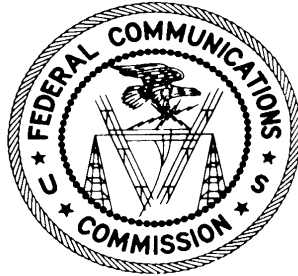


FEDERAL COMMUNICATIONS COMMISSION



PUBLIC SAFETY AND HOMELAND SECURITY BUREAU FEE FILING GUIDE

SECTION 8 FEES **(PROCESSING FEES)**

FOR:

- **Communications Assistance for Law Enforcement Act (CALEA) Petitions**

This is an unofficial compilation of the radio services and requests for FCC actions that are subject to fees. The public should consult the Commission's Rules as set out in Title 47 of the Code of Federal Regulations (CFR) for application filing requirements. Further information on fees may be obtained at Part I, Subpart G of the CFR or in the Commission's official decision implementing the Congressional Schedule of Charges. This decision is published in the FCC Record or may be purchased from the Commission's current copy contractor.

Effective September 4, 2018

INTRODUCTION

The authority of the Federal Communications Commission (Commission) to impose and collect fees and associated charges is contained in Title III, Section 3001 of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101-239), Section 8, revising 47 U.S.C. 158, which directs the Commission to prescribe charges for certain types of applications and other filings by communications entities over which it has jurisdiction. Application processing fees are deposited in the U.S. Treasury.

This Fee Filing Guide is considered a reference guide to identify and describe the entire filing requirements for the Public Safety and Homeland Security Bureau. It is meant to be a handy reference of the services and requests for FCC actions for which the Public Safety and Homeland Security Bureau has responsibility that are subject to a fee. The guide consists of two parts, Parts A and B, as well as a breakdown of the type of application, form number, fee amount, payment type code, and the mailing address.

Part A provides instructions on how to pay a fee and identifies other processing services available to the requestor. Always read Part A before attempting to complete any of the forms required with your submission. Part B provides specific information pertaining to the Public Safety and Homeland Security Bureau's Section 8 (application) fee.

If further information is required that cannot be answered in this guide, please consult the Commission's Rules as set forth in Title 47, Part 1, Subpart G, Section 1.1101 of the Code of Federal Regulations (CFR). Additional copies of this guide may be obtained by calling (202) 418-FORM. All fees are subject to modification as required by Congress.

PART A

IMPORTANT NOTICE FOR APPLICANTS/LICENSEES

Effective December 3, 2001, the use of the FCC Registration Number (FRN) is mandatory. Failure to register for an FRN will result in a delay in processing your application. 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). Unless the payer and the applicant are the same person or entity, a separate FRN number must be used for the payer FRN and the applicant FRN. If you are acting as an agent for an entity, and the remittance payment carries your name as an official designated to pay on behalf of the entity, you must include the entity's name both as payer and applicant in order to use the same FRN. Failure to follow these instructions will result in the delay of processing your application. **Please note that transactions with the FCC require the use of the FCC FRN. Therefore, please have the FRN available when contacting or submitting documents to the FCC.**

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, you have already been pre-registered. You may want to check CORES to determine if you are still registered, or if you have forgotten your registration number.

Ways to obtain an FCC Registration Number (FRN):

- **Online (takes less than five minutes):**

Step 1: Visit the FCC website : <http://www.fcc.gov>

Step 2: On the FCC homepage, locate the following hyperlink on the left margin and double click on it:

FCC Registration Number (FRN)
Commission Registration System
(CORES)

Step 3: Click on the bar containing the word "Register." It is the bar on the left.

Step 4: Check the boxes that pertain to you or your organization on the form entitled: "Registration Type," then click on the word "continue" at the bottom part of the page.

Step 5: At the top left side of the screen there should be the words: "FRN Registration." Enter the information that pertains to you or your organization, and then click on the word "submit" that appears on the bottom of the page.

Step 6: The FRN system will issue to you a unique FCC Registration Number.

- **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). You may obtain the form at <http://www.fcc.gov/forms> or by calling the FCC's CORES Helpdesk at 1-877-480-3201, Option 4. 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 U.S. Bank (along with your filing documents and payment) or fax the FRN registration form to the CORES Helpdesk at (202) 418-7869 for some filing procedures. U.S. Bank will register you and you will receive a confirmation letter from the FCC through the U.S. Postal Service mail.

DEBT COLLECTION IMPROVEMENT ACT

In accordance with the Debt Collection Improvement Act (DCIA), the Commission will begin withholding action on applications and other requests for benefits upon discovery that the entity applying for or seeking benefits is delinquent

in its non-tax debts owed to the Commission, and dismiss such applications or requests if the delinquent debt is not resolved. Our application fee rules have been amended to state that we will withhold action on applications or other requests if payment of the delinquent debt is not made or satisfactory arrangements for payment are not made. Those rule amendments were effective October 1, 2004.

REMINDER REGARDING LOCKBOX CLOSURES

During the past few years, the Commission has been reducing its use of P.O. Boxes for the collection of fees and has encouraged the use of electronic payment systems for all application and regulatory fees.¹ The electronic payment of fees for applications, tariffs, and petitions increases the agency's financial efficiency by reducing expenditures, including the annual fee for utilizing the bank's services and the cost of processing each transaction manually, with very little or no inconvenience to the regulatees, applicants, and the public.² As part of this process, the Commission has closed Lockbox 979092 (used to submit fees and petitions related to services provided by the Public Safety & Homeland Security Bureau) and Lockbox 979091 (used to submit fees and petitions related to services provided by the Wireline Competition Bureau).³ Additional closings will occur in coming months. As these Lockboxes are closed, filers will be required to submit payments electronically in accordance with the procedures set forth on the Commission's web site, <https://www.fcc.gov/licensingdatabases/fees>. Payments can be made through the Fee Filer Online System (Fee Filer), accessible at <https://www.fcc.gov/licensing-databases/fees/fee-filer>, although we caution filers that the agency may transition to other secure payment systems in the future, after appropriate public notice and guidance. To file applications, tariffs, and petitions, parties should utilize, as applicable, the Commission's Electronic Tariff Filing System for tariffs, which can be found at <https://apps.fcc.gov/etfs/etfsHome.action>, or the Electronic Comment Filing System (ECFS), which can be found at <http://apps.fcc.gov/ecfs/upload/display>. Petitions filed in hard copy format should be submitted according to the procedures set forth on the web page of the Commission's Office of the Secretary, <https://www.fcc.gov/seretary>.

METHOD OF PAYMENT

Payment of fees by check or money order are no longer accepted. The Commission accepts Visa, MasterCard, American Express, and Discover credit cards when making payments for online applications.

If paying by wire, applicants located in foreign countries should contact their local bank to determine what U.S. financial institution their bank is affiliated with that will allow a transfer of funds. Please keep in mind that there may be an additional transfer fee added from your bank for this service. If an additional cost is required by your bank, and you have not included additional funds to cover this cost, it will be taken out of the funds that will be transferred. This will result in your remaining transfer amount being insufficient to cover the fee for the filing. Please check with your bank prior to completing this transaction to determine its policy. For further instructions in making payment by wire see our website at <http://www.fcc.gov/fees/wiretran.html>.

Payment of fees, fines, and other debts may also be made by electronic payment. This is designed specifically for larger corporations capable of CPU/CPU communication. To obtain more information about electronic payment and how it works,

¹ The Commission previously revised its payment rules to encourage electronic payment of application processing fees and require electronic payment of regulatory fees. 47 C.F.R. §§ 1.1112 (application fees) and 1.1158 (regulatory fees). These rules became effective November 30, 2015. 80 FR 66816 (Oct. 30, 2015).

² See Treasury Financial Manual, Bulletin No. 2017-12, "Agency No-Cash or No-Check Policies," released on September 18, 2017 (explaining the circumstances under which agencies may decide not to accept payments made in cash or by check), available at <https://fm.fiscal.treasury.gov/v1/bull/17-12.pdf>; see also <https://www.gpo.gov/fdsys/pkg/FR-2011-06-16/pdf/2011-15181.pdf>.

³ *Amendment of Part 1 of the Commission's Rules*, Order, MD Docket No. 17-123, 32 FCC Rcd 4203 (2017) (modifying Section 1.1109 of the Commission's rules to delete reference to P.O. Box 979092 at U.S. Bank in St. Louis, Missouri); *Amendment of Parts 0, 1, 51, and 61 of the Commission's Rules*, Order, MD Docket No. 17-357, 32 FCC Rcd 10565 (2017) (modifying Section 1.1105 of the Commission's rules to delete reference to P.O. Box 979091 at U.S. Bank in St. Louis, Missouri).

please contact the Revenue and Receivables Operations Group at (202) 418-1995. For further information on making payment by electronic transfer see our website at <http://www.fcc.gov/fees/electran.html>.

NONFEEABLE APPLICATIONS

All no-fee applications filed in Washington, DC must be filed directly with the Secretary's Office, Room TW-B204, 445 12th Street, SW, Washington, DC 20554 and should be captioned Attention: Enforcement Bureau.

FEE EXEMPT APPLICATIONS

Please check the appropriate block on your application, **and if you have not previously done so**, provide the proper documentation, as required, to certify that your application is fee exempt. 47 CFR, Part 1, Section 1.1114 of the Commission's rules explains who qualifies as fee exempt.

MANAGING DIRECTOR DECISIONS

Requests for waivers, fee determinations, reconsiderations, applications for review, deferments, and specific refund requests are referred directly to the Office of the Managing Director. Each request is forwarded to the Office of General Counsel for review and legal determination. 47 CFR, Part 1, Sections 1.1113 & 1.1117 govern the Commission's policies in these instances. The requester will receive written notification of the Managing Director's decision. These decisions are published monthly and are placed in FCC Docket 86-285. All such requests must be submitted in writing to:

Managing Director
Federal Communications Commission
445 12th Street, SW, Room 1-A625
Washington, DC 20554

WAIVERS, FEE DETERMINATIONS, AND DEFERRALS PROCESS

The required filing fee must be paid for the service requested using the normal process. All requests for waivers and fee determinations are filed directly with the Managing Director in Washington, DC. If the Commission grants the waiver request or the fee determination results in a lower fee, a refund will be issued. Deferrals of fees are also filed in Washington, DC, and have a limit of up to six months with good cause. Deferrals of fees are considered when the inability to pay the required fee is due to a financial hardship (i.e., bankruptcy), and must be accompanied by supporting documentation.

REFUND PROCESS

The appropriate Bureau/Office handles routine refund requests. When a Bureau/Office determines that a refund is warranted, it is forwarded to the Office of the Managing Director, Revenue and Receivables Operations Group for processing. The Revenue and Receivables Operations Group (RROG) handles all approved refund requests. Once the refund request is approved, the refund process usually takes 7-10 business days. Once a request has been reviewed and processed by RROG, it is forwarded to the U.S. Treasury in San Francisco, California where a check is issued to the payer of the remittance. For further information on return or refund of charges, refer to 47 CFR, Part 1, Section 1.1113 of the Commission's Rules.

MAILING INSTRUCTIONS

Parties hand-delivering applications or filings may receive dated receipt copies of the application or filing from the acceptance clerk at the time of delivery. Receipts will be provided for mail-in applications or filings if an extra copy of the application or filing is provided along with a self-addressed, stamped envelope. Only one piece of paper per application will be stamped for receipt purposes. A "stamp and receipt" copy must be placed on top of the original package and clearly identified as a return copy.

QUESTIONS

If you have questions regarding your application and/or fee, you may call toll free the FCC's Consumer Center at 1-888-CALLFCC (1-888-225-5322). For information on CORES call the CORES Administrator at 1-877-480-3201, Option 4.

PART B: SECTION 8 FEE

I. PUBLIC SAFETY AND HOMELAND SECURITY'S DEFINITION OF SERVICES

THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATES INTERSTATE AND INTERNATIONAL COMMUNICATIONS BY RADIO, TELEVISION, WIRELINE, WIRELESS, SATELLITE AND CABLE. THE COMMUNICATIONS ACT REQUIRES COMMON CARRIERS TO FURNISH THEIR SERVICES ON REQUEST AND AT JUST, REASONABLE AND NON-DISCRIMINATORY RATES. THE FCC IS AUTHORIZED TO PROMOTE THE PUBLIC INTEREST IN THESE CHARGES AND PRACTICES OF COMMON CARRIERS BY TITLES I THROUGH III OF THE ACT. THE AGENCY ALSO ALLOCATES RADIO SPECTRUM AND ORBITAL SLOTS FOR VARIOUS TYPES OF COMMON CARRIER SERVICES.

COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT (CALEA)

SECTION 302 OF CALEA, PUB. L. NO. 103-414, 108 STAT. 4279 (1994), MODIFIES THE SCHEDULE OF APPLICATION FEES IN SECTION 8(G) OF THE COMMUNICATIONS ACT OF 1934, 47 U.S.C. § 159(G): “. . . BY INSERTING UNDER ITEM 1 OF THE MATTER PERTAINING TO COMMON CARRIER TELECOMMUNICATION SERVICES THE FOLLOWING ADDITIONAL SUBITEM: (D). PROCEEDING UNDER SECTION 109(B) OF CALEA . . .” SECTION 109(B) OF CALEA ALLOWS TELECOMMUNICATIONS CARRIERS TO PETITION THE FEDERAL COMMUNICATIONS COMMISSION FOR AN ORDER DECLARING “NOT REASONABLY ACHIEVABLE” THE PETITIONING CARRIER’S OBLIGATION TO COMPLY WITH CALEA SECTION 103 (CAPABILITY REQUIREMENTS).

II. SECTION 8 FEE SCHEDULE AND FILING GUIDE

1. Communication Assistance for Law Enforcement (CALEA) Petitions	Written Request & FCC 159	\$6,945.00	CLEA	Federal Communications Commission Public Safety and Homeland Security Bureau P.O. Box 979092 St. Louis, MO 63197-9000
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