”). See also 47 U.S.C. 156(b).