

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

In the Matter of
Amendment of Part 1 of the
Commission's Rules
MD Docket No. 20-64

ORDER

Adopted: February 26, 2020

Released: March 4, 2020

By the Commission:

1. In this Order, we reduce expenditures by the Federal Communications Commission (FCC or Commission) and modernize Commission procedures by amending section 1.1107 of our rules, which sets forth the fees for applications and other filings processed by the FCC's International Bureau (IB). The rule amendment reflects the closure of the P.O. Box 979093 (i.e., lockbox) used for manual payment of filing fees for thirteen different categories of filings. We discontinue the option of manual fee payments and instead require the use of an electronic payment for each listing in this rule.

2. Section 1.1107 of the Commission's rules provides a schedule of fees for applications and other filings processed by IB. The rule also directs filers that do not utilize the Commission's on-line filing and fee payment systems to send manual filings and/or payments to the Commission at P.O. Box 979093 at U.S. Bank in St. Louis, Missouri. In recent years, there have been a decreasing number of lockbox filers, and it now is rare that the Commission receives a lockbox payment. Since 2015, the Commission has reduced its reliance on lockboxes, instead encouraging the use of electronic payment and closing certain lockboxes. We find that electronic payment of fees for applications and other filings processed by IB reduces the agency's expenditures (including eliminating the annual fee for the bank's services) and the cost of manually processing each transaction, with little or no inconvenience to the Commission's regulatees, applicants, and the public.

1 47 CFR § 1.1107.

2 Our rules and other Commission documents refer to a series of P.O. Boxes used for the collection of fees as "lockboxes." These P.O. Boxes are located at U.S. Bank in St. Louis, Missouri. Once a payment is received, it is processed and recorded by the bank.

3 These categories of filings are: (1) International Fixed Public Radio; (2) Section 214 Applications; (3) Fixed Satellite Transmit/Receive Earth Stations; (4) Fixed Satellite Transmit/Receive Earth Stations (2 meters or less operating in the 4/6 GHz frequency band); (5) Receive Only Earth Stations; (6) Fixed Satellite Very Small Aperture Terminal (VSAT) Systems; (7) Mobile Satellite Earth Stations; (8) Space Stations (Geostationary); (9) Space Stations (NGSO); (10) Direct Broadcast Satellites; (11) International Broadcast Stations; (12) Permit to Deliver Programs to Foreign Broadcast Stations; and (13) Recognized Operating Agency.

4 47 C.F.R. § 1.1107.

5 Id.

6 See, e.g., Amendment of Part 1 of the Commission's Rules, MD Docket No. 19-40, 2019 WL 937041 (F.C.C.), 84 FR 8617 (2019) (providing the history of the ongoing transition to electronic payments at the FCC).

7 See Treasury Financial Manual, Bulletin No. 2020-04, "Agency No-Cash or No-Check Policies," released on November 4, 2019 (explaining the circumstances under which agencies may decide not to accept payments made in

3. Accordingly, we are now closing P.O. Box 979093. With this Order, we amend our rules to reflect this change as indicated in the Appendix. These changes include modifications to rules that address electronic filing for applications for international and satellite services. In addition, we make minor modifications to reflect the replacement of IBFS with a new system, MyIBFS. Finally, we make a minor adjustment to rule 1.10006 to reflect that applications for which an electronic form is not available must now be filed through ECFS solely in PDF format until new forms are introduced. We make these changes without notice and comment because they are rules of agency organization, procedure, or practice exempt from the general notice-and-comment requirements of the Administrative Procedure Act.⁸

4. *Implementation.* As a temporary transition measure, for 90 days after publication of this order in the Federal Register, U.S. Bank will continue to process payments to P.O. Box 979093. After that date, payments for these IB services must be made in accordance with the procedures set forth on the Commission's website, <https://www.fcc.gov/licensing-databases/fees/application-processing-fees> (International Bureau Fee Filing Guide). For now, such payments will be made through the Fee Filer Online System (Fee Filer), accessible at <https://www.fcc.gov/licensing-databases/fees/fee-filer>. As we assess and implement U.S. Treasury initiatives toward an all-electronic payment system, we may transition to other secure payment systems with appropriate public notice and guidance.

5. *Regulatory Flexibility Act, Paperwork Reduction Act, and Congressional Review Act.* Section 603 of the Regulatory Flexibility Act, as amended, requires a regulatory flexibility analysis in notice and comment rulemaking proceedings.⁹ As we are adopting these rules without notice and comment, no regulatory flexibility analysis is required. This document does not contain any new proposed information collection(s) subject to the Paperwork Reduction Act of 1995.¹⁰ In addition, therefore, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002.¹¹ The Commission will not send a copy of this Order to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A), because the adopted rules are rules of agency organization, procedure, or practice that do not "substantially affect the rights or obligations of non-agency parties."¹²

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cash or by check), available at <https://tfm.fiscal.treasury.gov/v1/bull/20-04.pdf> (last visited December 16, 2019); *see also* <https://www.gpo.gov/fdsys/pkg/FR-2011-06-16/pdf/2011-15181.pdf>.

⁸ 5 U.S.C. § 553(b)(A).

⁹ 5 U.S.C. § 603(a).

¹⁰ 44 U.S.C. §§ 3501-3520.

¹¹ *See* 44 U.S.C. § 3506(c)(4).

¹² 5 U.S.C. § 804(3)(C) (rules subject to the Congressional Review Act do not include "any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties").

6. ACCORDINGLY, IT IS ORDERED, that pursuant to Sections 4(i), 4(j), and 158 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 158, this ORDER is hereby ADOPTED and the rules set forth in the Appendix are hereby AMENDED effective 30 days after publication in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX

Final Rules

Title 47 of the Code of Federal Regulations, Part 1, is amended as follows:

PART 1 — PRACTICE AND PROCEDURE

1. The authority citation for part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note, unless otherwise noted.

2. Amend § 1.1107 as follows:

§ 1.1107 Schedule of charges for applications and other filings for the international services.

Remit payment for these services electronically using the Commission’s electronic payment system in accordance with the procedures set forth on the Commission’s web site, www.fcc.gov/licensing-databases/fees.

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3. Amend § 1.10001 as follows:

§ 1.10001 Definitions.

All other applications. We consider all other applications officially filed once you file the application in MyIBFS and applicable filing fees are received and approved by the FCC, unless the application is determined to be fee-exempt. We determine your official filing date based on one of the following situations:

1. You file your Satellite Space Station Application or your Application for Earth Stations to Access a Non-U.S. Satellite Not Currently Authorized to provide the Proposed Service in the Proposed Frequencies in the United States in MyIBFS	Your official filing date is the date and time (to the millisecond) you file your application and receive a confirmation of filing and submission ID.
2. You file all other applications in MyIBFS and then do one of the following:	Your official filing date is:
Pay by online Automatic Clearing House (ACH) payment, online Visa, MasterCard, American Express, or Discover credit card payment, or wire transfer payment denominated in U.S. dollars and drawn on a United States financial institution and made payable to the Federal Communications Commission (through MyIBFS)	The date your online payment is approved. (Note: You will receive a remittance ID and an authorization number if your transaction is successful).
Determine your application type is fee-exempt or your application qualifies for exemption to charges as provided in Part 1 of the Commission’s Rules	The date you file in MyIBFS and receive a confirmation of filing and submission ID.

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4. Amend § 1.10006 as follows:

§ 1.10006 Is electronic filing mandatory?

Electronic filing is mandatory for all applications for international and satellite services for which an International Bureau Filing System (MyIBFS) form is available. Applications for which an electronic form is not available must be filed through ECFS in PDF format until new forms are introduced. See §§ 63.20 and 63.53. As each new MyIBFS form becomes available for electronic filing, the Commission will issue a public notice announcing the availability of the new form and the effective date of mandatory filing for this particular type of filing. As each new form becomes effective, manual filings will not be accepted by the Commission and the filings will be returned to the applicant without processing. Mandatory electronic filing requirements for applications for international and satellite services are set forth in parts 1, 25, 63, and 64 of this chapter. A list of forms that are available for electronic filing can be found on the MyIBFS homepage. For information on electronic filing requirements, see part 1, §§ 1.1000 through 1.10018 and the MyIBFS homepage at <http://licensing.fcc.gov/myibfs>.

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5. Amend § 1.10007 as follows:

§1.10007 What applications can I file electronically?

(a) For a complete list of applications or notifications that must be filed electronically, log in to the MyIBFS Web site at <http://licensing.fcc.gov/myibfs>.

(b) Many applications require exhibits or attachments. If attachments are required, you must attach documentation to your electronic application before filing. We accept attachments in the following formats: Word, Adobe Acrobat, Excel and Text.

(c) For paper filing rules and procedures, see parts 1, 25, 63 or 64.

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6. Amend § 1.10009 by modifying (c)(2)(i), (e)(1)(iii), (e)(2), (e)(3), (e)(4), delete (e)(5), modify and revise and renumber (e)(6) as follows:

§ 1.10009 What are the steps for electronic filing?

* * *

(c) * * *

(1) * * *

(2) * * *

(i) The referenced information is filed in MyIBFS.

* * *

(e) Step 5: Pay for your application.

(1) Most applications require that you pay a fee to us before we can begin processing your application.

You can determine the amount of your fee in three ways:

- (i) You can refer to § 1.1107,
 - (ii) You can refer to the International and Satellite Services fee guide located at <http://www.fcc.gov/fees/appfees.html>, or
 - (iii) You can run a draft electronic submission of payment online form through MyIBFS, in association with a filed application, and the system will automatically enter your required fee on the form.
- (2) A complete FCC electronic submission of payment online form must accompany all fee payments. You must provide the FRN for both the applicant and the payer. You also must include your IB Submission ID number on the electronic submission of payment online form in the box labeled “FCC Code 2.” In addition, for applications for transfer of control or assignment of license, call signs involved in the transaction must be entered into the “FCC Code 1” box on the FCC electronic submission of payment online form. (This may require the use of multiple rows on the electronic submission of payment online form for a single application where more than one call sign is involved.)

You can generate a pre-filled FCC electronic submission of payment online form from MyIBFS using your IB Submission ID. For specific instructions on using MyIBFS to generate your FCC electronic submission of payment online form, go to the MyIBFS Web site (<http://licensing.fcc.gov/myibfs>) and click on the “Getting Started” button.

(3) You have 3 payment options:

- (i) Pay by credit card (through MyIBFS),
- (ii) Pay by online Automatic Clearing House (ACH) payment, or
- (iii) Pay by wire transfer or other electronic payments.

(4) You must electronically submit payment on the date you file your application in MyIBFS. If not, we will dismiss your application.

(5) For more information on fee payments, refer to Payment Instructions found on the MyIBFS Internet site at <http://licensing.fcc.gov/myibfs>, under the Using IBFS link.

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7. Amend § 1.10010 by deleting subsections (b) and (c) and removing the subsection identifier for the current subsection (a) as follows:

§1.10010 Do I need to send paper copies with my electronic applications?

When you file electronically through MyIBFS, the electronic record is the official record. You do not need to submit paper copies of your application.

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8. Amend § 1.10011 by revising subsections (a), (b), (c), and (d) as follows:

§ 1.10011 Who may sign applications?

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(a) The Commission only accepts electronic applications. An electronic application is “signed” when there is an electronic signature. An electronic signature is the typed name of the person “signing” the application, which is then electronically transmitted via MyIBFS.

(b) For all electronically filed applications, you (or the signor) must actually sign a paper copy of the application, and keep the signed original in your files for future reference.

(c) You only need to sign the original of applications, amendments, and related statements of fact.

(d) Sign applications, amendments, and related statements of fact as follows.

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9. Amend § 1.10015 as follows:

§ 1.10015 Are there exceptions for emergency filings?

* * *

(b) Emergency authorizations stop at the end of emergency periods or wars. After the emergency period or war, you must submit your request by filing the appropriate form electronically.

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PART 63 — EXTENSION OF LINES, NEW LINES, AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

10. The authority citation for part 63 remains as follows:

AUTHORITY: 47 U.S.C. 151, 154(i), 154(j), 160, 201-205, 214, 218, 403, 571, unless otherwise noted.

11. Amend § 63.53 by deleting section (a)(2), renumbering section (a)(1) as just (a), and revising the resultant section (a) as follows:

§ 63.53 Form.

(a) Applications for international service under section 214 of the Communications Act must be filed electronically with the Commission. Subject to the availability of electronic forms, all applications and other filings described in this section must be filed electronically through the International Bureau Filing System (MyIBFS). A list of forms that are available for electronic filing can be found on the MyIBFS homepage. For information on electronic filing requirements, see part 1, §§ 1.10000 through 1.10018 of this chapter and the MyIBFS homepage at <http://www.fcc.gov/ibfs>. See also §§ 63.20.

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