



PUBLIC NOTICE

Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

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Internet: <http://www.fcc.gov>
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DA-06-391

Before the
Federal Communications Commission
Washington, D.C. 20554

PUBLIC NOTICE

Released: February 23, 2006

FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC

The Managing Director is responsible for fee decisions in response to requests for waiver or deferral of fees as well as other pleadings associated with the fee collection process. A public notice of these fee decisions is published in the FCC record.

The decisions are placed in General Docket 86-285 and are available for public inspection. A copy of the decision is also placed in the appropriate docket, if one exists.

The following Managing Director fee decisions are released for public information:

Conquer Communications, Inc. (WQMS-AM) – Request for waiver of FY 2005 regulatory fee late payment penalty. **Granted** (December 13, 2005) [See 47 C.F.R § 1.1164]

Eads Broadcasting Corporation - Request for waiver of FY 2005 regulatory fee late payment penalty. **Denied** (January 6, 2006) [See 47 C.F.R § 1.1164]

Encuentro Christian Network Corp– Request for exemption from regulatory fee. **Granted** (January 19, 2006) [See 47 C.F.R. §1.1162(c)]

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FFD Holdings, Inc. - Request for refund of FY 2004 regulatory fees. **Granted** (December 07, 2005) [See 47 C.F.R §§ 1.1160(a)(3)]

Hawaii Pacific Teleport, LP - Request for refund of FY 2005 regulatory fees. **Granted** (January 6, 2006) [See Assessment and Collection of Regulatory Fees for Fiscal Year 2005, Assessment and Collection of Regulatory Fees for Fiscal Year 2004, Report and Order and Order on Reconsideration, 2005 WL 1585408 ¶ 46 (2005)]

Meridian Communications of Idaho, Inc - Request for waiver and refund of FY 2005 regulatory fees. **Granted** (January 6, 2006) [See 73.3598(b)(ii)]

PetroCom License Corporation - Request for waiver of FY 2005 regulatory fee late payment penalty. **Granted** (December 13, 2005) [See Public Notice, DA 05-2396, August 31, 2005]

Inphonic Inc. - Request for exemption from FCC regulatory fees. **Granted** (January 19, 2005) [See Assessment and Collection of Regulatory Fees for Fiscal Year 2002, 17 FCC Rcd 13203 Attachment F, ¶14 (2002) and Assessment and Collection of Regulatory Fees for Fiscal Year 2001, 16 FCC Rcd 13525, Attachment F, ¶15 (2001)]

WDLP Licensed Subsidiary, LLC- Request for

waiver of FY 2005 regulatory fee. **Granted** (January 19, 2006) [*See* Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12759 (1995)]

West Point Broadcasting, Inc. (KTIC and KWPN-FM) - Request for refund of FY 2004 regulatory fees late penalty. **Denied** (January 19, 2006).

NOTE: ANY QUESTIONS REGARDING THIS REPORT SHOULD BE DIRECTED TO THE REVENUE AND RECEIVABLES OPERATIONS GROUP AT (202) 418-1995.

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

DEC 13 2005

OFFICE OF
MANAGING DIRECTOR

Joe Dunagan President
Conquer Communications, Inc.
311 County Line Road, # 140
Quitman, Mississippi 39355

Re: WQMS-AM, Quitman, Mississippi
Request for Extension of FY 2005
Regulatory Fee Payment Deadline
Fee Control No. 00000RROG-05-069

Dear Mr. Dunagan:

This responds to your September 28, 2005 letter requesting waiver of the penalty for payment of the fiscal year (FY) 2005 regulatory fee for Conquer Communications, Inc. (Conquer Communications), licensee of WQMS-AM, Quitman, Mississippi. Our records show that the regulatory fee in the amount of \$450 and late penalty in the amount of \$112.50 were paid on September 27, 2005. As explained below, we find that Conquer Communications is not subject to any late penalty for payment of the FY 2005 regulatory fee.

In your September 28, 2005 letter, you state that because of Hurricane Katrina, you have not been able to gather the necessary funds to pay the FY 2005 regulatory fee until now (*i.e.*, the date of your letter). Specifically, you state that power to the station was lost for approximately two weeks. You also state that a tree fell through the roof of the building where the studio is located.

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 licensee 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. See 47 C.F.R. § 1.1164.

On August 31, 2005, the Commission extended the payment deadline for those licensees and regulatees in the area affected by Hurricane Katrina from 11:59 p.m. September 7, 2005, to 11:59 p.m. September 28, 2005.¹ For all others, *i.e.*, those not affected by the hurricane, the previous announced window remains in effect, and the Commission's rules concerning late payment or non-payment will be enforced.² Licensees and regulatees affected by the hurricane must include a certification that payment could not be made within the previous announced time because of the hurricane.³

Based on the information you submitted, we find that Conquer Communications is subject to the Commission's extended payment deadline and that payment of its FY 2005 regulatory fee was made in a timely fashion. Accordingly, Conquer Communications will not be assessed any late penalty.

A check drawn in the amount of \$112.50 will be mailed to you at the earliest practicable time. If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer

¹ Public Notice, DA 05-2396, August 31, 2005.

² Id.

³ Id.

00008RROG-05-069

CONQUER COMMUNICATIONS, INC.
311 County Line Rd., # 140
Quitman, MS 39355

3653

September 28, 2005

BY FACSIMILE (202) 418-7869

Mr. Stephen French
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WQMS(AM), Quitman, MS
Request for Waiver of Late Fee

Dear Mr. French:

I am the president of Conquer Communications, Inc., which is the licensee of Station WQMS(AM), Quitman, MS. Conquer's FRN is 0007-6447-76. I understand that FCC regulatory fees for the station were due to be paid by September 7, 2005, however, because of Hurricane Katrina, I have not been able to gather the necessary funds to pay the FCC fee until now. My attorney in Washington, D.C., Scott Cinnamon, will be making the payment today on Conquer's behalf.

Given the unprecedented impact the hurricane had on businesses and communities in Mississippi, the temporary relief the FCC has offered to affected broadcasters is greatly appreciated. Power to the station was lost for approximately two weeks, and a tree fell through the roof of the building where the studio is located. Because of this unique situation, I respectfully request that the late fee for WQMS' 2005 regulatory fee be waived.

If you have any questions concerning this request, please contact me directly at 574-229-3879. Thank you very much in advance for your consideration.

Sincerely,

Joe Dunagan