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FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

CREDIT & DEBIT MANAGEMENT
CENTER, OMD

APR 18 2000

OFFICE OF
MANAGING DIRECTOR

Mr. Hal B. Seeley
322 North Street
Dover Foxcroft, ME 04426-3808

RE: Request for Refund of
Regulatory Fees for FY 1996 & 1997
Fee Control No. 9609128835573024
& 9709158835165008
Fee Paid \$1,314.48

Dear Mr. Seeley:

This is in response to your request for refund of the regulatory fees for Fiscal Year (FY) 1996 and FY 1997 filed with respect to call signs KNNH771 (paging base license), WPIR453 (commercial SMR license), WPJN754 (private carrier license), WPJN756 (same), and WPJN 816 (same).

In your letter of December 12, 1998, directed to Ms. Kathryn Garland, Chief, Consumer Assistance Branch, Commercial Wireless Division, you request a refund of the regulatory fees you filed for FYs 1996 and 1997, stating that you have been advised that you should not have paid regulatory fees because your sites remained unconstructed and you have no current customers. In FY 1996, you filed a regulatory fee payment of \$525.15, divided among the five call signs per varied subscriber unit amounts. In FY 1997, you filed a regulatory fee payment of \$789.33, again divided among the five call signs per varied subscriber unit amounts. During the period July 1998 through November 1999, the licenses described above were cancelled for non-construction.

Regulatory fees for the licenses you held in FYs 1996 and 1997 were to be paid based on the associated subscriber units, as certified by the licensee. It is our understanding from your request that you filed the FYs 1996 and 1997 regulatory fees based on your confusion as to the requirement to pay fees with respect to the licenses that you then held, but that, in fact, you did not have subscribers at any time. You confirmed our understanding of your request and the fact that you did not have subscribers at any time in a telephone conversation with Mr. Tom Putnam, Office of Managing Director, on March 1, 2000. As there were no subscriber units associated with the licenses you held,

no regulatory fees were due. Accordingly, your request for refund of the fees paid in error is granted.

A check, made payable to the maker of the original check, and drawn in the amount of \$1,314.48, will be sent to you at the earliest practicable time. You also request that the Commission reimburse you for the costs of copying and mailing your refund request in the amount of \$10.71. The Commission does not have authority to reimburse regulatees for the costs of refund requests. Therefore, your reimbursement request cannot be granted. If you have any questions concerning the refund, please call the Credit & Debt Management Center at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Reger".

Mark Reger
Chief Financial Officer

cc: the Hon. Olympia J. Snowe



Hal Seeley
7 Hancock Street
Dover Foxcroft, Me
04426
March 17, 2000

Mr Tom Putnam
Financial Manager Specialist
Credit - Debt Management Center
District of Columbia

Dear Mr Putnam,

In reference to our 3/11/00 phone conversation, I again repeat that I have not received any monies on the following licenses nor do I have any on line customers

- | | | |
|-------------|-------------|-------------|
| 1. WPJN 754 | 3. WPJN 816 | 5. KMT 889 |
| 2. WPJN 756 | 4. WPIR 453 | 6. KNNH 771 |

Furthermore, I have not been forwarded any documentation from Link II or Tekmax indicating the contrary.

Secondly, I wish to be clear on this point... While I am seeking a ^{regulatory} refund from the above mentioned FCC licenses, in no way am I giving up or waiving my complete ownership of these licenses.

Third, if you have documentation with my signature on it indicating that I have customers (Form 159), please forward or show me such documentation! (this would also include customer's name and addresses)

Respectfully
Hal Seeley

cc: Transcom David Lee
Senate Snowe's Office - Andrew Varisco

322 NORTH Street
Dover Fox Post Me 0442638
April 12, 1999

042699

To The most Honorable Senator: Senator John McCain
241 Russell Senate Office Building
Washington DC 20510

JW

Dear Senator McCain,

By way of introduction, my name is Hal Sealey. Until the last previous mid-term election I had been a Registered Democrat and a loyal party member in my State. However, the recent scandals of the current administration have made me re-align both my political philosophy and outlook of life with the Republican Party. I am writing this letter, Sir, with the hope - expectation that you will be able to investigate another injustice which I am currently experiencing.

I have enclosed a letter written to Kathryn M. Garland and dated December 12, 1998. I have also taken the liberty to forward the same relative data I mailed to her regarding six FCC permits. To date, no response has been received concerning this correspondence. Currently, none of my licenses have been contacted nor do they have any on line customers. It is ironic that during the past ^{several} years the FCC in writing has denied several times my ownership of these licenses and have indeed indicated they were deleted and cancelled in their database. This same FCC has (for several years) the audacity to impose Regulatory Fees on my licenses. It has been brought to my attention by more knowledgeable people in the telecommunications industry that the FCC should not have collected or accepted any money for sites that are in my current status. Realizing full well some of your past TV or newspaper statements in regards to the FCC administrative abilities, I employ you to at least read the contents of my package, and if you should determine (as I hope - expect you shall) later investigate. As explained to Ms. Garland, my only objective is to obtain a full refund on all monies either forwarded to the FCC or in postage - photocopies relative in this matter ie #1,325.19.

If you or any of your staff should have any questions on this subject matter, I may be contacted at (207) 564 5337 after 12:00 Noon EST Monday through Friday. Thank you for taking the time to read this letter. Any effort(s) made on my behalf are appreciated.
With Best Regards,

PS would your office (as soon as possible) let me know in writing as to whether I'm correct or inaccurate upon the FEC charging me a fee on unbuilt sites Thank you.

WORK TELETYPE UNIT
December 12, 1998

Kathryn M. Garland
Chief, Consumer Assistance Branch
12701 Fairfield Road
Gettysburg, PA 17325-7245

Dear Ms. Garland,

Regulatory fees on all my licenses were paid in 1996 and 1997. As I am sure you are aware, my sites are unconstructed and currently I have no on line customers. I have been advised such fees should not have been charged and I am, therefore, requesting that I be paid back the sum of \$1,314.48. I have enclosed photocopies of both my Oct '96 and Oct '97 bank statements plus photocopies (front-back) of checks 1073 and 1316 to verify my claim.

With the exception of Senator John McCain, I have forwarded a copy of this letter to:

Walter Boswell
Federal Communications Commission
1270 Fairfield Road
Gettysburg, PA 17325-7245

Ronald Fuhman
1270 Fairfield Road
Gettysburg, PA 17325-7245

Roger Noel
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

Your response and remittance of \$1,314.48 plus an additional \$10.71 for mailing and photo copy costs (receipts enclosed) will end this matter. I will, however, approach Sen. McCain's office-staff and have him look into it on my behalf if my request is denied.

Respectfully,
Hal DeLoe



Federal Communications Commission
Washington, D.C. 205.54

OCT 20 1999

The Honorable Olympia J. Snowe
United States Senator
One Cumberland Place
Suite306
Bangor, ME 04401

Dear Senator **Snowe**:

This responds to your inquiry on behalf of Mr. **Hal** Seeley, a former holder of several FCC radio licenses, regarding a refund of regulatory fees paid to the Commission. Mr. Seeley paid regulatory fees to the Commission in 1996 **and** 1997 related to FCC radio licenses he held at that time. Then, in 1998, Mr. Seeley sought a refund of these fees. You ask that we review this matter and provide an update on **the** status of **Mr.** Seeley's request.

Section 9 of the Communications Act of 1934, as amended, 47 **U.S.C. §** 159, directs the Commission to prescribe and collect **annual** regulatory fees from designated **regulatees** in order to recover the costs of certain of its regulatory activities in the private radio, mass media, common carrier, and cable television services. In Mr. Seeley's case, **the** PCC radio licenses he held were "**CMRS** Mobile Service" licenses requiring the payment of **annual** regulatory fees under Section 1.1152 of the Commission's Rules, 47 **C.F.R. §** 1.1152. The Commission does not bill licensees in order to collect regulatory **fees** in this category. Instead, the Commission publishes a Public Notice in the Federal Register each year prescribing a date certain by which annual regulatory fees must be paid. Each licensee in the CMRS Mobile Service category is responsible for calculating the number of "units" (i.e., subscribers or system users) associated with each of its licenses and paying regulatory fees on a per-unit basis. If the sum owed is less the \$10; then the licensee is exempt from paying the fee.

Mr. Seeley states in his letter that he did not have any subscribers associated with his FCC licenses in 1996 and 1997, that he paid annual regulatory fees for those years to the Commission by mistake, and that ha has **filed** a refund request with the Commission's Wireless Telecommunications Bureau. Requests for refund of regulatory fees must be filed with the Commission's **Office** of Managing Director, Financial Operations Branch, In order

The Honorable Olympia J. Snowe

2.

to speed resolution of this situation, we have forwarded Mr. **Sealey's** request to this office for processing. If you have further question regarding this matter, you may contact Claudette Pride of the Financial Operations Branch at (202) 418-1919.

Sincerely,



William W. Kunze

Deputy Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

OLYMPIA J. SNOWE
MAINE
COUNSEL TO THE ASSISTANT
MAJORITY LEADER
250 RUSSELL SENATE OFFICE BUILDING
(202) 224-5344

United States Senate
WASHINGTON, DC 205104903

May 14, 1999

(One Cumberland Place
Suite 306
Bangor, ME 04401)

COMMITTEES:
ARMED SERVICES
BUDGET
COMMERCE, SCIENCE, AND
TRANSPORTATION
CHAIR OF
OCEANS AND FISHERIES
SUBCOMMITTEE
SMALL BUSINESS

WTS
PK
2874

Sheryl Wilkerson
Director
Office of Legislative and Intergovernmental Affairs
Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554

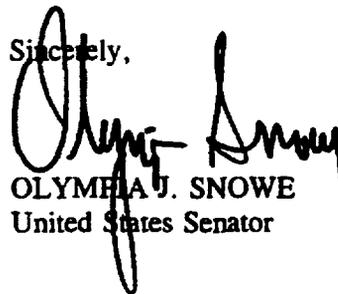
Dear Ms. Wilkerson:

I am enclosing a copy of a letter I recently received from Hal Seeley of Dover-Foxcroft, Maine. Mr. Seeley has expressed concerns regarding the return of payments he made to the FCC. Would you please look into the situation as described by Mr. Seeley and forward your response to my Bangor office?

If you have questions or need additional information, please feel free to contact Andrew Varisco of my Bangor office at (207)945-0432.

Thank you for your time and efforts on behalf of Mr. Seeley.

Sincerely,


OLYMPIA J. SNOWE
United States Senator

Enclosure
OJS:abv

AUBURN
TWO GREAT FALLS PLAZA
SUITE 7B
AUBURN, ME 04210
(207) 786-2451

AUGUSTA
68 SEWALL STREET, SUITE 101C
AUGUSTA, ME 04330
(207) 622-8292

BANGOR
ONE CUMBERLAND PLACE, SUITE 306
BANGOR, ME 04401
(207) 945-0432

BIDDEFORD
231 MAIN STREET, SUITE 2
BIDDEFORD, ME 04406
(207) 282-4144

PORTLAND
3-CANAL PLAZA, SUITE 801
P.O. BOX 188
PORTLAND, ME 04112
(207) 874-0883
MAINE RELAY SERVICE
TDD 1-955 3323

PRESQUE ISLE
189 ACADEMY STREET, SUITE 3
PRESQUE ISLE, ME 04769
(207) 784 5124

From: Ronald FUHRMAN
To: Ivy Harris
Date: Wed, Aug 4, 1999 11:04 AM
Subject: Re: Cong. #99-02874 / Snowe / Hal Seeley

*Tom Fuhrman
418 2992*

Ivy, Suzan, Roger,

RE: Request For Refund of User Regulatory Fees paid in '96 and '97.

I have reviewed the request submitted by Senator Snowe that was filed on behalf of his constituent Hal Seeley. The following summarizes my review and investigation to this point.

Based on the little information provided, I was able to find from the Fees Collection system that Hal Seeley did make 2 payments for User Regulatory fees in '96 and '97 for call signs associated with CMRS. It appears that Mr. Seeley responded to a Public Notice 64269 released on August 5, 1996 which advised that Regulatory Fees were due by September 20, 1996 for the annual user fees which needed to be collected. Mr. Seeley was not provided a specific bill amount but was required to calculate the necessary fee based on units in service. The fee collected was based on Mr. Seeley's own determination of the number of units in service for each of the radio services. For '96 he made payment for the the following call signs with number of units in service indicated:

KNNH771.....GS paging base license..... 1 unit
 WPIR453.....GX commercial SMR license..... 71 units
 WPJN754.....IB UHF private carrier license.....1006 units
 WPJN756.....IB UHF private carrier license.....1006 units
 WPJN816.....IB UHF private carrier license.....1006 units

Total Fee of \$525.15 collected per Fee Control Number 9609128835573024.

For the '97 annual fee collection of user fees he indicated:

KNNH771.....GS paging base license.....1 unit
 WPIR453.....GX commercial SMR license.....71 units
 WPJN754.....IB UHF private carrier license.....1006 units
 WPJN756.....IB UHF private carrier license.....1006 units
 WPJN816.....IB UHF private carrier license.....1206 units

Total Fee of \$789.33 collected per Fee Control Number 9709158835165008.

The fees collected were based on his certification of the number of units in service. If there were no units in service than no user fee was due. Also if no user fee was due per nonconstruction and non-operation, than the licenses also would have technically cancelled per the rules which required construction and operation within 1 year.

The current status of these licenses on the FCC database show that:

KNNH771 (GS) is currently showing on ALMAPS. This license was Denied a Motion for Recon of a denial of a request for Extension / Waiver to construct on 7/14/99.

WPIR453 (GX) is currently showing on ALMAPS. This license has a pending Application for Review for Denial of a construction extension / waiver.

WPJN754 (IB) has been deleted as 7/28/98 for non-construction.

WPJN756 (IB) has been deleted as 7/28/98 for non-construction.

WPJN816 (IB) has been deleted as 7/28/98 for non-construction.

SUMMARY: The fees paid were calculated by Mr. Seeley. He certified to the units in operation. He did not dispute the fees until December 12, 1998. This occurred after the IB licenses were cancelled and 15 months after making his '97 Regulatory Fees payment. The licensing history has been established and provided here. The Request for Refund of User Regulatory Fees must be made to the OMB office responsible for collection of these fees. I believe that the Credit & Debt Management office under what used to be OMB is responsible to review and handle the request for refund. I have copied Claudette Price to make her aware of this inquiry and the fact that if the letter to Kathryn Garland, dated December 12, 1998 was properly routed, it should now be pending in the Credit & Debt Management office.

Ron

>>> Ivy Harris 08/03 11:39 AM >>>

Hi Ron

What is the status on this congressional? Please contact me or Suzan Friedman regarding this congressional as soon as possible. Thanks.

CC: Anna WILSON; Claudette Pride; Roger Noel; Sharo...

From: Carla Conover
To: Kathryn GARLAND; Roger Noel; Ronald FUHRMAN; Walter BOSWELL
Subject: Congressional inquires

OMD has received a Congressional inquiry from Senator Snowe's office regarding an FCC response to a December 1998 letter from a Mr. Hal B. Seeley addressed to Kathryn Garland and copied to Walter Boswell, Ronald Furhman, and Roger Noel. Mr. Seeley's letter requested a refund of regulatory fees but was never forwarded to OMD until Senator Snowe's office provided a copy. The Senator's office did not have a copy of the FCC response that Mr. Seeley told them he receive, denying his request. Please let me know if you do or do not have a record of this letter or related correspondence to Mr. Seeley as soon as you can.

Also in regard to this matter, Mr. Seeley wrote to Senator McCain in April 1999 that the FCC had previously written to him and stated his licenses were canceled in FCC's databases. (This may or may not be the response Mr. Seeley discussed with Senator Snowe's office.) Mr. Seeley did in fact pay CMRS and CMRS messaging regulatory fees for 1996 and 1997, but in the 1998 letter claimed to have "unconstructed sites" without customers and thus not be subject to regulatory fees. The call signs identified with his regulatory payments were: KNNH771; WPIR453; WPJN754; WPJN756; and WPJN816. Does WTB have any information the status of any licenses relating to these call signs?

Thanks for your help. If you have any questions, please call me at 418-7882.

CC: Donna Viert; John Chudovan; Steven Weingarten; Susan Steiman; Tom Putnam

From: Carla Conover
To: Kathryn GARLAND; Roger Noel; Ronald FUHRMAN; Walter BOSWELL
Date: 3/2/00 2:00PM
Subject: Re: Congressional inquires

Ronald: Thanks for the cite to the letter to Senator Snowe, which stated that Mr. Seeley's letter would be referred to OMD. Unfortunately, we still haven't found any record of the letter to Mr. Seeley that he references.

Can one of you tell me that status of Mr. Seeley's licenses? The call signs identified with his regulatory payments were: KNNH771; WPIR453; WPJN754; WPJN756; and WPJN816. He claims he received some notice from FCC that his licenses were canceled at some time.

Thanks again, Carla

>>> Ronald FUHRMAN 03/01/00 11:34AM >>>
Carla,

Please go into the Congressional Tracking system (ACMS) and review the Congressional Case # 99-02874. A letter was sent dated Oct 20 1999.
Hope this helps in your review.

Ron

>>> Carla Conover 03/01/00 10:37AM >>>

OMD has received a Congressional inquiry from Senator Snowe's office regarding an FCC response to a December 1998 letter from a Mr. Hal B. Seeley addressed to Kathryn Garland and copied to Walter Boswell, Ronald Fuhman, and Roger Noel. Mr. Seeley's letter requested a refund of regulatory fees but was never forwarded to OMD until Senator Snowe's office provided a copy. The Senator's office did not have a copy of the FCC response that Mr. Seeley told them he receive, denying his request. Please let me know if you do or do not have a record of this letter or related correspondence to Mr. Seeley as soon as you can.

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CC: Donna Viert; John Chudovan; Steven Weingarten; Susan Steiman; Tom Putnam

From: Ronald FUHRMAN
To: Carla Conover; Kathryn GARLAND; Roger Noel; Walter BOSWELL
Date: 3/2/00 4:23PM
Subject: Re: Congressional inquires

Carla,

This is to advise of the current status of the licenses (call signs) involved in the Congressional Inquiry.

KNNH771 has been revoked and removed from the database as of 10/26/99. This license was denied a Motion for Recon of a denial of a request for Extension / Waiver to construct on 7/14/99. It therefore cancelled per rules for non-construction.

WPIR453 has been revoked and removed from the database as of 11/18/99. This license was denied an Application for Review, by Order FCC 99-339, released 11/9/99. It therefore cancelled per ruled for non-construction.

WPJN754 has been revoked and removed from the database as of 7/28/98. It cancelled due to non-construction.

WPJN756 has been revoked and removed from the database as of 7/28/98. It cancelled due to non-construction.

WPJN816 has been revoked and removed from the database as of 7/28/98. It cancelled due to non-construction.

For other history information please review the attached copy of e-mail which was done back on August 4, 1999.

Ron

>>> Carla Conover 03/02/00 02:00PM >>>

Ronald: Thanks for the cite to the letter to Senator Snowe, which stated that Mr. Seeley's letter would be referred to OMD. Unfortunately, we still haven't found any record of the letter to Mr. Seeley that he references.

Can one of you tell me that status of Mr. Seeley's licenses? The call signs identified with his regulatory payments were: **KNNH771**; **WPIR453**; **WPJN754**; **WPJN756**; and **WPJN816**. He claims he received some notice from FCC that his licenses were canceled at some time.

Thanks again, Carla

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Ron

>>> Carla Conover 03/01/00 10:37AM >>>

OMD has received a Congressional inquiry from Senator Snowe's office regarding an FCC response to a December 1998 letter from a Mr. Hal B. Seeley addressed to Kathryn Garland and copied to Walter

Z 532 443 173

us Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Send to
 Kathryn M. Garland
 Chief, Customer Assistance
 Branch
 1270 Fairfield Road
 Gettysburg, PA 17325-7245

Postage	\$ 3.2
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	1.10
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.77
Postmark or Date	

PS Form 3800 April 1995

Fold at line over top of envelope to the right of the return address

CERTIFIED

Z 532 443 173

MAIL

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: Kathryn M. Garland Chief, Customer Assistance Branch 1270 Fairfield Road Gettysburg, PA 17325-7245	4a. Article Number Z 532 443 173
5. Received By: (Print Name)	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
6. Signature: (Addressee or Agent) X	7. Date of Delivery
	8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service

PS Form 3811, December 1994

102595-98-B 0229 Domestic Return Receipt

*** LOCAL POSTAL SERVICE ***
COVER REPORT 84424-0000
00000 36.90
PO-HUNTER # 01
12-10-80 09-08:01

CUSTOMER RECEIPT

075 POSTAGE STAMPS	3.77
400 POSTAGE STAMPS	1.00
TOTAL	4.77
CASH T	4.85
CHANGE	.08

THANK YOU *****

Payment Transactions Detail Report

Date: 02/15/2000

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date
9609128835573024	SEELEY, HAL PO BOX 16	2075648337		9/12/1998 00:00:0

DOVER FOXCROFT ME 04426

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
\$525.15	\$525.15	2	CDW6	1	KNNH771	SEELEY, HAL			\$0.02	1	PMT
\$525.15	\$525.15	1	CPM6	71	WPIR453	SEELEY, HAL			\$12.07	1	PMT
\$525.15	\$525.15	3	CDC6	1006	WPJN754	SEELEY, HAL			\$171.02	1	PMT
\$525.15	\$525.15	4	CDC6	1006	WPJN756	SEELEY, HAL			\$171.02	1	PMT
\$525.15	\$525.15	5	CDC6	1006	WPJN816	SEELEY, HAL			\$171.02	1	PMT
Total									\$525.15		

Payment Transactions Detail Report

Date: 02/15/2000

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date
9709158835165008	SEELEY, HAL B 322 NORTH STREET DOVER FOXCROFT ME 04426	FCC2041830		9/14/1997 00:00:0

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
\$789.33	\$789.33	4	CDW7	1	KNNH771	SEELEY, HAL B			\$0.03	1	PMT
\$789.33	\$789.33	5	CDC7	71	WPIR453	SEELEY, HAL B			\$17.04	1	PMT
\$789.33	\$789.33	1	CPM7	1006	WPJN754	SEELEY, HAL B			\$241.41	1	PMT
\$789.33	\$789.33	2	CPM7	1006	WPJN756	SEELEY, HAL B			\$241.41	1	PMT
\$789.33	\$789.33	3	CPM7	1206	WPJN816	SEELEY, HAL B			\$289.44	1	PMT
Total	5								\$789.33		



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W.
WASHINGTON, D.C. 20554

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

August 1, 1997

FY 1997 Commercial Wireless Regulatory Fees

The Federal Communications Commission issues this Public Notice in order to provide information concerning the payment of regulatory fees in FY 1997. If you hold authorizations in any of the commercial wireless services you should carefully review this Public Notice.

WHO MUST PAY REGULATORY FEES IN FY 1997

Most licensees and other entities regulated by the Commission must pay regulatory fees in FY 1997. This Public Notice concerns only the following commercial mobile radio services (CMRS) regulatees: specialized mobile radio services (Part 90); public coast stations (Part 80); public mobile radio, cellular, 800 MHz air-ground radiotelephone, and offshore radio services (Part 22); and PCS broadband services. The CMRS messaging services category includes all one-way paging (Parts 22 and 90), two-way paging, qualifying interconnected business radio services, 220-222 MHz land mobile systems (Part 90), and PCS narrowband services. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *However, the Commission is currently considering a proposal which would require that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status. If the Commission decides to adopt the proposal under consideration, the place and date for submission of the required documentation will be announced by a separate Public Notice.* All other private wireless regulatory fees are paid in advance for the full license term and submitted along with the appropriate application fee. A regulatee will be relieved of its fee payment requirement if its total fee due, including all categories of fees for which payment is due by the entity, amounts to less than \$10.

WHY THE COMMISSION MUST COLLECT REGULATORY FEES

The requirement to collect annual regulatory fees is contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993." These regulatory fees, which are likely to change each fiscal year, are used to offset costs associated with the Commission's enforcement, public service, international and policy and rulemaking activities. These fees are in addition to any

application processing fees associated with obtaining a license or other authorization from the Commission.

WHEN FEES WILL BE DUE

Fee payments must be received by the Commission during the period beginning September 15, 1997, and ending September 19, 1997, in order to avoid a 25% late payment penalty.

TYPE OF FEE	REGULATORY FEE PAYMENT	FEE CODE
CMRS Cellular Radio Licensees (Part 22)	\$0.24 per telephone number/unit	CDC7
CMRS Mobile Services (Parts 22, 80 and 90)	\$0.24 per unit	CPM7
CMRS Messaging Services (Parts 22 and 90)	\$0.03 per unit	CDW7

Licensees whose fee payments are based upon a telephone number or unit count should use the number of telephone numbers or units as of December 31, 1996. CMRS mobile radio licensees with more than 99 locations that have been given multiple call signs for the same license should list only one call sign on FCC FORM 159 and provide a separate listing of all other related call signs. See "Special Instructions for Completing FCC FORMs 159 and 159-C" for correct Payment Type Codes.

NOTICE

The Commission is considering a proposal to require Commercial Mobile Radio Service (CMRS) licensees to submit documentation concerning the basis for their fee payments. Such documentation on the number of pagers, cellular telephones or PCS units could take the form of reports to other government agencies, billing records, certified financial statements, or other records that demonstrate the accuracy of the fee payment. If this proposal is adopted by the Commission, a separate Public Notice will be published specifying what documentation must be submitted, where it is to be submitted, and when it is to be submitted.

FCC FORM 159

Regulatory fee payments must be accompanied by FCC FORM 159 ("FCC Remittance Advice"). This form has been revised and you must use the version dated July 1997. A copy of this form, with specific instructions, is attached to this Public Notice and may be used to submit fees. Reproduced forms are acceptable. Please see "Special Instructions for Completing FCC FORMs 159 and 159-C" for detailed information on how to correctly complete these forms.

WHERE TO SEND REGULATORY FEE PAYMENTS

If sending your regulatory fee payment by mail, please address your envelope as follows:

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

If you prefer to send your regulatory fee payment by courier to our lockbox bank, you may do so 24 hours per business day (except bank holidays). Please address your envelope and deliver it to the following address:

**Federal Communications Commission
c/o Mellon Bank
Three Mellon Bank Center
525 William Penn Way
27th Floor, Room 153-2713
Pittsburgh, PA 15259-0001
(Attention: FCC Module Supervisor)**

METHOD OF PAYMENT

Regulatory fee payments may be made by check, money order, or by credit card (Visa or Mastercard only). When paying by credit card, please make sure you complete and sign block 28 of FCC FORM 159. Payments may also be made by wire transfer, ACH Debit or ACH Credit. Instructions are provided below.

NOTE: We encourage arrangements to consolidate regulatory fee payments either by a single entity or by different entities into a single payment instrument. Consolidated fee payments may cover any number of service categories. Multiple fee payments may be made utilizing any of the methods of payment mentioned above. Payers who will be making a single payment for a significant number of entities and wish to submit automated payments in lieu of a large number of FCC FORMs 159-C ("Advice Continuation Sheets") may do so. Specific instructions regarding automated data submission will be issued separately. There is no limit to the number of payment items.

WIRE TRANSFER PAYMENT INSTRUCTIONS

A wire transfer is a transaction that you initiate via your bank. It authorizes your bank to wire funds from your account to our lockbox bank, the Mellon Bank in Pittsburgh, PA. All payments made by wire transfer must be supported by a completed FCC Remittance Advice (FCC FORM 159) and Advice Continuation Sheet (FCC FORM 159-C), if required. The FCC FORM 159 must be faxed to Mellon Bank at (412) 236-5702 at least one hour before the wire transfer on the same business day. Indicate on the top of the FCC FORM 159 "Wire Transfer - Regulatory Fee Payment." In Box (1) - Lockbox#, located at the upper left hand corner, indicate "358835." **Failure to submit the completed FCC FORM 159 will result in a delay in crediting your**

account. Due to Federal Reserve regulations, wire transfers received after 6:00 p.m. (EDT) will be credited the next business day.

The following information should be provided to your bank in order to complete the wire transfer:

ABA Routing Number 043000261
Receiving Bank: Mellon Pittsburgh
BNF: FCC/ACV--9116106
OBI Field: (Skip one space between each information item)
"REGULATORYPAY"
PAYER TIN (Exactly as on FCC FORM 159, Block #26)
PAYER NAME (Exactly as on FCC FORM 159, Block #2)
Phone: (Daytime Phone #, exactly as on FCC FORM 159, Block #9)
LOCKBOX 358835

ACH DEBIT PAYMENT INSTRUCTIONS

This method involves simply calling Mellon Bank's toll-free telephone number, entering your payment via a computer terminal, or sending a CPU-CPU transmission by 8:15 p.m. (EDT) of the business day before your payment is to be processed. Mellon Bank will electronically process your payments to the FCC the next business day. Payments must be received no later than September 18, 1997, to ensure processing no later than September 19, 1997. A brief application form must be completed and a personal identification number (PIN) issued by the bank. Arrangements for using this process must be completed 14 days prior to submitting payment of the fee. Please contact Reginia Dorsey, Chief, Billings & Collections Branch, Financial Operations Division at (202) 418-1995 for further details.

ACH CREDIT PAYMENT INSTRUCTIONS

This method requires that you contact your bank directly and authorize it to electronically transfer funds from your account directly to Mellon Bank for credit to the FCC. For specific instructions and charges, please contact your local bank. The following information should be provided to your bank in order to complete the ACH Credit transaction:

ABA Routing Number 043000261
Receiving Bank: Mellon Pittsburgh
FCC Bank Account #--9114784
Supplemental Information:
(Skip one space between each information item)
"REGULATORYPAY"
PAYER TIN (Exactly as on FCC FORM 159, Block #26)
PAYER NAME (Exactly as on FCC FORM 159, Block #2)
PHONE: (Daytime phone #, exactly as on FCC FORM 159, Block #9)
LOCKBOX 358835

WARNING: ACH Credit Payments normally take one to two days to post to the account of the FCC. If you elect this method of payment, you must effect your credit transaction in sufficient time to be processed no later than September 19, 1997.

COMPLIANCE

Please make sure your total remittance and the amount indicated on the FCC FORM 159 are in agreement. Failure to do so will delay processing. Licensees are solely responsible for accurately accounting for all licenses and for paying proper regulatory fees. Any data omission, erroneous or incomplete data submission, or payment deficiency may result in a 25% monetary penalty, dismissal of pending actions, and/or revocation of any authorization. You are strongly urged to submit your payments on time and accurately in order to avoid a penalty. Additionally, the Commission will 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.

WAIVERS, REDUCTIONS AND DEFERMENTS OF REGULATORY FEES

The Commission will consider requests for waivers, reductions or deferments of regulatory fees, in extraordinary and compelling circumstances only, upon a showing that such action overrides the public interest in reimbursing the Commission for its regulatory costs. Timely submission of the appropriate regulatory fee must accompany requests for waivers or reductions. This will ensure efficient collection in situations where a waiver or reduction is not warranted and will allow the requestor to avoid a 25% late-payment penalty if its request is denied. The regulatory fee will be refunded later if the request is granted. Only in exceptional or compelling instances (where payment of the regulatory fee along with the waiver or reduction request could result in the reduction of service to a community or other financial hardship to the licensee), will the Commission accept a petition to defer payment along with a waiver or reduction request. All requests for deferments must be received before September 19, 1997, in order to avoid the 25% late-payment penalty.

ADDITIONAL INFORMATION

Applicable Public Notices, and FCC FORMs 159 and 159-C are available from the Commission's Office of Public Affairs, Public Service Division and can be downloaded from the Internet (<http://www.fcc.gov> or ftp@fcc.gov). Text of the Report and Order including the entire Schedule of Regulatory Fees can be downloaded from the Internet. Forms may also be obtained by contacting the Forms Hotline at (800) 418-3676 outside the Washington, D.C. area, or (202) 418-3676 locally. For additional information, please contact the Public Service Division at (202) 418-0192, or write to: Federal Communications Commission, Office of Public Affairs, ATTN: Public Service Division, 1919 M Street, N.W., Washington, D.C., 20554.

FEE PAYMENT PROCEDURES FOR CMRS SERVICE PROVIDERS

WHO MUST PAY: CMRS cellular providers (common carriers providing cellular radio service to the public), CMRS mobile service licensees (common carriers authorized under Parts 22, 80 and

90 to offer land-based or air-to-ground mobile telephone or paging services to the public)¹, and CMRS one-way paging licensees (authorized under Parts 22 and 90). Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *However, the Commission is currently considering a proposal which would require that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status. If the Commission decides to adopt the proposal under consideration, the place and date for submission of the required documentation will be announced by a separate Public Notice.*

SPECIAL INSTRUCTIONS FOR COMPLETING FCC FORMS 159 AND 159-C

FCC Form 159 ("FCC Remittance Advice") and, as necessary, FCC FORM 159-C ("Advice Continuation Sheet") must accompany all regulatory fee payments. FCC FORM 159 allows payers to report information on one or more payment items (e.g., cellular subscribers, public mobile subscribers, paging units, or a combination). Use FCC FORM 159-C to report additional payments.

FCC FORMS 159 and 159-C have been attached to this Public Notice for you to complete and remit with your payment. You may make additional copies of the forms as required. In addition to the instructions for FCC FORM 159, the following information applies specifically to commercial wireless regulatees:

Block (19) - "FCC CALL SIGN/OTHER ID":

- ▶ CMRS mobile and CMRS Messaging licensees should enter their call sign.

Block (20) - "PAYMENT TYPE CODES":

- CDC7:** Use this code when making a regulatory fee payment for a CMRS cellular radio license (\$0.24 per telephone number/ unit).
- CPM7:** Use this code when making a regulatory fee payment for a CMRS mobile radio license (\$0.24 per unit).
- CDW7:** Use this code when making a regulatory fee payment for a CMRS messaging license (\$0.03 per unit).

¹ In addition to cellular telephone service, these services include those using radio to provide telephone services at fixed locations, such as Basic Exchange Telecommunications Radio Services, Rural Radio, Public Coast, and Offshore Radio.

Block (21) - "QUANTITY":

- ▶ CMRS cellular radio licensees should enter the number of telephone numbers/units.
- ▶ CMRS mobile radio licensees should enter the total number of units.
- ▶ CMRS messaging licensees should enter the total number of units.

Block (22) - "FEE DUE":

- ▶ For CMRS cellular radio licensees (payment type code CDC7), multiply the amount from Block 21 ("Quantity") by \$0.24. **Round down to the nearest whole dollar.**
- ▶ For CMRS mobile radio licensees (payment type code CPM7), multiply the amount from Block 21 ("Quantity") by \$0.24. **Round down to the nearest whole dollar.**
- ▶ For CMRS messaging licensees (payment code CDW7), multiply the amount from Block 21 ("Quantity") by \$0.03. **Round down to the nearest whole dollar.**

Block (23) - "FCC CODE 1":

- ▶ Leave this block blank.

Block (24) - "FCC CODE 2":

- ▶ Leave this block blank.

Block (25) - "CERTIFICATION":

- ▶ Provide the printed name and signature of an individual owner/licensee or officer attesting to the accuracy and completeness of the information supplied.

Block (26) - "PAYER TIN":

- ▶ Enter the fee payer's nine digit Taxpayer Identification Number.

Block (27) - "APPLICANT TIN":

- ▶ If different from payer, enter the applicant's nine digit Taxpayer Identification Number.

From: Carla Conover
To: Tom Putnam
Subject: Re: Seely ASAP waiver

9609128835573024 & 9709158835165008

>>> Tom Putnam 02/29/00 09:52AM >>>

What is the control # (hand written) at the top of the correspondence?

>>> Carla Conover 02/29/00 09:50AM >>>

Tom: The name is Hal B. Seeley, I don't see a corporate name or DBA anywhere. There are call sign identifiers on the Payment Transactions Report, but I put a few in the query databases at random and nothing came up. Thanks, Carla

>>> Tom Putnam 02/29/00 09:05AM >>>

Hi Carla,

Could you reply with the exact spelling of this applicant's name?

I have spoken to the aide in Olympia Snow's office concerning this case and he will contact the applicant and get us (me) the information we need to start working on it

Thanks

>>> Carla Conover 02/28/00 07:01PM >>>

Donna/Tom: To determine whether or not he owes regulatory fees and how much, we need to know what kind of licenses he has, there is nothing in the material that identifies that. Can one of you find this out by checking the database or the files? Thanks, Carla

letter went to
Mr. Seeley from
FCE

From: Carla Conover
To: Donna Viert; Tom Putnam
Subject: Seely ASAP waiver

Donna/Tom: To determine whether or not he owes regulatory fees and how much, we need to know what kind of licenses he has, there is nothing in the material that identifies that. Can one of you find this out by checking the database or the files? Thanks, Carla