

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
NOV 18 1999

CREDIT & DEBIT MANAGEMENT
CENTER, UMD
DOCKET FILE COPY ORIGINAL

OFFICE OF
MANAGING DIRECTOR

DOCKET FILE COPY ORIGINAL

86-285

Timothy K. Brady, Esq.
P.O. Box 986
Brentwood, TN 37024-0986

RE: Request for Refund of Application Fee
Ellen R. Evans, d.b.a. Heartland Communications
File No. BPH-951127MG
Fee Control No. 9511288195347001

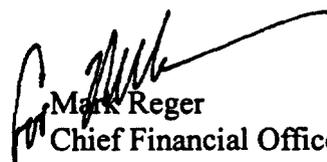
Dear Mr. Brady:

This is in response to the request for refund of the application fee for a new FM radio station, filed on behalf of Ellen R. Evans, d.b.a. Heartland Communications. You request that we waive and refund the filing fee paid by Ms. Evans under the refund provisions of the *First Report and Order in the Matter of Implementation of Section 309(j) of the Communications Act*, 13 FCC Rcd. 15920 (1998) (*First Report and Order*).

In the *First Report and Order*, the Commission determined that it would refund filing fees when applications for new stations were submitted prior to July 1, 1997, and are dismissed on pleadings disavowing interest in participating in the subsequently announced competitive bidding process. *Id.*, at 15,957. You argue that Ms. Evans filed her application before July 1, 1997, and elected not to participate in the competitive bidding process. Ms. Evans' application, however, was dismissed with prejudice pursuant to the terms of a negotiated settlement agreement. This situation does not fall within the parameters established by the Commission for the refund of fees with respect to such applications. Therefore, your request is denied.

If you have any questions concerning this letter, please call the Credit & Debt Management Center at 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

9511288/95347001

AUDIO SECT
27
85 1 2 1 1

RECEIVED

Before the
Federal Communications Commission
Washington, D.C. 20554

DEC - 4 1998

FCC MAIL ROOM

In re)	
)	
Ellen R. Evans d/b/a)	
HEARTLAND COMMUNICATIONS)	File No. BPH-951127MG
)	
)	

To: The Managing Director

REQUEST FOR REFUND OF FILING FEE

Ellen R. Evans d/b/a Heartland Communications ("Evans"), former applicant (File No. BPH-951127MG) for a new FM station to operate on Channel 230A at Scott City, Missouri, by counsel herewith submits her request for refund of the filing fee, which she paid at the time the above referenced application was filed with the Commission. In support whereof the following is shown:

1. In its First Report and Order (FCC 98-194) in MM Docket No. 97-234, 63 Fed. Reg. 48615 (September 11, 1998) the Commission determined (at paragraphs 101-103) that it would refund the filing fees paid by applicants who: (a) were subject to the provisions of 47 USC 309(1) and (b) elected not to have the disposition of their applications determined by competitive bidding.

2. Evans filed her application for construction permit on November 27, 1995. At the time of filing Evans submitted the required filing fee in the amount of \$ 2,335.00 (See Exhibit A, hereto). Competing applications were filed, specifying the same

facilities. As of July 1, 1997, Evans's application was mutually exclusive with these other applications and remained pending. Accordingly, Evans is an applicant subject to the provisions of 47 USC 309(1), which provided for special treatment of mutually exclusive applicants who filed their applications prior to July 1, 1997.

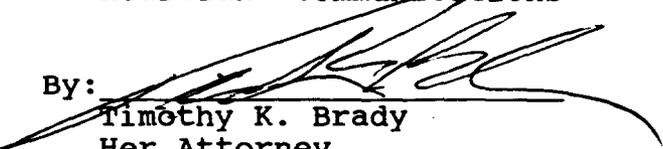
3. Evans has elected and previously advised the Commission of her election not to have the disposition of her application resolved by competitive bidding. In that regard, Evans requested dismissal of her application with prejudice, pursuant to the terms of a settlement agreement, which was filed with an accompanying joint request on January 28, 1998. On April 16, 1998, the Commission granted the joint request for approval of settlement and dismissed Evans's above referenced application with prejudice. See: Public Notice Report No. 44221, Action on FM Broadcast Settlements and Applications, released April 16, 1998.

4. Accordingly, in light of Evans's status as a pre-July, 1997 applicant, entitled to treatment under the the provisions of 47 USC 309(1), and her election not to have the disposition of her application determined by competitive bidding, Evans is entitled to refund of the filing fee she previously paid, pursuant to the provisions of the Commission's First Report and Order (FCC 98-194). Therefore, it is requested that a check payable to "Ellen R. Evans d/b/a Heartland Communications" in the amount of \$ 2,335.00 be forwarded promptly to her undersigned

counsel at the address listed below.

Respectfully submitted,

Ellen R. Evans d/b/a
Heartland Communications

By: 

Timothy K. Brady
Her Attorney

P.O. Box 986
Brentwood, TN 37024-0986
615-371-9367

December 2, 1998

Approved by OMB
3060-0027
Expires 6/30/95

FCC 301

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20541

FOR
FCC
USE
ONLY

FCC/MELLON NOV 27 1995

APPLICATION FOR CONSTRUCTION PERMIT
FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY
FILE NO.

Section 1 - GENERAL INFORMATION

1. APPLICANT NAME
Ellen R. Evans d/b/a Heartland Communications

MAILING ADDRESS (Line 1) (Maximum 85 characters)
MAILING ADDRESS (Line 2) (If required) (Maximum 85 characters)
504 Robards Circle

CITY: Old Hickory STATE OR COUNTRY (If foreign address): TN ZIP CODE: 37138

TELEPHONE NUMBER (Include area code) CALL LETTERS OTHER FCC IDENTIFIER (If applicable)

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1 - GENERAL INFORMATION 3.

2. A. Is a fee submitted with this application? Yes No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) and go to Question 3.
 Governmental Entity Noncommercial educational licensee

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(1) M T R	0 0 0 1	\$ 2,335.00	

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY
(2)	0 0 0 1	\$	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION	FOR FCC USE ONLY
\$ 2,335.00	

3. This application is for: (check one box) AM FM TV

(b) Channel No. or Frequency
230A

(b) Principal Community	City	State
Scott City	MO	

Payment Transactions Detail Report

Date: 3/9/99

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date
9611288195347001	EVANS, ALAN L 504 ROBARDS CIRCLE OLD HICKORY TN 37138	FCC2015492		11/27/95

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
\$2,335.00	\$2,335.00	1	MTR	1		EVANS, ELLEN R	37138		\$2,335.00	1	PMT
Total	1								\$2,335.00		

FEDERAL COMMUNICATIONS COMMISSION DOCKET FILE COPY ORIGINAL

Washington, D. C. 20554

JUN 22 1999

OFFICE OF
MANAGING DIRECTOR

86-285

Mr. Tony Oxborrow
I-Link Communications, Inc.
3800 N. Central Ave., # B-1
Phoenix, AZ 85012

Re: Late Payment Penalty

Dear Mr. Oxborrow:

The Fiscal Year (FY) 1998 regulatory fees were due on September 18, 1998. On that date you submitted a request for an extension of time until October 2, 1998, in which to pay I-Link Communications, Inc.'s (I-Link) FY 1998 regulatory fee.

The Commission's policy is to grant extensions of time in which to pay the regulatory fees based on a showing of good cause. However, although you requested an extension of time in which to pay the fees until October 2, 1998, you did not pay the fee by that date or request a further extension of time.

47 U.S.C. § 159(c)(1) requires the Commission to assess and collect a penalty of 25% of the amount of any fee which was not paid in a timely manner.

In view of the failure to pay the regulatory fee by October 2, 1998, I-Link is subject to a 25% late payment penalty of \$206.40.

The late payment penalty should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835, along with a completed FCC Form 159 (copy enclosed) within 20 days from the date of this letter. Instructions on how to complete the form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "Fine".

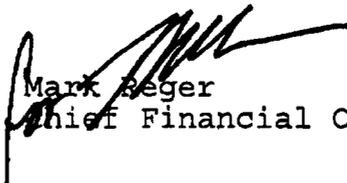
You are cautioned that a failure to pay the penalty within 20 days of the date of this letter, will subject you to further sanctions as defined by 47 C.F.R. §1.1164, of our Rules. These sanctions may include the dismissal of pending applications and may require I-Link to show cause why its existing authorizations from the Commission should not be revoked. Further sanctions may include interest charges, and the full cost of collection to the Federal Government pursuant to Section 3720A of the Internal Revenue Code and the provisions of the Debt Collection Act.

Mr. Tony Oxborrow

2.

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

Sincerely,


Mark Reger
Chief Financial Officer

Enclosure



Jenny

I-Link Communications, Inc.

Reply to: 3800 N. Central Ave., # B-1
Phoenix, AZ 85012
Tel. 602-222-9227
FAX 602-222-8751

September 18, 1998

Office of the Managing Director
Federal Communications Commission
1919 M Street, NW, Room 450
Washington, DC 20554

FAXed to 202-418-2808

RECEIVED
SEP 23 10 20 AM '98

Re: **Regulatory Fee Filing Request - Remittance Advice - FCC Form 159**

Dear Director:

We hereby request an extension of two weeks, until October 2, to file the subject form. The reasons we must request this filing extension are:

1) As a reseller, the major portion of our interstate revenues are offset by the cost of telecommunications services taken for resale. During 1997, we leased lines from two carriers, MCI and Sprint. We have asked them to advise us if they included these wholesale revenues in their 1997 TRS Fund Worksheet (FCC Form 431), in which case they will be deductible as cost of sales items on line 3 of the Interstate Telephone Service Provider Worksheet and materially affect our reportable Net Interstate Revenues and 1998 Regulatory Fee (lines 5 and 7). We expect this information in approximately one week.

2) Our Corporate Controller, Jim Giauque, has been out of the office for the past week recovering from surgery and has been unavailable to provide information regarding access expenses paid to local exchange carriers, which is another deductible item on the worksheet.

In view of the foregoing, we respectfully request that you grant us an extension to October 2, 1998 to file the Remittance Advice. If you need any additional information or have questions concerning this filing, please contact the undersigned at 602-264-8672.

Sincerely,

Tony Oxborrow

Tony Oxborrow
Regulatory Affairs

TO/mnf

13751 South Wadsworth Park Drive Suite 200 Draper Utah 84020
PH 801 576 5000 FAX 801 576 4295

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

DEC 03 1998

OFFICE OF
MANAGING DIRECTOR

I LINK COMMUNICATIONS INC
3800 N CENTRAL AVE
PHOENIX AZ 85012

Dear Sir or Madam:

This letter is a follow-up to your delinquent payment of your 1998 annual regulatory fee(s) in the amount of \$824.14.

Payment of the fees was due to the Federal Communications Commission (FCC) by September 18, 1998. In accordance with Section 9 [47 U.S.C. 159(c)(1)], a 25 percent late penalty in the amount \$206.04 has been assessed. Unless you can show just cause why the penalty is inapplicable or should otherwise be waived or deferred, payment is due within 20 days from the date of this letter.

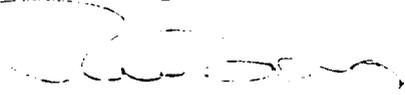
Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835 along with the enclosed Remittance Advice (FCC Form 159). Instructions on how to complete this form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "FINE".

If you have any documentation that will establish that the fee was paid by September, 18, 1998, such as a courier-dated receipt, please include this in your response so that we can clear our records.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by 47 CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payor's pending applications to dismissal, and may require a delinquent payor to show cause why its existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to section 3720A of the Internal Revenue Code, 31 U.S.C. 3717, and the provisions of the Debt Collection Act, 31 U.S.C. 3717.

If you have any questions, you may contact me at (202) 418-1995.

Sincerely,


Regina W. Dorsey, Chief
Billings & Collections Branch

Enclosures

Payment Transactions Detail Report

Date: 12/14/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9810098835137010	I LINK COMMUNICATIONS INC 3800 N CENTRAL AVE SUITE B1 PHOENIX AZ 85012	FCC2064224	10/08/98

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
\$824.14	\$824.14	1	COD8	749214	812047	I LINK COMMUNICATIONS INC	85012		\$824.14	1	PMT
Total									<u>\$824.14</u>		

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

DOCKET FILE COPY ORIGINAL

MAY 14 1999

OFFICE OF
MANAGING DIRECTOR

86-285

Richard Estevez, Esquire
Fletcher, Heald & Hildreth
1300 North 17th St.
Arlington, VA 22209-3801

Re: Request for Reduction of FY 1996, 1997
and FY 1998, Regulatory Fees
Jasas Broadcasting, 27, L.P.
Fee Control # 9609238835146010
9709238835037004
9809168835236001

Dear Mr. Estevez:

This is in response to your requests for reduction and partial refund of the Fiscal Years (FY) 1996, 1997 and 1998, regulatory fees for UHF Television Station WUNI, Worcester, Massachusetts.

Television station WUNI is affiliated with the Univision network, and presents primarily Spanish language programming. The Commission has recognized that the regulatory fees for stations located in large markets, but which do not serve the principal metropolitan areas because of location or signal, should be charged a fee based on the number of households within their service contours. You maintain that because only 2.5% of population in the Boston Metropolitan Statistical Area is hispanic, that WUNI's fee should also be based on the number of household's served.

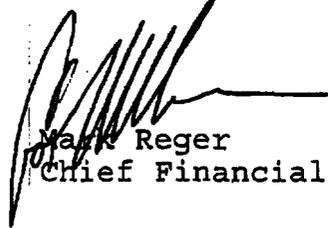
Mass Media regulatory fees are based on the class of station and the number of households within each station's service area rather than on actual listenership. To grant waivers because a licensee chooses to present a format which may limit its appeal to segments of the community could undermine the fee structure because of the uncertainty concerning the number and variety of formats offered by our licensees. The Commission is aware, however, of the burden imposed by its regulatory fees, and it will grant a waiver, if a licensee can establish that the fee creates a compelling case of economic hardship.

Richard Estevez, Esquire

2.

Thus, your requests for reduction of the FY 1996, 1997 and 1998 regulatory fees are denied. If you have any question concerning the regulatory fees, please call the Chief, Fee Section at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Reger', with a horizontal line extending to the right.

Mark Reger
Chief Financial Officer

9809168835236001

RECEIVED

ANN BAVENDER*
 ANNE GOODWIN CRUMP
 VINCENT J. CURTIS, JR.
 RICHARD J. ESTEVEZ
 PAUL J. FELDMAN
 ROBERT N. FELGAR*
 ERIC FISHMAN
 RICHARD HILDRETH
 FRANK R. JAZZO
 ANDREW S. KERSTING*
 EUGENE M. LAWSON, JR.
 HARRY C. MARTIN
 GEORGE PETRITSAS
 LEONARD R. RAISH
 JAMES P. RILEY
 KATHLEEN VICTORY
 HOWARD M. WEISS
 * NOT ADMITTED IN VIRGINIA

Jerry

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET
 ARLINGTON, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

www.fhh-telcomlaw.com

SEP 13 0 11 1998

FEDERAL RESERVE

FRANK U. FLETCHER
 (1939-1985)
 ROBERT L. HEALD
 (1956-1983)
 PAUL D. P. SPEARMAN
 (1936-1962)
 FRANK ROBERSON
 (1936-1961)
 RUSSELL ROWELL
 (1948-1977)

RETIRED
 EDWARD F. KENEHAN
 CONSULTANT FOR INTERNATIONAL AND
 INTERGOVERNMENTAL AFFAIRS
 SHELDON J. KRYS
 U. S. AMBASSADOR (ret.)

OF COUNSEL
 EDWARD A. CAINE*
 MITCHELL LAZARUS*
 EDWARD S. O'NEILL*
 JOHN JOSEPH SMITH

WRITER'S DIRECT

(703) 812-0511

estevez@fhh-telcomlaw.com

September 14, 1998

BY FEDERAL EXPRESS

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

Re: Request for Reduction of 1998 Regulatory Fees for Jasas Broadcasting 27,
 L.P., WUNI, Worcester, Massachusetts

Dear Sir or Madam:

On behalf of Jasas Broadcasting 27, L.P. ("Jasas"), licensee of WUNI, Channel 27, Worcester, Massachusetts, this letter respectfully requests a reduction of the 1998 regulatory fee for TV station WUNI from \$14,175 to \$1,075. Jasas filed a similar request for a reduction of its FY1996 and FY 1997 annual regulatory fees pursuant to Section 1.1166 of the Commission's rules. Such requests have not yet been acted on by the Commission.

As mentioned in Jasas' FY1996 and FY1997 reduction requests, WUNI is currently, and has been since 1995, affiliated with Univision, a network whose programs are primarily in Spanish. WUNI's programming consists of a mix of educational, cultural, entertainment, and news programs primarily in Spanish. In addition to the programs provided by Univision, WUNI has spent significant time and effort to create local programming specifically tailored to serve the Boston Hispanic / Spanish-speaking population. However, the Hispanic population in the Boston area is significantly small. According to the 1990 Census, Hispanics comprise only 2.5% of the population in the Boston Metropolitan Statistical Area. WUNI is able to serve approximately 85,000 Spanish-speaking television households. WUNI desires to continue to provide the Hispanic / Spanish-speaking population with quality educational and cultural programming. However, the small Spanish speaking population in the Boston market makes it economically difficult to sustain such quality programming. Payment of the full fee would suppress WUNI's ability to maintain its quality Spanish programming, thus, hindering its ability to serve adequately the Hispanic / Spanish speaking population.

Federal Communications Commission
September 14, 1998
Page Two

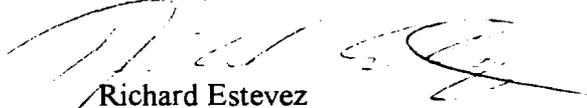
In its *Memorandum and Opinion*, released June 22, 1995, the Commission accepted the Managing Director's conclusion that stations located in large markets because of the fact that residents in the stations' service area primarily view the principal city's stations, should be charged a fee based upon the number of households served. *See Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year*, MD Docket No. 94-19, at paras. 21-22 (June 22, 1995). While the Managing Director's decision was based primarily on situations concerning stations with weak or distant signals in relation to the market's metropolitan area, the same core reasoning can be applied in WUNI's situation. *Id.* While WUNI's signal reaches a large number of households, only a small minority of those are able to comprehend the station's Spanish-language programming. WUNI, in reality, is only able to serve a small percent of the total number of households in the Boston market. Thus, WUNI's regulatory fee should be based on the number of Spanish-speaking television households it serves. The number of Spanish-speaking households served is well below the number of households served in the 100th ranked market. *See 1995 Television and Cable Fact Book*, P. A-2. Accordingly, WUNI should be assessed the fee of a "Remaining Market Station."

The information provided in Jasas' FY1996 and FY 1997 reduction requests remain true for the period for the FY1998 fees and, thus, a reduction of the FY1998 fee for WUNI is respectfully requested.

In accordance with Section 1.1166(c) of the Commission's Rules, please find enclosed an FCC Form 159 and a check, made payable to the FCC for \$14,440 in payment of Jasas' regulatory fees for WUNI. Also, included in this filing is the regulatory fee for W69AQ, Springfield, Massachusetts.

If you have additional questions regarding this submission, please contact the undersigned.

Sincerely,



Richard Estevez

Enclosures

cc: ✓ Ms. Claudette Pride, Office of the Managing Director, Fee Section, Chief
(By Hand Delivery)

Payment Transactions Detail Report

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9809168835236001	JASAS BROADCASTING 27 L P 1300 N 17TH STREET 11TH FLOOR	FCC2029064	09/15/98

ROSSLYN VA 22209

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
\$14,440.00	\$14,440.00	2	MLP8	1	W69AQ	JASAS BROADCASTING 27 L P	22209		\$265.00	1	PMT
\$14,440.00	\$14,440.00	1	MCU8	1	WUNI	JASAS BROADCASTING 27 L P	22209		\$14,175.00	1	PMT
<u>Total</u>		<u>2</u>							<u>\$14,440.00</u>		

Jerry

Note to file:

Re: FCN 9609238835146010 & 9709238835037004

Correspondence from Fletcher, Heald & Hildreth, PLC indicated that requests for reduction of FY 96 & 97 regulatory fees were not acted upon.

I called the applicant's counsel and he sent me the two enclosed requests.

Tom Putnam
11/13/98

9709238835037004

RECEIVED

NOV 3 1997

FEDERAL COMMUNICATIONS COMMISSION

0511

September 18, 1997

BY FEDERAL EXPRESS

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

Re: Request for Reduction of 1997 Regulatory Fees for Jasas Broadcasting 27, L.P., WUNI, Worcester, Massachusetts

Dear Sir or Madam:

On behalf of Jasas Broadcasting 27, L.P. ("Jasas"), licensee of WUNI, Channel 27, Worcester, Massachusetts, this letter respectfully requests a reduction of the 1997 regulatory fee for TV station WUNI from \$16,850 to \$2,725. Jasas filed a similar request for a reduction of its FY1996 annual regulatory fee pursuant to Section 1.1166 of the Commission's rules. Such request has not been acted on by the Commission.

As mentioned in Jasas' FY1996 reduction request, WUNI is currently, and has been through 1995, affiliated with Univision, a network whose programs are primarily in Spanish. WUNI's programming consists of a mix of educational, cultural, entertainment, and news programs primarily in Spanish. In addition to the programs provided by Univision, WUNI has spent significant time and effort to create local programming specifically tailored to serve the Boston Hispanic / Spanish speaking population. However, the Hispanic population in the Boston area is significantly small. According to the 1990 Census, Hispanics comprise only 2.5% of the population in the Boston Metropolitan Statistical Area. WUNI is able to serve approximately 85,000 Spanish speaking television households. WUNI desires to continue to provide the Hispanic / Spanish speaking population with quality educational and cultural programming. However, the small Spanish speaking population in the Boston market makes it economically difficult to sustain such quality programming. Payment of the full fee would suppress WUNI's ability to maintain its quality Spanish programming, thus, hindering its ability to serve adequately the Hispanic / Spanish speaking population.

September 18, 1997
Page Two

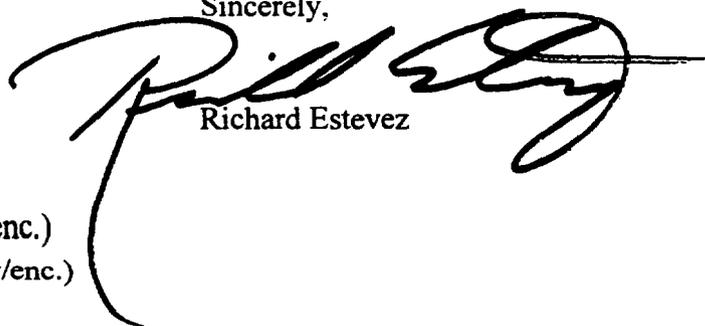
In its *Memorandum and Opinion*, released June 22, 1995, the Commission accepted the Managing Director's conclusion that stations located in large markets because of the fact that residents in the stations' service area primarily view the principal city's stations, should be charged a fee based upon the number of households served. *See Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year*, MD Docket No. 94-19, at paras. 21-22 (June 22, 1995). While the Managing Director's decision was based primarily on situations concerning stations with weak or distant signals in relation to the market's metropolitan area, the same core reasoning can be applied in WUNI's situation. *Id.* While WUNI's signal reaches a large number of households, only a small minority of those are able to comprehend the station's programming. WUNI, in reality, is only able to serve a small percent of the total number of households in the Boston market. Thus, WUNI's regulatory fee should be based on the number of Spanish speaking television households it serves. The number of Spanish speaking households served is well below the number of households served in the 100th ranked market. *See 1995 Television and Cable Fact Book*, P. A-2. Accordingly, WUNI should be assessed the fee of a "Remaining Market Station."

The information provided in Jasas' FY1996 reduction request remains true for the period for the FY1997 fees and, thus, a reduction of the FY1997 fee for WUNI is respectfully requested.

In accordance with Section 1.1166(c) of the Commission's Rules, please find enclosed an FCC Form 159 and a check, made payable to the FCC for \$17,070 in payment of Jasas' regulatory fees for WUNI. Also, included in this filing is the regulatory fee for W69AQ, Springfield, Massachusetts.

If you have additional questions regarding this submission, please contact the undersigned.

Sincerely,



Richard Estevez

Enclosure

bc: Mr. Gary Marder (w/enc.)
Ms. Linda Thomas (w/enc.)
Frank Jazzo, Esquire

File: Jasas Corporation #2

ANN BAVENDER*
ANNE GOODWIN CRUMP*
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN
ERIC FISHMAN
RICHARD HILDRETH
FRANK R. JAZZO
ANDREW S. KERSTING*
KATHRYN A. KLEIMAN
EUGENE M. LAWSON, JR.
HARRY C. MARTIN
J. TODD METCALF*
GEORGE PETRUTSAS
LEONARD R. RAISH
JAMES P. RILEY
KATHLEEN VICTORY
HOWARD M. WEISS

* NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW
11th FLOOR, 1300 NORTH 17th STREET
ROSSLYN, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

office@fth-te.comlaw.com

RECEIVED
NOV 30 8 27 AM '97

FRANK U. FLETCHER
(1939-1985)
ROBERT L. HEALD
(1956-1983)
PAUL D.P. SPEARMAN
(1936-1962)
FRANK ROBERSON
(1936-1961)
RUSSELL ROWELL
(1948-1977)

RETIRED
EDWARD F. KENEHAN

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U. S. AMBASSADOR (WR)

OF COUNSEL
EDWARD A. CAINE*
JOHN JOSEPH SMITH*

WRITER'S DIRECT

0511

September 18, 1997

BY FEDERAL EXPRESS

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

Re: Request for Reduction of 1997 Regulatory Fees for Jasas Broadcasting 27,
L.P., WUNI, Worcester, Massachusetts

Dear Sir or Madam:

On behalf of Jasas Broadcasting 27, L.P. ("Jasas"), licensee of WUNI, Channel 27, Worcester, Massachusetts, this letter respectfully requests a reduction of the 1997 regulatory fee for TV station WUNI from \$16,850 to \$2,725. Jasas filed a similar request for a reduction of its FY1996 annual regulatory fee pursuant to Section 1.1166 of the Commission's rules. Such request has not been acted on by the Commission.

As mentioned in Jasas' FY1996 reduction request, WUNI is currently, and has been through 1995, affiliated with Univision, a network whose programs are primarily in Spanish. WUNI's programming consists of a mix of educational, cultural, entertainment, and news programs primarily in Spanish. In addition to the programs provided by Univision, WUNI has spent significant time and effort to create local programming specifically tailored to serve the Boston Hispanic / Spanish speaking population. However, the Hispanic population in the Boston area is significantly small. According to the 1990 Census, Hispanics comprise only 2.5% of the population in the Boston Metropolitan Statistical Area. WUNI is able to serve approximately 85,000 Spanish speaking television households. WUNI desires to continue to provide the Hispanic / Spanish speaking population with quality educational and cultural programming. However, the small Spanish speaking population in the Boston market makes it economically difficult to sustain such quality programming. Payment of the full fee would suppress WUNI's ability to maintain its quality Spanish programming, thus, hindering its ability to serve adequately the Hispanic / Spanish speaking population.

September 18, 1997
Page Two

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In its *Memorandum and Opinion*, released June 22, 1995, the Commission accepted the Managing Director's conclusion that stations located in large markets because of the fact that residents in the stations' service area primarily view the principal city's stations, should be charged a fee based upon the number of households served. *See Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year*, MD Docket No. 94-19, at paras. 21-22 (June 22, 1995). While the Managing Director's decision was based primarily on situations concerning stations with weak or distant signals in relation to the market's metropolitan area, the same core reasoning can be applied in WUNI's situation. *Id.* While WUNI's signal reaches a large number of households, only a small minority of those are able to comprehend the station's programming. WUNI, in reality, is only able to serve a small percent of the total number of households in the Boston market. Thus, WUNI's regulatory fee should be based on the number of Spanish speaking television households it serves. The number of Spanish speaking households served is well below the number of households served in the 100th ranked market. *See 1995 Television and Cable Fact Book*, P. A-2. Accordingly, WUNI should be assessed the fee of a "Remaining Market Station."

The information provided in Jasas' FY1996 reduction request remains true for the period for the FY1997 fees and, thus, a reduction of the FY1997 fee for WUNI is respectfully requested.

In accordance with Section 1.1166(c) of the Commission's Rules, please find enclosed an FCC Form 159 and a check, made payable to the FCC for \$17,070 in payment of Jasas' regulatory fees for WUNI. Also, included in this filing is the regulatory fee for W69AQ, Springfield, Massachusetts.

If you have additional questions regarding this submission, please contact the undersigned.

Sincerely,


Richard Estevez

Enclosure

ANN BAVENDER*
ANNE GOODWIN CRUMP
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN
ROBERT N. FELGAR*
ERIC FISHMAN
RICHARD HILDRETH
FRANK R. JAZZO
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(1936-1982)
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(1936-1961)
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OF COUNSEL
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EDWARD S. O'NEILL*
JOHN JOSEPH SMITH

WRITER'S DIRECT

(703)812-0511

November 6, 1998

BY HAND DELIVERY

Mr. Tom Putnam
Office of Managing Director
Federal Communications Commission
1919 M Street, NW, Room 452
Washington, D.C. 20554

Re: WUNI(TV), Worcester, Massachusetts
Regulatory fee Waiver Request - Supplemental filing

Dear Mr. Putnam:

Pursuant to your request, please find enclosed date-stamped copies of Jasas Broadcasting 27, L.P.'s 1996 and 1997 regulatory fee reduction requests for TV station WUNI, Worcester, Massachusetts. As you are aware, neither request has been acted on by the Commission.

If you need any additional information regarding the request(s), please do not hesitate to contact me. Thank you for your attention to these matters.

Yours very truly,
FLETCHER, HEALD & HILDRETH, P.L.C.


Richard Estevez
Counsel for Jasas Broadcasting 27, L.P.

Enclosures

Ref: 9609238835146010

£ 9709238835037004

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9709238835037004	JASAS BROADCASTING 27 L P 1300 N 17TH STREET 11TH FLOOR ROSSLYN VA 22209	FCC2029064	09/19/97

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
\$17,070.00	\$17,070.00	2	MLP7	1	W69AQ	JASAS BROADCASTING 27 L P	22209		\$220.00	1	PMT
\$17,070.00	\$17,070.00	1	MCU7	1	WUNI	JASAS BROADCASTING 27 L P	22209		\$16,850.00	1	PMT
Total		2							\$17,070.00		

FEDERAL COMMUNICATIONS COMMISSION CREDIT & DEBIT MANAGEMENT
Washington, D. C. 20554 DOCKET FILE COPY ORIGINAL

DEC 17 1999

OFFICE OF
MANAGING DIRECTOR

DOCKET FILE COPY ORIGINAL
86-285

Mr. Wayne Mashburn
Jones College
5353 Arlington Expressway
Jacksonville, Florida 32211

RE: Request for Waiver of Late Charge
Penalty for FY 1998 Regulatory Fees
Jones College (WKTZ & WJAX)
Fee Control No. 9809238835244011

Dear Mr. Mashburn:

This is in response to the request for waiver of the late charge penalty for late payment of the Fiscal Year (FY) 1998 regulatory fees, filed on behalf of Jones College. On December 10, 1998, you requested that we waive the late charge penalty for late payment of FY 1998 regulatory fees for Jones College. You state that you mailed your regulatory fee payment on September 18, 1998 because you misread the instructions regarding regulatory fee payment to indicate payment should be mailed by licensees between September 14 and 18, 1998, rather than received by the Commission between those dates.

The Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25% on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. Your request does not indicate or substantiate that Jones College met this obligation. Therefore, your request is denied.

Payment of the late charge penalty in the amount of \$502.75 was assessed and due on September 19, 1998. The late charge penalty must be filed together with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter. You are cautioned that the failure to submit payment as required may result in further sanctions and the initiating of a proceeding to recover the penalty and accrued interest pursuant to the provisions of the Debt Collection Act.

Mr. Wayne Mashburn

2.

If you have any questions concerning this letter, please call the Credit & Debt Management Center at 418-1995.

Sincerely,



Mark Reger
Chief Financial Officer

Enclosure

4804238835244011

RECEIVED

DECEMBER 10, 1998
TO: MANAGING DIRECTOR
FCC
PITTSBURGH, PA.
FAX 202-418-2843

Dec 10 2 10 PM '98

RECEIVED

I RECEIVED THE LETTER ATTACHED SAYING OUR FEE WAS LATE. I SPOKE TO OCTAVIA IN YOUR OFFICE THIS MORNING AND SHE FOUND OUR ENVELOPE THAT WAS STAMPED AS RECEIVED ON 9/21.

THE COPY OF THE CANCELLED CHECK SAYS IT WAS DEPOSITED TWO DAYS LATER ON 9/23.

I MISREAD THE INSTRUCTIONS TO MEAN TO MAIL BETWEEN THE 14TH AND 18TH. ALTHOUGH WE CUT THE CHECK ON AUGUST 26. SO I MAILED IT ON 9/18. I CAN'T BELIEVE IT TOOK A WEEK TO GET TO YOU.

WE RESPECTFULLY ASK YOU TO WAIVE THE LATE FEE ON OUR ACCOUNT SINCE THE POST OFFICE TOOK AN UNDUE AMOUNT OF TIME TO GET TO PITTSBURGH FROM JACKSONVILLE.

IT IS ALSO POSSIBLE THE BANK DIDN'T GET AROUND TO STAMPING IT ON MONDAY.. IF IT ARRIVED ON FRIDAY 9/18 IN THE AFTERNOON MAIL

I KNOW RULES ARE RULES BUT WE WERE ONE DAY LATE. I'M SURE YOU HAVE MANY OTHER STATIONS WITH THE SAME PROBLEM WITH THE POST OFFICE.

WE WILL GRATEFULLY APPRECIATE YOUR CONSIDERATION IN THIS MATTER.

Wayne Mashburn

WAYNE MASHBURN
JONES COLLEGE (WKTZ-WJAX)
5353 ARLINGTON EXPRESSWAY
JACKSONVILLE, FLA. 32211
904-743-1122
FAX 904-743-1122 EXT 128

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

DEC 03 1998

OFFICE OF
MANAGING DIRECTOR
JONES COLLEGE
5353 ARLINGTON EXPRESSWAY
JACKSONVILLE FL 32211

Dear Sir or Madam:

This letter is a follow-up to your delinquent payment of your 1998 annual regulatory fee(s) in the amount of \$2,011.00.

Payment of the fees was due to the Federal Communications Commission (FCC) by September 18, 1998. In accordance with Section 9 [47 U.S.C. 159(c)(1)], a 25 percent late penalty in the amount \$502.75 has been assessed. Unless you can show just cause why the penalty is inapplicable or should otherwise be waived or deferred, payment is due within 20 days from the date of this letter.

Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835 along with the enclosed Remittance Advice (FCC Form 159). Instructions on how to complete this form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "FINE".

If you have any documentation that will establish that the fee was paid by September, 18, 1998, such as a courier-dated receipt, please include this in your response so that we can clear our records.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by 47 CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payor's pending applications to dismissal, and may require a delinquent payor to show cause why its existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to section 3720A of the Internal Revenue Code, 31 U.S.C. 3717, and the provisions of the Debt Collection Act, 31 U.S.C. 3717.

If you have any questions, you may contact me at (202) 418-1995.

Sincerely,



Regina W. Dorsey, Chief
Billings & Collections Branch

Enclosures

FEDERAL COMMUNICATIONS COMMISSION

DOCKET FILE COPY ORIGINAL

Washington, D. C. 20554

SEP 16 1998

OFFICE OF
MANAGING DIRECTOR

86-285

Dan J. Alpert, Esquire
2120 N. 21st Rd.
Suite 400
Arlington, VA 22201

Dear Mr. Alpert:

This is in response to your request for a waiver of the Fiscal Year 1998 (FY 1998) regulatory fee, that you filed on behalf of Station KCCB, Corning, Arkansas. You maintain that KCCB was dark and not operating. The Commission's records indicate KCCB resumed broadcasting on May 13, 1999.

In Implementation of Section 9 of the Communications Act, FCC 95-257, ¶ 15, released June 22, 1995, the Commission determined that the imposition of a regulatory fee could be an impediment to the restoration of service by dark stations and that it would therefore, waive the fee requirement for stations which have ceased operation.

Thus, because KCCB(AM) was dark when payment of the fee was due, your request is granted, and the FY 1998 regulatory for KCCB Station is waived. However, because KCCB has resumed operation, the waiver is limited to the FY 1998 regulatory fee.

If you have any questions concerning the waiver, please call the Credit & Debt Management Center at 418-1995.

Sincerely,


Mark Reger,
Chief Financial Officer

Jerry

000000 BCB-98-102

RECEIVED

SEP 18 1998

The Law Office of
Dan J. Alpert

2120 N. 21st Rd.
Suite 400
Arlington, VA 22201

Federal Communications Commission
Office of Secretary

(703) 243-8690

September 18, 1998

(703) 243-8692 (FAX)

Ms. Claudette Pride
Chief, FCC Fee Section
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Re: Station KCCB
Regulatory Fees

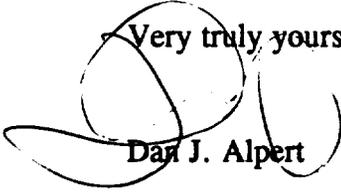
Dear Ms. Pride:

Station KCCB, Corning Arkansas, currently is off the air. In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waivers of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

Based on the foregoing, no fee is due.

If there are any questions, please contact this office.

Very truly yours,


Dan J. Alpert