

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

OCT 22 1996

86-285

OFFICE OF
MANAGING DIRECTOR

Mr. Maurice Cohen
President
Northeast Radio, Inc.
243 Central Street
Lowell, MA 01852

Re: Request for refund of Regulatory Fee
Northeast Radio, Inc.
Fee Control # 9709238835297006
Fee Paid: \$1,850

Dear Mr. Cohen:

This is in response to your request for a waiver of the Fiscal Year 1997 (FY 1997) regulatory fees for Northeast Radio, Inc. (Northeast), as licensee of AM Radio Station WCAP, Lowell, Massachusetts, and two Auxiliary Radio Stations. You assert that Northeast has been operating with monetary losses and that you have not received any salary or any expense money from the licensee. You have also submitted Statements of Operation and Accumulated Deficit for Northeast, for the years ending December 31, 1995 and 1996.

In establishing the regulatory fee program, the Commission recognized that in certain instances licensees would be unable to pay their regulatory fees without impairing the quality of their service to the public. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994).

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon an applicant's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals reduce gross income for tax purposes, those deductions also represent money which is available to pay the regulatory fee.

The Statements of Operations establishes that Northeast lost money in both 1995 and 1996, and that it had an accumulated deficit in excess of \$1,000,000. Moreover, you represent that you have not withdrawn any salary or expense money from the station, and that the depreciation included administrative expenses was less than the losses incurred by the licensee. Finally, while more recent financial information should be

Mr. Maurice Cohen, President

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available, we note that the 1996 financial statement, was the statement for the last complete year as of the date the fee was paid and when you assert you originally filed your waiver request. Under these circumstances, Northeast has established a compelling case of financial hardship, the regulatory fees will be waived, and the fees paid refunded.

The waiver, however, is limited to the FY 1997 regulatory fees. If Northeast continues to experience financial hardship, it may request waivers of its regulatory fee in FY 1998 and in succeeding years, supported by appropriate documentation of Northeast's financial hardship.

A check, made payable to the maker of the original check, and drawn in the amount of \$1,850 for the FY 1997 regulatory fees, will be sent to you at the earliest practicable time. If you have any questions concerning the refund, please call the Chief, Fee Section, at (202) 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

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9709238835297006

TALKRADIO
980 WCAP_{AM}

5000 WATTS
DAY AND NIGHT

August 20, 1998

Regulatory Fee Waiver Reduction Requests
Managing Director
Federal Communications Commission
1919 M Street, N.W. Rm. 450
Washington, DC 20554

RE: Request for Refund
of 1997 Regulatory Fee

Dear Director:

Per my telephone call to Mr. Tom Putnam on 8/19/98 regarding the status of my request for the waiver of my 1997 Regulatory Fee, Mr. Putnam advised me to submit a copy of my original request (enclosed) and the financial statements for the year 1996 (enclosed).

Should you wish to contact me I can be reached during the day at 978-454-0404.

Thank you for your attention to this matter.

Sincerely,



Maurice Cohen
President

TALKRADIO
980 WCAP_{AM}

5000 WATTS
DAY AND NIGHT

September 15, 1997

Federal Communications Commission
Regulatory Fees
P.O. Box 358835
Pittsburgh, PA 15251-5835

RE: Request for Refund of Regulatory Fee

Dear Sir or Madam:

Enclosed is my check in the amount of \$1850.00 for WCAP's 1997 regulatory fee.

I respectfully request a refund of the above fee as WCAP has lost money for the above period and we have continued to serve in the public interest without cutting our services.

WCAP serves the community with local news in addition to our U.P.I. Newswire and network news. We broadcast meteorological weather reports, free community announcements for nonprofit organizations and individuals and free candidate interviews for practically all public offices.

I personally do not draw a salary or expense money and usually put in 10 to 12 hours work each day and do not take any vacation time.

Should you require any additional information I will be happy to comply.

Thank you in advance for your consideration.

Sincerely,



Maurice Cohen
President