

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554  
FEB 11 1999

SECRET FILE COPY ORIGINAL

86-285

OFFICE OF  
MANAGING DIRECTOR

Mr. Richard Albright  
President  
Sycamore Valley Broadcasting, Inc.  
P.O. Box 619  
Ashland City, TN 37015

Re: Request for Waiver of Regulatory Fee  
Fee Control # 9809238835244009  
Fee Paid: \$250

Dear Mr. Albright:

This is in response to your request for waiver or reduction in the Fiscal Year (FY) 1998 regulatory fee for AM Radio Station WQSV, Ashland City, Tennessee, licensed to Sycamore Valley Broadcasting, Inc. You argue that the costs of operating WQSV exceed revenues. You ask for a waiver or reduction of the \$400 fee and have submitted a partial payment of \$250.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. 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." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-2762.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee'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 considered to be available to pay the regulatory fee.

Mr. Richard Albright

2.

In the absence of appropriate documentation of financial hardship your request for a waiver of the fee must be denied. The unpaid balance of \$150 is now due and should be submitted with a completed FCC Form 159 (copy enclosed) within 30 days from the date of this letter. However, in light of your allegation of financial hardship, in lieu of payment, you may submit a request to defer payment of the balance together with a further request for a waiver of the fee, supported by appropriate documentation of financial hardship within 30 days from the date of this letter.

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

Sincerely,



Mary Reger  
Chief Financial Officer

Enclosure

Jenny

09/16/98 5

**REGULATORY FEE WAIVER REQUEST**  
**WQSV (AM) ASHLAND CITY, TENNESSEE**

September 16, 1998

Managing Director  
Regulatory Fee Section  
Federal Communications Commission  
Washington, DC 20554

Good Morning:

I operate WQSV (AM) in Ashland City, Tennessee, a 500 watt daytime station. We serve the people of our county with Public Service Announcements and Public Affairs programs and have for many years. We are a stand alone AM station about 30 miles from Nashville, Tennessee with all the FM's and 50,000 watt clear channel stations.

Our total revenue in 1997 was just at \$60,000 and our operating costs around \$71,000. Most of our staff are voluntary and none paid. While we are not a non-profit operation, that is the way of small markets these days for AM stations, but we do provide the only radio voice in the area.

We want to pay our fair share of the regulatory fee, but we simply cannot afford a large fee. Therefore, we are hereby requesting a waiver for the fee of \$400.00 and are paying the sum of \$250.00 which is all that we can afford this year. I hope that you will accept our payment as it is all we can afford. While this sum may seem small to you it is a lot to our small station. To pay any more we would have to curtail some of our programming and local activities which would deprive our listeners of our service.

I will be glad to send you copies of our financial statements should you so desire.

Thank you for your consideration of this request and I will be happy to cooperate with your staff in any way that I can.

Sincerely yours,  
**SYCAMORE VALLEY BROADCASTING INC.**

*Richard Albright, Pres.*  
Richard Albright  
President

**Payment Transactions Detail Report**

Date: 11/20/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
<b>9809238835244009</b>	<b>SYCAMORE VALLEY BROADCASTING I BOX 619  ASHLAND CITY TN 37015</b>	<b>FCC2063344</b>	<b>09/21/98</b>

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
<b>\$250.00</b>	<b>\$250.00</b>	<b>1</b>	<b>MDA8</b>	<b>1</b>	<b>WQSVAM</b>	<b>SYCAMORE VALLEY BROADCASTING I</b>	<b>37015</b>		<b>\$250.00</b>	<b>1</b>	<b>PMT</b>
<b>Total</b>	<b>1</b>								<b>\$250.00</b>		