

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

Billing
Cep

OFFICE OF
MANAGING DIRECTOR

July 24, 2001

10-7-2001

86-285

Mr. Michael Hashemi
NCHE Telecommunications Network, Inc.
Post Office Box 7455
Fairfax Station, VA 22039

Re: Petition for Reduction of
Regulatory Fees for FY 1999
Fee Control No. 00000RROG-00-016
FCC Bill Number: 2000-9-2514

Dear Mr. Hashemi:

This letter is in response to your request for reduction of the assessment of \$2,341.00 in regulatory fees for Fiscal Year 1999 and the associated penalty of \$585.25 for nonpayment, submitted on behalf of NCHE Telecommunications Network, Inc.

You state that NCHE is out of the long distance business, that necessary taxes have been paid through NECA/TRS and that its regulatory fees should only be about \$100.00 based on attached copies of FCC Form 431s (TRS Fund Worksheets).

The Commission has stated that common carriers, including resellers, must submit fee payments based upon their proportionate share of gross interstate revenues using the methodology adopted for calculating contributions to the TSR fund. For FY 1999, a carrier is required to multiply its adjusted gross revenue figure (gross revenue reduced by the total amount of its payments to underlying common carriers for telecommunications facilities or services) by the factor of 0.00121 to determine the appropriate regulatory fee. *Assessment and Collection of Regulatory Fees for Fiscal Year 1999*, 14 FCC Rcd 9868, 9939 (1999).

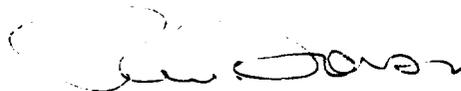
In contrast to the TRS Worksheets that you attached to your request, other information submitted to NECA during 1999 showed that NCHE had revenues of \$4,299,770.00. In the absence of photocopies of relevant tax forms that have been certified to be correct, the Commission does not have adequate documentation to modify the assessed regulatory fee of \$2,341.00 and associated penalty of \$585.25 as specified above. Accordingly, your present showing is insufficient to establish that your request for reduction of the FY 1999 regulatory fees of \$2,341.00 and the associated penalty in the amount of \$585.25 is warranted. Therefore, your request is dismissed. **Payment of the 1999 regulatory fee and penalty in the total amount of \$2,926.25 is now due.** This payment should be submitted together with a Form 159 (copy enclosed) within 30 days from the date of this letter. In view of your allegations, however, in lieu of payment, your request may be refiled together with appropriate supporting documentation within 30 days from the date of this letter.

Michael Hashemi

2.

If you have any questions concerning this letter, please contact the Revenue and Receivable Operation Group at (202) 418-1995.

Sincerely,

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

 Mark A. Reger
Chief Financial Officer

From: Craig Stroup
To: Claudette Pride; John Riffer
Date: 6/21/01 1:14PM
Subject: Re: Fwd: NCHE Telecommunications Network

As we are trying to find out how much revenue they actually had, have them photocopy their relevant tax forms. Have them certify that the copies are correct.

Craig

>>> John Riffer 6/21/01 12:29:43 PM >>>

The information submitted by NCHE in its regulatory fee request showed interstate revenues of \$42,993.70 for 1999. They should not have to pay a regulatory fee higher than the facts warrant, but they should not get by for less than their revenues really were. Is there anyway to determine whether the NECA information or their more recent submission is correct?

>>> Craig Stroup 06/20/01 11:05AM >>>
Claudette:

Well, I haven't been able to check with Jim Lande on this, but it appears that someone made a mistake.

According to information that NCHE supplied to NECA during 1999, NCHE had revenues of [REDACTED] not [REDACTED]. Based on that information, it appears that they owed the larger amount (\$2,341) in reg fees in 1999.

If, however, NCHE incorrectly reported its revenues to NECA by omitting a decimal in their revenue information (i.e., they really had only [REDACTED] of Interstate revenue), and they submitted the correct revenue information to Jim Lande, then Jim Lande surely correctly calculated their regulatory fees.

I hope this helps.

Craig

>>> Claudette Pride 6/20/01 10:22:22 AM >>>
Craig:

Can you look at John Riffer's question and let me know as soon as possible what the regulatory fee should have been for NCHE. Is it the \$2,341.00 or \$52.00. Thanks!!

CC: Carla Conover; James Lande

00000RROG-00-016

NCHE Telecommunications Network Inc.

February 12, 2001

Mr. Andres F. Fisher
Managing Director
FCC
445 12th Street, SW
446 Washington, DC 20554

Ref: NCHE Telecommunications, Call Sign #805653
Bill Number 2000-9-2514

Dear Mr. Fisher:

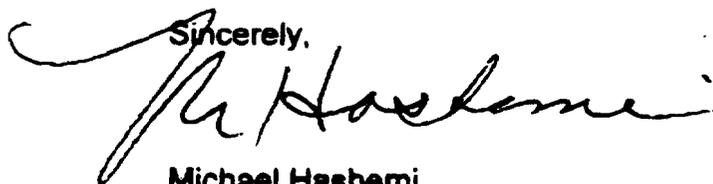
We are in the process of disputing the above-mentioned bill on the bases that: we are out of the long distance business; that we have paid the necessary taxes through NECA/TRS; and that the tax liability for the low revenue we had should have only been about \$100 per year rather than over \$2,000 on this bill.

We have been working with Ms. Claudette Pride at the FCC to try to determine the basis for this assessment. She suggested we write to you to dispute this bill, and to request relief from the accruing penalties during the time this matter is under review.

For your consideration, I am attaching copies of our FCC form 431s which indicate what our income was, and what amounts we paid.

We look forward to your early reply.

Sincerely,



Michael Hashemi

Cc: Ms. Claudette Pride
Fax 202-418-2843

250-2680

**Federal Communications Commission
BILL FOR COLLECTION**

**FOR INQUIRIES CALL
1-202-418-1995
(Revenue/Receivables Operations)**

<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Bill Number</td> <td style="padding: 2px;">Bill Date</td> </tr> <tr> <td style="padding: 2px; text-align: center;">2000-9-2814</td> <td style="padding: 2px; text-align: center;">01/30/01</td> </tr> </table>	Bill Number	Bill Date	2000-9-2814	01/30/01	<p>Please write your bill number on your remittance.</p> <p><i>Payable to:</i> Federal Communications Commission</p> <p><i>Send a copy of this bill to:</i> Federal Communications Commission Revenue/Receivables Operations P.O. BOX 368135 PITTSBURGH, PA 15251 - 5835</p>
Bill Number	Bill Date				
2000-9-2814	01/30/01				

Total Amount Due	Total Amount Due Must Be Received By	Due Date
\$2,926.25		02/28/01

Description

BILL FOR 1999 REGULATORY FEE OF \$2341.00 PLUS A 25% PENALTY OF \$585.25 FOR NONPAYMENT OF REGULATORY FEES
 CALL SIGN: 805663

3RD NOTICE

Please attach a copy of this bill to your payment to ensure proper credit.

Payment Type Code				Quantity	Fee Due	
C	O	D	E	1	\$2,341.00	\$2,341.00
F	I	N	E		\$585.25	\$585.25
Total Due						\$2,926.25

Payment Method: Check (Attach)
 Credit card (Complete Below)

- MASTERCARD
- VISA

Account No.:

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Expiration:

Month	Year

Month	Year

I hereby authorize the FCC to charge my MASTERCARD or VISA for the service(s) / authorization(s) herein described.

AUTHORIZED SIGNATURE _____ DATE _____