

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
MAY 1 2002

DOCKET FILE COPY ORIGINAL

OFFICE OF
MANAGING DIRECTOR

86-255

Livia Lorincz
Pannon Telecom, Inc.
21755 Ventura Blvd.
Suite #219
Woodland Hills, CA 91364

Re: Pannon Telecom, Inc.
Fiscal Year 2001 Regulatory Fee
Fee Control No. 0203048835041003

Dear Ms. Lorincz:

This is in response to your request dated February 27, 2002, filed on behalf of Pannon Telecom, Inc. (Pannon) for a refund of the \$365.25 late charge penalty for late payment of the fiscal year (FY) 2001 regulatory fee. Our records reflect that you paid the late charge penalty.

In support of your request, you state that although Pannon mailed its original check in payment of the FY 2001 regulatory fee on September 20, 2001, the check (which was not received by the Commission) did not clear Pannon's bank account. You have also supplied documentation supporting these statements. You state that the check may have become lost in the mail as a result of the disruption in mail service after the attack on the World Trade Center on September 11, 2001.

In light of the facts that Pannon mailed its FY 2001 regulatory fee on September 20, 2001 and that the check representing the payment did not clear Pannon's bank account, we find that the FCC's failure to receive the fee by September 26, 2001 appears to have been the result of the clearly unforeseeable events of September 11, 2001 (including the ensuing interruption of mail and air courier service) that even the best of planning could not have avoided. Indeed, in recognition of the disruption and cancellation of mail and air courier service throughout the United States following the events of September 11, 2001, the Commission took the unusual step of extending the FY 2001 regulatory fee filing window from September 21, 2001 to September 26, 2001. *Public Notice, Extension of Fiscal Year 2001 Regulatory Fee Filing Window*, 2001 WL 1078406 (dated September 17, 2001). We therefore find good cause to grant your request for a refund of the \$365.25 late charge penalty for late payment of the fiscal year 2001 regulatory fee.

Ms. Livia Lorincz

2.

A check made payable to the maker of the original check, and drawn in the amount of \$365.25, will be sent to you at the earliest practicable time. If you have any questions concerning this matter, please contact the Revenue & Receivables Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Reger', with a large, stylized initial 'M'.

Mark A. Reger
Chief Financial Officer



Pannon Telecom
Your best choice for
long distance services.

0203048835041003

RECEIVED
FEB 28 2002

FEB 15 10 53 AM '02

UNIT PRODUCTION
COMMUNICATIONS

February 27, 2002

Federal Communications Commission
Revenue & Receivables Operations Group
Room 1A821
445 12th Street SW
Washington, DC 20554

Attn: Susan Donahue, Chief

Re: 02-CCB0148

In reference to the fiscal year 2001 regulatory fees, I would like to request a waiver for the following reasons.

Our company submitted Form 159-W with full payment (check # 2130 - \$1,461.00) on September 20, 2001. This check has not been cleared since then, so we suppose that both our submission (Form 159) and payment got lost somewhere, which can be due to the World Trade Center bombing and its aftermath.

We received a letter on February 15th stating that we have not paid the regulatory fees and now we owe an additional 25% penalty on top of the fee that was due. Yesterday we mailed Form 159 along with our payment (total of \$1,826.25 - penalty included) to avoid further charges, but we would like to have the penalty refunded to us.

I am attaching a copy of our original submission and a copy of the remittance advice along with a copy of the check #2336 for \$1,826.25 (regulatory fees + penalty)

Kindly review our file and refund the amount of the penalty (\$365.25) to us.

Sincerely,

Livia Lorincz
Pannon Telecom, Inc.
e-mail: livia@pannontel.com
voice: 818 597 2338

Attachments

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 cents)
P A I N N O I N T E L E C O M I N C 11,826.25

(4) STREET ADDRESS LINE NO. 1
4708 ALMIDOR AVENUE

(5) STREET ADDRESS LINE NO. 2

(6) CITY (7) STATE (8) ZIP CODE
WOODLAND HILLS CA 91364

(9) DAYTIME TELEPHONE NUMBER (include area code) (10) COUNTRY CODE (if not in U.S.A.)
8185972338

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

(11) PAYER (FRN) (12) PAYER (TIN)
004-3771-311 9547083811

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)

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
821020-2001 0172 11107000

(26A) FEE DUE FOR (PTC) (27A) TOTAL FEE FCC USE ONLY
461.00

(28A) FCC CODE 1 (29A) FCC CODE 2

(23B) CALL SIGN/OTHER ID (24B) PAYMENT TYPE CODE (25B) QUANTITY
821020-2001 0199

(26B) FEE DUE FOR (PTC) (27B) TOTAL FEE FCC USE ONLY
365.25

(28B) FCC CODE 1 (29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT
I, LIVIA LORINCZ, 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 Livia Lorincz DATE 2/26/02

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31) MASTERCARD MASTERCARD/VISA ACCOUNT NUMBER: EXPIRATION

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

Payment Transactions Detail Report

Date: 04/02/2002

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
0203048835041003	PANNON TELECOM INC 4708 ALMIDOR AVENUE WOODLAND HILLS CA 91364	WP00047335	0954708381	13/01/2002 00:00:00							
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
\$1,826.25	\$1,826.25	1	0172	1107000	8210202001	PANNON TELECOM INC	91364		\$1,461.00	1	PMT
\$1,826.25	\$1,826.25	2	0199	1	8210202001	PANNON TELECOM INC	91364		\$365.25	1	PMT ←
Total		2							\$1,826.25		

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAY 1 2002

DOCKET FILE COPY ORIGINAL

OFFICE OF
MANAGING DIRECTOR

86-285

Michael O. Ostbye
Chief Financial Officer
Rural Services of Central Minnesota Inc.
Post Office Box 375
1401 South Broadway
Pelican Rapids, MN 56572

Re: Rural Services of Central Minnesota Inc.
Fiscal Year 2001 Regulatory Fee
Fee Control No. 00000RROG-02-023
Bill No. 2002-9-9027

Dear Mr. Ostbye:

This is in response to your request dated March 8, 2002, filed on behalf of Rural Services of Central Minnesota Inc. (RSCM) for a waiver of the \$381.25 late charge penalty for late payment of the fiscal year (FY) 2001 regulatory fee. Our records reflect that you have not paid the late charge penalty.

You assert in the request that the late charge penalty should be waived because although you mailed the regulatory fee to allow for a "[s]ufficient delivery lag[,]" the "disruption in mail service after September 11, 2001" caused the regulatory fee to be delivered one day late on September 27, 2001. RSCM's check in payment of the FY 2001 regulatory fee is dated September 25, 2001. RSCM's FCC Form 159, Remittance Advice, accompanying the check is also dated September 25, 2001. RSCM is located in Minnesota and the Commission's lockbox bank (where the regulatory fee was mailed) is located in Pennsylvania. We find that the facts do not support your assertion that you mailed the FY 2001 regulatory fee in sufficient time for it to be timely received by the Commission on September 26, 2001.

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. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that RSCM has not met its obligation to file its regulatory fee in a timely manner. We therefore deny your request for a waiver of the late charge penalty for late payment of the fiscal year 2001 regulatory fee.

Mr. Michael O. Ostbye

.2

Payment of RSCM's \$381.25 late charge penalty for late payment of the FY 2001 regulatory fee is now due. The late charge penalty of \$381.25 should be submitted, together with a Form 159 (copy enclosed), within 30 days of the day of this letter. If you have any questions concerning this matter, please contact the Revenue & Receivables Operation Group at (202) 418-1995.

Sincerely,



 Mark A. Reger
Chief Financial Officer

Enclosure

Federal Communications Commission
Washington, D.C.

Office Of
Managing Director

FEB 26 2002

Rural Services Of Central Minnesota
1401 South Broadway
Pelican Rapids, MN 56572

RE: 2001 REGULATORY FEES
Bill#: 2002-9-9027

Dear Licensee:

This letter is notice that you were late paying your 2001 annual regulatory fee (s). Payment of regulatory fees was due to the Federal Communications Commission (FCC) by midnight, September 26, 2001. Your fee payment of \$ 1,525.00 was received on September 27, 2001.

In accordance with Section 9 [47 USC 159(c)(1)], a 25 percent late penalty in the amount of \$ 381.25 has been assessed. Unless you can show just cause why the penalty is inapplicable, payment is due within 20 days from the date of this letter.

Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835, along with a copy of the enclosed billing invoice.

If you have any documentation that will establish that the fee was remitted and received at Mellon Bank by September 26, 2001, such as a carrier dated receipt, please include this documentation with you response so that we can clear your record (s).

~~You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined in 47 CFR, Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payer's pending applications to dismissal, and may require a delinquent payer to show cause why any existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal government pursuant to Section 3720A of the Internal Revenue Code, 31 USC 3717, and the provision of the Debt Collection Act, 31 USC 3717.~~

If you have any questions, you may contact my office at (202) 418-1995.

FFx

Sincerely,


Susan A. Donahue, Chief
Revenue and Receivables Operations Group

Enclosure

Federal Communications Commission
BILL FOR COLLECTION

FOR INQUIRIES CALL
 1-202-418-1995
 (Credit and Debt Management Group)

<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="text-align: center; padding: 2px;">2002-9-9027</td> <td style="text-align: center; padding: 2px;">FEB 26 2002</td> </tr> </table>	Bill Number	Bill Date	2002-9-9027	FEB 26 2002	Please write your bill number on your remittance.																
Bill Number	Bill Date																				
2002-9-9027	FEB 26 2002																				
RURAL SERVICES OF CENTRAL MINNESOTA 1401 SOUTH BROADWAY PELICAN RAPIDS, MN 56572	Payable to: Federal Communications Commission Send a copy of this bill to: Federal Communications Commission Credit and Debt Management Group P.O. BOX 358835 PITTSBURGH, PA 15251-5835																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%; padding: 2px;">Total Amount Due</td> <td style="padding: 2px;">Total Amount Due Must Be Received By</td> <td style="width:40%; padding: 2px;">Due Date</td> </tr> <tr> <td style="text-align: center; padding: 2px;">\$381.25</td> <td></td> <td style="text-align: center; padding: 2px;">MAR 26 2002</td> </tr> </table>	Total Amount Due	Total Amount Due Must Be Received By	Due Date	\$381.25		MAR 26 2002															
Total Amount Due	Total Amount Due Must Be Received By	Due Date																			
\$381.25		MAR 26 2002																			
25% LATE PENALTY FEE.																					
Please attach a copy of this bill to your payment to ensure proper credit.																					
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Payment Type Code</th> <th style="width:20%;">Quantity</th> <th style="width:30%;">Fee Due</th> <th style="width:20%;"></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">F I N E</td> <td style="text-align: center;">1</td> <td style="text-align: center;">\$381.25</td> <td style="text-align: center;">\$381.25</td> </tr> <tr> <td colspan="3" style="text-align: right; padding: 2px;">Total Due</td> <td style="text-align: center; padding: 2px;">\$381.25</td> </tr> </tbody> </table>		Payment Type Code	Quantity	Fee Due		F I N E	1	\$381.25	\$381.25	Total Due			\$381.25								
Payment Type Code	Quantity	Fee Due																			
F I N E	1	\$381.25	\$381.25																		
Total Due			\$381.25																		
Payment Method: <input checked="" type="checkbox"/> Check <input type="checkbox"/> (Attach) <input type="checkbox"/> Credit card <input type="checkbox"/> (Complete Below)																					
<input type="checkbox"/> MASTERCARD <input type="checkbox"/> VISA <table border="1" style="width:100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td><td style="width: 10%;"></td> </tr> </table>																					
Expiration: <table style="display: inline-table; vertical-align: middle; margin-right: 20px;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">Month</td> <td style="text-align: center; font-size: 8px;">Year</td> </tr> </table>				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																				

00000RRO6-02:023
Rural Services of Central Minnesota Inc

P.O. Box 375 • 1401 South Broadway • Pelican Rapids, MN 56572

RECEIVED
FCC

2002 APR -2 P 3: 05

ACCOUNT PROCESSING
GROUP-DPT/RPT/TMT

March 8, 2002

Federal Communications Commission
Attention: Claudette Pride
445 12 th St. SW Room 821
Washington, DC 20554

RE: 2001 Regulatory Fees
Bill32002-9-9027

Dear Claudette Pride

I am writing to you concerning the bill for collection we received for 2001 regulatory fees. We mailed the payment to you at a time that allowed for what we thought to be sufficient delivery lag. The payment was received by you on September 27, 2001 the due date was September 26, 2001.

The amount of penalty imposed was \$381.25 or 25% of the fees.

Because of the disruption in mail service after September 11 2001, I am requesting a waiver of the late penalty fee.

If you require further information please contact me at 218 863 4600.

Sincerely,



Michael O. Ostbye
Chief Financial Officer

(800) 552-7622 • 863-4600

RSI is a wholly owned subsidiary of Lake Region Electric Cooperative

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
APR 26 2002

OFFICE OF
MANAGING DIRECTOR

86-285

Donnie C. Aultman
Supervisor-Separations/Access
CenturyTel
Post Office Box 4065
Monroe, LA 71211-4065

Re: Spectra Communication Group, LLC
Fiscal Year 2001 Regulatory Fee
Fee Control No. 00000RROG-02-027

Dear Mr. Aultman:

This is in response to your request dated March 11, 2002, filed on behalf of Spectra Communication Group, LLC (Spectra) for a waiver of the \$1,456.75 late charge penalty for late payment of the fiscal year (FY) 2001 regulatory fee. In support of your request, you state that the FY 2001 regulatory fee was paid in an untimely manner because the original check for the regulatory fee was sent to the incorrect FCC lockbox. You state that CenturyTel has 56 local exchange carriers (in addition to Spectra) that paid the fee by the due date. Our records reflect that the late charge penalty has not been paid.

Section 1.1164 of the Commission's rules provide that "[a] timely [regulatory] fee payment . . . is one received at the Commission's lockbox bank by the due date specified by the Commission or by the Managing Director." Section 1.1159(a) provides that "[r]egulatory fee payments must be directed to the location and address set forth in sections 1.1152 through 1.1156 for the specific category of fee involved." 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. It is the obligation of the licensees responsible for regulatory fee payments 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 Spectra met this obligation. Therefore, your request for waiver of the late charge penalty for late payment of the fiscal year 2001 regulatory fees is denied.

Payment of Spectra's \$1,456.75 late charge penalty for late payment of the FY 2001 regulatory fee is now due. The late charge penalty of \$1,456.75 should be submitted, together with a Form 159 (copy enclosed), within 30 days of the day of this letter. If you have any questions concerning this matter, please contact the Revenue & Receivables Operation Group at (202) 418-1995.

Sincerely,

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

for Mark A. Reger
Chief Financial Officer

Enclosure

P.O. Box 4065
Monroe, LA 71211-4065
Tel 318 388 9000

00000RR06-02-027

3/20/02

T-
Send to
OB/c**CENTURYTEL**

ef

March 11, 2002

Managing Director
Federal Communications Commission
445 12th Street S.W.
Washington D.C. 200554

To Whom It May Concern:

This letter is requesting waiver of the 25% penalty related to the payment of the FY 2001 regulatory fee for Spectra Communication Group, LLC (FCC 499 Filer ID: 820461). The fee and associated penalty was \$5,827 and \$1,456.75, respectively.

After receiving notice the fee had not been paid, CenturyTel investigated the payment and learned the check issued for payment never cleared the bank. Dianne Douglas in the FCC Revenue and Receivables Operations Group verified the check was not in their possession. Furthermore, CenturyTel learned the check was sent to the incorrect lockbox (#358994). Since the original check was sent to the wrong lockbox, CenturyTel voided the original check and issued another one for the amount of the FY 2001 regulatory fee. The checked was mailed to FCC lockbox # 358835 on Saturday, March 9, 2002.

I apologize for the delay in payment for this company. CenturyTel has 56 additional local exchange carriers that paid the fee by the due date. Thank you for your consideration with this matter. You can contact me at (318) 388-9497 or donnie.aultman@centurytel.com.

Sincerely,



Donnie C. Aultman
Supervisor-Separations/Access

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

APR 26 2002

DOCKET FILE COPY ORIGINAL

86-285

OFFICE OF
MANAGING DIRECTOR

Ms. Patricia M. Chuh
Pepper & Corazzini, LLP
1776 K Street, N.W., Suite 200
Washington, D.C. 20006-2334

Re: WMJR AM1380, Winchester, Kentucky
Thy Kingdom Come Network, Inc.
Fiscal Year 2000 Regulatory Fee
Fee Control No. 00000RROG-02-013

Dear Ms. Chuh:

This is in response to your request (dated February 20, 2002) for a refund of the \$650.00 regulatory fee and \$162.50 late charge penalty paid for Fiscal Year (FY) 2000 for WMJR AM1380 (WMJR), Thy Kingdom Come Network, Inc., based upon its status as a nonprofit, tax-exempt entity under section 501 of the U.S. Internal Revenue Code.¹ You state that WMJR is a section 501(c)(3) tax-exempt private foundation.

The Commission's rules provide that entities that qualify as tax-exempt, nonprofit organizations under section 501 of the Internal Revenue Code are exempt from the requirement to pay regulatory fees. 47 C.F.R. §1.1162(c). You filed with your request for refund a copy of a letter from the Internal Revenue Service determining that WMJR (then known as Messengers of Mary, Inc.) is a nonprofit, tax-exempt entity under section 501(c)(3) of the Internal Revenue Code. (You also include a copy of the Articles of Amendment documenting the name change from Messengers of Mary, Inc. to Thy Kingdom Come Network, Inc., as well as copies of the letters notifying the Internal Revenue Service and the Federal Communications Commission of the name change.) The IRS determination letter that you provided establishes that WMJR is not required to pay regulatory fees. Accordingly, we grant your request for a refund of the regulatory fee and late charge penalty paid for FY 2000 for WMJR in the total amount of \$812.50.

¹ See generally Letter from Mark A. Reger, Chief Financial Officer, Office of Managing Director, FCC, to James E. Cloud (Feb. 14, 2002) (denying WMJR's September 25, 2001 request for a refund of the FY 2001 regulatory fee and late charge penalty, but stating that WMJR could file a further request for relief with respect to the FY 2000 fees paid for WMJR together with appropriate documentation).

You should note that WMJR is under a continuing obligation to report to the Commission any changes that could affect its qualification for this fee exemption, such as a change in corporate status or IRS determination. You should retain this letter and submit a copy of it with any future correspondence with the Commission concerning regulatory fees for WMJR.

A check, made payable to the maker of the original check, and drawn in the amount of \$812.50 will be sent to you at the earliest practicable time. If you have any questions concerning this matter, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

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

 Mark A. Reger
Chief Financial Officer

0000 RRA6-02-013

PEPPER & CORAZZINI, LLP
ATTORNEYS AT LAW

1776 K STREET, N.W., SUITE 200
WASHINGTON, D.C. 20006-2334

PATRICIA M. CHUH
EXT. 280
PMC@COMMLAW.COM

February 20, 2002

RECEIVED
FCC

2002 FEB 28 A 10:14

PROCESSING
(202) 296-9600
FAX (202) 296-5572
WWW.COMMLAW.COM

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

RECEIVED

FEB 20 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Further Request for Refund
Thy Kingdom Come Network, Inc.**

Dear Mr. Caton:

This letter is written on behalf of Thy Kingdom Come Network, Inc. ("Licensee"), the licensee of WMJR(AM), Winchester, Kentucky (FCC Fac. ID No. 72321), in response to a February 14, 2002 letter decision by Mark A. Reger, Chief Financial Officer, Office of Managing Director, Federal Communications Commission ("February 14, 2002 Letter Decision")(copy attached), denying a September 25, 2001 request for refund of the FY 2000 regulatory fee and late payment penalty erroneously paid by the Licensee. The February 14, 2002 Letter Decision denied the Licensee's request for refund of the erroneously paid FY 2000 regulatory fee and late payment penalty for failure to provide proper documentation of the Licensee's exempt status from the requirement to pay annual regulatory fees.

The Licensee, by its counsel, now resubmits copies of the Licensee's nonprofit exemption status, which was originally filed with the Commission on September 14, 1999. The following are enclosed:

- IRS Determination Letter documenting nonprofit status of Messengers of Mary, Inc. under section 501(c) of the Internal Revenue Code;
- Articles of Incorporation of Messengers of Mary, Inc.; and
- Articles of Amendment to the Articles of Incorporation of Messengers of Mary, Inc., changing the name of the corporation to **Thy Kingdom Come Network, Inc.**

Federal Communications Commission
February 20, 2002
Page 2

Also enclosed for your convenience are copies of the FCC 159 remittance advice form and cancelled check no. 1336, which the Licensee submitted to the Commission in erroneous payment of the FY 2000 regulatory fee and late payment penalty.

In light of the foregoing, Thy Kingdom Come Network, Inc., by its counsel, hereby requests that the Commission refund to Thy Kingdom Come Network, Inc. the total amount of \$812.50 (comprised of \$650.00 regulatory fee and \$162.50 late payment penalty).

Should any further questions arise concerning this matter, please contact the undersigned directly.

Sincerely,



Patricia M. Chuh

Enclosures

cc: Mark A. Reger (Via Hand Delivery – The Portals – Room 1-A623)
Chief Financial Officer
Office of Managing Director
Federal Communications Commission

PMC/lab
i:\wp\2539a\xfurther request refund 2000 reg fees.doc

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

February 14, 2002

OFFICE OF
MANAGING DIRECTOR

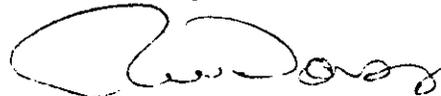
Mr. James E. Cloud
WMJR AM1380
2909 Richmond Road
Suite 5
Lexington, Kentucky 40509

Dear Mr. Cloud:

This is in response to your request (dated September 25, 2001) for a refund of the \$650.00 regulatory fee and \$162.50 late charge penalty paid for Fiscal Year (FY) 2000 for WMJR AM1380, Thy Kingdom Come Network (WMJR), based upon its status as a nonprofit, tax-exempt entity under Section 501 of the U.S. Internal Revenue Code. You state that WMJR is a Section 501(c)(3) tax-exempt private foundation.

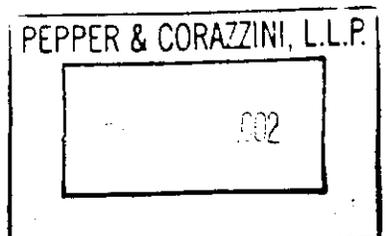
The Commission's rules provide that entities that qualify as tax-exempt, nonprofit organizations under Section 501 of the Internal Revenue Code are exempt from the requirement to pay regulatory fees. 47 C.F.R. §1.1162(c). The burden is on the licensee to document fully the eligibility for waiver, otherwise the regulatory fee is due. Acceptable documentation for eligibility for waiver may include Internal Revenue Service determination letters, state or government certifications, or other documentation that nonprofit status has been approved by a state or other documentation that nonprofit status has been approved by a state or other governmental authority. *Id.* You have provided no documentation to support your claim that WMJR is a tax-exempt, nonprofit organization under Section 501(c)(3) of the Internal Revenue Code. We therefore deny your request for a refund of the regulatory fee and late charge penalty paid for FY 2000 for WMJR. Nevertheless, in light of your general allegations, you may file a further request for relief with respect to the \$812.50 FY 2000 fees paid for WMJR together with an appropriate supporting showing within 30 days from the date of this letter. If you have any questions concerning this matter, please call the Revenue & Receivable Operations Group at (202) 418-1995.

Sincerely,



for Mark A. Reger
Chief Financial Officer

Copy to: Patricia Chun
Pepper & Corazzini, LLP
1776 K Street, NW
Suite 200
Washington, DC 20006



PEPPER & CORAZZINI, LLP
ATTORNEYS AT LAW

FILE COPY

1776 K STREET, N.W., SUITE 200
WASHINGTON, D.C. 20006-2334

PATRICIA M. CHUH
EXT. 280
PMC@COMMLAW.COM

(202) 296-0600
FAX (202) 296-5572
WWW.COMMLAW.COM

September 14, 1999 *File*

Office of the Secretary
Financial Operations Division
Billings and Collections Branch
Federal Communications Commission
Washington, D.C. 20554

RECEIVED

SEP 14 1999

Re: Documentation of Nonprofit Exemption
From Regulatory Fees for
Thy Kingdom Come Network, Inc.
Licensee of WMJR(AM), Winchester, Kentucky
(FCC Facility I.D. No. 72321)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Sir/Madam:

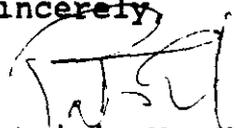
Thy Kingdom Come Network, Inc. [formerly named Messengers of Mary, Inc.], the licensee of WMJR(AM), Winchester, Kentucky, by its attorneys, hereby submits documentation of its nonprofit status under Section 501 of the Internal Revenue Service Code.

Enclosed are the following:

- IRS Determination Letter documenting nonprofit status of Messengers of Mary, Inc. under section 501(c) of the Internal Revenue Code; and
- Articles of Incorporation of Messengers of Mary, Inc.; and
- Articles of Amendment to the Articles of Incorporation of Messengers of Mary, Inc., changing the name of the corporation to Thy Kingdom Come Network, Inc.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,


Patricia M. Chuh

Enclosures

bcc: Mr. Charles P. Harper

icc: JFG

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 2508
CINCINNATI, OH 45201

To Charlie

DEPARTMENT OF THE TREASURY

996-0
#1

Date: AUG 05 1994

MESSENGERS OF MARY, INC.
3732 SALISBURY DR.
LEXINGTON, KY 40510

Employer Identification Number:
61-1256833
Case Number:
314135005
Contact Person:
ZENIA LUK
Contact Telephone Number:
(513) 684-3578
Accounting Period Ending:
December 31
Foundation Status Classification:
509(a)(1)
Advance Ruling Period Begins:
August 23, 1993
Advance Ruling Period Ends:
December 31, 1997
Addendum Applies:
No

Dear Applicants:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(v).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we

Letter 1045 (00/CG)

MESSENGERS OF MARY, INC.

will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social securities taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to or other participation in fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed later, unless there is reasonable

MESSENGERS OF MARY, INC.

cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your applications, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

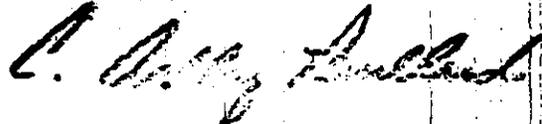
This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



C. Ashley Bullard
District Director

Enclosure(s):
Form 872-C

Letter 1045 (DD/CG)

TOTAL P.04

BOOK 0154 PAGE 650

ARTICLES OF INCORPORATION OF
MESSINGERS OF MARY, INC.

RECEIVED & FILED

\$ 8.00

AUG 23 12 33 PM '93

The undersigned incorporator executes these Articles of Incorporation for the purpose of forming and does hereby form a nonprofit corporation under the laws of the Commonwealth of Kentucky, KRS 273.161 et seq., in accordance with the following provisions.

ARTICLE I

The name of the corporation is Messingers of Mary, Inc.

ARTICLE II

The corporation is organized and operated exclusively for religious purposes. In carrying out its corporate purposes, the corporation shall have all the powers allowed corporations by Chapter 273 of the Kentucky Revised Statutes.

ARTICLE III

The business and affairs of the corporation shall be governed by a Board of Directors. The seven (7) members of the initial Board of Directors shall serve until their successors are elected and qualify. A director may be removed from office by a majority of the remaining directors, with or without cause. The names and mailing addresses of the initial directors are:

- | | |
|-------------------|--|
| Fr. Bill Bush | 304 South Main
Nicholasville, Kentucky 40503 |
| Michael Huber | 3541 Germann Court
Lexington, Kentucky 40503 |
| Jim Paris | 2084 Narborn Drive
Lexington, Kentucky 40502 |
| Lillian Oliver | 1237 Deerwood Drive
Lexington, Kentucky 40601 |
| Mary Ann Swerczek | 664 Providence Road
Lexington, Kentucky 40502 |
| Dolly Terek | 185 St. William Drive
Lexington, Kentucky 40502 |
| Jim Cloud | 3732 Salisbury Drive
Lexington, Kentucky 40510 |

ARTICLE IV

The corporation shall have no members.

930823213

Return to Attorney

BOOK 0184 PAGE 651

ARTICLE V

The bylaws of the corporation shall be adopted, and may be amended or repealed, by the Board of Directors.

ARTICLE VI

The street address of the initial registered office of the Corporation is 3732 Salisbury Drive, Lexington, Kentucky 40510.

The name of the initial registered agent at that address is Jim Cloud.

ARTICLE VII

The mailing address of the principal office of the corporation is 3732 Salisbury Drive, Lexington, Kentucky 40510.

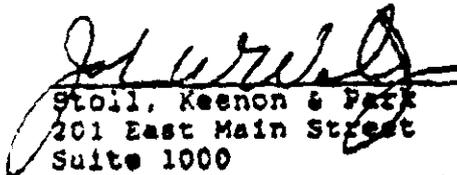
ARTICLE VIII

The name and address of the incorporator is Jim Cloud, 3732 Salisbury Drive, Lexington, Kentucky 40510.

Signed by the incorporator at Lexington, Kentucky, this _____ day of _____, 1993.

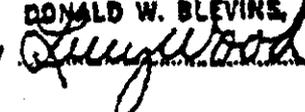

Jim Cloud

This instrument prepared by:


Stoll, Keenon & Park
201 East Main Street
Suite 1000
Lexington, Kentucky 40507

STATE OF KENTUCKY
COUNTY OF FAYETTE SCT.

I, DONALD W. BLEVINS, CLERK OF SAID COUNTY COURT HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT HAS BEEN DULY RECORDED IN CORPORATE RECORD BOOK 184 PAGE 650 IN MY SAID OFFICE.

DONALD W. BLEVINS, CLERK
BY  D.C.

ORDERED TO RECORD
PAID \$5.50 TAX
AUG 29 3 15 PM '93
DEPUTY CLERK
FAYETTE COUNTY CLERK


CORP. RECORD BOOK 234 PAGE 385

**I, Donald W Blevins, County Court Clerk
of Fayette County, Kentucky, hereby
certify that the foregoing instrument
has been duly recorded in my office.**



By: Doug BRADLEY, dc

199902160200

February 16, 1999

11:05:43 AM

Fees \$9.00

Tax \$0.00

Total Paid \$9.00

THIS IS THE LAST PAGE OF THE DOCUMENT

2 Pages

384 - 385

RECEIVED & FILED

ARTICLES OF AMENDMENT TO THE
ARTICLES OF INCORPORATION OF
MESSENGERS OF MARY, INC.

2:30
FEB 12 11 25 AM '99

Pursuant to KRS273.267, the undersigned corporation hereby ~~executes~~ *executes* these Articles of Amendment to its Articles of Incorporation, for the purpose of deleting Article I therein, and substituting the following Article I, for the purpose of changing the corporate name:

ARTICLE I

The name of the corporation is Thy Kingdom Come Network, Inc.

There are no members of the corporation. The above amendments to the Articles of Incorporation were adopted by the vote of a majority of the directors in office, on January 19, 1999.

Thy Kingdom Come Network, Inc.
(formerly known as Messengers of Mary, Inc.)

James E. Cloud
By James E. Cloud, President

This instrument prepared by:

Miller, Griffin & Marks, PSC
271 West Short Street, Suite 700
Lexington, KY 40507-1292

Donald R. Rose
By: Donald R. Rose

MAIL TO ATTORNEY

4/15/94

ARTICLES OF AMENDMENT TO THE
ARTICLES OF INCORPORATION OF
MESSINGERS OF MARY, INC.

RECEIVED & FILED
\$ 8.00
Apr 12 3 37 PM '94

Pursuant to the provisions of KRS 273.267, the undersigned corporation hereby executes these articles of amendment to its articles of incorporation:

- (A) The name of the corporation is Messingers Mary, Inc.
- (B) Article I is amended, and Article IX added, as follows:

ARTICLE I

The name of the corporation is Messengers of Mary, Inc.

ARTICLE IX

The corporation is organized exclusively for charitable, religious, education, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 505(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or others private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the corporation shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code."

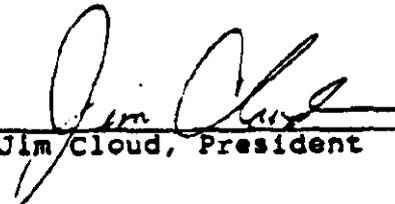
Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes

within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

(C) There are no members of the corporation. The above amendments to the articles or incorporation were adopted by the unanimous consent of the directors as of April 7, 1994:

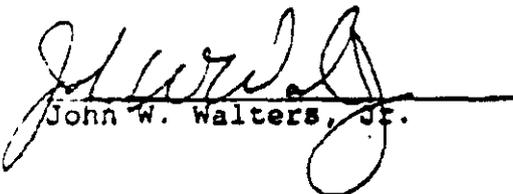
April 7, 1994

Messengers of Mary, Inc.


Jim Cloud, President

This instrument prepared by:

Stoll, Keenon & Park
201 East Main Street, Suite 1000
Lexington, Kentucky 40507


John W. Walters, Jr.

c:\work\alec\messengm4.art

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
3060-0589
Page No 1 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)

WMJR-AM - The Kingdom Come Network

(3) TOTAL AMOUNT PAID (U.S. Dollars and cents)

812.50

(4) STREET ADDRESS LINE NO. 1

2909 Richwood Rd

(5) STREET ADDRESS LINE NO. 2

Suite 5

(6) CITY

Lexington,

(7) STATE

KY

(8) ZIP CODE

40509

(9) DAYTIME TELEPHONE NUMBER (include area code)

859-268-4748

(10) COUNTRY CODE (if not in U.S.A.)

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

(11) PAYER (FRN)

0004-2825-70

(12) PAYER (TIN)

61-1256833

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)

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

(23A) CALL SIGN/OTHER ID

WMJR-AM

(24A) PAYMENT TYPE CODE

0037

(25A) QUANTITY

(26A) FEE DUE FOR (PTC)

(27A) TOTAL FEE

\$650.00

FCC USE ONLY

(28A) FCC CODE 1

2000-9MB-0793

(29A) FCC CODE 2

(23B) CALL SIGN/OTHER ID

(24B) PAYMENT TYPE CODE

0099

(25B) QUANTITY

(26B) FEE DUE FOR (PTC)

(27B) TOTAL FEE

\$162.50

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, JAMES E. CLAW, 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 [Signature]

DATE 5/16/01

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION DATE:

MASTERCARD

VISA

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

SIGNATURE _____

DATE _____