

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
DEC 12 2001

OFFICE OF
MANAGING DIRECTOR

John S. Neely
Miller & Miller, P.C.
Post Office Box 33003
Washington, D.C. 20033

RE: Request for Waiver and Refund of
FY 2001 Regulatory Fees
Fee Control No. 0109258835836001

Dear Mr. Neely:

This is in response to the request for waiver and refund of the Fiscal Year (FY) 2001 regulatory fees, filed on behalf of Nelson Multimedia, Inc., licensee of Station WFXW(AM), Geneva, Illinois.

You state that the station was not operating when the regulatory fee was due and that waiver and refund of the fee is appropriate. The Commission's records confirm that Station WFXW has been silent since April 1, 2001 and that it was granted further authority to remain silent for 180 days from September 19, 2001. In *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 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 WFXW was dark when payment of the regulatory fee for FY 2001 was due, your request for waiver and refund of the FY 2001 regulatory fees will be granted.

A check made payable to the maker of the original check, and drawn in the amount of \$1,450.00, will be sent to you at the earliest practicable time. If you have any questions concerning this letter, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



for Mark A. Reger
Chief Financial Officer

0109258835836001

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

OCT 23 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re)
NELSON MULTIMEDIA, INC.)
Licensee of)
WFXW(AM) Geneva, Illinois)
Facility ID No. 69700)

To: Office of the Managing Director

PETITION FOR WAIVER OF FY2001 REGULATORY FEE

Nelson Multimedia, Inc., licensee of station WFXW(AM) Geneva, Illinois, by its attorney, Petitions for Waiver of its assessed FY 2001 Regulatory Fee. WFXW is a Class B AM station, with an assessed FY 2001 Regulatory Fee of \$1,450.00.

As required by the Commission's rules, station WFXW's FY 2001 Regulatory Fee (copy attached) has been remitted under separate cover to the Commission's lockbox depository at the Mellon Bank in Pittsburgh, Pennsylvania.

A waiver is requested because WFXW is currently silent. A copy of the station's present special temporary authority to remain silent is attached hereto for convenience. The station transmitter site was sold by a former licensee and the current licensee is devoting time and financial resources toward the goal of resuming operations from a new transmitter site. As a dark station, WFXW has no income to offset these expenses.

In Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12754 (1995), the Commission determined that the

ACCOUNT PROCESSING
GROUP
NOV 1 2 23

RECEIVED
ECC

imposition of a regulatory fee could impede the restoration of service by dark stations and that it would, therefore, waive the fee requirement for stations which had ceased operation.

In light of the Commission's policy in these matters, a waiver of the regulatory fee due September 26, 2001, is hereby requested.

Upon grant of this waiver, you are respectfully requested to refund the licensee's FY 2001 Regulatory Fee which was remitted to the Commission under separate cover.

Respectfully Submitted,

NELSON MULTIMEDIA, INC.

BY 

John S. Neely
Its Attorney

October 22, 2001

Miller & Miller, P.C.
P.O. Box 33003
Washington, DC 20033

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING	FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE	Approved by CDMs 3060-11589 Page No. <u>1</u> of <u>1</u>
(1) LOCKBOX # 358835	SPECIAL USE PAY USE ONLY	

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) LAWRENCE NELSON	(3) TOTAL AMOUNT PAID (in \$) (dollars and cents) 14501.00
(4) STREET ADDRESS LINE NO. 1 RR 2	
(5) STREET ADDRESS LINE NO. 2	
(6) CITY PLANO	(7) STATE IL
	(8) ZIP CODE 60545-9801
(9) DAYTIME TELEPHONE NUMBER (include area code) 630 552 1000	(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) 340403445
------------------	--------------------------------------

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 NELSON MULTIMEDIA INC	
(14) STREET ADDRESS LINE NO. 1 ONE BROADCAST CENTER	
(15) STREET ADDRESS LINE NO. 2	
(16) CITY PLANO	
(17) STATE IL	
(18) ZIP CODE 60545-9801	
(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) 3641142059
----------------------	---

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID WFXW	(24) PAYMENT TYPE CODE 0126	(25A) QUANTITY 1
(26A) FEE DUE FOR (PTC) 14501.00	(27A) TOTAL FEE 14501.00	FCC USE ONLY
(28A) FCC CODE 1 69700	(29A) FCC CODE 2 IL GENEVA	

(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
Lawrence Nelson, certify under penalty of perjury that the foregoing and reporting information is true and correct to the best of my knowledge, information and belief.
 SIGNATURE: *[Signature]* DATE: **9-7-01**

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31) <input checked="" type="checkbox"/> MASTERCARD	MASTERCARD/VISA ACCOUNT NUMBER: 54241801147807132	EXPIRATION 08/31/04
<input type="checkbox"/> VISA	I hereby authorize the FCC in charge of VISA or MASTERCARD for the service(s)/authorization herein described. SIGNATURE: <i>[Signature]</i> DATE: 9-7-01	

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:
1800B3-ALM**

September 19, 2001

John S. Neely, Esquire
Miller & Miller, P.C.
1990 M Street, N.W., Suite 760
Washington, D. C. 20036

**In re: WFXW(AM), Geneva, Illinois
Facility ID No. 69700
Silent Since April 1, 2001
Request For Extension of
Special Temporary
Authority To Remain Silent**

Dear Mr. Neely:

This letter concerns your request filed September 14, 2001, on behalf of Nelson Multimedia, Inc., for extension of Special Temporary Authority to permit WFXW(AM) to remain silent.

Commission records indicate that the former licensee of WFXW(AM), Valley Communications took the station silent for financial reasons and that it had sold the real estate for the station's transmitting towers. We were also informed that an agreement to assign the license of WFXW(AM) had been entered into. Your request states that Nelson Multimedia, Inc. consummated the purchase of WFXW(AM) on June 28, 2001. At present, it has no tower site and needs additional time to locate a site. Your request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

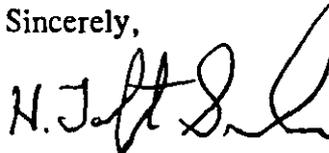
Your request for extension of Special Temporary Authority to remain silent will be granted. Accordingly, Special Temporary Authority is granted to permit AM Station WFXW to remain silent for a period not to exceed one hundred and eighty days from the date of this letter. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for WFXW(AM) will automatically expire as a matter of law if**

¹In the event extension of special temporary authority is sought, please renew the certification in this matter.

broadcast operations do not commence by 12:01 a.m. on April 2, 2002.² See Pub. L. No. 104-104, 110 Stat. 56, § 403(1) (1996).

The station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon". The signature is fluid and cursive, with a large loop at the end.

H. Taft Snowdon
Supervisory Attorney
Audio Services Division
Mass Media Bureau

²Notification of resumption of broadcast operations must be mailed to:

Federal Communications Commission
Attn: 1800B3-ALM, Room 2-B450
445 12th Street, S.W.
Washington, D.C. 20554

Payment Transactions Detail Report

Date: 11/16/2001

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name			Fcc Account Number	Payer TIN	Received Date					
0109268835836001	NELSON, LAWRENCE RR 1			WP00043535	0340403445	9/21/2001 00:00:0					
	PLANO	IL	60545								
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
\$1,450.00	\$1,450.00	1	0126	1	WFXW	NELSON MULTIMEDIA INC	605459801		\$1,450.00	2	PMT
Total									<u>\$1,450.00</u>		