
FCC Sets September 14, 2011 as the Deadline for Payment of FY 2011 Annual Regulatory Fees

by Richard R. Zaragoza and Christine A. Reilly

The FCC has announced that full payment of all applicable Regulatory Fees for Fiscal Year 2011 must be received no later than September 14, 2011.

As of this date, the FCC has not released a Public Notice officially announcing the deadline for payment of FY 2011 annual regulatory fees. However, the FCC's website indicates that the 2011 annual regulatory fees must be paid no later than 11:59 pm (EST) on September 14, 2011.

As reported in July 2010, beginning in 2011, the Commission has discontinued mailing assessment notices to licensees/permittees. It is the responsibility of each licensee/permittee to determine what fees are due and to pay them in full by the deadline. Information pertaining to the annual regulatory fees is available online at <http://transition.fcc.gov/fees/regfees.html>.

Annual regulatory fees are owed for most FCC authorizations held as of October 1, 2010 by any licensee or permittee which is not otherwise exempt from the payment of such fees. Licensees and permittees may review assessed fees using the FCC's Media Look-Up website - <http://www.fccfees.com>. Certain entities are exempt from payment of regulatory fees, including, for example, governmental and non-profit entities. Section 1.1162 of the FCC's Rules provides guidance on annual regulatory fee exemptions. Broadcast licensees that believe they qualify for an exemption may refer to the FCC's Media Look-Up website for instructions on submitting a Fee-Exempt Status Claim.

We remind all authorization holders that since 2009, the FCC requires all filers to use FCC Form 159-E which can be generated electronically from the FCC's website. Consequently, those authorization holders subject to annual regulatory fees, regardless of their preferred method of payment (i.e. check, credit card, money order or wire transfer), must prepare an FCC Form 159 using the Commission's online FeeFiler system, found at <http://www.fcc.gov/fees/feefiler.html>. If an authorization holder prefers not to pay online, the holder must either (i) mail its full payment along with the completed FCC Form 159-E to: Federal Communications Commission, Regulatory Fees, P.O. Box 979084, St. Louis, Missouri 63197-9000, or (ii) send its full payment along with the completed FCC Form 159-E by courier to: Federal Communications Commission, Regulatory Fees, C/O U.S. Bank - Government Lockbox 979084, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, Missouri 63101.

The penalty for late or non-payment of the annual regulatory fee is 25% of the total amount owed and not paid. In addition, the Commission will refuse to process a licensee's/permittee's applications until full payment, including any applicable penalty, has been received. Lastly, failure to pay in full may also subject a regulatee to loss of its authorization(s).

For more information on annual regulatory fees, including assistance in preparing and filing them with the FCC, please contact any of the lawyers in the Communications Practice Section.

If you have any questions about the content of this publication, please contact the authors below, or the Pillsbury attorney with whom you regularly work.

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