



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

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August 7, 2001

FY 2001 Commercial Wireless Regulatory Fees

The Federal Communications Commission issues this Public Notice in order to provide information concerning the payment of regulatory fees in FY 2001. If you hold authorizations in any of the commercial wireless services you should carefully review this Public Notice.

WHO MUST PAY REGULATORY FEES IN FY 2001

Most licensees and other entities regulated by the Commission must pay regulatory fees in FY 2001. This Public Notice concerns only the following commercial mobile radio services (CMRS) regulatees: specialized mobile radio services (Part 90); public coast stations (Part 80); public mobile radio, cellular, 800 MHz air-ground radiotelephone, and offshore radio services (Part 22); and PCS broadband services. The CMRS messaging services category includes all one-way (Parts 22 and 90), two-way paging, qualifying interconnected business radio services, 220-222 MHz land mobile systems (Part 90), PCS narrowband services (e.g. one-way and two-way paging), and all SMR systems authorized for operation with less than 10 MHz bandwidth. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.* All other private wireless regulatory fees are paid in advance for the full license term and submitted along with the appropriate application fee. Responsibility for payment of that fee rests with the current holder of the permit or license at the time payment is due. A regulatee is responsible for summing all of its services in order to determine if a fee is due. If the sum of all services owed is less than \$10, then the regulatee is exempt from paying the fee.

WHY THE COMMISSION MUST COLLECT REGULATORY FEES

The requirement to collect annual regulatory fees is contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993." These regulatory fees, which are likely to change each fiscal year,

are used to offset costs associated with the Commission's enforcement, public service, international and policy and rulemaking activities. These fees are in addition to any application processing fees associated with obtaining a license or other authorization from the Commission.

WHEN FEES WILL BE DUE
FEE PAYMENTS MAY BE SUBMITTED PRIOR TO SEPTEMBER 10, 2001

Regulatory fee payments may be made to Mellon Bank at any time through September 21, 2001. Payments received after 11:59 PM on September 21, 2001 will be assessed a 25% late payment fee. As in previous years, there will be a formal window for the acceptance of regulatory fees between September 10, 2001 and September 21, 2001. However, unlike in prior years, the Commission will, for the convenience of payers, accept fee payments made in advance of that window.

TYPE OF FEE	REGULATORY FEE PAYMENT	FEE CODE
CMRS Cellular Radio Licensees (Part 22)	\$0.27 per telephone number/unit	0111
CMRS Mobile Services (Parts 22, 24, 27, 80 and 90)	\$0.27 per unit	0112
CMRS Messaging Services (Parts 22, 24 and 90)	\$0.05 per unit	0113

Licensees whose fee payments are based upon a telephone number or unit count should use the number of telephone numbers or units as of December 31, 2000. **CMRS mobile radio licensees with multiple call signs should submit Form 159 listing the first four call signs and list each additional call sign on as many Form 159-C's as necessary (call signs listed on a separate sheet will not be acceptable).** See "Special Instructions for Completing FCC Forms 159 and 159-C" for correct Payment Type Codes.

IMPORTANT FY 2001 CHANGES FOR REGULATORY FEE FILERS

The Remittance Advice 159 has been revised to accept payer and applicant FCC Registration Numbers (FRN). We recommend that you begin using the registration number with all payments to the Commission. If you do not yet have an FRN, you can obtain one through the FCC website listed below, or by filling out the registration form (Form 160) enclosed in this public notice. If at the time of submission you still do not have an FRN number, and do not wish to obtain one either through the FCC website or by submitting Form 160, you must submit your payment using the July 1997 Form 159 and include your Tax Identification Number (TIN) or other identifier. You can obtain the July 1997 Form 159 through the FCC website (<http://www.fcc.gov/formpage.html>) or by calling the Forms Room, who will then fax or mail you a copy of this version of Form 159. **Please note that future**

transactions with the FCC will require the use of the FCC FRN number. Therefore, we encourage you to obtain and use the FCC FRN as soon as possible.

To obtain a revised Remittance Advice 159:

- A revised Remittance Advice 159 is included in this package
- Go to <http://www.fcc.gov/formpage.html>.
- Call the FCC's Form Distribution Center at 1-800-418-FORM [3676].
- Pick up the form at the Commission in Room TW-B200
- Call CORES Helpdesk at 1-877-480-3201.

The Commission first began accepting Registration Numbers (FRN) after July 19, 2000. As was the case last year, we are encouraging all payers to obtain and use the FRN when submitting their payment of regulatory fees.

If you were registered in the Wireless Telecommunications Bureau's Universal Licensing System (ULS) and your registration included all the information we needed to issue a Registration Number, we pre-registered you and mailed you your FRN in a letter dated last July (2000). You may want to check CORES to determine if you are still registered.

To obtain a Registration Number:

- Register at www.fcc.gov, click on E-Filing at the top of the page, and scroll down to the CORES Registration link.
- Check your pre-assigned number at www.fcc.gov, click on E-Filing at the top of the page, and scroll down to the CORES Registration link.
- File FCC Form 160, (CORES Registration) which is included in this package. You may obtain the form at <http://www.fcc.gov/formpage.html> or by calling the FCC's CORES Helpdesk at 1-877-480-3201. You may also pick up the form in Commission Room TW-B200. Mailing instructions are on the form.

If you are unable to register electronically, you can still submit your application for a Registration Number (FCC Form 160) directly to Mellon Bank (along with your filing documents and payment), or fax the FRN registration form to the CORES Helpdesk at (202) 418-7869. Mellon will register you and you will receive a confirmation letter from the FCC through the U.S. Postal Service mail.

Please also note that **Regulatory Fee Payment Type Codes have changed** with respect to the first two digits of the code referencing the year. For example, last year's code of "0011" is now "0111" for FY 2001. The codes for FY 2001 are listed in the back of this notice under the section, **Special Instructions for Completing FCC Forms 159 and 159-C**. To assure proper credit for your regulatory fees, **please be sure to use the codes for FY 2001**.

FCC FORM 159

Regulatory fee payments should be accompanied by FCC Form 159 ("FCC Remittance Advice") dated February 2000. A copy of this form, with specific instructions, is attached to this Public Notice and may be used to submit fees. Reproduced forms are acceptable. Please see "Special Instructions for Completing FCC Forms 159 and 159-C" for detailed information on how to correctly complete these forms. You must list each entity separately on Forms 159/159-C. Written attachments are not acceptable. Failure to properly complete FCC Form 159/159-C will delay the processing of your regulatory fee payment.

Any regulatee may submit the Form 159 information electronically by accessing the FCC website: www.fcc.gov. Information on how to file electronically using the Commission's fee filer system will be made available on a subsequent public notice.

WHERE TO SEND REGULATORY FEE PAYMENTS

If sending your regulatory fee payment by mail, please address your envelope as follows:

**Federal Communications Commission
Regulatory Fees
P.O. Box 358835
Pittsburgh, PA 15251-5835**

If you prefer to send your regulatory fee payment by courier to our lockbox bank, you may do so 24 hours per business day (except Federal or bank holidays). Please address your envelope and deliver it to the following address. Since the courier will be delivering the payment inside their own envelope, it may be helpful to include the mailing address above on the outside of your payment envelope.

**Federal Communications Commission
c/o Mellon Client Service Center
500 Ross Street, Room 670
Pittsburgh, PA 15262-0001
(Attention: FCC Module Supervisor)**

METHOD OF PAYMENT

Regulatory fee payments may be made by check, money order, or by credit card (Visa or Mastercard only), **payable to the "Federal Communications Commission"**. When paying by credit card, please make sure you complete and sign block 31 of FCC Form 159. Payments may also be made by wire transfer or by ACH payment. Instructions are provided below.

NOTE: We encourage arrangements to consolidate regulatory fee payments either by a single entity or by

different entities into a single payment instrument. Consolidated fee payments may cover any number of service categories. Payers who will be making a single payment for a significant number of entities and wish to submit their payment information electronically in lieu of submitting a large number of FCC Forms 159-C ("Advice Continuation Sheets") may do so by accessing the FCC website. Specific instructions regarding diskette submission will be issued separately. No more than twenty-five (25) Form 159-C's should be manually submitted for payment. If more than twenty-five (25) Form 159-C's are to be submitted, we encourage the public to file the information electronically through the fee filer program. Only properly filled out Form 159's will be accepted. Attached listings of call signs or other FCC identifiers will not be accepted.

WIRE TRANSFER PAYMENT INSTRUCTIONS

A wire transfer is a transaction that you initiate via your bank. It authorizes your bank to wire funds from your account to our lockbox bank, the Mellon Bank in Pittsburgh, PA. All payments made by wire transfer (payable to the "Federal Communications Commission") must be supported by a completed FCC Remittance Advice (FCC Form 159) and Advice Continuation Sheet (FCC Form 159-C), if required. The FCC Form 159 must be faxed to Mellon Bank at (412) 209-6045 at least one hour before the wire transfer on the same business day. Indicate on the top of the FCC Form 159 "Wire Transfer - Regulatory Fee Payment." In Box (1) - Lockbox#, located at the upper left hand corner, indicate "358835." **Failure to submit the completed FCC Form 159 one hour prior to wiring payment will result in a delay in crediting your account. Due to Federal Reserve regulations, wire transfers received after 6:00 p.m. (EDT) will be credited the next business day.**

The following information should be provided to your bank to complete the wire transfer:

ABA Routing Number 043000261
Receiving Bank: Mellon Pittsburgh
BNF: FCC/ACV--9116106
OBI Field: (Skip one space between each information item)
"REGULATORYPAY"
PAYER TIN (Exactly as on FCC Form 159, Block #12)
PAYER NAME (Exactly as on FCC Form 159, Block #2)
Phone: (Daytime Phone #, exactly as on FCC Form 159, Block #9)
LOCKBOX 358835

ACH DEBIT PAYMENT INSTRUCTIONS

If you are interested in using Mellon's Customer Initiated Payment Program (CIP), a brief application form must be completed and a personal identification number (PIN) issued by the bank. Arrangements for using this process must be completed 14 days prior to submitting payment of the regulatory fee. After you have been set up for this program, you may want to submit your payment by September 20, 2001 to ensure that your payment is processed by the deadline date of September 21, 2001. Please use the FCC's website to obtain information and a copy of the Customer Initiated Payment Program

(CIP) package. The website is located at www.fcc.gov/fees, and search the left side margin for Customer Initiated Payment Program (CIP). You can also contact the Revenue and Receivable Operations Group at (202) 418-1995 to request the Customer Initiated Payment Program Package.

COMPLIANCE

Please make sure your total remittance and the amount indicated on the FCC Form 159 are in agreement. Failure to do so will delay processing. Licensees are solely responsible for accurately accounting for all licenses and for paying proper regulatory fees. Any data omission, erroneous or incomplete data submission, or payment deficiency may result in a **25% monetary penalty**, dismissal of pending actions, and/or revocation of any authorization. You are strongly urged to submit your payments on time and accurately in order to avoid a penalty. Additionally, the Commission will invoke any lawful authority it may possess under the Debt Collection Improvement Act of 1996 to collect any fees due or outstanding against any licensee failing to meet its regulatory fee payment obligations.

NOTICE

We remind you that pursuant to a Report & Order adopted October 17, 1997, Section 1.1157 "Payment of charges for regulatory fees" was amended by adding a new paragraph (d) to read as follows:

(d) Any Commercial Mobile Radio Service (CMRS) licensee subject to payment of an annual regulatory fee shall retain for a period of two (2) years from the date on which the regulatory fee is paid, those business records that were used to calculate the amount of the regulatory fee.

We are periodically performing audits in several service areas. It is in the interest of all regulatory fee payers to follow the payment rules precisely and maintain the appropriate documentation.

WAIVERS, REDUCTIONS AND DEFERMENTS OF REGULATORY FEES

The Commission will consider requests for waivers, reductions or deferments of regulatory fees, in extraordinary and compelling circumstances only, upon a showing that such action overrides the public interest in reimbursing the Commission for its regulatory costs. Your regulatory fee must be paid by the due date even if a request is made for a waiver or reduction. This will ensure efficient collection in situations where a waiver or reduction is not warranted and will allow the requestor to avoid a **25% late-payment penalty** if its request is denied. The regulatory fee will be refunded later if the request is granted. Only in exceptional or compelling instances (where payment of the regulatory fee along with the waiver or reduction request could result in the reduction of community service or financial hardship to the licensee), will the Commission accept a petition to defer payment along with a waiver or reduction request. All requests for deferments must be received by September 21, 2001 in order to

avoid the **25% late-payment penalty**. Please submit your written waiver or reduction request to the following address:

Office of the Managing Director
Federal Communications Commission
445 12th Street, S.W., Room 1-A625
Washington, D.C. 20554
attn: Regulatory Fee Waiver/Reduction Request

However, submit your regulatory fee payment to the address on page 4 of this Public Notice.

ADDITIONAL INFORMATION

Applicable Public Notices, and FCC Forms 159 and 159-C are available from the FCC Consumer Center and can be downloaded from the Internet (<http://www.fcc.gov> or <ftp@fcc.gov>). Text of the Report and Order including the entire Schedule of Regulatory Fees can be downloaded from the Internet. Forms may also be obtained by contacting the Forms Hotline at (800) 418-FORM (3676) outside the Washington, D.C. area, or (202) 418-3676 locally. For additional information, please contact the Consumer Center at (888) 225-5322, or write to: Federal Communications Commission, ATTN: Consumer Center, 445 12th Street, S.W., Washington, D.C., 20554.

FEE PAYMENT PROCEDURES FOR CMRS SERVICE PROVIDERS

WHO MUST PAY: CMRS cellular providers (common carriers providing cellular radio service to the public), CMRS mobile service licensees (common carriers authorized under Parts 22, 24, 27, 80 and 90 to offer land-based or air-to-ground mobile telephone or paging services to the public)¹, and CMRS messaging licensees (authorized under Parts 22, 24, and 90). The CMRS messaging services category includes all one-way (Parts 22 and 90), two-way paging, qualifying interconnected business radio services, 220-222 MHz land mobile systems (Part 90), PCS narrowband services (e.g. one-way and two-way paging), and all SMR systems authorized for operation with less than 10 MHz bandwidth. Governments and nonprofit entities (exempt under Section 501 of the Internal Revenue Code) are not required to pay regulatory fees and should not submit payment. *The Commission requires that each exempt entity submit, or have on file with the Commission, a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status.*

Payment Due Date

FEE PAYMENTS MAY BE SUBMITTED PRIOR TO SEPTEMBER 10, 2001

¹ In addition to cellular telephone service, these services include those using radio to provide telephone service locations, such as Public Coast and Offshore Radio.

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**SPECIAL INSTRUCTIONS FOR COMPLETING
FCC FORMS 159 AND 159-C**

FCC Form 159 ("FCC Remittance Advice") and, as necessary, FCC Form 159-C ("Advice Continuation Sheet") must accompany all regulatory fee payments. FCC Form 159 allows payers to report information on one or more payment items (e.g., cellular subscribers, public mobile subscribers, paging units, or a combination). Use FCC Form 159-C to report additional payments.

FCC Forms 159 and 159-C have been attached to this Public Notice for you to complete and remit with your payment. You may make additional copies of the forms as required. In addition to the instructions for FCC Form 159, the following information applies specifically to commercial wireless regulatees:

Block (9) - "Telephone Number":

- Enter the telephone number of the individual responsible for submitting the payment and supporting FCC Form 159 and Form 159-C.

Block (12) - "PAYER TIN":

- Enter the fee payer's nine digit Taxpayer Identification Number.

Block (22) - "APPLICANT TIN":

- If different from payer, enter the applicant's nine digit Taxpayer Identification Number.

Block (23A) - "FCC CALL SIGN/OTHER ID":

- CMRS mobile and CMRS Messaging licensees should enter their **CALL Sign**. **You may not receive proper credit for regulatory fee payment if you fail to provide a call sign for each entry on FCC Form 159/159-C**

Block (24A) - "PAYMENT TYPE CODES": (PLEASE NOTE YEAR CHANGE ON PAYMENT CODES)

- 0111:** Use this code when making a regulatory fee payment for a CMRS cellular radio license (\$0.27 per telephone number/unit).

0112: Use this code when making a regulatory fee payment for a CMRS mobile radio license (\$0.27 per unit).

0113: Use this code when making a regulatory fee payment for a CMRS messaging license (\$0.05 per unit).

Block (25A) - "QUANTITY":

- CMRS cellular radio licensees should enter the number of telephone numbers/units.
- CMRS mobile radio licensees should enter the total number of units.
- CMRS messaging licensees should enter the total number of units.

Block (27A) - "TOTAL FEE":

- For CMRS cellular radio licensees (payment type code **0111**), multiply the amount from Block 25A ("Quantity") by \$0.27. **Round down to the nearest whole dollar.**
- For CMRS mobile radio licensees (payment type code **0112**), multiply the amount from Block 25A ("Quantity") by \$0.27. **Round down to the nearest whole dollar.**
- For CMRS messaging licensees (payment code **0113**), multiply the amount from Block 25A ("Quantity") by \$0.05. **Round down to the nearest whole dollar.**

Block (28A) - "FCC CODE 1":

- Leave this block blank.

Block (29A) - "FCC CODE 2":

- Leave this block blank.

Block (30) - "CERTIFICATION":

- Provide the printed name and signature of an individual owner/licensee or officer attesting to the accuracy and completeness of the information supplied.

Please remember to include a daytime telephone number so that the Federal Communications Commission can contact you if questions arise regarding your payment.

- FCC -