

FY 1996 SCHEDULE OF REGULATORY FEES

Fee Category	Annual Regulatory Fee
Land Mobile (per license) (220-222 Mhz, above 470 Mhz, Base Station and SMRS) (47 CFR Part 90)	6
Microwave (per license) (47 CFR Part 101)	6
Interactive Video Data Service (per license) (47 CFR Part 95)	6
Marine (Ship) (per station) (47 CFR Part 80)	3
Marine (Coast) (per license) (47 CFR Part 80)	3
General Mobile Radio Service (per license) (47 CFR Part 95)	3
Land Mobile (per license) (all stations not covered above)	3
Aviation (Aircraft) (per station) (47 CFR Part 87)	3
Aviation (Ground) (per license) (47 CFR Part 87)	3
Amateur Vanity Call Signs (per call sign) (47 CFR Part 97)	3
CMRS Mobile Services (per unit) (47 CFR Parts 20, 22, 80 and 90)	.15
CMRS One-Way Paging (per unit) (47 CFR Parts 20, 22 and 90)	.02
Domestic Public Fixed Radio (per call sign) (47 CFR Part 21)	140
AM Radio (47 CFR Part 73)	
Class A	1,125
Class B	630
Class C	255
Class D	315
Construction Permits	125

Fee Category	Annual Regulatory Fee
FM Radio (47 CFR Part 73)	
Classes C, C1, C2, B	1,125
Classes A, B1, C3	755
Construction Permits	625
TV (47 CFR Part 73) VHF Commercial	
Markets 1-10	22,700
Markets 11-25	20,175
Markets 26-50	15,125
Markets 51-100	10,100
Remaining Markets	6,300
Construction Permits	5,025
TV (47 CFR Part 73) UHF Commercial	
Markets 1-10	18,150
Markets 11-25	16,150
Markets 26-50	12,100
Markets 51-100	8,075
Remaining Markets	5,025
Construction Permits	4,025
Satellite Television Stations (All Markets)	625
Construction Permits - Satellite Television Stations	230
Low Power TV, TV/FM Translators & Boosters (47 CFR Part 74)	170
Broadcast Auxiliary (47 CFR Part 74)	30
Multipoint Distribution Service (per call sign) (47 CFR Part 21)	140
Cable Antenna Relay Service (47 CFR Part 78)	295
Cable Television Systems (per subscriber) (47 CFR Part 76)	.50
Interstate Telephone Service Providers (per revenue dollar)	.00089
Earth Stations (47 CFR Part 25)	335

Fee Category	Annual Regulatory Fee
Space Stations (per operational station in geosynchronous orbit) (47 CFR Part 25) also includes Direct Broadcast Satellite Service (per operational station) (47 CFR Part 100)	63,500
Low Earth Orbit Satellite (per operational system) (47 CFR Part 25)	87,725
INMARSAT/INTELSAT Signatory (per signatory)	217,575
International Circuits (per active 64KB circuit)	4
International Public Fixed (per call sign) (47 CFR Part 23)	200
International (HF) Broadcast (47 CFR Part 73)	255

COMPARISON BETWEEN FY 1995 AND FY 1996 REGULATORY FEES

Fee Category	Annual Regulatory Fee FY 1995	Proposed Annual Regulatory Fee FY 1996
Land Mobile (per license) (220-222 Mhz, above 470 Mhz, Base Station and SMRS) (47 CFR Part 90)	6	6
Microwave (per license) (47 CFR Part 101)	6	6
Interactive Video Data Service (per license) (47 CFR Part 95)	6	6
Marine (Ship) (per station) (47 CFR Part 80)	3	3
Marine (Coast) (per license) (47 CFR Part 80)	3	3
General Mobile Radio Service (per license) (47 CFR Part 95)	3	3
Land Mobile (per license) (all stations not covered above)	3	3
Aviation (Aircraft) (per station) (47 CFR Part 87)	3	3
Aviation (Ground) (per license) (47 CFR Part 87)	3	3
Amateur Vanity Call Signs (per call sign) (47 CFR Part 97)	3	3
CMRS Mobile Services (per unit) (47 CFR Parts 20, 22, 80 and 90)	.15	.15
CMRS One-Way Paging (per unit) (47 CFR Parts 20, 22, and 90)	.02	.02
Domestic Public Fixed Radio (per call sign) (47 CFR Part 21)	140	140
AM Radio (47 CFR Part 73)		
Class A	1,120	1,125
Class B	620	630
Class C	250	255
Class D	310	315
Construction Permits	125	125

Fee Category	Annual Regulatory Fee FY 1995	Proposed Annual Regulatory Fee FY 1996
FM Radio (47 CFR Part 73)		
Classes C, C1, C2, B	1,120	1,125
Classes A, B1, C3	745	755
Construction Permits	620	625
TV (47 CFR Part 73) VHF Commercial		
Markets 1-10	22,420	22,700
Markets 11-25	19,925	20,175
Markets 26-50	14,950	15,125
Markets 51-100	9,975	10,100
Remaining Markets	6,225	6,300
Construction Permits	4,975	5,025
TV (47 CFR Part 73) UHF Commercial		
Markets 1-10	17,925	18,150
Markets 11-25	15,950	16,150
Markets 26-50	11,950	12,100
Markets 51-100	7,975	8,075
Remaining Markets	4,975	5,025
Construction Permits	3,975	4,025
Satellite Television Stations (All Markets)	620	625
Construction Permits - Satellite Television Stations	225	230
Low Power TV, TV/FM Translators & Boosters (47 CFR Part 74)	170	170
Broadcast Auxiliary (47 CFR Part 74)	30	30
Multipoint Distribution Service (per call sign) (47 CFR Part 21)	140	140
Cable Antenna Relay Service (47 CFR Part 78)	290	295
Cable Television Systems (per subscriber) (47 CFR Part 76)	.49	.50
Interstate Telephone Service Providers (per revenue dollar)	.00088	.00089
Earth Stations (47 CFR Part 25)	330	335

Fee Category	Annual Regulatory Fee FY 1995	Proposed Annual Regulatory Fee FY 1996
Space Stations (per operational station in geosynchronous orbit) (47 CFR Part 25) also includes Direct Broadcast Satellite Service (per operational station) (47 CFR Part 100)	75,000 n/a	63,500 63,500
Low Earth Orbit Satellite (per operational system) (47 CFR Part 25)	n/a	87,725
INMARSAT/INTELSAT Signatory (per signatory)	n/a	217,575
International Circuits (per active 64KB circuit)	4	4
International Public Fixed (per call sign) (47 CFR Part 23)	200	200
International (HF) Broadcast (47 CFR Part 73)	250	255

FY 1996 GUIDELINES FOR REGULATORY FEE CATEGORIES

1. The guidelines below provide an explanation of regulatory fee categories established by the Schedule of Regulatory Fees in Section 9 (g) of the Communications Act, 47 U.S.C. § 159(g) as modified in the instant Notice of Proposed Rulemaking. Where regulatory fee categories need interpretation or clarification, we have relied on the legislative history of Section 9, our own experience in establishing and regulating the Schedule of Regulatory Fees for Fiscal Years (FY) 1994 and 1995 and the services subject to the fee schedule, and the comments of the parties in our proceeding to adopt fees for FY 1995. The categories and amounts set out in the schedule have been modified to reflect changes in the number of payment units, additions and changes in the services subject to the fee requirement and the benefits derived from the Commission's regulatory activities, and to simplify the structure of the schedule. The schedule may be similarly modified or adjusted in future years to reflect changes in the Commission's budget and in the services regulated by the Commission. See 47 U.S.C. § 159(b)(2), (3).

2. Exemptions. Most licensees and other entities regulated by the Commission must pay regulatory fees in 1996. However, governments and nonprofit (exempt under Section 501 of the Internal Revenue Code) entities are exempt from paying regulatory fees and should not submit payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental entity attesting to its exempt status. The governmental exemption applies even where the government-owned or community-owned facility is in direct competition with commercial stations. Other specific exemptions are discussed below in association with a particular service category or group.

1. Private Wireless Radio Services

3. Two levels of statutory fees were established for the Private Wireless Radio Services -- exclusive use services and shared use services. Thus, licensees who generally receive a higher quality communication channel due to exclusive or lightly shared frequency assignments, will pay a higher fee than those who share marginal quality assignments. This dichotomy is consistent with the directive of section 9 that the regulatory fees reflect the benefits provided to the licensees. See 47 U.S.C. § 159(b)(1)(A). In addition, because of the generally small amount of the fees assessed against Private Wireless Radio Service licensees, applicants for new licenses and reinstatements and for

renewal of existing licenses are required to pay a regulatory fee covering the entire license term, with only a percentage of all licensees paying a regulatory fee in any one year. Applications for modification or assignment of existing authorizations do not require the payment of regulatory fees. The expiration date of those authorizations will reflect only the unexpired term of the underlying license rather than a new license term.

a. Exclusive Use Services

4. Land Mobile Services: Regulatees in this category include those authorized under Part 90 of the Commission's Rules to provide limited access Wireless Radio service that allows high quality voice or digital communications between vehicles or to fixed stations to further the business activities of the licensee. These services, using the 220-222 MHz band and frequencies at 470 MHz and above, may be offered on a private carrier basis in the Specialized Mobile Radio Services (SMRS).¹ For FY 1996, Land Mobile licensees will pay a \$6 annual regulatory fee per license, payable for an entire five or ten year license term at the time of application for a new, renewal or reinstatement license.² The total regulatory fee due is either \$30 for a license with a five year term or \$60 for a license with a 10 year term.

5. Microwave Services: These services include private microwave systems and private carrier systems authorized under Part 101 of the Commission's Rules to provide telecommunications services between fixed points on a high quality channel of communications. Microwave systems are often used to relay data and to control railroad, pipeline and utility equipment. For FY 1996, Microwave licensees will pay a \$6 annual regulatory fee per license, payable for an entire ten year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee due is \$60 for the ten year license term.

6. Interactive Video Data Service (IVDS): The IVDS is a two-way point-to-multi-point radio service allocated high quality channels of communications and authorized under Part 95 of the

¹ This category only applies to licensees of shared-use private 220-222 MHz and 470 MHz and above in the Specialized Mobile Radio (SMR) service who have elected not to change to the Commercial Mobile Radio Service (CMRS). Those who have elected to change to the CMRS are referred to paragraph 14 of this Appendix.

² Although this fee category includes licenses with ten year terms, the estimated volume of ten year license applications in FY 1996 is less than one tenth of one percent and, therefore, is statistically insignificant.

Commission's Rules. The IVDS provides information, products and services, and also the capability to obtain responses from subscribers in a specific service area. The IVDS is offered on a private carrier basis. For FY 1996, IVDS licensees will pay a \$6 annual regulatory fee per license, payable for an entire five year license term at the time of application for a new, renewal, or reinstatement license. The total regulatory fee due is \$30 for the five year term of the license.

b. Shared Use Services

7. Marine (Ship) Service: This service is a shipboard radio service authorized under Part 80 of the Commission's Rules to provide telecommunications between watercraft or between watercraft and shore-based stations. Radio installations are required by domestic and international law for large passenger or cargo vessels. Radio equipment may be voluntarily installed on smaller vessels, such as recreational boats. The recently enacted Telecommunications Act of 1996 gave the Commission the authority to license certain ship stations by rule rather than by individual license. Private boat operators sailing entirely within domestic U.S. waters and who are not otherwise required by treaty or agreement to carry a radio, may no longer be required to hold a marine license if the Commission enacts rules to that effect, and they will not be required to pay a regulatory fee. For FY 1996, parties required to be licensed and those choosing to be licensed for Marine (Ship) Stations will pay a \$3 annual regulatory fee per station, payable for an entire ten year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee due is \$30 for the ten year license term.

8. Marine (Coast) Service: This service includes land-based stations in the maritime services, authorized under Part 80 of the Commission's Rules, to provide communications services to ships and other watercraft in coastal and inland waterways. For FY 1996, licensees of Marine (Coast) Stations will pay a \$3 annual regulatory fee per call sign, payable for the entire five year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee due is \$15 per call sign for the five year license term.

9. Private Land Mobile (Other) Services: 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 to fixed stations on a shared basis and include radiolocation services, industrial radio services and land transportation radio services. For FY 1996, licensees of services in this category will pay a \$3 annual regulatory fee per call sign, payable for an entire five year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee

due is \$15 for the five year license term.

10. Aviation (Aircraft) Service: These services include stations authorized to provide communications between aircraft and from aircraft to ground stations and includes frequencies used to communicate with air traffic control facilities pursuant to Part 87 of the Commission's Rules. The recently enacted Telecommunications Act of 1996 gave the Commission the authority to license certain aircraft radio stations by rule rather than by individual license. Private aircraft operators flying entirely within domestic U.S. airspace and who are not otherwise required by treaty or agreement to carry a radio, may no longer be required to hold an aircraft license if the Commission enacts rules to that effect, and they will not be required to pay a regulatory fee. For FY 1996, parties required to be licensed and those choosing to be licensed for Aviation (Aircraft) Stations will pay a \$3 annual regulatory fee per station, payable for the entire ten year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee due is \$30 per station for the ten year license term.

11. Aviation (Ground) Service: This service includes stations authorized to provide ground-based communications to aircraft for weather or landing information, or for logistical support pursuant to Part 87 of the Commission's Rules. Certain ground-based stations which only serve itinerant traffic; i.e., possess no actual units on which to assess a fee, are exempt from payment of regulatory fees. For FY 1996, licensees of Aviation (Ground) Stations will pay a \$3 annual regulatory fee per license, payable for the entire five year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee is \$15 per call sign for the five year license term.

12. General Mobile Radio Service (GMRS): These services include Land Mobile Radio licensees providing personal and limited business communications between vehicles or to fixed stations for short-range, two-way communications pursuant to Part 95 of the Commission's Rules. For FY 1996, GMRS licensees will pay a \$3 annual regulatory fee per license, payable for an entire five year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee due is \$15 per license for the five year license term.

c. Amateur Radio Vanity Call Signs

13. Amateur Vanity Call Signs: This fee covers voluntary requests for specific call signs in the Amateur Radio Service authorized under part 97 of the Commission's Rules. For FY 1996, applicants for Amateur Vanity Call-Signs will pay a \$3 annual regulatory fee per call sign, payable for an entire ten year license term at the time of application for a vanity call sign.

The total regulatory fee due would be \$30 per license for the ten year license term.³

d. Commercial Wireless Radio Services

14. Commercial Mobile Radio Services (CMRS) Mobile Services: The Commercial Mobile Radio Service (CMRS) is a new "umbrella" descriptive term attributed to various existing services authorized to provide 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. CMRS Mobile Services include certain licensees which formerly were licensed as part of the Private Radio Services (e.g., Specialized Mobile Radio Services) and others formerly licensed as part of the Common Carrier Radio Services (e.g., Public Mobile Services and Cellular Radio Service). While specific rules pertaining to each covered service remain in separate Parts 22, 80 and 90; general rules for CMRS are contained in Part 20. We have replaced the Public Mobile/Cellular Radio regulatory fee category with a CMRS Mobile Services category for regulatory fee collection purposes. CMRS Mobile Services will include: qualifying Business Radio Services, 220-222 MHz Land Mobile Systems, Specialized Mobile Radio Services (Part 90);⁴ Public Coast Stations (Part 80); Public Mobile Radio, Cellular, 800MHz Air-Ground Radiotelephone, and Offshore Radio Services (Part 22). Each licensee in this group will pay an annual regulatory fee for each mobile or cellular unit (mobile or cellular call sign or telephone number), including two-way paging units, assigned to its customers, including resellers of its services. For FY 1996, the regulatory fee is \$.15 per unit.

15. Personal Communications Service (PCS): For FY 1996, the Personal Communications Service (PCS) covered by Part 24 of the rules is exempt from payment of regulatory fees.

16. Commercial Mobile Radio Services (CMRS) One-Way Paging Services: The Commercial Mobile Radio Service (CMRS) is a new "umbrella" descriptive term attributed to various existing

³ Section 9(h) exempts "amateur radio operator licenses under Part 97 of the Commission's rules (47 C.F.R. Part 97)" from the requirement. However, Section 9(g)'s fee schedule explicitly includes "Amateur vanity call signs" as a category subject to the payment of a regulatory fee.

⁴ This category does not include licensees of private shared-use 220 MHz and 470 MHz and above in the Specialized Mobile Radio (SMR) service who have elected to remain non-commercial. Those who have elected not to change to the Commercial Mobile Radio Service (CMRS) are referred to paragraph 4 of this Appendix.

services authorized to provide 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. CMRS One-Way Paging Services include certain licensees which formerly were licensed as part of the Private Radio Services (e.g., Private Paging) and others formerly licensed as part of the Common Carrier Radio Services (e.g., Public Mobile One-Way Paging). While specific rules pertaining to each covered service remain in separate Parts 22 and 90; general rules for CMRS are contained in Part 20. We have replaced the Public Mobile One-Way Paging regulatory fee category with a CMRS One-Way Paging Services category for regulatory fee collection purposes. Each licensee in the Public Mobile One-Way Paging Services will pay an annual regulatory fee for each paging unit, assigned to its customers, including resellers of its services. For FY 1996, the regulatory fee is \$.02 per unit.

2. Mass Media Services

17. The regulatory fees for the Mass Media fee category apply to broadcast licensees and permittees. Noncommercial Educational Broadcasters are exempt from regulatory fees.

a. Commercial AM and FM Radio

18. These categories include licensed Commercial AM (Classes A, B, C, and D) and FM (Classes A, B, B1, C, C1, C2, and C3) Radio Stations operating under Part 73 of the Commission's Rules.⁵ The regulatory fees for AM and FM Stations for FY 1996 are as follows:

AM Radio	
Class A	\$1,125
Class B630
Class C255
Class D315
FM Radio	
Classes C, C1, C2, B	\$1,125
Classes A, B1, C3755

b. Construction Permits - Commercial AM Radio

⁵ The Commission acknowledges that certain stations operating in Puerto Rico and Guam have been assigned a higher level station class than would be expected if the station were located on the mainland. Although this results in a higher regulatory fee, we believe that the increased interference protection associated with the higher station class is necessary and justifies the fee.

19. This category includes holders of permits to construct new Commercial AM Stations. For FY 1996, permittees will pay a fee of \$125 for each permit held. Upon issuance of an operating license, this fee would no longer be applicable and licensees would be required to pay the applicable fee for the designated class of the station.

c. Construction Permits - Commercial FM Radio

20. This category includes holders of permits to construct new Commercial FM Stations. For FY 1996, permittees will pay a fee of \$625 for each permit held. Upon issuance of an operating license, this fee would no longer be applicable. Instead, licensees would pay a regulatory fee based upon the designated class of the station.

d. Commercial Television Stations

21. This category includes licensed Commercial VHF and UHF Television Stations covered under Part 73 of the Commission's Rules, except commonly owned Television Satellite Stations, addressed separately below. Markets are Nielsen Designated Market Areas (DMA) as listed in the Television & Cable Factbook, Stations Volume No. 63, 1995 Edition, Warren Publishing, Inc. The fees for each category of station are as follows:

VHF Markets 1-10.....	\$22,700
VHF Markets 11-25.....	20,175
VHF Markets 26-50.....	15,125
VHF Markets 51-100.....	10,100
VHF Remaining Markets.....	6,300
UHF Markets 1-10.....	\$18,150
UHF Markets 11-25.....	16,150
UHF Markets 26-50.....	12,100
UHF Markets 51-100.....	8,075
UHF Remaining Markets.....	5,025

e. Commercial Television Satellite Stations

22. Commonly owned Television Satellite Stations in any market (authorized pursuant to Note 5 of Section 73.3555 of the Commission's Rules) that retransmit programming of the primary station are assessed a fee of \$625 annually. Only those stations designated as Television Satellite Stations in the 1995 Edition of the Television and Cable Factbook are eligible to submit the fee applicable to Television Satellite Stations. All other television licensees are subject to the regulatory fee payment required for their class of station and market.

f. Construction Permits - Commercial VHF Television Stations

23. This category includes holders of permits to construct new Commercial VHF Television Stations. For FY 1996, VHF permittees will pay an annual regulatory fee of \$5,025. Upon issuance of an operating license, this fee would no longer be applicable. Instead, licensees would pay a fee based upon the designated market of the station.

g. Construction permits - Commercial UHF Television Stations

24. This category includes holders of permits to construct new UHF Television Stations. For FY 1996, UHF Television permittees will pay an annual regulatory fee of \$4,025. Upon issuance of an operating license, this fee would no longer be applicable. Instead, licensees would pay a fee based upon the designated market of the station.

h. Construction Permits - Satellite Television Stations

25. The fee for UHF and VHF Television Satellite Station construction permits for FY 1996 is \$230. An individual regulatory fee payment is to be made for each Television Satellite Station construction permit held.

i. Low Power Television, FM Translator and Booster Stations, TV Translator and Booster Stations.

26. This category includes Low Power UHF/VHF Television stations operating under Part 74 of the Commission's Rules with a transmitter power output limited to 0.01 kw for a UHF facility and, generally, 1 kw for a VHF facility. 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 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. We have also received requests for waivers of the regulatory fees from operators of community based Translators. These Translators are generally not affiliated with commercial broadcasters, they are nonprofit, non-profitable, or only marginally profitable, serve small rural communities, and are supported financially by the residents of the communities served. We are aware of the difficulties these Translators have in paying even minimal regulatory fees, and we have addressed those concerns in the ruling on reconsideration of the FY 1994 Order. Community based Translators are exempt from regulatory fees. For FY 1996, licensees in this category will pay a regulatory fee of \$170 for each license held.

j. Broadcast Auxiliary Stations.

27. This category includes licensees of remote pickup stations, Aural Broadcast Auxiliary Stations, Television Broadcast Auxiliary Stations, and Low Power Auxiliary Stations, authorized under Part 74 of the Commission's Rules. Auxiliary Stations are generally associated with a particular television or radio broadcast station or cable television system. For FY 1996, licensees of Commercial Auxiliary Stations will pay a \$30 annual regulatory fee on a per call sign basis.

k. Multipoint Distribution Service⁷

28. This category covers Multipoint Distribution Service (MDS), and Multichannel Multipoint Distribution Service (MMDS), authorized under Part 21 of the Commission's Rules to use microwave frequencies for video and data distribution within the United States. For FY 1996, MDS and MMDS stations will pay an annual regulatory fee of \$140 per call sign.

3. Cable Services

a. Cable Television Systems

29. This category includes operators of Cable Television Systems, providing or distributing programming or other services to subscribers under Part 76 of the Commission's Rules. For FY 1996 Cable Systems will pay a regulatory fee of \$.50 per subscriber.⁶ Payments for Cable Systems are to be made on a per subscriber by community unit basis as of December 31, 1995, as reported on each Cable Systems's 1995 Annual Report of Cable Systems (FCC Form 325). Cable Systems should determine their subscriber numbers by calculating the number of single family dwellings, the number of individual households in multiple dwelling units, e.g., apartments, condominiums, mobile home parks, etc., paying at the basic subscriber rate, the number of bulk rate customers and the number of courtesy or fee customers. In order to determine the number of bulk rate subscribers, a system should divide its bulk rate charge by the annual subscription rate for individual households. See FY 1994 Order, Appendix B at para. 31.

b. Cable Antenna Relay Service

30. This category includes Cable Antenna Relay Service (CARS) stations used to transmit television and related audio signals, signals of AM and FM Broadcast Stations and cablecasting from the

⁶ Cable systems are to pay their regulatory fees on a per subscriber basis rather than per 1,000 subscribers as set forth in the statutory fee schedule. See FY 1994 Order at para. 100.

point of reception to a terminal point from where the signals are distributed to the public by a Cable Television System. For FY 1996, licensees will pay an annual regulatory fee of \$295 per CARS license.

4. Common Carrier Services

a. Fixed Radio Services

31. Domestic Public Fixed Radio Service: This category includes licensees in the Point-to-Point Microwave Radio Service, Local Television Transmission Radio Service, Digital Electronic Message Service, authorized under Part 21 of the Commission's Rules to use microwave frequencies for video and data distribution within the United States. For FY 1996, Domestic Public Fixed Radio Service licensees pay a \$140 annual regulatory fee per call sign.

b. Interstate Telephone Service Providers

32. This category includes Inter-Exchange Carriers (IXCs), Local Exchange Carriers (LECs), Competitive Access Providers (CAPs), domestic and international carriers that provide operator services, Wide Area Telephone Service (WATS), 800, 900, telex, telegraph, video, other switched, interstate access, special access, and alternative access services either by using their own facilities or by reselling facilities and services of other carriers or telephone carrier holding companies, and companies other than traditional local telephone companies that provide interstate access services to long distance carriers and other customers. This category also includes pre-paid calling card providers. These common carriers, including resellers, must submit fee payments based upon their proportionate share of gross interstate revenues using the methodology that we have adopted for calculating contributions to the TRS fund. See Telecommunications Relay Services, 8 FCC Rcd 5300 (1993). In order to avoid imposing any double payment burden on resellers, we will permit carriers to subtract from their gross interstate revenues, as reported to NECA in connection with their TRS contribution, any payments made to underlying common carriers for telecommunications facilities and services, including payments for interstate access service, that are sold in the form of interstate service. For this purpose, resold telecommunications facilities and services are only intended to include payments that correspond to revenues that will be included by another carrier reporting interstate revenue. For FY 1996, carriers should multiply their adjusted gross revenue figure (gross revenue reduced by the total amount of their payments to underlying common carriers for telecommunications facilities or services) by the factor 0.00089 to determine the appropriate fee for this category of service. You may want to use the following worksheet to determine your fee payment:

	TOTAL	INTERSTATE
(1) Revenue reported in TRS Fund worksheets		
(2) Less: Access charges paid		
(3) Less: Other telecommunications facilities and services taken for resale		
(4) Adjusted revenues (1) minus (2) minus (3)		
(5) Fee factor		0.00089
(6) Fee due (4) times (5)		

5. International Services

a. Earth Stations

33. Very Small Aperture Terminal (VSAT) Earth Stations, equivalent C-Band Earth Stations and antennas, and earth station systems comprised of very small aperture terminals operate in the 12 and 14 GHz bands and provide a variety of communications services to other stations in the network. VSAT systems consist of a network of technically-identical small Fixed-Satellite Earth Stations which often include a larger hub station. VSAT Earth Stations and C-Band Equivalent Earth Stations are authorized pursuant to Part 25 of the Commission's Rules. Mobile Satellite Earth Stations, operating pursuant to Part 25 of the Commission's Rules under blanket licenses for mobile antennas (transceivers), are smaller than one meter and provide voice or data communications, including position location information for mobile platforms such as cars, buses or trucks.⁷ Fixed-Satellite Transmit/Receive and Transmit Only Earth Station antennas, authorized or registered under Part 25 of the Commission's Rules,

⁷ Mobile earth stations are vehicle-based units capable of operation while the vehicle is in motion. In contrast, transportable units are moved to a fixed location and operate in a stationary (fixed) mode. Both are assessed the same regulatory fee for FY 1996.

are operated by private and public carriers to provide telephone, television, data, and other forms of communications. Included in this category are telemetry, tracking, and control (TT&C) earth stations and earth station uplinks. For FY 1996, licensees of VSATs, Mobile Satellite Earth Stations, and Fixed-Satellite Transmit/Receive and Transmit Only Earth Stations will pay a fee of \$335 per authorization or registration as well as a separate fee of \$335 for each associated Hub Station.

34. Receive only earth stations. For FY 1996, there is no regulatory fee for receive-only earth stations.

b. Space Stations (Geosynchronous)

35. Geosynchronous Space Stations are domestic and international satellites positioned in orbit to remain approximately fixed relative to the earth. Most are authorized under Part 25 of the Commission's Rules to provide communications between satellites and earth stations on a common carrier and/or private carrier basis. In addition, this category includes Direct Broadcast Satellite (DBS) Service which includes space stations authorized under Part 100 of the Commission's rules to transmit or re-transmit signals for direct reception by the general public encompassing both individual and community reception. For FY 1996, entities authorized to operate geosynchronous space stations (including DBS satellites) will be assessed an annual regulatory fee of \$63,500 per operational station in orbit. Payment is required for any geosynchronous satellite that has been launched and tested and is authorized to provide service.

c. Low Earth Orbit Satellites (LEOs)

36. Low Earth Orbit Satellite Systems are space stations that orbit the earth in non-geosynchronous orbit. They are authorized under Part 25 of the Commission's rules to provide communications between satellites and earth stations on a common carrier and/or private carrier basis. For FY 1996, entities authorized to operate Low Earth Orbit Satellite Systems will be assessed an annual regulatory fee of \$87,725 per operational system in orbit. Payment is required for any LEO System that has one or more operational satellites.

d. Signatories

37. A Signatory to INMARSAT is an Administration or government, or the telecommunications entity designated as sole operating entity by an Administration or government, which participates in the International Mobile Satellite Organization (INMARSAT) in order to develop and operate a global maritime satellite telecommunication system which serves maritime commercial and safety needs of the United States and foreign countries. A Signatory to INTELSAT is an Administration or government, or the

telecommunications entity designated as sole operating entity by an Administration or government, which participates in the International Telecommunications Satellite Organization (INTELSAT) in order to develop, construct, operate and maintain the space segment of the global commercial telecommunications satellite system established under the Interim Agreement and Special Agreement signed by Governments on August 20, 1964. For FY 1996, Signatories to INMARSAT and INTELSAT will be assessed an annual regulatory fee of \$217,575 in order to recover the cost of the Commission's regulatory activities associated with such entities.

e. International Bearer Circuits

38. Regulatory fees for International Bearer Circuits are to be paid by the facilities-based common carrier activating the circuit in any transmission facility for the provision of service to an end user or resale carrier. Payment of the fee for bearer circuits by private submarine cable operators is required for circuits sold on an indefeasible right of use (IRU) basis or leased to any customer other than an international common carrier authorized by the Commission to provide U.S. international common carrier services. Compare FY 1994 Order at 5367. The fee is based upon active 64 Kbps circuits, or equivalent circuits. Under this formulation, 64 Kbps circuits or their equivalent will be assessed a fee. Equivalent circuits include the 64 Kbps circuit equivalent of larger bit stream circuits. For example, the 64 Kbps circuit equivalent of a 2.048 Mbps circuit is 30 64 Kbps circuits. Analog circuits such as 3 and 4 KHz circuits used for international service are also included as 64 Kbps circuits. However, circuits derived from 64 Kbps circuits by the use of digital circuit multiplication systems are not equivalent 64 Kbps circuits. Such circuits are not subject to fees. Only the 64 Kbps circuit from which they have been derived will be subject to payment of a fee. For FY 1996, the regulatory fee is \$4.00 for each active 64 Kbps circuit or equivalent. For analog television channels we will assess fees as follows:

Analog Television Channel Size in MHz	No. of equivalent 64 Kbps Circuits
36.....	630
24.....	288
18.....	240

f. International Public Fixed

39. This fee category includes common carriers authorized under Part 23 of the Commission's Rules to provide radio communications between the United States and a foreign point via microwave or HF troposcatter systems, other than satellites and satellite earth stations, but not including service between the United States and

Mexico and the United States and Canada using frequencies above 72 MHz. For FY 1996, International Public Fixed Radio Service licensees will pay a \$200 annual regulatory fee per call sign.

g. International (HF) Broadcast

40. This category covers International Broadcast Stations licensed under Part 73 of the Commission's Rules to operate on frequencies in the 5,950 khz to 26,100 Khz range to provide service to the general public in foreign countries. For FY 1996, International HF Broadcast Stations will pay an annual regulatory fee of \$255 per station license.

**Separate Statement
of
Commissioner James H. Quello**

**Re: Assessment and Collection of Regulatory Fees for
Fiscal Year 1996, MD Docket No. 96-84**

While I support the issuance of this Notice of Proposed Rulemaking, I have a concern in one specific area on which I am particularly interested in seeking comment. I am perplexed by the proposed increase in the regulatory fee for cable operators from \$0.49 to \$0.50 per subscriber per year. While this increase is, on its face, minimal, I question the need for any increase in a fee for a service that will be increasingly deregulated over the next three years. Given the large and growing number of cable subscribers, this one cent increase will generate substantial revenue. If not so, why would we propose it? Moreover, because cable operators collect these fees directly from subscribers and remit them to the Commission, we should ensure that they reflect the level of regulation -- and, thus, the indirect benefit to subscribers -- of our statutory oversight the cable industry. I am well aware that the Commission must collect a certain amount in assessed fees, and therefore, if not from cable operators, then an additional sum must be collected from some other related industry. Nevertheless, I want to ensure, to the extent possible, that the fee schedule reflects the degree of regulation in each industry. Accordingly, I ask that commenters, in general, frame all their comments in this regard and, in particular, focus on the proposed increase in cable subscriber fees in light of the accelerating trend toward deregulation.