



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF THE  
CHAIRWOMAN

October 14, 2022

The Honorable Joe Manchin  
United States Senate  
306 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Manchin:

Thank you for your letter concerning the regulatory fee process at the Federal Communications Commission and the impact of changes to that process on broadcasters. I agree that broadcasting is a unique and important service that has faced challenges, especially in rural and underserved areas.

As you note in your letter, our preliminary assessment of regulatory fees for fiscal year 2022 (FY22) would have increased broadcasters' fees by approximately 13 percent. Although the Commission has consistently applied the same methodology to calculate regulatory fees, a special change in the FY21 regulatory fee process that reduced broadcasters' fees led to a larger increase in the preliminary assessment of broadcasters' fees for FY22. Specifically, in FY21, the Commission exempted the broadcast industry from approximately \$33 million in assessed costs because of a one-time statutory direction to cover the implementation of the Broadband DATA Act. With that direction no longer in place for FY22, the Commission's preliminary assessment for FY22 resulted in greater proposed increases in regulatory fees for broadcasters. But given the concerns of broadcasters about the process and the need to ensure an equitable distribution of the costs, I supported—and the Commission ultimately adopted—a final FY22 Regulatory Fee Order that granted the broadcasters some relief from costs associated with the implementation of mandates unrelated to the broadcast industry.

As you point out, broadcast payors are unique, in that they are not able to pass along their costs to their audiences. Unfortunately, the statute does not directly address this situation. Nonetheless, as part of our recent action, the agency also began a Notice of Inquiry to review our assessment and collection of regulatory fees across the board. I believe that licensees should have input into the fee assessment process. I am committed to a fair, reliable, and transparent methodology that is consistent with the law and supports essential agency budgetary needs.

Finally, I want you to know that we are available to work with your office to explore legislative changes that would further ensure an equitable distribution of fees for all of our regulatees, including broadcasters. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel