



Federal Communications Commission
Washington, D.C. 20554

January 4, 2002

Michael George
4802 Clinton Drive
Erie, PA 16509

RE: Request for Waiver of Late Charge
Penalty for FY 2000 Regulatory Fees
Fee Control No. 0010038835071004

Dear Mr. George:

This is in response to your request for waiver of the late charge penalty for late payment of Fiscal Year (FY) 2000 regulatory fees, filed in response to ID#E990013.

You state that you focused erroneously on an October 1 date instead of the September 20, 2000 due date, that your requested ten-digit FCC registration number was never received, and that this was the first remittance for your company.

We have fully considered all of your contentions. The Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. *See* 47 U.S.C. § 159(c)(1). Moreover, it is the obligation of the entity responsible for regulatory fee payment 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 this obligation was met. Therefore, your request is denied.

Payment of the late charge penalties for FY 2000 is now due. The late charge penalties must be filed together with a Form 159 (copy enclosed) within 30 days from the date of this letter.

If you have any questions concerning this letter, please call the Revenue and Receivables Operations Group at 418-1995.

Sincerely,

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

Mark Reger
Chief Financial Officer

Enclosure

ADVICE REFERENCE GUIDE HOW TO USE FCC FORM 159-REMITTANCE ADVICE

The FCC Form 159, "Remittance Advice", and FCC Form 159-C, (Continuation Sheet) is a multi-purpose form that must accompany any payment to the Federal Communications Commission (e.g., Regulatory Fees, Processing Fees, Auctions, Fines, Forfeitures, Freedom of Information Act (FOIA) Billings, or any other debt due to the FCC). The information on this form is collected to ensure credit for full payment, to ensure you receive any refunds due, to service public inquiries, and to comply with the Debt Collection Improvement Act of 1996.

Note: Fee Filing Guides can be obtained by calling Forms Distribution -- (202) 418-3676 or 1-800-418-3676, or by calling FCC's fax-on-demand -- (202) 418-0177 from the handset of a fax machine.

Instructions for Completing FCC Form 159 & 159-C

NOTE: All required blocks must be completed or it may result in a delay in processing or the return of your application.

(1) Lockbox No. # - Enter the appropriate six-digit P.O. Box Number as found in either the FCC Fee Filing Guide for the service requested, or as specified in the Public Notice.

SECTION A

(2) Payer Name - Enter the name of the person or company (i.e., maker of the check) making the payment. If using an individual name, enter the last name, first name, and middle initial. If a company, enter the name used commercially. If paying by credit card, enter the name exactly as it appears on your card.

(3) Total Amount Paid - Enter the total amount of your remittance.

(4) Street Address Line 1 - The street address or post office box number to which correspondence should be sent.

(5) Street Address Line 2 - This line may be used if further identification of the address is required.

(6) City - The name of the city associated with the street address given in (4).

(7) State - If the payer has a United States mailing address enter the appropriate two-digit state abbreviation as prescribed by the U.S. Post Office. If the payer has a mailing address outside the United States, leave this section blank.

(8) ZIP Code - Enter the appropriate five or nine-digit ZIP code prescribed by the U.S. Post Office. If address is foreign, enter the appropriate ZIP (postal) code.

(9) Daytime Telephone Number - Enter the payer's ten-digit daytime telephone number, including area code. For foreign telephone numbers include the appropriate country dialing access code, as if you were calling from the United States. This daytime number should be the number where you can be reached during normal business hours.

(10) Country Code - This section is for payers who have an address outside the United States of America. Enter the appropriate code here. To obtain country code information, contact the Mailing Requirements Dept. of the U.S. Postal Service.

(11) Payer (FRN) - Enter the payer's ten-digit FCC Registration Number (FRN) assigned by the Commission Registration System (CORES). The FRN is a unique entity identifier for everyone doing business with the Commission. The FRN can be obtained electronically through the FCC webpage (www.fcc.gov.com) or by requesting FCC Form 160 through the FCC forms webpage (www.fcc.gov/formpage.html).

(12) Payer (TIN) - Enter the payer's nine-digit Taxpayer Identification Number (TIN). The Taxpayer Identification Number will either be an Employer Identification Number (EIN) or Social Security Number (SSN) of the payer as reported to the Internal Revenue Service.

(You must complete Section A - blocks 11 and 12 FCC Registration Number and Taxpayer Identification Number)

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(You must complete Section A - blocks 11 and 12 FCC Registration Number and Taxpayer Identification Number)

(ii) If you are filing concurrent actions (not the same actions) in the same lockbox, on the same application, refer to the appropriate FCC Fee Filing Guide or Public Notice for specific instructions as to the number of quantities allowed. Complete Section C (e.g., you may file a regulatory fee for a CARS license and Broadcast Auxiliary license or you may file a regulatory fee for a mass media service and a common carrier service on the same FCC Form 159 by using the designated payment type codes, and quantities as defined by the Public Notice). Complete a separate item for each action required. Blocks 28 & 29 are only to be completed when required by the Bureau/Office or by Public Notice.

(iii) If a single Remittance Advice is used to pay for more than one applicant, licensee, regulatee or debtor, for permitted action(s) in the same lockbox, then a Continuation Sheet (159-C) must be completed for each applicant, licensee, regulatee or debtor (e.g., if you are paying for different applicants submitting separate Domestic 214 Applications in the common carrier services, they can all be filed on one FCC Form 159 as long as they are filed in the same lockbox). A separate FCC Form 159 must be completed and submitted for each applicant. Blocks 28 & 29 are only to be completed when required by the Bureau/Office or by Public Notice.

Remember, if any of these additional applications fall into category (i) or (ii) above, you can follow those instructions. Make sure to check the appropriate FCC Fee Filing Guide or Public Notice for any special filing stipulations that may apply.

(25) **Quantity** - Enter the total number of actions required with this submission. Refer to the FCC Fee Filing Guide or Public Notice for information concerning multiple requests.

(26) **FEE Due for (PTC)** - Enter the fee due for the PTC listed in item 24.

(27) **Total Fee** - Enter the total fee due by multiplying Block 25 (Quantity) times Block 26 (Fee Due for PTC).

(28) **FCC Code 1** - This section is used for special filing codes as required by the Bureau/Office or Public Notice. Do not complete this block unless instructed to do so.

(29) **FCC Code 2** - This section is used for special filing codes as required by the Bureau/Office or Public Notice. Do not complete this block unless instructed to do so.

SECTION D

(30) **Certification Statement** - This section must be completed and signed. Failure to do so may delay the processing of your application/filing.

SECTION E

(31) **Credit Card Payment Information** - If remitting payment by credit card, place an "x" in the appropriate block for the credit card being used - MasterCard or Visa only. Enter your credit card number and expiration date (For example: (mm/yyyy)). Sign and date the FCC Form 159 to authorize your credit card payment. (If any area required for credit card approval is incomplete, the application will be returned unprocessed.)

Form 159-C FCC Remittance Advice Continuation Sheet

Use this form for any additional services pertaining to this filing or if you are paying for multiple applicants with a single payment. (See Sections B and C of the instructions to assist you in completing this form). For each additional applicant listed in Section BB of the FCC Form 159-C, you must complete Section BB - Blocks 21 and 22, FCC Registration Number and Taxpayer Identification Number. Each additional applicant must use a separate Form 159-C.

Note: Checks must be denominated in U.S. Currency and deposited in an U.S. financial institution. No checks drawn on a foreign bank will be accepted.

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
3060-0589
Page No. of

(1) LOCKBOX #

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)		(3) TOTAL AMOUNT PAID (U.S. Dollars and
(4) STREET ADDRESS LINE NO. 1		
(5) STREET ADDRESS LINE NO. 2		
(6) CITY	(7) STATE	(8) ZIP CODE
(9) DAYTIME TELEPHONE NUMBER (include area code)	(10) COUNTRY CODE (if not in U.S.A.)	

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)	(12) PAYER (TIN)
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IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME		
(14) STREET ADDRESS LINE NO. 1		
(15) STREET ADDRESS LINE NO. 2		
(16) CITY	(17) STATE	(18) ZIP CODE
(19) DAYTIME TELEPHONE NUMBER (include area code)	(20) COUNTRY CODE (if not in U.S.A.)	

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)	(22) APPLICANT (TIN)
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COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE	(25A) QUANTITY
(26A) FEE DUE FOR (PTC)	(27A) TOTAL FEE	FCC USE ONLY
(28A) FCC CODE 1	(29A) FCC CODE 2	
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY
(28B) FCC CODE 1	(29B) FCC CODE 2	

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT
I, _____, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief. SIGNATURE _____ DATE _____

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)	MASTERCARD/VISA ACCOUNT NUMBER:	EXPIRATION
<input type="checkbox"/> MASTERCARD		
<input type="checkbox"/> VISA	I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described.	
SIGNATURE _____		DATE _____

REMITTANCE ADVICE (Continuation Sheet)

FEDERAL COMMUNICATIONS COMMISSION

SPECIAL USE
FCC USE ONLY

USE THIS SECTION ONLY FOR EACH ADDITIONAL APPLICANT

SECTION BB - ADDITIONAL APPLICANT INFORMATION

(13) APPLICANT NAME									
(14) STREET ADDRESS LINE NO. 1									
(15) STREET ADDRESS LINE NO. 2									
(16) CITY							(17) STATE		(18) ZIP CODE
(19) DAYTIME TELEPHONE NUMBER (include area code)					(20) COUNTRY CODE (if not in U.S.A.)				

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)					(22) APPLICANT (TIN)				
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IF MORE BOXES ARE NEEDED, USE ADDITIONAL FCC 159-C CONTINUATION SHEETS TO LIST EACH SERVICE

SECTION CC - PAYMENT INFORMATION

(23A) CALL SIGN/OTHER ID				(24A) PAYMENT TYPE CODE		(25A) QUANTITY	
(26A) FEE DUE FOR (PTC)			(27A) TOTAL FEE			FCC USE ONLY	
(28A) FCC CODE 1			(29A) FCC CODE 2				
(23B) CALL SIGN/OTHER ID				(24B) PAYMENT TYPE CODE		(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)			(27B) TOTAL FEE			FCC USE ONLY	
(28B) FCC CODE 1			(29B) FCC CODE 2				
(23C) CALL SIGN/OTHER ID				(24C) PAYMENT TYPE CODE		(25C) QUANTITY	
(26C) FEE DUE FOR (PTC)			(27C) TOTAL FEE			FCC USE ONLY	
(28C) FCC CODE 1			(29C) FCC CODE 2				
(23D) CALL SIGN/OTHER ID				(24D) PAYMENT TYPE CODE		(25D) QUANTITY	
(26D) FEE DUE FOR (PTC)			(27D) TOTAL FEE			FCC USE ONLY	
(28D) FCC CODE 1			(29D) FCC CODE 2				
(23E) CALL SIGN/OTHER ID				(24E) PAYMENT TYPE CODE		(25E) QUANTITY	
(26E) FEE DUE FOR (PTC)			(27E) TOTAL FEE			FCC USE ONLY	
(28E) FCC CODE 1			(29E) FCC CODE 2				
(23F) CALL SIGN/OTHER ID				(24F) PAYMENT TYPE CODE		(25F) QUANTITY	
(26F) FEE DUE FOR (PTC)			(27F) TOTAL FEE			FCC USE ONLY	
(28F) FCC CODE 1			(29F) FCC CODE 2				

Michael George
4802 Clinton Drive
Erie, PA 16509

RE: Request for Waiver of Late Charge
Penalty for FY 2000 Regulatory Fees
Fee Control No. 0010038835071004

Dear Mr. George:

This is in response to your request for waiver of the late charge penalty for late payment of Fiscal Year (FY) 2000 regulatory fees, filed in response to ID#E990013.

You state that you focused erroneously on an October 1 date instead of the September 20, 2000 due date, that your requested ten-digit FCC registration number was never received, and that this was the first remittance for your company.

We have fully considered all of your contentions. The Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. *See* 47 U.S.C. § 159(c)(1). Moreover, it is the obligation of the entity responsible for regulatory fee payment 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 this obligation was met. Therefore, your request is denied.

in the amount of \$43.15
Payment of the late charge penalties for FY 2000 is now due. The late charge penalties must be filed together with a Form 159 (copy enclosed) within 30 days from the date of this letter.

If you have any questions concerning this letter, please call the Revenue and Receivables Operations Group at 418-1995.

Sincerely,

Mark Reger
Chief Financial Officer

0010038835071004

Michael George
4802 Clinton Drive
Erie, PA 16509
January 2, 2001

Tom Putnam
445 12th Street, SW, Room 1-A830
Washington, DC 20554

Dear Mr. Putnam,

Please accept this request for a waiver of the 25 percent late penalty assessed in your correspondence of December 15, 2000, ID#E990013, which I received on December 23, 2000.

I have no proof of delivery date to your Pittsburgh address at Mellon Bank. I focused erroneously on the Oct 1 underlined date instead of the September 20, 2000 due date.

Your application form did require a ten-digit FCC registration number which I never could locate but was told by "Christie" at 1-888-225-5322 that it would arrive eventually but all FRNs were currently delayed. I never did receive the number but submitted the payment absent the information.

Please accept my apologies for any inconvenience. This is the first remittance for my company. I would again request that you grant a waiver of the 25 percent late penalty.

Sincerely,

Michael George

1/30/01

waiver was filed
2-418-2992
Putnam

Payment Transactions Detail Report

Date: 12/05/2001

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name			Fcc Account Number	Payer TIN	Received Date					
0010038835071004	MGTV 4802 CLINTON			WP00031482	0251822556	0/02/2000 00:00:0					
	ERIE	PA	16509								
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
\$175.00	\$175.00	1	0073	1	E990013	MGTV	16509		\$175.00	1	PMT
Total									<u>\$175.00</u>		