

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

APR 12 2001

OFFICE OF
MANAGING DIRECTOR

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

86-285

RE: Request for Waiver and Refund of
FY 2000 Regulatory Fees
Fee Control No. 00000RROG-00-007

Dear Mr. Alpert:

This is in response to the request for waiver of the Fiscal Year (FY) 2000 regulatory fees, filed on behalf of Eagle Bluff Enterprises, licensee of Stations KBMV(AM) and KBMV-FM, Birch Tree, Missouri.

You state that the stations were not operating when the regulatory fees were due and that waiver of the fee is appropriate. The Commission's records confirm that Station KBMV(AM) and KBMV-FM went dark on November 6, 1999 and that they did not resume operations until November 6, 2000 and September 4, 2000, respectively. In *Implementation of Section 9 of the Communications Act*, 10 FCC Red 12759, 12762 ¶ 15 (1995), the Commission determined that the imposition of a regulatory fee could be an impediment to the restoration of service by a dark station and that it would, therefore, waive the fee requirement for stations which have ceased operations. Thus, because KBMV(AM) was dark when payment of the regulatory fee for FY 2000 was due, your request for waiver of the FY 2000 regulatory fees for that station will be granted.

However, according to the Commission's records KBMV-FM was operating when the FY 2000 regulatory fee was due. The correct FY 2000 regulatory fee for KBMV-FM is \$300.00. Payment in the amount of \$300.00 must be submitted together with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter. A late charge of 25% will be assessed and due if the Commission does not receive full payment 30 days from the date of this letter. You are cautioned that failure to submit payment may result in further sanctions, including but not limited to, the initiating of a proceeding to recover the unpaid fee amount, late charge penalty, and interest pursuant to the provisions of the Debt Collection Improvement Act of 1996.

If you have any questions concerning this letter, please call the Revenue & Receivable Operation Group at 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Reger". The signature is fluid and cursive, with a large initial "M" and "R".

for Mark Reger
Chief Financial Officer