



REGULATORY FEES FACT SHEET

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

September 5, 2013

WHAT YOU OWE – COMMERCIAL WIRELESS SERVICES FOR FY 2013

Each year, the Commission is required to collect regulatory fees. Licensees and regulatees are assessed fees as set forth in *Assessment and Collection of Regulatory Fees for Fiscal Year 2013, Report and Order* 78 FR 52433, (August 23, 2013) (“*FY 2013 Regulatory Fees Report and Order*”). The Commission also publishes industry-specific guidance in *Who Owes Fees & What Is My FY 2013 Fee*, which can be found on the Commission website at <http://transition.fcc.gov/fees/regfees.html>.

The Commission’s automated filing and payment system (“Fee Filer”) is now available for filing and payment of FY 2013 regulatory fees. **Regulatory fee payments must be RECEIVED by the Commission no later than 11:59 PM, Eastern Daylight Time, on September 20, 2013.**

This *Fact Sheet* applies to holders of licenses in the following commercial wireless services: Commercial Mobile Radio Service (CMRS), Broadband Radio Service (BRS) (formerly known as multipoint distribution service (MDS) and multichannel multipoint distribution service (MMDS)), and local multipoint distribution service (LMDS).

CMRS licensees include: 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 (Part 24). 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 (Part 24) (e.g. one-way and two-way paging), and all SMR systems authorized for operation with less than 10 MHz bandwidth (Part 90). All other private wireless regulatory fees that are not noted here are paid in advance for the full license term and are submitted along with the appropriate application fee.

CMRS PROVIDERS

Who Must Pay: CMRS cellular licensees, CMRS mobile service licensees, and CMRS messaging licensees. CMRS providers owe regulatory fees for each license held as of **October 1, 2012**, even if a license expired after October 1, 2012. In instances where a license or authorization is transferred or assigned after October 1, 2012, the fee must be paid by the party that is the licensee or holder of the authorization on the date that the fee payment is due.

Payment and Documentation Requirement: CMRS fees are assessed on the number of telephone numbers or unit counts, as stated in the table below. If the provider received a letter from the FCC regarding its CMRS cellular or mobile telephone number count based on its NRUF¹ filing, and there are revisions to the subscriber count, the service provider should enter Fee Filer and make the revision. The

¹ Numbering Resource Utilization Forecast (NRUF) report.

FCC will then review the revision and determine whether to approve or disapprove the new subscriber count. If the revised figure is disapproved, the provider will be contacted by an FCC staff member for additional information. All other CMRS cellular and mobile licensees that did not receive a letter from the FCC should use the number of telephone numbers or units as of **December 31, 2012**. CMRS Messaging (Paging) licensees are not sent a letter from the FCC, and should therefore use the number of telephone numbers or units as of **December 31, 2012** for their subscriber count.

Pursuant to 47 CFR Section 1.1157(d), CMRS providers must retain the business records that were used to calculate their fee payment for a period of two (2) years from the date of regulatory fee payment.

Type of Fee	Regulatory Fee Payment	Payment Type Code
CMRS Cellular Radio (Part 22) and CMRS Mobile Services (Parts 22, 24, 27, 80 and 90) Cellular Radio and Mobile Services are to use the same Payment Type Code 1311.	\$0.18 per telephone number/unit	1311
CMRS Messaging Services (Parts 22, 24 and 90)	\$0.08 per unit	1313

BRS (FORMERLY MDS/MMDS) AND LMDS PROVIDERS

Who Must Pay: BRS and LMDS providers owe regulatory fees for each license held as of October 1, 2012, even if a license expired after October 1, 2012. In instances where a license or authorization is transferred or assigned after October 1, 2012, the fee must be paid by the party that is the licensee or holder of the authorization on the date that the fee payment is due.

Fee Requirement: Regulatory fees for BRS are assessed on a per license basis, whereas regulatory fees for LMDS are assessed on a per call sign basis as follows:

Type of License	Regulatory Fee	Payment Type Code
BRS (Formerly MDS/MMDS)	\$510	1314
LMDS	\$510	1385

Note: Beginning in FY 2013, the BRS/LMDS fee categories will be assigned bill numbers.²

² A bill is considered an account receivable in the Commission's accounting system. Bills reflect the amount owed and have a payment due date of the last day of the regulatory fee payment window. Consequently, if a bill is not paid by the due date, it becomes delinquent and is subject to our debt collection procedures. See also 47 C.F.R. §§ 1.1161(c), 1.1164(f)(5), and 1.1910.

MANDATORY USE OF FEE FILER

The use of the online Fee Filer system for filing regulatory fees has not changed since the process was first initiated in FY 2009: licensees and regulatees must first enter the Commission's Fee Filer system with a valid FRN and password, and follow the online prompts to generate a Form 159-E voucher to be submitted, with the appropriate regulatory fee payment, to the designated entity, U.S. Bank. Use of the online Fee Filer system is mandatory, and only Form 159-E vouchers generated from Fee Filer may be submitted with regulatory fee payments to U.S. Bank. Instructions on the use and submission of Form 159-E payments also are available on the Commission's website in the publication, *Who Owes Fees & What Is My FY 2013 Fee*, referenced above.

Licensees and regulatees paying regulatory fees by check should note that beginning on October 1, 2013, the Commission will no longer accept checks (including money orders and cashier's checks) and the accompanying hardcopy forms (e.g., Form 159's, Form 159-B's, Form 159-E's, Form 159-W's) for the payment of regulatory fees. As of October 1, 2013 all payments must be made by online ACH payment, online credit card, or wire transfer. Any other form of payment (e.g., checks) will be rejected and sent back to the payor. An accompanying Form 159-E should be transmitted via FAX for wire transfers so that the Commission can associate the wire payment with the corresponding regulatory fee payment. **This change will affect all payments of regulatory fees made on or after October 1, 2013.**³

LIMITATIONS ON CREDIT CARD TRANSACTIONS

The U.S Treasury will no longer process credit card transactions greater than \$49,999.99. Treasury Financial Manual (TFM) No. A-2012-02 (<http://tfm.fiscal.treasury.gov/v1/announce/a-12-02.html>), February 2012, directs agencies to limit credit card collections amounts not to exceed \$49,999.99.

The revised policy, effective June 30, 2012, lowers the maximum dollar amount of \$99,999.99 formerly allowed for a credit card transaction to \$49,999.99 and eliminates the maximum dollar limit for a debit card transaction.

In addition, the U.S. Treasury will reject multiple credit card transactions from a single credit card in a single day that total more than \$49,999.99. The system will also reject transactions charged to a credit card on that day that exceed the total daily dollar limit of \$49,999.00. The FCC policy will conform to the U.S. Treasury policy. Fee payors needing to remit amounts of \$50,000.00 or greater must use alternative methods of payment: check, debit card, ACH or FedWire. Beginning on October 1, 2013, the alternative methods of payment for amounts \$50,000 or greater will be limited to debit cards and ACH or FedWire payments. The FCC will post warnings on FCC websites to remind licensees of the U.S. Treasury policy. Additional information can be found at <http://transition.fcc.gov/fees/regfees.html>.

³ Payors should note that this change will mean that entities that have previously paid both regulatory fees and application fees at the same time by paper check will no longer be able to do so because regulatory fees payments by paper check will no longer be accepted.

Regulatory fee payments that exceed the U.S. Treasury limit and are rejected by Treasury, causing a payment not to meet the required payment deadline, will be subject to interest, fees, and a 25% late payment penalty.

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