
FCC Proposes Fiscal Year 2008 Regulatory Fees

by Richard R. Zaragoza

The Commission has announced its proposed annual regulatory fees for Fiscal Year 2008. The final fee amounts and filing deadline will be announced in a Public Notice following consideration of Comments to be filed by May 30, 2008 and Reply Comments to be filed by June 6, 2008.

The proposed Annual Regulatory Fees for FY 2008 are projected to raise more than \$312 million. Last fiscal year's regulatory fees raised more than \$291 million.

Commercial VHF television stations face the prospect of the following annual regulatory fee increases: in top 10 markets, those stations will see their annual fee rise from \$64,300 to \$69,400, and in markets 11 to 25, the fee increases from \$46,350 to \$50,850. VHF construction permit fees will increase from \$5,125 to \$5,600 under the FCC's proposal, and UHF construction permit fees will increase from \$1,750 to \$1,875.

The amount of increase in annual fees for AM and FM radio stations will be between \$75 to \$400, depending upon the type of station involved. The annual fee for FM construction permits will increase from \$575 to \$600. Similarly, the AM construction permit fee will rise from \$400 to \$450.

The wireless fees of general interest to broadcasters are left unchanged: annual fees for Part 74 Broadcast Auxiliaries remain at \$10.00 per license. The fees for other wireless licenses will increase; for example, Part 90 Private Land Mobile Wireless Service license fees will now be \$40.00 per license.

Fiscal Year 2008 Annual Regulatory fees are owed for any authorizations held by a licensee or permittee as of October 1, 2007. Fee payments must be sent to the Commission's lockbox at U.S. Bank in St. Louis.

It is important for licensees and permittees to consider that the failure to make full payment in a timely fashion can subject them to a collection action (with a 25% penalty) by the FCC. In addition, the Commission will refuse to process a licensee's/permittee's applications until full payment (plus applicable penalties) has been made. The FCC still employs its "Red Light" database to detect those licensees and permittees who have not paid their regulatory fees in full.

The proposed fee schedules are attached hereto. For more information on the fees, including assistance in preparing and filing fees with the Commission or a complete version of the Federal Register notice released regarding the proposed fees, please contact any of the lawyers in the Communications Practice Section.

For further information, please contact:

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Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted along with the application at the time the application is filed.

Fee Category	FY 2008 Payment Units	Years	FY 2007 Revenue Estimate	Pro-Rated FY 2008 Revenue Require- ment*	Computed New FY 2008 Regulatory Fee	Rounded New FY 2008 Regula- tory Fee	Expected FY 2008 Revenue
PLMRS (Exclusive Use)	1,150	10	437,500	469,918	41	40	460,000
PLMRS (Shared use)	11,500	10	2,325,000	2,497,278	22	20	2,300,000
Microwave	4,900	10	1,740,000	1,868,931	38	40	1,960,000
218-219 MHz (Formerly IVDS)	3	10	1,650	1,772	59	60	1,800
Marine (Ship)	8,400	10	800,000	859,278	10	10	840,000
GMRS	14,000	5	400,000	429,639	6	5	350,000
Aviation (Aircraft)	7,500	10	440,000	472,603	6	5	375,000
Marine (Coast)	310	10	108,000	116,003	37	35	108,500
Aviation (Ground)	1,700	10	165,000	177,226	10	10	170,000
Amateur Vanity Call Signs	15,000	10	171,990	184,734	1.23	1.23	184,500
AM Class A	65	1	210,800	227,451	3,499	3,500	227,500
AM Class B	1,564	1	2,546,375	2,742,431	1,753	1,750	2,737,000
AM Class C	935	1	890,150	965,321	1,032	1,025	958,375
AM Class D	1,706	1	2,983,750	3,240,539	1,899	1,900	3,241,400
FM Classes A, B1 & C3	3,040	1	6,281,025	6,800,861	2,237	2,225	6,764,000
FM Classes B, C, C0, C1 & C2	3,043	1	7,655,100	8,273,911	2,719	2,725	8,292,175
AM Construction Permits	73	1	26,000	32,850	450	450	32,850
FM Construction Permits ¹	257	1	117,875	154,200	600	600	154,200
Satellite TV	127	1	137,500	147,961	1,165	1,175	149,225
Satellite TV Construction Permit	3	1	1,650	1,789	596	595	1,785
VHF Markets 1-10	43	1	2,764,900	2,983,938	69,394	69,400	2,984,200

Fee Category	FY 2008 Payment Units	Years	FY 2007 Revenue Estimate	Pro-Rated FY 2008 Revenue Require- ment*	Computed New FY 2008 Regulatory Fee	Rounded New FY 2008 Regula- tory Fee	Expected FY 2008 Revenue
VHF Markets 11-25	60	1	2,827,350	3,051,067	50,851	50,850	3,051,000
VHF Markets 26-50	74	1	2,392,775	2,581,765	34,889	34,900	2,582,600
VHF Markets 51-100	118	1	2,300,000	2,480,776	21,024	21,025	2,480,950
VHF Remaining Markets	195	1	1,014,750	1,093,312	5,607	5,600	1,092,000
VHF Construction Permits	4	1	15,375	22,400	5,600	5,600	22,400
UHF Markets 1-10	90	1	1,788,150	1,931,149	21,457	21,450	1,930,500
UHF Markets 11-25	78	1	1,478,200	1,596,290	20,465	20,475	1,597,050
UHF Markets 26-50	116	1	1,242,000	1,342,573	11,574	11,575	1,342,700
UHF Markets 51-100	167	1	1,058,400	1,141,878	6,838	6,850	1,143,950
UHF Remaining Markets	186	1	320,250	347,204	1,867	1,875	348,750
UHF Construction Permits ¹	20	1	38,500	37,500	1,875	1,875	37,500
Broadcast Auxiliaries	27,600	1	270,000	251,048	9	10	276,000
LPTV/Trans- lators/Boosters/ Class A TV	3,500	1	1,173,000	1,274,067	364	365	1,277,500
CARS Stations	750	1	144,300	155,598	207	205	153,750
Cable TV Systems	64,800,000	1	48,375,000	52,061,017	0.80341	0.80	51,840,000
Interstate Tele- communication Service Providers	\$46,300,000,000	1	135,660,000	146,636,961	0.00316710	0.00317	146,771,000
CMRS Mobile Services (Cellular/Public Mobile)	255,000,000	1	41,220,000	43,917,284	0.1722	0.170	43,350,000
CMRS Messag- Services	7,000,000	1	600,000	560,000	0.080	0.080	560,000
BRS ²	1,700	1	422,500	501,500	295	295	501,500
LMDS	335	1	133,250	98,825	295	295	98,825

Fee Category	FY 2008 Payment Units	Years	FY 2007 Revenue Estimate	Pro-Rated FY 2008 Revenue Require- ment*	Computed New FY 2008 Regulatory Fee	Rounded New FY 2008 Regula- tory Fee	Expected FY 2008 Revenue
International Bearer Circuits	7,500,000	1	7,560,000	8,149,636	1.087	1.09	8,175,000
International Public Fixed	1	1	1,875	2,014	2,014	2,025	2,025
Earth Stations	4,000	1	721,500	786,409	197	195	780,000
International HF Broadcast	5	1	3,975	4,288	858	860	4,300
Space Stations (Geostationary)	85	1	9,391,200	10,140,209	119,297	119,300	10,140,500
Space Stations (Non- Geostationary)	6	1	698,850	754,556	125,759	125,750	754,500
***** Total Estimated Revenue to be Collected			291,055,465	313,567,960			312,606,810
***** Total Revenue Requirement			290,295,160	312,000,000			312,000,000
Difference			760,305	1,567,960			606,810

¹ The AM and FM Construction Permit revenues and the VHF and UHF Construction Permit revenues were adjusted to set the regulatory fee to an amount no higher than the lowest licensed fee for that class of service. The reductions in the AM and FM Construction Permit revenues are offset by increases in the revenue totals for AM and FM radio stations. Similarly, reductions in the VHF and UHF Construction Permit revenues are offset by increases in the revenue totals for VHF and UHF television stations, respectively.

² 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, para. 6 (2004).

³ Beginning in FY 2008, regulatory fees for IVoIP will be included as part of the Interstate Telecommunications Service Provider (ITSP) fee, and these fees will be collected at the same time as ITSP fees are collected.

Attachment D—Proposed FY 2008 Schedule of Regulatory Fees

Regulatory fees for the categories shaded in gray are collected by the

Commission in advance of the term of the license and are submitted along with the application at the time the application is filed.

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted along with the application at the time the application is filed.

Fee Category	Annual Regulatory Fee (U.S. \$'s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	40
Microwave (per license) (47 CFR part 101)	40
218-219 MHz (Formerly Interactive Video Data Service) (per license) (47 CFR part 95)	60
Marine (Ship) (per station) (47 CFR part 80)	10
Marine (Coast) (per license) (47 CFR part 80)	35
General Mobile Radio Service (per license) (47 CFR part 95)	5
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	20
PLMRS (Shared Use) (per license) (47 CFR part 90)	20
Aviation (Aircraft) (per station) (47 CFR part 87)	5
Aviation (Ground) (per license) (47 CFR part 87)	10
Amateur Vanity Call Signs (per call sign) (47 CFR part 97)	1.23
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.17
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 21)	295
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	295
AM Radio Construction Permits	450
FM Radio Construction Permits	600
TV (47 CFR part 73) VHF Commercial	
Markets 1-10	69,400
Markets 11-25	50,850
Markets 26-50	34,900
Markets 51-100	21,025
Remaining Markets	5,600
Construction Permits	5,600

Fee Category	Annual Regulatory Fee (U.S. \$'s)
TV (47 CFR part 73) UHF Commercial	
Markets 1-10	21,450
Markets 11-25	20,475
Markets 26-50	11,575
Markets 51-100	6,850
Remaining Markets	1,875
Construction Permits	1,875
Satellite Television Stations (All Markets)	1,175
Construction Permits – Satellite Television Stations	595
Low Power TV, Class A TV, TV/FM Translators & Boosters (47 CFR part 74)	365
Broadcast Auxiliaries (47 CFR part 74)	10
CARS (47 CFR part 78)	205
Cable Television Systems (per subscriber) (47 CFR part 76)	.80
Interstate Telecommunication Service Providers (per revenue dollar)	.00317
Earth Stations (47 CFR part 25)	195
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	119,300
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	125,750
International Bearer Circuits (per active 64KB circuit)	1.09
International Public Fixed (per call sign) (47 CFR part 23)	2,025
International (HF) Broadcast (47 CFR part 73)	860

**FY 2008 Schedule of Regulatory Fees
(continued)**

FY 2008 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	\$650	\$500	\$450	\$525	\$600	\$775
25,001–75,000	1,325	1,025	650	775	1,225	1,375
75,001–150,000	1,975	1,275	875	1,300	1,675	2,550
150,001–500,000	2,975	2,175	1,325	1,550	2,600	3,325
500,001–1,200,000	4,300	3,325	2,200	2,575	4,125	4,900
1,200,001–3,000,00	6,600	5,100	3,300	4,125	6,700	7,850
>3,000,000	7,925	6,125	4,175	5,150	8,550	10,200

Attachment E—Factors, Measurements, and Calculations that go into Determining 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, phasing, 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 modified standard if pertinent, horizontal plane radiation pattern was calculated using techniques and methods specified in section 73.150 and 73.152 of the Commission’s rules.²⁹² 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 R3²⁹³. 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 2000 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.²⁹⁴ The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2000 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.

Attachment F—FY 2007 Schedule of Regulatory Fees

Fee category	Annual regulatory fee (U.S. \$’s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	35
Microwave (per license) (47 CFR part 101)	40
218–219 MHz (Formerly Interactive Video Data Service) (per license) (47 CFR part 95)	55
Marine (Ship) (per station) (47 CFR part 80)	10
Marine (Coast) (per license) (47 CFR part 80)	30
General Mobile Radio Service (per license) (47 CFR part 95)	5
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	15
PLMRS (Shared Use) (per license) (47 CFR part 90)	15
Aviation (Aircraft) (per station) (47 CFR part 87)	5
Aviation (Ground) (per license) (47 CFR part 87)	10
Amateur Vanity Call Signs (per call sign) (47 CFR part 97)	1.17
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.18
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08
Broadband Radio Service (formerly MMDS/MDS) (per license sign) (47 CFR part 21)	325
Local Multipoint Distribution Service (per call sign) (47 CFR part 101)	325
AM Radio Construction Permits	400
FM Radio Construction Permits	575
TV (47 CFR part 73) VHF Commercial.	

²⁹² 47 CFR 73.150 and 73.152.

²⁹³ See Map of Estimated Effective Ground Conductivity in the United States, 47 CFR 73.190 Figure R3.

²⁹⁴ 294 47 CFR 73.313.

Fee category	Annual regulatory fee (U.S. \$'s)
Markets 1–10	64,300
Markets 11–25	46,350
Markets 26–50	31,075
Markets 51–100	20,000
Remaining Markets	5,125
Construction Permits	5,125
TV (47 CFR part 73) UHF Commercial.	
Markets 1–10	19,650
Markets 11–25	19,450
Markets 26–50	10,800
Markets 51–100	6,300
Remaining Markets	1,750
Construction Permits	1,750
Satellite Television Stations (All Markets)	1,100
Construction Permits—Satellite Television Stations	550
Low Power TV, TV/FM Translators & Boosters (47 CFR part 74)	345
Broadcast Auxiliary (47 CFR part 74)	10
CARS (47 CFR part 78)	185
Cable Television Systems (per subscriber) (47 CFR part 76)75
Interstate Telecommunication Service Providers (per revenue dollar)00266
Earth Stations (47 CFR part 25)	185
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes Direct Broadcast Satellite Service (per operational station) (47 CFR part 100)	109,200
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	116,475
International Bearer Circuits (per active 64KB circuit)	1.05
International Public Fixed (per call sign) (47 CFR part 23)	1,875
International (HF) Broadcast (47 CFR part 73)	795

FY 2007 Schedule of Regulatory Fees (continued)

FY 2007 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	\$625	\$475	\$400	\$475	\$575	\$725
25,001–75,000	1,225	925	600	725	1,150	1,250
75,001–150,000	1,825	1,150	800	1,200	1,600	2,300
150,001–500,000	2,750	1,950	1,200	1,425	2,475	3,000
500,001–1,200,000	3,950	2,975	2,000	2,375	3,900	4,400
1,200,001–3,000,00	6,075	4,575	3,000	3,800	6,350	7,025
>3,000,000	7,275	5,475	3,800	4,750	8,075	9,125

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 BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15 and 54

[MB Docket No. 07–148; FCC 08–119]

DTV Consumer Education Initiative

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission asks whether the eligible telecommunications carrier (ETC) obligation to provide monthly digital television (DTV) transition notices to low-income subscribers should be

expanded to require the provision of such notices to all subscribers, and whether multichannel video programming distributors (MVPDs) should be required to provide on-air DTV transition education on their systems.

DATES: Comments for this proceeding are due on or before June 27, 2008; reply comments are due on or before July 14, 2008.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. You may submit comments, identified by MB Docket No. 07–148, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Federal Communications Commission’s Web Site: <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 e-mail: 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: For more information on this proceeding, please contact Lyle Elder, Lyle.Elder@fcc.gov, or Eloise Gore, Eloise.Gore@fcc.gov, of the Media