

FEDERAL COMMUNICATIONS COMMISSION DOCKET FILE COPY ORIGINAL
Washington, D. C. 20554
DEC 8 1998

OFFICE OF
MANAGING DIRECTOR

Mr. Wesley Cox
President
Cox Broadcast Group, Inc.
Route 9
Box 280E
St. Simons Island, GA 31522

86-285

Re: Request for Relief from Regulatory
Fee and Late Payment Penalty
Fee Control # 9809158835444001
Fee Paid: \$100

Dear Mr. Cox:

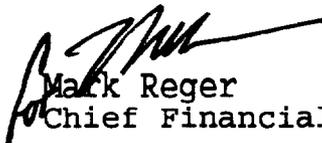
This is in response to your request for relief from the Fiscal Year (FY) 1997 regulatory fee and late payment penalty for Radio Station WCGA, St. Simons Island, Georgia.

In a letter dated August 19, 1998, we denied a request for waiver of the regulatory fee because it was untimely. We noted that your failure to adhere to the Commission's filing requirements added to the Commission's regulatory burden, and that you failed to show why you could not have filed your request in a timely manner. The instant request for relief failed to address the deficiencies cited in the August 19, 1998, letter. Thus, your request for relief is denied.

Applying your payment of \$100 to the FY 1997 regulatory fee for Radio Station WCGA, the unpaid balance of \$1,100 and the \$300 late payment penalty are now due. The unpaid balance of \$1,400 should be filed together with a Form FCC 159 (copy enclosed) within 15 days from the date of this letter. You are cautioned, that the failure to submit payment as required, will result in a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act, and result in the imposition of further sanctions under 47 C.F.R. § 1.1164.

If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

Enclosure



9809158835444001

Route 9, Box 280E, St. Simons Island, GA 31522 • (912) 638-1100 • (912) 576-1100

August 29, 1998

Office of the Managing Director
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

RE: WCGA-AM Regulatory Fees for 1997

Dear Sir:

Enclosed please find \$100.00 to be applied to my 1997 regulatory fees.

I requested waiver of the fees but was told the request was not timely filed. Enclosed please find a copy of the response. I herewith appeal this decision, if possible.

We do not have the available funds to pay this fee in full at this time.

If relief from payment of the balance of the 1997 regulatory fee is not possible, we will send the money on the balance as it is available, and I trust that it will be soon.

Thank you for your patience and understanding. Any help you can provide will be greatly appreciated and will accrue to the benefit of the listeners of WCGA.

Sincerely,

Wesley Cox
President
Cox Broadcast Group, Inc.
Licensee of WCGA-AM

jwc/

Enclosures

RECEIVED

ASSOC. MGR. PIP
FILED

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

August 19, 1998

OFFICE OF
MANAGING DIRECTOR

Mr. Wesley Cox
President
Cox Broadcast Group, Inc.
Route 9
Box 280E
St. Simons Island, GA 31522

Re: Request for Waiver of Regulatory
Fee and Late Payment Penalty

Dear Mr. Cox:

This is in response to your request for a waiver of the Fiscal Year (FY) 1997 regulatory fee and late payment penalty for Radio Station WCGA, St. Simons Island, Georgia.

The waiver request is untimely. On August 1, 1997, the Commission issued a Public Notice, FY 1997 Mass Media Regulatory Fees, to all licensees, advising them of their Fiscal Year 1997 regulatory fee obligations. Licensees were notified that fee payments were to be received by the Commission by September 19, 1997; they were advised of their rights to request waiver, reductions and deferments of the regulatory fees; and that requests for deferment of the fees were also to be filed by September 19, 1997. The public notice notified licensees that the Commission would "invoke any lawful authority it may possess under the Debt Collection Act to collect any fees due or outstanding against any licensee failing to meet its regulatory fee payment obligations." The Commission in establishing the regulatory fee program said that it would "accept petitions for waiver, reduction and deferments [of the regulatory fees] so long as they are filed no later than the date payment is due." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5345 ¶ 34 (1994). On March 6, 1998, Cox Broadcast Group, Inc. was advised by letter that the Commission had no record for the payment of its FY 1997 regulatory fee for Station WCGA, and that the licensee was to either submit payment or proof of payment within 20 days. When it did not respond to either the Public Notice or the March 6, 1997 letter, the Commission billed Cox Broadcast Group for both the fee and the late payment penalty.

While the Commission will consider timely filed waiver requests, a review of the Commission's records indicates that you have made no attempt to show why you could not have filed WCGA's waiver request in a timely manner. Your failure to comply with the Commission's filing rules, has added to the Commission's regulatory burden and you have not made a compelling showing of

Mr. Wesley Cox

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why the Commission should consider your untimely waiver request. Thus, your request for waiver of the FY 1997 regulatory fees is dismissed.

Payment of the FY 1997 regulatory fee of \$1,200 for Radio Station WCGA and the \$300 late payment penalty are now due. The \$1,500 due should be filed together with a Form FCC 159 (copy enclosed) within 15 days from the date of this letter. You are cautioned, that the failure to submit payment as required, will result in a proceeding to recover the fees pursuant to the provisions of the Debt Collection Act, and result in the imposition of further sanctions under 47 C.F.R. § 1.1164.

If you have any questions concerning the fee payment, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,



Mark Reger
Chief Financial Officer

Enclosure

Payment Transactions Detail Report

Date: 10/7/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9809158835444001	COX BROADCAST GROUP INC RT 9 BOX 280E	FCC2060237	09/11/98

SAINT SIMONS ISLAND GA 31522

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$100.00	\$100.00	1	MGE7	1	WCGA	COX BROADCAST GROUP INC	31522		\$100.00	1	PMT
Total		1							\$100.00		