

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

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

ORDER

Adopted: December 7, 2020

Released: December 10, 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 1.1104 of our rules, which sets forth the fees for applications and other filings processed by the FCC's Media Bureau (MB). The rule amendment reflects the closure of the P.O. Box 979089 (i.e., lockbox) used for manual payment of filing fees for nine 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 1.1104 of the Commission's rules provides a schedule of fees for applications and other filings processed by MB. 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 979089 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 MB 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

1 47 CFR § 1.1104.

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) Commercial TV Services; (2) Commercial AM Radio Stations; (3) Commercial FM Radio Stations; (4) FM Translators; (5) TV Translators and LPTV Stations; (6) FM Booster Stations; (7) TV Booster Stations; (8) Class A TV Services; and (9) Cable Television Services. We note that there is currently an open Commission proceeding that proposes changes to the Commission's existing fee schedule including changes to the categories within media services. Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules, MD Docket No. 20-270, Notice of Proposed Rulemaking, FCC 20-116 (Aug. 26, 2020). The rule amendments made in this Order regarding the method for making payments for applications and other filings does not implicate matters under consideration in that proceeding.

4 47 C.F.R. § 1.1104.

5 Id.

6 See, e.g., Amendment of Part 1 of the Commission's Rules, Order, MD Docket No. 19-40, 34 FCC Rcd. 1506 (2019) (providing the history of the ongoing transition to electronic payments at the FCC). Our most recent order closing a lockbox was issued in March of 2020. Amendment of Part 1 of the Commission's Rules, Order, MD Docket No. 20-64, 2020 WL 1081544 (March 4, 2020).

Commission's regulatees, applicants, and the public.⁷

3. Accordingly, we are now closing P.O. Box 979089. With this Order, we amend our rules to reflect this change as indicated in the Appendix. 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 979089. After that date, payments for these MB 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> (Media Bureau Fee Filing Guide). For now, such payments will be made through 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

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 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 the first paragraph of § 1.1104 as follows:

§ 1.1104 Schedule of charges for applications and other filings for media 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. The asterisk (*) indicates that multiple stations and multiple fee submissions are acceptable within the same payment.

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