**Before the**

Federal Communications Commission

Washington, D.C. 20554

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| In the Matter of  Assessment and Collection of Regulatory Fees for Fiscal Year 2021 | **)**  **)**  **)**  **)**  **)** | MD Docket No. 21-190 |

report and order and notice of proposed rulemaking

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By the Commission: Acting Chairwoman Rosenworcel and Commissioners Carr and Simington issuing separate statements.

Table of Contents

Heading Paragraph #

I. introduction 1

II. background 2

III. report and order 6

A. Allocating Full-time Equivalents 7

B. Commercial Mobile Radio Service Regulatory Fees Calculation 27

C. Direct Broadcast Satellite Fees 28

D. Full-Service Television Broadcaster Fees 36

1. FY 2021 Regulatory Fees 36

2. Stations in Puerto Rico 38

E. Toll-Free Numbers 40

F. Submarine Cable Regulatory Fees 42

G. Space Station Regulatory Fees 46

1. NGSO Regulatory Fees–Less Complex and Other 46

2. NGSO Regulatory Fees–Satellites Authorized under Multiple Call Signs 67

H. Flexibility for Regulatory Payors Due to COVID-19 Pandemic 69

IV. notice of proposed rulemaking 73

A. New Regulatory Fee Categories 73

B. Fees for Small Satellites 75

V. procedural matters 84

VI. Ordering clauses 101

APPENDIX A—LIST OF COMMENTERS

APPENDIX B—CALCULATION OF FY 2021 REVENUE REQUIREMENTS AND PRO-RATA FEES

APPENDIX C—FY 2021 REGULATORY FEES

APPENDIX D—SOURCES OF PAYMENT UNIT ESTIMATES FOR FY 2021

APPENDIX E—FACTORS, MEASUREMENTS, AND CALCULATIONS THAT DETERMINE SIGNAL CONTOURS AND ASSOCIATED POPULATION COVERAGES

APPENDIX F—SATELLITE CHARTS FOR FY 2021 REGULATORY FEES

APPENDIX G—FY 2021 FULL-SERVICE BROADCAST TELEVISION STATIONS, BY CALL SIGN

APPENDIX H—FY 2020 REGULATORY FEES

APPENDIX I—FINAL REGULATORY FLEXIBILITY ANALYSIS

APPENDIX J—INITIAL REGULATORY FLEXIBILITY ANALYSIS

APPENDIX K—RULE CHANGES

# introduction

1. Each year, the Commission must adopt a schedule of regulatory fees for regulatory fee payors, i.e., those entities required to fund the Commission’s activities, which must be collected by the end of September 2021. In this Report and Order, we adopt a schedule in the attached Appendices B and C to collect $374,000,000 in congressionally required regulatory fees for fiscal year (FY) 2021.[[1]](#footnote-3) Also, in the attached Notice of Proposed Rulemaking, we seek comment on adopting new fee categories and on a methodology for calculating regulatory fees for small satellites for future fiscal years.

# background

1. The Commission is required by Congress to assess regulatory fees each year in an amount that can reasonably be expected to equal the amount of its annual appropriation.[[2]](#footnote-4) Regulatory fees recover direct costs, such as salaries and expenses; indirect costs, such as overhead functions; statutorily required tasks that do not directly equate with oversight and regulation of a particular regulatee but instead benefit the Commission and the industry as a whole; and support costs such as rent, utilities and equipment.[[3]](#footnote-5) Regulatory fees also cover the costs incurred in regulating entities that are statutorily exempt from paying regulatory fees (i.e., governmental and nonprofit entities, amateur radio operators, and noncommercial radio and television stations),[[4]](#footnote-6) de minimis entities,[[5]](#footnote-7) and entities whose regulatory fees are waived.[[6]](#footnote-8)
2. The Commission’s methodology for assessing regulatory fees must “reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities.”[[7]](#footnote-9) The Commission typically assesses the allocation of full-time equivalents (FTEs)[[8]](#footnote-10) by first determining the number of direct FTEs in each core bureau (i.e., the Wireless Telecommunications Bureau, the Media Bureau, the Wireline Competition Bureau, and the International Bureau) and then attributing all other FCC FTEs as indirect.[[9]](#footnote-11) The direct FTEs within each core bureau are then attributed to payor categories based on the nature of the FTE work.[[10]](#footnote-12) In section 9 of the Communications Act, Congress prescribed that regulatees bear the FTE burden associated with their oversight and regulation by the relevant core bureaus.[[11]](#footnote-13) Because the amount the Commission must collect in an offsetting collection changes each year, fees will typically change each year as a mathematical consequence of the change in amount to be collected in the current year, FTE allocations in the core bureaus, and projected unit estimates.[[12]](#footnote-14) Beyond those changed collection requirements, consideration of changes, additions, or deletions to the fee schedule is focused on the Commission’s FTE cost burden related to the regulatory fee category at issue.[[13]](#footnote-15)
3. The Commission considers the adoption of a new fee category or a change in fee categories only when it develops sufficient basis for making the change and works to ensure that all changes serve the goal of ensuring that the Commissions’ actions in assessing regulatory fees are fair, administrable, and sustainable.[[14]](#footnote-16) In 2018, as part of the RAY BAUM’S Act, Congress revised the Commission’s regulatory fee authority by modifying section 9 of the Communications Act of 1934, as amended, (Act or Communications Act) and adding section 9A to the Act.[[15]](#footnote-17) In the *FY 2019 Report and Order*, the Commission rejected arguments that the RAY BAUM’S Act fundamentally changed how the Commission should calculate regulatory fees and that the Commission was no longer required to base regulatory fees on the direct FTEs in core bureaus.[[16]](#footnote-18) The Commission stated that given the Act’s requirement that fees must “reflect” FTEs before adjusting fees to take into account other factors, the FTE counts are by far the most administrable starting point for regulatory fee allocations.[[17]](#footnote-19) Specifically, the Commission would continue to apportion regulatory fees across fee categories based on the number of direct FTEs in each core bureau and the proportionate number of indirect FTEs and to take into account factors that are reasonably related to the payor’s benefits.[[18]](#footnote-20)
4. In the *FY 2021 NPRM*, we sought comment on the proposed schedule of regulatory fees and on several regulatory fee issues: (i) including non-geographic numbers in the calculation of the number of subscribers for each commercial mobile radio service (CMRS) provider; (ii) ending our phase-in of direct broadcast satellite (DBS) regulatory fees, and instead including the Media Bureau-based DBS regulatory fee in the same fee category as cable television and Internet Protocol Television (IPTV); (iii) assessing regulatory fees for full service broadcast television using the same population-based methodology that we used for FY 2020 and continuing, for FY 2021, the changes we adopted previously for stations in Puerto Rico;[[19]](#footnote-21) (iv) apportioning NGSO regulatory fees between the new NGSO fee subcategories for “less complex” NGSO systems and “other” NGSO systems, taking into account the relative benefits provided to them from our oversight and regulatory activities; and (v) extending our streamlined waiver provisions adopted in FY 2020 for FY 2021.[[20]](#footnote-22) We discuss each of these issues below.

# report and order

1. Pursuant to section 9 of the Act, in this Report and Order we adopt the regulatory fee schedule proposed in the *FY 2021 NPRM* for FY 2021, and attached in Appendices B and C, as modified herein, to collect $374,000,000 in regulatory fees as required by Congress.[[21]](#footnote-23)

## Allocating Full-time Equivalents

1. We will continue to apportion regulatory fees across fee categories, as proposed in the *FY 2021 NPRM*, based on the number of direct FTEs in each “core” bureau[[22]](#footnote-24) (i.e., the Wireline Competition Bureau, the Wireless Telecommunications Bureau, the Media Bureau, and the International Bureau) and taking into account factors that are reasonably related to the payor’s benefits.[[23]](#footnote-25) We expect that the work of the FTEs in the four core bureaus will remain focused on the industry segment regulated by each of those bureaus. The work of the FTEs designated as indirect benefits the Commission and the industry as a whole and is not specifically focused on the regulatees and licensees of a core bureau.
2. The non-auction FTEs outside the core bureaus and the other Commission costs are categorized as indirect. The indirect FTEs are from the following bureaus and offices: Enforcement Bureau, Consumer and Governmental Affairs Bureau, Public Safety and Homeland Security Bureau, Chairman and Commissioners’ offices, Office of the Managing Director, Office of General Counsel, Office of the Inspector General, Office of Communications Business Opportunities, Office of Engineering and Technology, Office of Legislative Affairs, Office of Workplace Diversity, Office of Media Relations, Office of Economics and Analytics, and Office of Administrative Law Judges, along with some FTEs in the Wireline Competition Bureau and the International Bureau that the Commission previously classified as indirect.[[24]](#footnote-26) The high percentage of indirect FTEs is indicative of the fact that many Commission activities and costs are not limited to a particular fee category and instead benefit the Commission and its work as a whole.[[25]](#footnote-27)
3. For the reasons below, we decline to change the methodology by which we allocate FTEs.  There are 327 direct FTEs, $32.6 million (8.71% of the total FTE allocation, 28 direct FTEs) in fees from International Bureau regulatees; $84.9 million (22.72% of the total FTE allocation, 73 direct FTEs) in fees from Wireless Telecommunications Bureau regulatees; $124.5 million (33.29% of the total FTE allocation, 107 direct FTEs) from Wireline Competition Bureau regulatees; and $55.9 million for Media Bureau (broadcasters) and $76.1 million for Media Bureau (Cable/DBS/IPTV) (35.29% of the total FTE allocation, 119 direct FTEs).  The fees we adopt are based on the established methodology, with the exception discussed below for the broadcast industry, applied to the allocated FTEs, and based on the Commission’s appropriation amount of $374,000,000.  The indirect FTEs are allocated proportionally to the direct FTEs.
4. Certain commenters representing the broadcast industry have several objections to our proposals and the current allocation of FTEs,[[26]](#footnote-28) which they argue has resulted in an increase in regulatory fees.[[27]](#footnote-29) We discuss this issue below.
5. ***Broadband DATA Act Implementation.*** As part of our FY 2021 appropriation, Congress directed the Commission to assess and collect $374 million in regulatory fees, of which $33 million is to be made available for implementing the Broadband DATA Act.[[28]](#footnote-30) Among other things, the Broadband DATA Act requires the Commission to collect standardized, granular data on the availability and quality of both fixed and mobile broadband Internet access services, to create a common dataset of all locations where fixed broadband Internet access service can be installed (the Fabric), and to create publicly available coverage maps.[[29]](#footnote-31) As part of its collection of information, the Broadband DATA Act requires the Commission to include uniform standards for the reporting of broadband internet access service data from “each provider of terrestrial fixed, fixed wireless, or satellite broadband internet access service.”[[30]](#footnote-32) The statute defines “broadband internet access service” to mean “the same meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.”[[31]](#footnote-33) That Commission rule, in turn, defines “broadband internet access service” as “a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service” and this term “also encompasses any service that the Commission finds to be providing a functional equivalent of the service . . . .”[[32]](#footnote-34) Consistent with this statutory language, congressional reports recognized that specific segments of the Commission FTEs may be specifically focused on broadband mapping issues.[[33]](#footnote-35) The Committee Report provides that “[t]he Committee provides significant funding for upfront costs associated with implementation of the Broadband DATA Act. The Committee anticipates funding related to the Broadband DATA Act will decline considerably in future years and expects the FCC to repurpose a significant amount of staff currently working on economic, wireline, and wireless issues to focus on broadband mapping.”[[34]](#footnote-36)
6. Several commenters representing the broadcast industry object to the assessment on broadcasters of any portion of the $33 million designated by Congress to cover the costs of implementation of the Broadband DATA Act as part of the Commission’s FY 2021 appropriation.[[35]](#footnote-37) They argue that broadcasters are not regulated by nor do they benefit from implementation of the Broadband DATA Act.[[36]](#footnote-38) Specifically, NAB states that the Broadband DATA Act costs are not overhead costs because they pertain only to certain of the Commission’s core bureaus and identifiable entities, namely, broadband service providers, that are regulated by and benefit from the Commission’s activities implementing the legislation.[[37]](#footnote-39)
7. As discussed below, we adjust the Commission’s approach to account for the unusual circumstances accompanying the Broadband DATA Act earmark. While we categorize the costs of implementation of the Broadband DATA Act as indirect costs consistent with our normal methodology, in this limited instance, given the one-time nature and magnitude of the earmark, the statutory text, the legislative history, and the record in this proceeding, we exclude one group of regulatees– broadcasters or “Media Services” licensees – from their share of these indirect costs. In doing so, we are mindful of the statutory mandate that regulatory fees must reflect “the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities.”[[38]](#footnote-40) At the same time, we emphasize that regulatory fees cannot exactly reflect the cost of regulating a particular fee category, in part because Congress requires us to collect regulatory fees in an amount that covers the full amount of our appropriation, which includes general overhead as well statutorily required tasks that do not directly equate with oversight and regulation of a particular fee payor. As such, our methodology generally apportions such indirect costs proportional to the direct FTE burden allocated to each fee category. While we modify our methodology here with respect to the $33 million earmark, this one-time modification is consistent with the Commission’s longstanding goals of implementing a fair, sustainable, and administrable regulatory fee regime.
8. It is rare for the Commission’s salaries and expenses appropriation to contain earmarks[[39]](#footnote-41) to be recovered through regulatory fees, other than the annual designation of funds for the Office of Inspector General.[[40]](#footnote-42) Otherwise, it is difficult to identify, in recent instances, where Congress has provided an explicit designation through an earmark to be used to fund a specific statutory obligation as part of the Commission’s salaries and expenses appropriation. Here, Congress prioritized providing a distinct amount of money as part of the Commission’s appropriation to improve the Commission’s broadband data and mapping tools. While the Commission’s FY 2021 appropriation did not direct the Commission to collect the $33 million from a discrete group of regulatees, Congress anticipated that the Commission would “repurpose a significant amount of staff currently working on economic, wireline, and wireless issues to focus on broadband mapping.”[[41]](#footnote-43) In so doing, Congress recognized the unique nature of the work required to implement the Broadband DATA Act by certain bureaus and offices within the Commission.
9. In determining how to recover the $33 million, we must also take into account the fact that much of the Commission’s implementation of the Broadband DATA Act is being carried out by FTEs in non-core bureaus, which we treat as an indirect cost under our regulatory fee methodology.[[42]](#footnote-44) The Commission’s broadband mapping and data collection efforts involve staff in non-core Bureaus and offices (the Office of Economics and Analytics, the Office of Engineering and Technology, the Consumer and Governmental Affairs Bureau, the Office of the Managing Director, the Office of General Counsel, and the Office of Legislative Affairs), as well as staff from core bureaus (the Wireless Telecommunications Bureau, the Wireline Competition Bureau, and the International Bureau).[[43]](#footnote-45) The need for involvement of the non-core bureaus and offices is self-evident given that the implementation requires, among other things, data and technology expertise in creation of the maps, negotiation of various types of agreements with both governmental and private-sector entities to collect the necessary data while protecting consumer privacy, and general project management support.[[44]](#footnote-46) Furthermore, all core bureaus except the Media Bureau have staff contributing to the implementation effort.[[45]](#footnote-47) Thus, we conclude that the work by Commission staff on implementing the Broadband DATA Act benefits the Commission as a whole, rather than any one particular group of regulatees, and should be treated as an indirect cost.
10. We are nonetheless cognizant of the unusual factual circumstances present here. Those circumstances include (1) a Congressional earmark of a one-time, large and explicitly quantified amount within our annual appropriation, to be recovered through regulatory fees, for a specific regulatory activity that involves all core bureaus of the Commission except one bureau, and (2) the presence of a category of payors within that one bureau (broadcasters, or “Media Services” licensees)[[46]](#footnote-48) that as a group claim no regulatory impact or benefit from the activity. The amount earmarked for Broadband DATA Act implementation, $33 million, is nearly 9% of the Commission’s entire annual salaries and expenses appropriation. The maps required by the Broadband DATA Act pertain to “broadband internet access service,” which the broadcasters do not offer.[[47]](#footnote-49) Therefore, in this unique instance, we will exclude “Media Services” licensees from recovery of the $33 million earmark for Broadband DATA Act implementation.[[48]](#footnote-50) In doing so, we recognize that all other fee payors within the core bureaus, including cable, DBS and IPTV providers regulated by the Media Bureau, will need to absorb these indirect costs because we are required by Congress to collection the full annual appropriation. We find, however, that making this adjustment to our indirect cost methodology is fair, sustainable, and administrable because the amounts involved are one-time, large and explicitly quantified by Congress, and because of the unusual position of broadcasters vis-à-vis other Commission regulatees in this instance.[[49]](#footnote-51)
11. We do not, at this time, have the option of requiring broadband providers to pay this portion of the appropriation because we do not have a fee category for broadband providers. We also do not have sufficient information to form the basis of designating a new fee category. Information that we do not presently possess but would be important in designating a fee category and determining the unit measure within a fee category would include the amount of broadband services offered by entities that also provide services subject to existing regulatory fees and by entities that provide broadband services that are not currently subject to regulatory fees. As noted above, consideration of changes, additions, or deletions to the fee schedule is focused on the Commission’s direct FTE burden related to the regulatory fee category at issue, and we are unable at this time to provide the extensive level of analysis provided with prior adoption of a new fee category and determination of the unit measure for the new fee category. In any event, for the reasons discussed above, we find that the Broadband DATA Act implementation costs are best treated as indirect costs.
12. ***Auction FTEs.*** Several commenters contend that the Commission should include auctions FTEs in the calculation of indirect and overhead expenses.[[50]](#footnote-52) NAB argues that excluding Wireless Telecommunications Bureau FTEs who work on auction issues artificially depresses the costs attributable to the wireless industry and, disadvantages Media Bureau regulatees, as the Media Bureau has substantially fewer of its FTEs classified as auction employees.[[51]](#footnote-53) We find, however, that including auctions FTEs would be inconsistent with section 9 of the Act and therefore decline to accept this proposal.
13. Section 9 of the Communications Act requires the Commission to assess and collect regulatory fees to recover the costs of carrying out the Commission’s functions equal to the amount of the Commission’s salaries and expenses appropriations each fiscal year.[[52]](#footnote-54) In setting the schedule of regulatory fees, the fees must reflect the “full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities.”[[53]](#footnote-55) In order to calculate the FTE number of employees with the Commission’s bureaus and offices, the Commission has based this calculation on the number of FTEs within the Commission’s core bureaus (Wireline Competition Bureau, International Bureau, Media Bureau, and the Wireless Telecommunications Bureau) – those bureaus that conduct oversight and regulation of issues that *directly* benefit the fee payors.[[54]](#footnote-56) The FTEs from all other offices and bureaus within the Commission are considered indirect FTEs because there are no regulatory fee categories in those bureaus and offices which the Commission can assess a fee and their activities benefit the Commission as whole.[[55]](#footnote-57)
14. Similarly, auctions FTEs are not included in the calculation of regulatory fees because our methodology excludes all auction-related FTEs and their overhead from the regulatory fee calculations. Auctions expenses are separately funded and not part of the Commission’s appropriation supported by regulatory fees. The Commission recovers the costs of developing and implementing its section 309(j) spectrum auctions program as an offsetting collection against auction proceeds and subject to an annual cap.[[56]](#footnote-58) To the extent that Wireless Telecommunications Bureau FTEs or FTEs within another core bureau spend a portion of their time on auctions issues and a portion on non-auctions issues, their time is split and the non-auctions portion is reflected in the core bureau’s FTEs. In order to determine what portion of an employee’s time is spent on auctions issues, an employee records, on his or her own, the time worked on auctions or non-auctions matters on the timesheet for a given pay period, based on an 80-hour pay period. Therefore, if an employee works only on auctions matters, the employee will so record 100% of their time on the timesheet and this time will be applied to auctions and excluded from the core bureau’s direct FTE calculations. If an employee only partially works on auctions matters, the employee will only record the amount of time on their timesheet that he or she actually worked on auctions matters and the non-auctions portion of time will be reflected in the applicable core bureau’s direct FTE count.[[57]](#footnote-59) Thus, only *direct non-auctions FTEs* are used in the calculation of the regulatory fee rate and consequently impact the overall regulatory fee calculations.
15. ***Office of Engineering and Technology Activities.*** NAB and others contend that the Commission should require users of unlicensed spectrum and/or equipment manufacturers to pay regulatory fees to support the Commission’s Office of Engineering and Technology’s (OET’s) work on the management of spectrum for unlicensed use and authorization of equipment.[[58]](#footnote-60) As discussed above, we decline the commenters’ request[[59]](#footnote-61) to revisit our fundamental regulatory fees methodology, and as discussed further below, we disagree with the assertion that the D.C. Circuit’s decision in *Telesat Canada v. FCC* requires us to do so. Furthermore, based on the record before us, we also decline NAB’s proposal to create one or more new regulatory fee payor categories consisting of unlicensed spectrum users and/or equipment manufacturers, which under our current methodology would effectively transform OET into a “core bureau” and transform OET FTEs into “direct” FTEs.[[60]](#footnote-62) Instead, we conclude that the better course at this time is to continue to classify OET’s FTEs as “indirect,” for the reasons below.
16. As discussed above, section 9 of the Communications Act requires the Commission’s methodology for assessing regulatory fees to “reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities.”[[61]](#footnote-63) The Commission effectuates this statutory requirement by first determining the number of direct FTEs in each core bureau and proportionally attributing all other indirect FTEs based on these core FTE allocations. As the Commission has previously observed, the number of indirect FTEs reflect the fact that “many Commission activities and costs are not limited to a particular fee category and instead benefit the Commission as a whole.”[[62]](#footnote-64)
17. The Commission has not treated OET as a core bureau and has considered its FTEs’ work to be “indirect” activities for which all payors of regulatory fees have been responsible. We find that the record does not support a change in this treatment at this time. OET provides engineering and technical expertise to the agency and supports each of the agency’s four core bureaus. Notably, part of OET’s role is to participate in matters “not within the jurisdiction of any single bureau” or “affecting more than one bureau,” similar to other offices with indirect FTEs such as the Office of General Counsel and the Office of Economics and Analytics.[[63]](#footnote-65) Some of OET’s duties and responsibilities that affect multiple core bureaus and their regulatees include maintaining the U.S. Table of Frequency Allocations; managing the Experimental Licensing and Equipment Authorization programs; regulating the operation of devices; and conducting engineering and technical studies.[[64]](#footnote-66) The matters handled by OET benefit the Commission’s work as a whole as well as all service sectors to which the Commission’s core bureaus devote FTE resources, including the sectors overseen by the Media Bureau.[[65]](#footnote-67)
18. For similar reasons, even when we consider only those OET FTEs working on oversight and regulation of unlicensed spectrum and devices capable of operating wholly or in part on unlicensed spectrum, the treatment of such costs as indirect is appropriate. We observe that many devices, including those operating wholly or in part on unlicensed spectrum, are exempt from equipment authorization requirements. Moreover, devices that are not exempt are tested by third party labs and, if certification is required, certified by Telecommunications Certification Bodies.[[66]](#footnote-68) As such OET’s equipment authorization oversight requires only a portion of FTE resources, which further supports our continuing treatment of such costs as part of overall OET indirect costs as opposed to segregable direct costs,[[67]](#footnote-69) and that the Commission’s current regulatory framework does not include an easy way to distinguish devices that operate on an unlicensed (as opposed to licensed) basis.[[68]](#footnote-70) Thus, we find that, on the record before us, creating this category does not serve the Commission’s goal of having a framework that is administrable.[[69]](#footnote-71)
19. Finally, we distinguish here the Commission’s recent decision to assess fees equally on both U.S.-licensed and non-U.S. licensed space stations with U.S. market access, as affirmed by the D.C. Circuit in *Telesat Canada v. FCC.*[[70]](#footnote-72) NAB is correct that section 9 of the Communications Act directs the Commission to consider “benefits” provided to regulatory fee payors, and that language was referenced by the D.C. Circuit in the *Telesat* decision.[[71]](#footnote-73) But section 9 requires the Commission to do more than merely consider “whether the payor receives benefits from the Commission’s activities.”[[72]](#footnote-74) Rather, section 9 directs the Commission to consider “factors that are *reasonably related* to the benefits provided to the payor of the fee by the Commission’s activities.”[[73]](#footnote-75) This statutory language was not changed by the RAY BAUM’S Act, nor is it affected by the *Telesat* decision. Indeed, the D.C. Circuit noted the specific factors underlying the Commission’s determination to assess regulatory fees in that case: that the Commission “devotes significant resources” to processing petitions from non-U.S.-licensed space stations to access the U.S. market; that non-U.S. licensed space stations “benefit from the Commission’s oversight and regulation in the same manner” as U.S. licensed space stations; and that processing a petition from a non-U.S.-licensed space station operator “requires evaluation of the same legal and technical information as required of U.S. licensed applicants.”[[74]](#footnote-76) Under these circumstances, the D.C. Circuit upheld the reasonableness of the Commission’s conclusion that assessing the same regulatory fees on non-U.S. licensed space stations with U.S. market access would better reflect the FTE resources used in the Commission’s oversight and regulation of space stations, U.S.-licensed and non-U.S.-licensed, and promote regulatory parity and fairness among space station operators by evenly distributing the regulatory cost recovery.[[75]](#footnote-77) In short, the *Telesat* decision involved a situation where two groups of applicants planned to offer the same type of service, authorizing the service required significant direct FTE resources of a core bureau, the authorization involved evaluation of the same legal and technical information from both groups, and yet only one group was required to contribute to the costs of the Commission’s oversight and regulatory activities with respect to that service. Those circumstances are not present here on the record before us.
20. ***Exempt Noncommercial Stations.*** The State Broadcasters Associations contends that broadcasters should not be responsible for the regulatory fees of exempt noncommercial stations.[[76]](#footnote-78) We disagree. The RAY BAUM’S Act specifically exempted non-commercial radio and television stations from regulatory fees.[[77]](#footnote-79) Because Congress has mandated collection of regulatory fees equal to the annual appropriation, the $374 million must be collected from all non-exempt regulatory fee payors. As we discussed previously in the *FY 2019 Report and Order*, Media Bureau regulatory fee payors are not unique. There are exempt entities in most of the regulatory fee categories.[[78]](#footnote-80) For example, over 150 Interstate Telecommunications Service Providers (ITSPs) are cooperatives and government entities and therefore do not pay regulatory fees. The regulatory fees apportioned to the ITSP fee category are accordingly divided among non-exempt ITSP licensees. Nonetheless, all ITSPs licensees benefit from the regulation and oversight of the Wireline Competition Bureau.[[79]](#footnote-81) Similarly, many earth stations in the international services fee category are exempt and therefore not included when the final calculation is made for the earth station fee category. Accordingly, we find it is consistent with section 9 of the Act to include those costs that are attributable to all regulatees in each bureau’s revenue requirement because all of the regulatees in that fee category, whether they pay regulatory fees or not, benefit from the oversight and regulation of that bureau.

## Commercial Mobile Radio Service Regulatory Fees Calculation

1. We adopt our proposal to include non-geographic numbers in the calculation of the number of subscribers for each Commercial Mobile Radio Service (CMRS) provider.[[80]](#footnote-82) The inclusion non-geographic numbers does not increase the total amount collected from the CMRS industry but will reduce the per subscriber fee. In the *FY 2021 NPRM*, we determined that, with the inclusion of non-geographic numbers, there would be 504 million payment units, and the estimated regulatory fee would be 15 cents per subscriber.[[81]](#footnote-83) As we explained in the *FY 2021 NPRM*, non-geographic numbers are assigned numbers but not associated with any particular geographic area.[[82]](#footnote-84) They are included in Numbering Resource Utilization Forecast (NRUF) Report data and fall within the definition of assigned numbers.[[83]](#footnote-85) Historically, non-geographic numbers were commonly used for “follow me” services, which allowed a consumer to receive a call at different locations, and were not used for independent subscribers.[[84]](#footnote-86) For that reason, the Commission did not previously include these numbers in the CMRS subscriber count estimates because it would result in double counting of subscribers. More recently, however, non-geographic numbers are increasingly used for machine-to-machine calling, such as wireless alarm monitoring and car emergency services subscriptions.[[85]](#footnote-87) Therefore, counting non-geographic numbers for regulatory fee purposes is no longer duplicative of the geographic number.[[86]](#footnote-88) No commenters oppose our proposal, and we therefore adopt it.

## Direct Broadcast Satellite Fees

1. We adopt our proposal to complete the phase-in of the DBS regulatory fee and place all DBS, cable television, and Internet Protocol television (IPTV) providers[[87]](#footnote-89) in the same fee category at the same per subscriber regulatory fee.[[88]](#footnote-90) Direct Broadcast Satellite (DBS) service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic “dish” antenna at the subscriber’s location.[[89]](#footnote-91) DBS providers are multichannel video programming distributors (MVPDs), as defined in section 602(13) of the Act.[[90]](#footnote-92) The Media Bureau oversees the regulation of MVPDs,[[91]](#footnote-93) including the two providers of DBS in the United States: DISH Network and DIRECTV. For Media Bureau activities in FY 2021, the Commission must collect $76.1 million in regulatory fees from MVPDs, i.e., cable TV systems (including CARS licenses), IPTV providers, and DBS operators, or 98 cents per subscriber per year.
2. The Commission first adopted a regulatory fee for DBS providers based on FTEs in the Media Bureau in FY 2015,[[92]](#footnote-94) but decided to phase in the new fee, starting at 12 cents per subscriber per year, as a subcategory in the cable television and IPTV category.[[93]](#footnote-95) The DBS regulatory fee is based on the number of Media Bureau FTEs that work on MVPD issues, including DBS issues, “not a particular number of FTEs focused solely on DBS” or “specific recent proceedings.”[[94]](#footnote-96) Each year, the Commission has increased the DBS regulatory fee by 12 cents per subscriber per year. In FY 2020, the DBS fee was 72 cents per subscriber.[[95]](#footnote-97)
3. NCTA and ACA Connects agree with our proposal to bring the DBS providers’ regulatory fee to the same level as cable television and IPTV fees.[[96]](#footnote-98) DIRECTV and DISH, however, disagree with ending the phase-in and contend that that DBS fees reached an appropriate level several years ago and that any further increase to the DBS rate unfairly shifts costs to DBS providers.[[97]](#footnote-99) We reject DIRECTV’s and DISH’s claim that a fee increase would result in shifting costs related to regulation of cable television to DBS providers. As consistently noted, Media Bureau employees dedicate substantially similar amounts of time and resources to the regulation of DBS as they do to cable television and IPTV, and DBS providers participate in numerous Media Bureau dockets.[[98]](#footnote-100) We therefore do not agree with the DBS providers’ argument that MVPD issues are predominantly specific to cable television.
4. We similarly disagree with DIRECTV and DISH that the Commission has not shown the work generated by the two DBS providers imposes the same burden on Media Bureau staff as the work generated by hundreds of cable operators. DIRECTV and DISH argue that cable is subject to more regulation, as required by Congress.[[99]](#footnote-101) The Commission has consistently held that the DBS regulatory fee is based on the significant number of Media Bureau FTEs that work on MVPD issues that include DBS.[[100]](#footnote-102) We also reiterate that even differently regulated services can warrant placement in the same payor category if they are overseen by a common pool of FTEs. For example, the ITSP category includes a range of carriers that are subject to differing regulations.[[101]](#footnote-103)
5. We also reject DIRECTV’s and DISH’s claims that the Commission should take into account the fee the DBS providers pay as International Bureau regulatees as a basis for reducing their contribution to payment as Media Bureau regulatees.[[102]](#footnote-104) The different bureaus provide different oversight and regulation; thus, under the Act, the Commission assesses regulatory fees based on the FTEs in the bureau providing regulation and oversight. In this case, both the International Bureau and the Media Bureau provide regulation and oversight, therefore, there is no reason to offset the fee.
6. We are not persuaded by DIRECTV’s and DISH’s claims that the fee increase will harm consumers.[[103]](#footnote-105) As discussed above, the DBS regulatory fee is based on the number of Media Bureau FTEs that work on MVPD issues, which includes DBS.[[104]](#footnote-106) Accordingly, we are obligated under section 9 of the Communications Act to collect these regulatory fees, which does not account for consumer effect. Further, we question the consumer impact. The fee we are adopting, 98 cents, per subscriber, per year, is the same fee for cable and IPTV subscribers, and would affect those subscribers in the same way, and reflect the documented basis for regulatory fee parity. We recognize that the fee we are adopting today, 98 cents, is two cents higher than the fee proposed in the *FY 2021 NPRM*. The two cent per subscriber increase from our proposal is due to the change we are adopting to exclude the radio and television broadcasters from the $33 million portion of the Commission’s appropriation for implementation of the Broadband DATA Act.
7. NCTA and ACA Connects ask that we clarify that there will be only one cable/IPTV/DBS category, or MVPD category, for regulatory fees such that each provider in the category is always subject to the same regulatory fees without need for annual analysis of their activities, consistent with prior determinations.[[105]](#footnote-107) These commenters state that the Commission should revise Appendices B and C to ensure that the Report and Order accurately reflects the proposal to include cable, IPTV, and DBS in the same fee category.[[106]](#footnote-108) We agree with this suggestion and will make this revision.[[107]](#footnote-109)
8. Finally, DIRECTV and DISH request that the Commission use updated MVPD subscriber numbers that are closer in time to the release of the Commission’s annual regulatory fee order.[[108]](#footnote-110) While we understand this concern, we are unable to administratively accommodate this request. Allowing DBS providers to use the most recent subscriber data when making their payments would leave insufficient time to include these unit counts, and the adjusted fee rates, into the rulemaking prior to adoption and collection of the annual fees. Since DBS subscriber information is not reported to the Commission, it would be difficult for the Commission to permit DBS providers to pay based on their most recent subscriber count in June, for example, because this subscriber count information would only become known to the Commission when DBS providers make their payment in late September. Changes in the estimated unit count can impact the DBS fee rate – as the estimated unit count decreases, the fee rate increases, and vice-versa. As a result, if DBS providers were permitted to pay on their subscriber count in June, this information would need to be known to the Commission in June so that the fee rate can be adjusted. The Commission has several other fee categories that also use December 31 unit count data, i.e., Cable System Subscribers, CMRS Cellular, CMRS Paging, International Bearer Circuits, Submarine Cable circuit capacity, and Toll-Free Numbers. Therefore, we do not believe that the DBS fee category should be considered any differently from the above fee categories.

## Full-Service Television Broadcaster Fees

### FY 2021 Regulatory Fees

1. We adopt the use of the population-based methodology for full-service television broadcasters for FY 2021, as proposed.[[109]](#footnote-111) In FY 2020, the Commission completed the transition to a population-based full-power broadcast television regulatory fee, finding it to be more equitable.[[110]](#footnote-112) In the *FY 2021 NPRM*, we sought comment on the use of population-based fees for full-power broadcast television stations based on the station’s contour.[[111]](#footnote-113) We proposed adopting a factor of .8525 of one cent ($.008525) per population served for FY 2021 full-power broadcast television station fees.[[112]](#footnote-114) We are, however, adopting a lower fee factor, .7793 of one cent ($.007793). This lower fee factor is a result of excluding radio and television broadcasters from the $33 million portion of our appropriation that is earmarked for implementation of the Broadband DATA Act.[[113]](#footnote-115) The population data for each licensee and the population-based fee (population multiplied by $.007793) for each full-power broadcast television station,[[114]](#footnote-116) including each satellite station, is listed in Appendix G.
2. Within each regulatory fee category, the amount to be collected is divided by a unit that allocates to each fee payor a proportionate share based on an objective measure.[[115]](#footnote-117) While NAB agrees that we should continue to use the population-based methodology as the objective unit measure,[[116]](#footnote-118) the Joint Broadcasters argue that the Commission’s resources in oversight and regulation do not increase or decrease depending on the population served by a broadcaster, and therefore we should not base the regulatory fee on the population served.[[117]](#footnote-119) These commenters do not, however, offer an alternative proposal that would be fair and reasonable to small and large broadcasters. As we have previously stated, the Commission’s methodology need not reach scientific precision and instead must simply be reasonable.[[118]](#footnote-120)

### Stations in Puerto Rico

1. We adopt the same adjustments to population count for FY 2021 for TV broadcasters in Puerto Rico that we provided those broadcasters in FY 2020. Previously, a group of broadcasters in Puerto Rico argued that our methodology overstates the population served by Puerto Rico stations because the mountainous terrain conditions result in the TVStudy overstating the population served.[[119]](#footnote-121) They also argued that significant and measurable drops in Puerto Rico’s population resulting from an exodus caused in part by Hurricane Maria overstated that the population counts underlying the TVStudy.[[120]](#footnote-122) To address these concerns, in the *FY 2020 Report and Order*, the Commission reduced the population counts used in the TVStudy by 16.9%, or the decline between the last census in 2010 and the current population estimate.[[121]](#footnote-123) Additionally, the Commission limited the market served by primary television stations and commonly owned satellite broadcast stations in Puerto Rico to no more than 3.10 million people, the latest population estimate.[[122]](#footnote-124) In the *FY 2021 NPRM*, we sought comment on adopting these proposals again for FY 2021.[[123]](#footnote-125)
2. SBS and Televicentro support the proposal to extend to FY 2021 the adjustments made in FY 2020.[[124]](#footnote-126) These commenters explain that the proposal properly recognizes the distinctive geographic, demographic, and economic challenges faced by Puerto Rico’s television broadcasters, and the unique technical solutions they employ to ensure that all residents of the island receive free, over-the-air broadcast television service.[[125]](#footnote-127) According to these commenters, the factors that led the Commission to adopt the FY 2020 modifications have not changed in the past year.[[126]](#footnote-128) Due to population decline in the past decade, Puerto Rico’s population remains well below that reflected in the 2010 census.[[127]](#footnote-129) Puerto Rico’s television broadcasters also continue to utilize unique networks of full power stations, with each station serving a circumscribed geographic area due to the island’s harsh and highly restrictive terrain, in order to provide free terrestrial television service to the entire island.[[128]](#footnote-130) These commenters also support limiting the market served by a primary television station and commonly-owned satellite broadcast stations in Puerto Rico to no more than 3.10 million people, the latest population estimate.[[129]](#footnote-131) Commenters explain that extending into FY 2021 the limitation on the total market served by all stations in a Puerto Rican television network will prevent overcounting of the population actually served by the island’s television broadcasters.[[130]](#footnote-132) We find that these are compelling arguments and, as we did in the *FY 2020 Report and Order*, we adopt our proposals in the *FY 2021 NPRM* to adjust the population and to limit the market served by all stations to the total population.[[131]](#footnote-133)

## Toll-Free Numbers

1. We decline to revise our rules and remove a Responsible Organizations (RespOrgs)’s responsibility to pay regulatory fees for toll-free numbers. Toll-free numbers allow callers to reach the called party without being charged for the call.[[132]](#footnote-134) With toll-free calls, the charge for the call is paid by the called party (the toll-free subscriber) instead.[[133]](#footnote-135) Historically, the Commission has not assessed regulatory fees on toll-free numbers under the rationale that the entities controlling the numbers, wireline and wireless carriers, were paying regulatory fees based on either revenues or subscribers. [[134]](#footnote-136) For reasons discussed in the *FY 2014 Report and Order*[[135]](#footnote-137) and the *FY 2015 Report and Order*,[[136]](#footnote-138) the Commission established a regulatory fee obligation for RespOrgs[[137]](#footnote-139) that manage toll-free numbers, beginning in FY 2015.[[138]](#footnote-140) These reasons include empowering the Commission to ensure that toll-free numbers, a valuable national public resource, are allocated in an equitable and orderly manner that serves the public interest, a fundamental purpose of section 251(e)(1) of the Act.[[139]](#footnote-141)
2. ATL Communications, Inc. (ATL), a RespOrg, contends that the regulatory fee for toll-free numbers should be assessed differently for entities that are not carriers.[[140]](#footnote-142) ATL argues that clients that are carriers, and report revenues on FCC Form 499s,[[141]](#footnote-143) should be responsible for the payment of regulatory fees. ATL claims that under the existing fee system, it is acting as a collection entity for the Commission. Instead, ATL argues, these clients should remit the fee to the Commission under their own FCC Registration Numbers. [[142]](#footnote-144) We disagree with ATL. We continue to believe that the existing process is orderly and equitable. While we recognize that many RespOrgs offset their fee payments to the Commission by passing these fees on to their customers who use the toll-free numbers, this practice is not mandatory. The statutory responsibility for payment of the regulatory fee rests solely with the regulated entity, the RespOrg, and not with customers of the RespOrg. Therefore, it is the responsibility of the RespOrg to pay the full amount of toll-free regulatory fees to the Commission by the fee due date. As a RespOrg, ATL, and all other RespOrgs, must pay a regulatory fee of 12 cents, per toll-free number.[[143]](#footnote-145)

## Submarine Cable Regulatory Fees

1. We adopt our proposal to use the same tiers for assessing fees on submarine cable operators for FY 2021 as in FY 2020, which are based on the “lit” capacity of the fiber-optic submarine cable.[[144]](#footnote-146) International bearer circuits (IBCs) consist of terrestrial and satellite circuits and submarine cable systems.[[145]](#footnote-147) Prior to 2009, IBC regulatory fees were collected based on 64 kbps circuits for each of the three types of facilities used to provide international service. In 2009, at the request of a large number of submarine cable operators (“2009 Consensus Proposal”),[[146]](#footnote-148) the Commission changed the methodology for assessing IBC fees and began to assess fees on a per cable landing license basis, with higher fees for larger submarine cable systems and lower fees for smaller submarine cable systems.[[147]](#footnote-149) The Commission concluded that this methodology served the public interest and was competitively neutral because it included both common carriers and non-common carriers.[[148]](#footnote-150) Through FY 2019, the Commission continued to assess fees for international service provided over terrestrial and satellite facilities based on a per 64 kbps basis. Under this bifurcated approach, based on the 2009 Consensus Proposal from the submarine cable operators, 87.6% of IBC fees were assessed to submarine cable systems and 12.4% to terrestrial and satellite facilities based on relative capacity at the time. The Commission adopted a five-tier structure for assessing fees on submarine cables systems, with larger systems paying more based on lit capacity, and a per gigabits per second (Gbps) assessment on active circuit capacity for terrestrial and satellite facilities.[[149]](#footnote-151)
2. In the *FY 2020 Report and Order*, the Commission revised the allocation of IBC fees[[150]](#footnote-152) and adopted new tiers for the fees.[[151]](#footnote-153) The Commission concluded that a ratio attributing 95% to submarine cables and 5% to terrestrial and satellite circuits would be more reasonable than the historic ratio.[[152]](#footnote-154) The Commission found again that capacity was an appropriate measure by which to assess IBC fees.[[153]](#footnote-155) The Commission rejected the use of a flat rate for submarine cables[[154]](#footnote-156) and adjusted the tiers for submarine cables.[[155]](#footnote-157) Subsequently, in the *FY 2021 NPRM*, we proposed to use the same tiers for assessing fees on submarine cable operators as the Commission adopted in the *FY 2020 Report and Order.[[156]](#footnote-158)* Lumen agrees with our capacity-based approach.[[157]](#footnote-159) The Submarine Cable Coalition,[[158]](#footnote-160) however, contends that basing the fees on capacity conflicts with the statute and leads to regulatory fees for submarine cable operators that are not linked to the benefits provided to these licensees.[[159]](#footnote-161)
3. The Commission has historically used capacity to assess IBCs. When Congress established the Commission’s regulatory fee authority in 1993 it adopted a statutory schedule of regulatory fees that included assessing a fee on carriers based on active 64 kbps international circuits.[[160]](#footnote-162) The Commission continued to assess IBC fees on 64 kbps circuits until 2009 when it adopted a new fee structure based on the 2009 Consensus Proposal from the submarine cable industry, but that new structure still used capacity of the submarine cable system for determining the fees so that smaller submarine cable systems were paying a lower fee than larger systems.[[161]](#footnote-163)
4. The Submarine Cable Coalition reiterates its arguments that were rejected by the Commission in the FY 2020 proceeding.[[162]](#footnote-164) It argues that the benefits submarine cable regulatees receive from the International Bureau’s work are fixed, regardless of the cable capacity[[163]](#footnote-165) and provides no additional or new support for its arguments. We find there are no significant changes in our regulatory framework and oversight of submarine cables, or changes in the marketplace, to reevaluate our fee framework based on lit capacity. As the Commission has previously stated, lit capacity is a reasonable basis to assess regulatory costs among the submarine cable regulatees that benefit from the Commission’s work.[[164]](#footnote-166) In the *Submarine Cable Order,* the Commission stated that over time the categories of small and large submarine cable systems will change as systems grow in capacity.[[165]](#footnote-167) The Commission updated the capacity tiers in 2018 to reflect the increasing capacity of submarine cable systems and again in 2020.[[166]](#footnote-168) We therefore find sufficient reason to adopt the proposed fees for submarine cable systems based on lit capacity.

## Space Station Regulatory Fees

### NGSO Regulatory Fees–Less Complex and Other

1. In 2020, the Commission adjusted the allocation of FTEs among GSO and NGSO space station and earth station operators.[[167]](#footnote-169) The Commission noted the disparity in number of units between GSO space stations (98) and NGSO systems (seven), and observed that many space stations can be operated under a single NGSO license while counting as a single unit for regulatory fee purposes, but only one satellite can be operated per GSO space station regulatory fee unit.[[168]](#footnote-170) To ensure that regulatory fees more closely reflect the work of FTEs’ oversight and regulation for each category, the Commission allocated 80% of space station regulatory fees to GSOs and 20% of the space station regulatory fees to NGSOs.[[169]](#footnote-171)
2. In the Further Notice of Proposed Rulemaking attached to the *FY 2020 Report and Order*, the Commission sought comment on adopting subcategories of NGSO systems for regulatory fee purposes. The Commission noted:

It has not been the experience of Commission staff reviewing satellite applications that certain broad categories of NGSO systems require substantially more time to process than others under the current rules. A smaller NGSO system in bands shared with other services may require greater staff efforts to approve than a larger NGSO system in bands without coordination difficulties. NGSO [fixed-satellite service] systems, while occupying substantial staff time to review in the past few years, have also benefited from streamlining rulemakings that have eliminated some of the most cumbersome technical demonstrations, such as equivalent power-flux density showings. [[170]](#footnote-172)

The Commission, however, sought comment on several specific proposals submitted regarding the creation of other categories or subcategories of NGSO systems for FY 2021, observing that it had previously created the regulatory fee category for small satellites, in part, to charge different fees for certain NGSO systems.

1. Based on comments received, we recently concluded that space systems planning to communicate with 20 or fewer U.S. authorized earth stations that are primarily used for Earth Exploration Satellite Service (EESS) and/or Automatic Identification System (AIS) are significantly less complex to regulate than other types of NGSO systems.[[171]](#footnote-173) We concluded that this category of “less complex” systems does in fact require fewer Commission resources for several reasons. Such systems rarely involve resource-intensive NGSO processing rounds, based on their ability to share with other operators in the requested frequency bands. Other types of NGSO systems also typically have a global presence, thereby requiring significantly more resources in connection with international forums. These other NGSO systems also have significant spectrum needs and involve a variety of frequency bands, technical issues, and services, constituting a significant part of the International Bureau’s NGSO work and resource allocation.[[172]](#footnote-174) We therefore adopted two new fee subcategories: “less complex” NGSO systems and all other NGSO systems identified as “other” NGSO systems, both under the broader category of “Space Stations (Non-Geostationary Orbit).”[[173]](#footnote-175) In the *FY 2021 NPRM*, we also sought comment on how to calculate the regulatory fees for these NGSO subcategories. We proposed a 20/80 allocation within the category of NGSO fees, with “less complex” NGSO systems responsible for 20% of NGSO regulatory fees and the remaining NGSO systems (“other”) responsible for 80% of NGSO regulatory fees.[[174]](#footnote-176)
2. Several commenters disagree generally with creating NGSO subcategories, arguing that operators should not pay differing fees based on whether an NGSO system is “less complex.” Some commenters object to “less complex” systems paying a lower percentage of the total NGSO regulatory fees than “other” systems and some commenters also object to our rationale in creating and defining the fee subcategories.[[175]](#footnote-177) Below, we discuss the NGSO subcategories and the allocation of the NGSO fees among the NGSO subcategories.

#### NGSO Space Station Subcategories

1. We reject commenters’ arguments that we should not have adopted the “less complex” and “other” subcategories within the NGSO regulatory fee category. In objecting to our decision, commenters primarily rely on arguments that were fully considered and addressed as part of our decision in the Report and Order accompanying the *FY 2021 NPRM.* There are no new arguments or developments cited by commenters, and in any event, we are not persuaded by the arguments raised.
2. We reject commenters’ assertions that there is insufficient notice or lack of “reasoned decision making” to create NGSO subcategories for regulatory fee purposes.[[176]](#footnote-178) In the Report and Order accompanying the *FY 2021 NPRM*, we explained in detail our analysis of the FTE time relevant to oversight and regulation of various NGSO systems and why creating NGSO subcategories for regulatory fee purposes is appropriate based on further analysis and review of comments in the FY 2020 proceeding.[[177]](#footnote-179) In the Further Notice of Proposed Rulemaking attached to the *FY 2020 Report and Order*, the Commission explicitly sought comment on several specific, concrete proposals that would create a new NGSO fee subcategory.[[178]](#footnote-180) Thus, the Commission provided notice that it was continuing to analyze the issue, and would be taking comments into consideration. It was on the basis of these comments and our closer look to the FTE time allocations in regulating various NGSO systems that we concluded in the Report and Order attached to the *FY 2021 NPRM* that a subdivision within the NGSO fee category was appropriate.[[179]](#footnote-181) Accordingly, the Commission’s prior observations regarding the relative regulatory burdens among NGSO systems were superseded by subsequent review of the record, consistent with the purpose of a notice and comment rulemaking process. Indeed, our decision to create two NGSO fee subcategories incorporated elements of the specific proposals.[[180]](#footnote-182) Our decision-making process, therefore, did not constitute an “abrupt reversal” or “abrupt change in direction,” as the NGSO Satellite Coalition and Iridium suggest,[[181]](#footnote-183) but was rather an informed decision-making process based on a fully developed record, following a notice and comment rulemaking.
3. We further disagree with the NGSO Satellite Coalition’s contention that we “attached misplaced significance” to application processing costs in determining the amount of Commission resources used in the oversight and regulation of NGSO systems because we took into consideration processing round procedures in concluding that certain NGSO systems require fewer Commission resources.[[182]](#footnote-184) Section 9 of the Communications Act requires the Commission to recover, through regulatory fees, the total amount of its appropriation each year.[[183]](#footnote-185) The Commission must consider all FTE time costs in recovering its regulatory fees. While processing rounds involve processing applications, once an application has been granted, that grantee remains part of the processing round and must be taken into consideration when the Commission processes future applications in the same processing round or future processing rounds involving the same frequency bands, as well as when the Commission addresses any disputes that may arise among processing round participants. By their nature, processing rounds require ongoing consideration of various applicants and grantees, and the work of Commission staff related to a particular operator does not end at the initial grant stage. We previously addressed this point when we agreed with Planet’s comment that systems authorized through a processing round typically do involve considerable time and effort adjudicating contentious processing round disputes and related licensing matters.[[184]](#footnote-186)
4. We also do not agree with the commenters’ arguments that we neglected to consider various measures that have resulted in streamlining of NGSO FSS processing round processes and that justify a lower proportion of regulatory fees being borne by “other” NGSO systems.[[185]](#footnote-187) Commenters attempt to minimize the extent of the Commission’s regulatory work, including work related to processing rounds. The NGSO Satellite Coalition argues that the Commission has adopted rules to enable sharing among NGSO FSS systems, without requiring the Commission to make frequency assignments.[[186]](#footnote-188) These and other rules to simplify technical requirements for NGSO FSS systems have helped decrease the amount of work required for application processing, but in our experience, such measures have not eliminated the need to consider previously-authorized NGSO systems when resolving processing round issues involving new applications, or disputes among authorized operators – both of which can be time-consuming.[[187]](#footnote-189)
5. As an alternative argument, the NGSO Satellite Coalition contends that even if we do take application processing into consideration, the Commission has underestimated the burdens inherent in EESS application processing vis-à-vis NGSO FSS application processing.[[188]](#footnote-190) The NGSO Satellite Coalition points to the fact that EESS applications are more likely to require coordination with the Interdepartmental Radio Advisory Committee.[[189]](#footnote-191) We note that these points were raised previously, and we agreed with commenters that indicated that much of the time and cost of coordination with Federal operators is borne by the applicant for an EESS authorization.[[190]](#footnote-192)
6. We also disagree with commenters’ arguments that we improperly considered certain NGSO FSS rulemaking proceedings when we concluded that the Commission’s resources spent on rulemaking for NGSO systems supports the categorization adopted.[[191]](#footnote-193) We performed a holistic analysis of our regulation of NGSO systems and the FTE time accorded the oversight and regulation thereof, including rulemakings benefiting those systems, which are directly relevant for purposes of assessing regulatory fees. In so doing, we looked at the overall FTE time spent in oversight and regulation of the types of NGSO systems, and identified examples of proceedings involving certain NGSO systems.[[192]](#footnote-194) Regardless of whether NGSO operators agreed with the Commission’s decision to initiate various proceedings, the Commission has and continues to undertake efforts to ensure efficient use of that spectrum and the operations of NGSO FSS in the spectrum.[[193]](#footnote-195) While the NGSO Satellite Coalition cites to rulemakings that it states benefit EESS systems, those rulemakings also involve other NGSO systems, and so do not solely benefit EESS systems – and several of them have only some relevance to frequency bands often used by EESS systems.[[194]](#footnote-196) We agree that these examples demonstrate that EESS systems benefit from the Commission’s regulation and oversight, but they also contribute to the total benefit and cost associated with regulating and overseeing NGSO space systems.
7. We further reject assertions against our decision that the number of U.S.-authorized earth stations that an NGSO system plans to communicate with is a proxy in determining whether a system is “less complex.”[[195]](#footnote-197) For example, the NGSO Satellite Coalition and Kepler argue that our decision to consider earth stations is different from the Commission’s decision to adopt a category for small satellites that focused on a variety of different characteristics.[[196]](#footnote-198) The definition of small satellite for the purposes of Commission licensing is broader than the NGSO subcategories adopted for regulatory fees purposes,[[197]](#footnote-199) and we specifically addressed in the *FY 2021 NPRM* arguments that we should consider various space station characteristics in creating NGSO regulatory fee subcategories.[[198]](#footnote-200) As another example, Kepler argues that the Commission should create additional subcategories within the “other” NGSO category.[[199]](#footnote-201) It also argues that the Commission did not provide reasons why numbers of earth stations should be taken into consideration rather than “key space station characteristics such as satellite mass, operational altitude, and constellation size to create a new space station licensing category.”[[200]](#footnote-202) We explicitly addressed other characteristics of NGSO systems in the *FY 2021 NPRM*, however, stating that “[i]n our experience, number of satellites, total bandwidth, on-orbit mass, and market share of the service type are not consistently indicative of the complexity of NGSO regulation.”[[201]](#footnote-203) Our cumulative experience to date is that the number of satellites in a constellation is not the key driver of the amount of FTE time devoted to regulatory oversight of such constellations.[[202]](#footnote-204)
8. Finally, we reject commenters’ allegations that the consideration of earth stations is overly simplistic.[[203]](#footnote-205) Comparative complexity in earth station siting and licensing is not relevant to our analysis to determine whether an NGSO space system is less complex to regulate. Regulatory fees for earth stations are separately assessed from space stations fees. Although individual earth station applications may differ in terms of Commission resources required to process, those activities are not relevant to determine whether a space system planning to communicate with such an earth station is a complex system or not. Similarly, we disagree with arguments that space station systems communicating with larger numbers of earth stations are not likely to require more Commission oversight and regulatory activities. While an earth station blanket license application for technically-identical user terminals may in some instances be fairly easily processed, the ongoing activities associated with regulating the corresponding NGSO space station system will be more intensive, because the number of earth stations is an indicator that the space system itself is more complex. We also disagree with the NGSO Satellite Coalition that our consideration of numbers of earth stations presupposes that EESS systems require no more than 20 earth stations to support their network.[[204]](#footnote-206) Our experience has shown that authorized EESS systems typically communicate with fewer than 20 earth stations in the United States, and takes into account earth stations owned and operated by a third party that communicate with a particular NGSO system.[[205]](#footnote-207) As indicated, we are using “fewer than 20 earth stations” as a proxy and at the application stage, if we determine that a space system is planning to communicate with more than 20 earth stations based on the system design, such system design and plans would indicate that the space system would not fall into the “less complex” system category for regulatory fee purposes.[[206]](#footnote-208) Nothing in the record, or our analysis of the resources the International Bureau devotes to NGSO oversight and regulation, demonstrates that we erred in adopting an additional NGSO space station regulatory fee category for “less complex” NGSO systems.

#### 20/80 NGSO Regulatory Fee Allocation

1. We adopt our proposal from the *FY 2021 NPRM* to allocate 20% of NGSO regulatory fees to “less complex” NGSO systems and 80% of NGSO regulatory fees to “other’ NGSO systems.[[207]](#footnote-209) In so doing, we consider the record, our experience, and analysis of the time International Bureau FTEs devote to oversight and regulation of “less complex” and “other” NGSO systems. While some commenters agree with the 20/80 allocation,[[208]](#footnote-210) others disagree. Many of those commenters disagree with the underlying creation of the “less complex” NGSO fee category, as adopted.
2. Specifically, we reject Iridium’s argument that the Commission did not provide adequate evidence to justify the proposed fee allocation.[[209]](#footnote-211) In Iridium’s view, our statement in the *FY 2021* *NPRM* that the 20/80 split is based on the Commission’s experience is not sufficient to explain the change from the Commission’s observation in the *FY 2020 Report and Order* that the certain categories of NGSO systems did not take substantially more time to process.[[210]](#footnote-212) We took careful note of the record developed in response to the *FY 2020 Report and Order* in concluding that it was in fact appropriate to adopt subcategories within the NGSO fee category. Among others, we were persuaded by those comments pointing to time spent by Commission staff in regulating certain categories of NGSO systems, including processing round-related matters and certain rulemakings.[[211]](#footnote-213) We refocused our analysis on ongoing totality of regulatory work benefiting NGSO systems, rather than just application or coordination processes.[[212]](#footnote-214) We further reviewed the work of Commission staff in connection with international forums, and how that work correlates with different types of NGSO systems.[[213]](#footnote-215)
3. We disagree with Iridium’s suggestion that adoption of granular fee categories must be accompanied by “transparent data” supporting the granularity.[[214]](#footnote-216) The process used in developing a proposal to allocate the regulatory fees among subcategories of NGSO systems was similar to the process used to determine the allocation of regulatory fees between GSO and NGSO satellite systems.[[215]](#footnote-217) In so doing, the Commission considered various aspects of the Commission’s oversight and the amount of FTE time devoted to the subcategories of NGSOs, specifically on the number of applications processed, the number of changes made to the Commission’s rules, and the number of FTEs working on oversight for each category of operators.[[216]](#footnote-218) Here, in evaluating the FTE time devoted to the subcategories to develop the proposed 20/80 allocation, we considered the adjudicatory role of the Commission in connection with different types of NGSO systems – which is typically more intensive for those systems authorized as part of processing rounds. We also considered the number of rulemakings over the last several years,[[217]](#footnote-219) as well as current rulemakings, and which types of NGSO systems were implicated in those rulemaking activities, and we considered the various international activities that Commission staff engage in and how those activities benefit the different types of NGSO systems.[[218]](#footnote-220) We then considered the number of FTEs typically working on processing round issues/adjudications on an ongoing basis,[[219]](#footnote-221) compared the number of FTEs working on various rulemakings, and considered the number of FTEs in the International Bureau that engage in various international activities and forums, and the extent to which such activities benefit each category of NGSO system. Similar to the split between GSOs and NGSOs, we acknowledged that the apportionment of FTEs’ time working on the various categories of operations would be approximate.[[220]](#footnote-222) We also recognized the considerable challenge of assigning a precise number to the allocation of regulatory fees between “less complex” and “other” categories of NGSO space stations, given that all of these systems are NGSO systems and continue to benefit from our various activities, including rulemakings, enforcement, applications, and international activities, to some extent.[[221]](#footnote-223) Accordingly, based on our NGSO experience and judgement, as noted in the *FY* *2021 NPRM*, we estimate as close as possible the relative percentage of FTE time attributable to oversight for each category of operators. Considering the totality of the regulatory activities involving “less complex” systems, we found that only about 20% of regulatory work on NGSOs that FTEs perform corresponds to “less complex” systems. The other 80% of work directly benefits “other” NGSO systems due to their more complex nature. We also have considered the regulatory burden imposed by and benefits received by various NGSO systems and the comments submitted in the record. Some FTE activities may overlap and benefit both categories of NGSO space stations; however, for regulatory fee purposes, we are not persuaded that a 20/80 allocation is an unreasonable calculation of cost and the corresponding FTE benefits.
4. We are not persuaded by SES’ argument that we should adopt a 40/60 allocation between “less complex” and “other” NGSO fee subcategories to “more accurately reflect the limited differential in regulatory costs between these system types.”[[222]](#footnote-224) SES alleges that none of the factors cited in the *FY 2020 NPRM* provide a valid justification of the cost apportioning.[[223]](#footnote-225) SES does not provide any data to support a 40/60 allocation, but states that “particularly in light of the Commission’s determination just last year that there was no cost-based rationale for adopting any new NGSO fee subdivisions, . . . [the Commission] must at least adjust the fee split between them to a more equitable ratio.”[[224]](#footnote-226) We reject SES’s claims and find that nothing in the record supports revisiting our proposed 20/80 allocation, as discussed above. Based on our review of the International Bureau’s work and the record, we are not persuaded that a 40/60 allocation would collect regulatory fees in a more accurate manner that would closely correspond to the Commission’s FTE resource distribution involving NGSO space stations. Our allocation percentage is based on our quantitative experience (approximate numbers of FTE hours spent in a year) and expert judgement, and such calculation remains to be the best approximation of our FTE cost allocation at this time, based on the record before us. The fees must be administrable, and we note again that the Commission’s methodology need not reach scientific precision and instead must simply be reasonable.[[225]](#footnote-227) SES also argues that “the most important and complex” pending satellite rulemaking involves updating orbital debris rules, which applies to all NGSO systems.[[226]](#footnote-228) While we agree that the orbital debris proceeding is an important proceeding involving all NGSO systems, as well as GSO systems, we focus on FTE time devoted to all relevant Commission rulemaking proceedings, not just on one in particular, along with all other regulatory activities, including adjudications, in making the determination that a 20/80 allocation is appropriate.[[227]](#footnote-229)
5. Similarly, we reject AWS’ 10/90 fee allocation proposal, arguing that a smaller minority of Commission efforts appear to involve NGSO systems that meet the definition of a “less complex” NGSO system.[[228]](#footnote-230) AWS focuses on the time spent on coordination of systems that request frequencies shared with Federal users and in particular the technology used by staff to coordinate with the National Telecommunications and Information Administration (NTIA).[[229]](#footnote-231) We note however, that this focuses solely on FTE time devoted to spectrum coordination and does not take into account FTE time devoted to other Commission’s activities, such as rulemaking and adjudication. As such, we are not persuaded that a 10/90 allocation is a better representation of FTE time spent as between “less complex” and “other” NGSO systems.
6. We do not agree with suggestions by Iridium, the NGSO Satellite Coalition, and Kepler the we are trying to recover fees for the International Bureau staff work on earth stations in creating the new NGSO fee subcategories.[[230]](#footnote-232) Consistent with the Act, we focused on NGSO space systems and the related cost incurred by the Commission that must be recovered by regulatory fees in creating these subcategories. The NGSO space station subcategories aim to recuperate NGSO space station regulatory costs alone. To determine whether a space system is less complex or not, we look at the space station application to determine whether the space system intends to communicate 20 or fewer earth stations. We use communications with these earth stations as a proxy to determine the complexity of a space station system and the needed regulatory oversight of the space stations.
7. We are not persuaded by comments that our subdivision is not fair or easily administrable and/or does not provide NGSO operators with certainty as to what fees they should expect to pay from year to year.[[231]](#footnote-233) Iridium argues that the 20/80 allocation creates significant uncertainty for NGSO MSS operators in particular, because adoption of the 20/80 split would require NGSO MSS operators to pay more than double the fees that they were required to pay two years ago.[[232]](#footnote-234) Iridium expresses concern over fee increases of the past two years, however, and in doing so seems to take issue in large part with increases in regulatory fees generally, and not just the change that would result from the 20/80 allocation among NGSO subcategories.[[233]](#footnote-235) As discussed above, NGSO operators were on notice that we were evaluating our methodology to more reasonably allocate our regulatory cost among NGSOs to reflect a fair allocation of Commission resources expended and benefits received. We also note that even if we had not created subcategories within the NGSO category, the regulatory fees for NGSO systems would have increased this year, albeit to a lesser degree for “other” NGSO systems. The essential statutory logic of the FCC’s regulatory fees is tied to the annual Congressional fiscal year appropriation. Thus, all regulatory fee payors were on notice that due to the increase in the Commission’s appropriation, operators should anticipate that the assessments for fee categories would be increased this year.[[234]](#footnote-236) We also disagree that the subdivision is unfair, particularly to NGSO MSS operators. Regulatory fees are not based on benefits alone, but rather are based on Commission costs, adjusted for benefits, and the Commission found that NGSO MSS did not meet the criteria of “less complex” based on these costs and benefits. While we are sympathetic to Kepler’s concerns that the Commission’s approach leads to regulatory uncertainty,[[235]](#footnote-237) fluctuation in regulatory fees is likely due to any one or a combination of several factors such as a change in our annual appropriation, a change in number of FTEs, and a change in our methodology or units within a fee category. It is our responsibility to ensure that we continue to review and update our regulatory fees each year to recover the annual fiscal year appropriation pursuant to our regulatory fee authority in a manner that satisfies our overarching goals of ensuring a fair, administrable, and sustainable fee methodology.
8. We disagree with SES’ suggestions that we “reject[ed] a waiver approach for addressing NGSO regulatory fee matters” in the *FY 2021 NPRM* and that such decision isinconsistent with guidance given to SES in 2020 when it sought a regulatory fee exemption.[[236]](#footnote-238) In the *FY 2021 Report and Order,* we declined to set up a process based on expectation of a fee waiver or reduction and stated that “[w]hile our rules do enable waiver requests, they are exceptional in nature.”[[237]](#footnote-239) Although exceptional in nature, our waiver process is available where appropriate. The waiver process is case-specific, with distinct public interest goals separate from the process of the Commission’s periodic review and update of the regulatory fee categories through rulemakings. The regulatory fee rulemaking aims to ensure that the fees and the fee categories can be adjusted generally taking into account factors reasonably related to the benefits provided to the fee payors by the Commission’s activities.
9. Finally, we reject Kinéis suggestion that we need to address the “significant degree” to which benefits obtained by non-U.S. operators serving the U.S. market are different from those provided to U.S.-licensed systems.[[238]](#footnote-240) Kinéis states, for example, that the Commission acts as both a registration agent before the ITU and a coordination facilitator on behalf of U.S. licensees, “often in conflict” with the interests of NGSO satellite operators authorized by other administrations that have been granted access to the U.S. market.[[239]](#footnote-241) The Commission previously concluded that non-U.S. licensed space stations benefit from the Commission’s regulatory activities in much the same manner as U.S. licensees.[[240]](#footnote-242) The Commission also already addressed arguments that international coordination somehow does not benefit non-U.S. licensed satellites, pointing out that international coordination efforts, for example, benefit all U.S. marketplace participants in the U.S. satellite market by, among other things, evaluating and minimizing the risks of radiofrequency interference.[[241]](#footnote-243) We see no reason now to revisit the Commission’s prior conclusion.

### NGSO Regulatory Fees–Satellites Authorized under Multiple Call Signs

1. We find it premature to make a determination how the Commission’s regulatory fees should apply to NGSO satellites operating as an integrated NGSO system, but authorized under multiple call signs. Several commenters to the *FY 2021 NPRM* ask us to clarify whether NGSO satellites operating as an integrated NGSO system, but authorized under multiple call signs, should be considered part of the same system – and therefore be assessed a single regulatory fee.[[242]](#footnote-244) Specifically, Myriota, Spire, and the Smallsat Operators suggest that the Commission should consider NGSO satellites operating as part of the system – but authorized under multiple call signs (even by different operators) – as one “system” for purposes of NGSO regulatory fees.[[243]](#footnote-245) Myriota expresses concern that failure to do so will result in inefficient outcomes and unintended consequences.[[244]](#footnote-246) Myriota states that the Commission has addressed this issue for GSO satellites with multiple “payloads” operated by different regulatees by imposing only one regulatory fee on a GSO satellite.[[245]](#footnote-247) Myriota also explains that in cases where the NGSO satellites licensed by different administrations are part of the same system, the Commission has imposed a single regulatory fee, and a single fee is also imposed in the context of integrated NGSO system operators that participate in different processing rounds.[[246]](#footnote-248)
2. We do not currently have any authorized NGSO systems that fit the description of a multi-regulatee/multi-call sign NGSO system as Myriota, Spire, and the Smallsat Operators describe.[[247]](#footnote-249) We observe that the answer is likely to be fact-specific, and involve a determination of what exactly constitutes an NGSO “system” where the space stations in the “system” are operated by different entities. The parameters of what Myriota and Spire describe as “space-as-a-service” are not well-defined, and therefore it is premature at this time to conclude how such operations should be evaluated for regulatory fee purposes. In the case of GSO space stations, it is clear when there are multiple licensees associated with the same physical satellite. The situation is less clear for NGSO systems because the situation could quickly become factually complex where different space stations in the “system” are described as attributable to different entities for regulatory fee purposes. While Myriota points to Spire as an example of where the Commission considered NGSO satellites licensed by different administrations to be part of the same system for regulatory fee purposes, that situation is unusual, and involves an entity that was originally a Commission licensee that additionally became a market access grantee.[[248]](#footnote-250) Moreover, although Myriota cites examples of NGSO systems authorized through multiple processing rounds, the processing rounds typically involve different frequency bands being authorized for use by the same, or overlapping sets of space stations, operated by the same licensee or market access grantee.[[249]](#footnote-251) Thus, the situation presented by Myriota is not entirely analogous to any of these examples. We will continue to apply the general presumption that NGSO systems operated by different licensees or market access grantees constitute different NGSO systems.[[250]](#footnote-252)

## Flexibility for Regulatory Payors Due to COVID-19 Pandemic

1. As proposed in the *FY 2021 NPRM*, we extend the temporary COVID-19 regulatory fee relief measures that were implemented in our FY 2020 Report and Order.[[251]](#footnote-253) Last year, the Commission adopted certain relief measures to address concerns raised by commenters about financial hardship caused by the COVID-19 pandemic.[[252]](#footnote-254) Comments received in response to the *FY 2021 NPRM* indicate that the financial hardship caused by the pandemic have continued into the 2021 fiscal year.[[253]](#footnote-255) Accordingly, we find good reason to continue the same relief measures we adopted in FY 2020 for FY 2021.
2. Specifically, for FY 2021, we again waive section 1.1166 of our rules, to the extent necessary, to permit parties seeking regulatory fee waiver, deferral and/or installment payment relief for financial hardship reasons related to the pandemic. Those parties may make a single request for all forms of relief sought, whether in combination or in the alternative,[[254]](#footnote-256) and may submit all such requests for relief electronically to the Commission via a dedicated email address.[[255]](#footnote-257) For FY 2021, the email address is [2021regfeerelief@fcc.gov](mailto:2021regfeerelief@fcc.gov). Additionally, we partially waive our red-light rule to allow debtors that are experiencing financial hardship to nonetheless request relief with respect to their regulatory fees.[[256]](#footnote-258) As we provided in FY 2020, however, such regulatees are required to resolve all delinquent debt by paying it in full, entering into an installment agreement to repay it, and/or if applicable, curing all payment and other defaults under existing installment agreements.[[257]](#footnote-259) We believe the existing waiver standard together with the measures described above will work as designed, to provide fee relief to those regulatees most in need.
3. Regulatees whose businesses have been hurt by the pandemic, but not to the extent required to receive a waiver, reduction, or deferral, may be eligible to pay their FY 2021 fees in installments under section 1.1914 of our rules. For those regulatees, we exercise our discretion under section 3717(a) of the Debt Collection Improvement Act of 1996, as amended, to reduce the interest rate the Commission charges on installments payments to a nominal rate[[258]](#footnote-260) and we suspend our down payment requirement.[[259]](#footnote-261) We also recognize that demonstrating financial hardship caused by the pandemic may require different financial documentation than the documentation the Commission has traditionally accepted.[[260]](#footnote-262) While the burden of proving financial hardship remains with the party requesting it, we again direct the Managing Director to work with individual regulatees that have filed requests if additional documents are needed to render a decision on the request.[[261]](#footnote-263) Finally, we direct the Managing Director to release one or more public notices describing in more detail the relief we have described herein.
4. We remind regulatees that we cannot relax the standard for granting a waiver or deferral of fees, penalties, or other charges for late payment of regulatory fees under section 9A of the Act.[[262]](#footnote-264) Under the statute, the Commission may only waive a regulatory fee, penalty or interest if it finds there is good cause for the waiver and that the waiver is in the public interest.[[263]](#footnote-265) The Commission has only granted financial hardship waivers when the requesting party has shown it “lacks sufficient funds to pay the regulatory fees and to maintain its service to the public.”[[264]](#footnote-266) Other statutory limitations include that the Commission must act on waiver requests individually,[[265]](#footnote-267) and cannot extend the deadline we set for payment of fees beyond September 30.[[266]](#footnote-268)

# notice of proposed rulemaking

## New Regulatory Fee Categories

1. We seek comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service. Some commenters suggest that we impose fees on particular industry participants, essentially asking that we consider new fee categories. For example, NAB asks that unlicensed spectrum users, especially large technology companies, be required to pay regulatory fees, and we seek comment on this proposal.[[267]](#footnote-269) We seek comment on the legal basis for assessing regulatory fees on such users, consistent with the precedent interpreting our section 9 authority. What would be the proposed methodology for assessing regulatory fees on unlicensed spectrum users? We note that unlicensed spectrum users include a significant number of equipment manufacturers, such as appliance and other home goods equipment, many of which neither apply for nor require authorization by the Commission.[[268]](#footnote-270) Commenters should also explain, to the extent they advocate imposition of regulatory fees on either a subset of users or certain entities benefitting from such use, how to define any new fee category and how to calculate and assess such fees on an annual basis. Alternatively, should the Commission assess regulatory fees on large technology companies based on a different basis, such as any advantages they receive because of the Commission’s universal service or other activities? Are there other categories that should be added, deleted, or reclassified? In recommending the addition, deletion, or reclassification of a fee category, commenters should also explain the impact of such addition, deletion or reclassification upon other regulatory fee categories and payors. We also seek comment on possible methodologies for re-calculating the regulatory fee allocation.
2. As discussed in the Report and Order above, section 9 of the Communications Act requires the Commission’s methodology for assessing regulatory fees to “reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities.”[[269]](#footnote-271) The Commission effectuates this statutory requirement by first determining the number of “direct” FTEs in each core bureau and proportionally attributing all other “indirect” FTEs based on these “core” FTE allocations. As the Commission has previously observed, the number of indirect FTEs reflect the fact that “many Commission activities and costs are not limited to a particular fee category and instead benefit the Commission as a whole.”[[270]](#footnote-272) Commenters should specifically discuss how a proposed new fee category is consistent with the section 9 requirement to base regulatory fees on the number of FTEs devoted to the oversight and/or regulation of the industry. Further, commenters should indicate how the new fee category fits within the Commission’s current regulatory fee methodology. To the extent possible, commenters should support any proposed new fee category with data and/or examples necessitating a revision of the Commission’s current regulatory fees framework.

## Fees for Small Satellites

1. In anticipation of listing small satellites for the first time on the FY 2022 regulatory fee schedule, we seek comment on several proposals pertaining to this new category. In 2019, the Commission adopted a new, optional licensing process for small satellites and small spacecraft.[[271]](#footnote-273) The Commission also adopted a “small satellite” regulatory fee subcategory for licensed and operational satellite systems authorized under the new process adopted in that proceeding.[[272]](#footnote-274) As has been noted in prior year fee proceedings, small satellites typically have a number of characteristics that distinguish them from traditional NGSO satellite systems, such as having a lower mass, shorter duration missions, and more limited spectrum needs.[[273]](#footnote-275)
2. AWS observes that small satellites licensed under the streamlined process require less agency resources to process than other systems because they are exempt from processing rounds and must certify that their operations will not interfere with those of existing operators or materially constrain future operators from using the assigned frequency band(s).[[274]](#footnote-276) AWS and Planet suggest that, once small satellites are added to the Commission’s regulatory fee schedule, the NGSO regulatory fee allocation be adjusted to a 5/5/90 split among small satellites, less complex systems, and other systems, respectively.[[275]](#footnote-277) Eutelsat previously commented on the proposed 1/20th of the fee for NGSO systems, and suggested a regulatory fee of not more than 1/10th of the previously proposed NGSO fee, which at the time calculated to $22,350.00, for small satellites.[[276]](#footnote-278) According to Eutelsat, such a fee reflected the Commission’s costs and was fair but substantial.[[277]](#footnote-279)
3. We expect that small satellites will be listed on the FY 2022 fee schedule, as there are several systems authorized under the small satellite process that are beginning operations and we expect those systems will be operating as of the date for assessment of FY 2022 fees.[[278]](#footnote-280) FY 2022 will be the first year where regulatory fees are assessed for small satellites, and therefore we anticipate that we will continue to review regulatory fees for small satellites on an ongoing basis as we gain more experience with these licensees and market access grantees.
4. There are a number of factors to consider in assessing the regulatory fee for such systems. There are a number of limitations on the benefits that small satellite licensees and market access grantees may receive from ongoing activities of the Commission. While small satellites may receive interference protection when operating as allocated, such satellites must be compatible with existing operations in the requested frequency bands and not materially constrain future operations of other satellites in those frequency bands.[[279]](#footnote-281) Moreover, small satellite licensees are limited to a license term not to exceed six years.[[280]](#footnote-282) As such, investments in any particular small satellite system are likely to be smaller compared with other types of NGSO systems, and therefore the overall benefits to a particular licensee from Commission rulemakings and other activities of an ongoing nature are also likely to be smaller. These systems are also less likely to be involved in ongoing adjudications because of the scope of such systems and the fact that they are not authorized under the Commission’s processing round procedures. Further, as a result of the structure of the small satellite process, a single system may have multiple licenses or market access grants. There will also only be a few small satellite licensees which would commence operations as of the relevant date for assessing FY 2022 fees. Given these limitations, and taking into consideration the FTE regulatory benefits that may be associated with a single license or grant of market access, we make several proposals that would result in a fee for small satellites that is low, compared to other types of satellites or systems, but will reasonably reflect our FTE burden and the benefits received by these fee payors. We start with considering the number of FTEs working on oversight for this category of operators. Thus, we must estimate the relative number of FTEs that are attributable to benefitting small satellite licensees or grantees, based on the factors above. We also observe that due to the small satellite licensing regulatory framework and the nascent nature of these systems, currently, much of the IB FTE time that can be associated with small satellites appear to cover small satellite application processing.[[281]](#footnote-283)
5. Given the various considerations above, we seek comment on several proposals on the appropriate methodology to calculate the small satellite fees. First, we seek comment on setting a fee for each small satellite license or market access grant, in such a way that the amount would not be dependent on the number of small satellite systems operating in a given regulatory period. This type of fee, rather than a fee that varies depending on the number of licensees or grantees, may be appropriate, since the small satellite process is calibrated to shorter duration missions, and therefore the number of small satellite systems licensed and operational could fluctuate more significantly from year to year than other types of NGSO systems that typically have a 15-year license term, creating uncertainty. We seek comment on these conclusions. There are several options for setting this type of fee. In comparing the actual regulatory work involved, we estimate that for a given small satellite system, the FTE activities would be approximately 1/20th of the FTE activities for a typical system in the category of “other” NGSO systems, similar to the Commission’s findings in In the *FY 2018 Report and Order*.[[282]](#footnote-284) Thus, one option would be to tie the small satellite fee to the fee allocated for an individual “other” NGSO system in a given year, and charge any individual small satellite licensee or grantee 1/20th of that amount. Or, charge a small satellite system (even if authorized under multiple licenses), 1/20th of that amount. We recognize, however, that the fee for an individual “other” NGSO system may vary from year-to-year, and thus the fee for a small satellite licensee would be dependent on how many “other” NGSO systems are authorized and operational in a given year. As an alternative, we could set a fee for individual small satellite licensees (or systems), based on approximately 1/20th of FY 2021 NGSO “other” systems ($17,178) – and which we could reassess each year to ensure that there was some predictability. We seek comment on these proposals and other appropriate methodology. Commenters suggesting other fee calculation methodologies should discuss how such methodologies would reasonably reflect the FTE time spent on regulatory activities or an objective measure that corresponds to the benefits of FTE time devoted to oversight and regulation of such entities.
6. Second, we seek comment on whether to allocate a percentage of the allocation for space station fees for small satellites. Under this proposal, a certain percentage of the space station fees would need to be recovered from small satellite regulatory fee payors, and therefore the amount would fluctuate depending on the number of payors in the small satellite category. In estimating the percentage, we must consider that the number of systems in the small satellite category is likely to be small initially. This percentage could be reassessed depending on the number of small satellite systems in the category – as the benefits to the category as a whole as well as FTE activities would increase, as the number of systems increases. For example, if we estimate that roughly two to three percent of the total NGSO system regulatory FTE activities is comprised of activities for small satellites, and allocate two percent of the total NGSO fee to small satellites, based on the FY2021 regulatory fee amounts as an example, this would allocate approximately $85,888 to the small satellite category. Divided among three licenses, for example, this would result in regulatory fees of approximately $28,629 per license. We seek comment on this approach and generally on the best methods of fee calculation. Planet and AWS appear to propose an approach similar to this. AWS and Planet suggest an allocation that would be equivalent to the allocation for “less complex” NGSO systems, for example.[[283]](#footnote-285) We seek comment on these proposals as well. To the extent that commenters such as AWS propose that the Commission redistribute a percentage solely of the “less complex” NGSO system fee to systems authorized under the streamlined small satellite process,[[284]](#footnote-286) we note that while there may be overlap in the types of services being provided in some instances, there are also important differences between small satellites and “less complex” and “other” NGSO space station systems that we believe are likely to necessitate different regulatory fees. For example, as noted above, the license or market access term for these small systems are designed to be significantly shorter than other systems, an individual satellite is limited to an orbital lifetime of six years or less, and there is also no replenishment expectancy under the small satellite process. Therefore, the scope of such systems is inherently limited, as the Commission recognized in the *Small Satellite Report and Order*, when it established a separate fee category for small satellites only.[[285]](#footnote-287)
7. Both proposed fee approaches are estimates of the FTE burden and the benefits received by small satellite systems. As noted, we could revisit our adopted small satellite fee each year as the number of small satellite systems change and we become more familiar with the work involved in regulating such systems. We seek comment on how to determine that amount each fiscal year to reflect any needed adjustment in proportion to the changes to our budget and cost. Would such approaches accurately capture the benefits to small satellite fee payors? We believe that both proposals reflect a reasonable approximation of the International Bureau’s total FTE work relative to these space station categories and the benefits each system receives. We further seek comment, however, on the various factors, such as rulemakings, adjudications, and international coordination, that are relevant to systems authorized under the Commission’s small satellite process and the FTE time devoted to those systems.
8. As indicated above in connection with the proposals, we also seek comment on whether we should assess regulatory fees per system or differently than other NGSO fee categories, given that a single entity may have multiple licenses for the same system, in accordance with the structure of the small satellite process. We do not want to discourage applicants from applying for multiple licenses, if such an approach is a good fit for their system plans, because of potential regulatory fees. Therefore, it is important that we account for the fact that one system may have multiple associated small satellite licenses or market access grants.
9. Finally, we also seek comment on how we should integrate the small satellite fee category into the overall space stations category. The total amount to be paid by small satellite regulatory fee payors could be either subtracted from the total space station allocation, before calculating the GSO/NGSO subcategories, or subtracted from the NGSO subcategory before calculating the fees for the subcategories among less complex and other NGSO systems. We seek comment on where we should place the small satellite category and whether it would be appropriate to include it as a third category under space stations, as GSO, NGSO, and Small Satellite, or place it as a subcategory under NGSO as NGSO Less Complex, NGSO Others, and Small Satellites. We seek comment on these and any other alternatives that would best reflect the statutory requirements of our regulatory fee authority under section 9 of the Communications Act and ensure that our actions in assessing regulatory fees on small satellite operators are fair, administrable, and sustainable.[[286]](#footnote-288)

# procedural matters

1. Included below are procedural items as well as our current payment and collection methods.
2. *Credit Card Transaction Levels*. In accordance with *Treasury Financial Manual*, Volume I, Part 5, Chapter 7000, Section 7045—*Limitations on Card Collection Transactions,* the highest amount that can be charged on a credit card for transactions with federal agencies is $24,999.99.[[287]](#footnote-289) Transactions greater than $24,999.99 will be rejected. This limit applies to single payments or bundled payments of more than one bill. Multiple transactions to a single agency in one day may be aggregated and treated as a single transaction subject to the $24,999.99 limit. Customers who wish to pay an amount greater than $24,999.99 should consider available electronic alternatives such as Visa or MasterCard debit cards, ACH debits from a bank account, and wire transfers. Each of these payment options is available after filing regulatory fee information in Fee Filer. Further details will be provided regarding payment methods and procedures at the time of FY 2021 regulatory fee collection in Fact Sheets, <https://www.fcc.gov/regfees>.
3. *Payment Methods*. Pursuant to an Office of Management and Budget (OMB) directive,[[288]](#footnote-290) the Commission is moving towards a paperless environment, extending to disbursement and collection of select federal government payments and receipts.[[289]](#footnote-291) In 2015, the Commission stopped accepting checks (including cashier’s checks and money orders) and the accompanying hardcopy forms (e.g., Forms 159, 159-B, 159-E, 159-W) for the payment of regulatory fees.[[290]](#footnote-292) During the fee season for collecting regulatory fees, regulatees can pay their fees by credit card through Pay.gov, ACH, debit card,[[291]](#footnote-293) or by wire transfer. Additional payment instructions are posted on the Commission’s website at <http://transition.fcc.gov/fees/regfees.html>. The receiving bank for all wire payments is the U.S. Treasury, New York, NY (TREAS NYC). Any other form of payment (e.g., checks, cashier’s checks, or money orders) will be rejected. For payments by wire, a Form 159-E should still be transmitted via fax so that the Commission can associate the wire payment with the correct regulatory fee information. The fax should be sent to the Federal Communications Commission at (202) 418-2843 at least one hour before initiating the wire transfer (but on the same business day) so as not to delay crediting their account. Regulatees should discuss arrangements (including bank closing schedules) with their bankers several days before they plan to make the wire transfer to allow sufficient time for the transfer to be initiated and completed before the deadline. Complete instructions for making wire payments are posted at <https://www.fcc.gov/licensing-databases/fees/wire-transfer>.
4. *De Minimis Regulatory Fees, Section 9(e)(2) Exemption*. Under the de minimis rule, and pursuant to our analysis under section 9(e)(2) of the Act, a regulatee is exempt from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities is $1,000 or less for the fiscal year.[[292]](#footnote-294) The de minimis threshold applies only to filers of annual regulatory fees, not regulatory fees paid through multi-year filings, and it is not a permanent exemption. Each regulatee will need to reevaluate the total annual fee liability each fiscal year to determine whether it meets the de minimis exemption.
5. *Standard Fee Calculations and Payment Dates*. The Commission will accept fee payments made in advance of the window for the payment of regulatory fees. The responsibility for payment of fees by service category is as follows:

* *Media Services*: Regulatory fees must be paid for initial construction permits that were granted on or before October 1, 2020 for AM/FM radio stations, VHF/UHF broadcast television stations, and satellite television stations. Regulatory fees must be paid for all broadcast facility licenses granted on or before October 1, 2020.
* *Wireline (Common Carrier) Services*: Regulatory fees must be paid for authorizations that were granted on or before October 1, 2020. In instances where a permit or license is transferred or assigned after October 1, 2020, responsibility for payment rests with the holder of the permit or license as of the fee due date. Audio bridging service providers are included in this category.[[293]](#footnote-295) For Responsible Organizations (RespOrgs) that manage Toll Free Numbers (TFN), regulatory fees should be paid on all working, assigned, and reserved toll free numbers as well as toll free numbers in any other status as defined in section 52.103 of the Commission’s rules.[[294]](#footnote-296) The unit count should be based on toll free numbers managed by RespOrgs on or about December 31, 2020.
* *Wireless Services*: CMRS cellular, mobile, and messaging services (fees based on number of subscribers or telephone number count): Regulatory fees must be paid for authorizations that were granted on or before October 1, 2020. The number of subscribers, units, or telephone numbers on December 31, 2020 will be used as the basis from which to calculate the fee payment. In instances where a permit or license is transferred or assigned after October 1, 2020, responsibility for payment rests with the holder of the permit or license as of the fee due date.
* *Wireless Services, Multi-year fees*: The first seven regulatory fee categories in our Schedule of Regulatory Fees pay “small multi-year wireless regulatory fees.”[[295]](#footnote-297) Entities pay these regulatory fees in advance for the entire amount period covered by the ten-year terms of their initial licenses, and pay regulatory fees again only when the license is renewed, or a new license is obtained. We include these fee categories in our rulemaking to publicize our estimates of the number of “small multi-year wireless” licenses that will be renewed or newly obtained in FY 2021.
* *Multichannel Video Programming Distributor Services (cable television operators, CARS licensees, DBS, and IPTV)*: Regulatory fees must be paid for the number of basic cable television subscribers as of December 31, 2020.[[296]](#footnote-298) Regulatory fees also must be paid for CARS licenses that were granted on or before October 1, 2020. In instances where a permit or license is transferred or assigned after October 1, 2020, responsibility for payment rests with the holder of the permit or license as of the fee due date. For providers of DBS service and IPTV-based MVPDs, regulatory fees should be paid based on a subscriber count on or about December 31, 2020. In instances where a permit or license is transferred or assigned after October 1, 2020, responsibility for payment rests with the holder of the permit or license as of the fee due date.
* *International Services (Earth Stations and Space Stations)*: Regulatory fees must be paid for (1) earth stations and (2) geostationary orbit space stations and non-geostationary orbit satellite systems that were licensed and operational on or before October 1, 2020. In instances where a permit or license is transferred or assigned after October 1, 2020, responsibility for payment rests with the holder of the permit or license as of the fee due date.
* *International Services* (*Submarine Cable Systems, Terrestrial and Satellite Services*):Regulatory fees for submarine cable systems are to be paid on a per cable landing license basis based on lit circuit capacity as of December 31, 2020. Regulatory fees for terrestrial and satellite IBCs are to be paid based on active (used or leased) international bearer circuits as of December 31, 2020 in any terrestrial or satellite transmission facility for the provision of service to an end user or resale carrier. When calculating the number of such active circuits, entities must include circuits used by themselves or their affiliates. For these purposes, “active circuits” include backup and redundant circuits as of December 31, 2020. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits.[[297]](#footnote-299) In instances where a permit or license is transferred or assigned after October 1, 2020, responsibility for payment rests with the holder of the permit or license as of the fee due date.

1. *Commercial Mobile Radio Service (CMRS) and Mobile Services Assessments.* The Commission compiled data from the Numbering Resource Utilization Forecast (NRUF) report that is based on “assigned” telephone number (subscriber) counts that have been adjusted for porting to net Type 0 ports (“in” and “out”).[[298]](#footnote-300) We have included non-geographic numbers in the calculation of the number of subscribers for each CMRS provider in Appendix B and the CMRS regulatory fee rate in Appendix C. CMRS provider regulatory fees are calculated and should be paid based on the inclusion of non-geographic numbers. CMRS providers can adjust the total number of subscribers, if needed. This information of telephone numbers (subscriber count) will be posted on the Commission’s electronic filing and payment system (Fee Filer).
2. A carrier wishing to revise its telephone number (subscriber) count can do so by accessing Fee Filer and follow the prompts to revise their telephone number counts. Any revisions to the telephone number counts should be accompanied by an explanation or supporting documentation.[[299]](#footnote-301) The Commission will then review the revised count and supporting documentation and either approve or disapprove the submission in Fee Filer. If the submission is disapproved, the Commission will contact the provider to afford the provider an opportunity to discuss its revised subscriber count and/or provide additional supporting documentation. If we receive no response from the provider, or we do not reverse our initial disapproval of the provider’s revised count submission, the fee payment must be based on the number of subscribers listed initially in Fee Filer. Once the timeframe for revision has passed, the telephone number counts are final and are the basis upon which CMRS regulatory fees are to be paid. Providers can view their final telephone counts online in Fee Filer. A final CMRS assessment letter will not be mailed out.
3. Because some carriers do not file the NRUF report, they may not see their telephone number counts in Fee Filer. In these instances, the carriers should compute their fee payment using the standard methodology that is currently in place for CMRS Wireless services (i.e., compute their telephone number counts as of December 31, 2020), and submit their fee payment accordingly. Whether a carrier reviews its telephone number counts in Fee Filer or not, the Commission reserves the right to audit the number of telephone numbers for which regulatory fees are paid. In the event that the Commission determines that the number of telephone numbers that are paid is inaccurate, the Commission will bill the carrier for the difference between what was paid and what should have been paid.
4. *Effective Date*. Providing a 30-day period after Federal Register publication before this Report and Order and Notice of Proposed Rulemaking, becomes effective as normally required by 5 U.S.C. § 553(d) will not allow sufficient time to collect the FY 2021 fees before FY 2021 ends on September 30, 2021. For this reason, pursuant to 5 U.S.C. § 553(d)(3), we find there is good cause to waive the requirements of section 553(d), and this Report and Order and Notice of Proposed Rulemaking will become effective upon publication in the Federal Register. Because payments of the regulatory fees will not actually be due until late September, persons affected by the Report and Order will still have a reasonable period in which to make their payments and thereby comply with the rules established herein.
5. *Final Regulatory Flexibility Analysis*. As required by the Regulatory Flexibility Act of 1980 (RFA)[[300]](#footnote-302) the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) relating to this Report and Order. The FRFA is contained in Appendix I.
6. *Initial Regulatory Flexibility Analysis*. As required by the Regulatory Flexibility Act of 1980 (RFA)[[301]](#footnote-303) the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) relating to this Notice of Proposed Rulemaking. Comments to the IRFA must be identified as responses to the IRFA and filed by the deadlines for comments on the Notice of Proposed Rulemaking. The Commission will send a copy of the Notice of Proposed Rulemaking, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration. The IRFA is contained in Appendix J.
7. *Paperwork Reduction Act of 1995 Analysis.* This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. 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, Public Law 107-198, *see* 44 U.S.C. § 3506(c)(4).
8. *Congressional Review Act***.** The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs that these rules are non-major under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Report and Order and Notice of Proposed Rulemaking to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).
9. *Comment Filing Instructions*. Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on or before the dates indicated on the first page of this document in MD Docket No. 21-190. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).[[302]](#footnote-304)

* Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
* Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
* Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.
* Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
* U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, D.C. 20554.
* Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

1. *People with Disabilities*. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice).
2. *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat. When the FCC Headquarters reopens to the public, these documents will also be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 45 L Street, NE, Washington, D.C., 20554.
3. *Ex Parte Information.* This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules.[[303]](#footnote-305) Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with section 1.1206(b) of the Commission’s rules. In proceedings governed by section 1.49(f) of the Commission’s rules or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules.

# Ordering clauses

1. Accordingly, **IT IS ORDERED** that, pursuant to the authority found in sections 4(i) and (j), 9, 9A, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 159, 159A, and 303(r), this Report and Order **IS HEREBY ADOPTED**.
2. **IT IS FURTHER ORDERED** that, pursuant to the authority found in sections 4(i) and (j), 9, 9A, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 159, 159A, and 303(r), this Notice of Proposed Rulemaking **IS HEREBY ADOPTED.**
3. **IT IS FURTHER ORDERED** that the FY 2021 section 9 regulatory fees assessment requirements and the rules set forth in Appendix K **ARE ADOPTED** as specified herein.
4. **IT IS FURTHER ORDERED** that the Report and Order and Notice of Proposed Rulemaking **SHALL BE EFFECTIVE** upon publication in the Federal Register.
5. **IT IS FURTHER ORDERED** that the Commission’s Consumer and Governmental Affairs Bureau, Reference Information Center, **SHALL SEND** a copy of this Report and Order and Notice of Proposed Rulemaking, including the Final Regulatory Flexibility Analysis in Appendix I and Initial Regulatory Flexibility Analysis in Appendix J, to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch

Secretary

**APPENDIX A**

**List of Commenters**

|  |  |  |
| --- | --- | --- |
| **Name of Commenter** | **Abbreviated Name** | |
| Amazon Web Services, Inc. | AWS | |
| ATL Communications, Inc. | ATL | |
| DISH Network L.L.C and AT&T Services, Inc. | DISH and DIRECTV | |
| Iridium Communications Inc. | Iridium | |
| Kepler Communications Inc. | Kepler | |
| Myriota Pty. Ltd. | Myriota | |
| National Association of Broadcasters | NAB | |
| NCTA – The Internet & Television Association and ACA Connects – America’s Communications Association | NCTA and ACA Connects | |
| Planet Labs, Inc. | Planet | |
| Space Exploration Holdings, LLC | SpaceX | |
| Spanish Broadcasting System Holding Company, Inc. and Televicentro of Puerto Rico, LLC | SBS and Televicentro | |
| Cable & Wireless Networks; GlobeNet Cabos Submarinos America, Inc.; GU Holdings Inc., an indirect, wholly-owned subsidiary of Google LLC; Hawaiki Submarine Cable USA LLC; SETAR; and Tata Communications (Americas), Inc. | | Submarine Cable Coalition |
| Telesat Canada. Space Exploration Holdings, LLC, Kepler Communications Inc., and WorldVu Satellites Limited (d/b/a OneWeb) | NGSO Satellite Coalition | |

**List of Reply Commenters**

|  |  |
| --- | --- |
| **Name of Reply Commenter** | **Abbreviated Name** |
| Alabama Broadcasters Association, Alaska Broadcasters Association, Arizona Broadcasters Association, Arkansas Broadcasters Association, California Broadcasters Association, Connecticut Broadcasters Association, Florida Association of Broadcasters, Georgia Association of Broadcasters, Hawaii Association of Broadcasters, Idaho State Broadcasters Association, Illinois Broadcasters Association, Indiana Broadcasters Association, Iowa Broadcasters Association, Kansas Association of Broadcasters, Kentucky Broadcasters Association, Louisiana Association of Broadcasters, Maine Association of Broadcasters, MD/DC/DE Broadcasters Association, Massachusetts Broadcasters Association, Michigan Association of Broadcasters, Minnesota Broadcasters Association, Mississippi Association of Broadcasters, Missouri Broadcasters Association, Montana Broadcasters Association, Nebraska Broadcasters Association, Nevada Broadcasters Association, New Hampshire Association of Broadcasters, New Jersey Broadcasters Association, New Mexico Broadcasters Association, The New York State Broadcasters Association, Inc., North Carolina Association of Broadcasters, North Dakota Broadcasters Association, Ohio Association of Broadcasters, Oklahoma Association of Broadcasters, Oregon Association of Broadcasters, Pennsylvania Association of Broadcasters, Radio Broadcasters Association of Puerto Rico, Rhode Island Broadcasters Association, South Carolina Broadcasters Association, South Dakota Broadcasters Association, Tennessee Association of Broadcasters, Texas Association of Broadcasters, Utah Broadcasters Association, Vermont Association of Broadcasters, Virginia Association of Broadcasters, Washington State Association of Broadcasters, West Virginia Broadcasters Association, Wisconsin Broadcasters Association, and Wyoming Association of Broadcasters | State Broadcasters Associations |
| American General Media | AGM |
| AGM California, Inc., AGM-Nevada, L.L.C., Brayden Madison Broadcasting, LLC, Clarke Broadcasting Corporation, Davis Broadcasting of Atlanta, L.L.C., Davis Broadcasting Inc. of Columbus, Galaxy Syracuse Licensee LLC, Galaxy Utica Licensee LLC, Golden Isles Broadcasting, LLC, Good Karma Broadcasting, LLC, Good Karma Brands Milwaukee, LLC, Gulf South Communications Inc., HEH Communications, LLC, Inland Empire Broadcasting Corporation, JAM Communications, Inc., Kensington Digital Media, L.L.C., Kensington Digital Media of Indiana, L.L.C., Kirkman Broadcasting, Inc., KWHY-22 Broadcasting, LLC, KLOS Radio Holdings, LLC, KXOX Radio Holdings, LLC, L.M. Communications, Inc., L.M. Communications of KY, L.L.C., LM Communications of SC Inc., LM Communications II of SC Inc., Meruelo Radio Holdings, LLC, Mississippi Broadcasters, L.L.C., New South Radio Inc., Partnership Radio, LLC, Pathfinder Communications Corporation, Sarkes Tarzian, Inc., SBR Broadcasting Corporation, Serge Martin Enterprises, Inc., Talking Stick Communications, LLC, Winton Road Broadcasting Co., LLC, and WKLC, Inc. | Joint Radio Broadcasters |
| Care Weather Technologies, Inc., Hiber, Inc., Loft Orbital Solutions, Inc., Myriota Pty. Ltd., Totum Labs, Inc., SpaceQuest, Ltd., Fleet Space Technologies Pty., Ltd. | SmallSat Commenters |
| Colorado Broadcasters Association, Florida Association of Broadcasters, and Puerto Rico Broadcasters Association | Joint Broadcasters |
| CTIA—The Wireless Association® | CTIA |
| Iridium Communications Inc. | Iridium |
| Kepler Communications Inc. | Kepler |
| Kineis | Kineis |
| Lumen | Lumen |
| Maxar Technologies, Inc. | Maxar |
| National Association of Broadcasters | NAB |
| NCTA – The Internet & Television Association and ACA Connects – America’s Communications Association | NCTA and ACA Connects |
| Planet Labs, Inc. | Planet |
| SES Americom, Inc. | SES |
| Spire Global, Inc. | Spire |

**APPENDIX B**

**Calculation of FY 2021 Revenue Requirements and Pro-Rata Fees**

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

| **Fee Category** | **FY 2021 Payment Units** | **Yrs** | **FY 2020 Revenue Estimate** | **Pro-Rated FY 2021 Revenue Require-ment** | **Computed FY 2021 Regulatory Fee** | **Rounded**  **FY 2021**  **Reg. Fee** | **Expected**  **FY 2021**  **Revenue** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| PLMRS (Exclusive Use) | 300 | 10 | 187,500 | 75,000 | 25.00 | 25 | 75,000 |
| PLMRS (Shared use) | 9,900 | 10 | 1,170,000 | 990,000 | 10.00 | 10 | 990,000 |
| Microwave | 19,000 | 10 | 3,150,000 | 4,750,000 | 25.00 | 25 | 4,750,000 |
| Marine (Ship) | 6,150 | 10 | 1,065,000 | 922,500 | 15.00 | 15 | 922,500 |
| Aviation (Aircraft) | 3,900 | 10 | 550,000 | 390,000 | 10.00 | 10 | 390,000 |
| Marine (Coast) | 40 | 10 | 36,000 | 16,000 | 40.00 | 40 | 16,000 |
| Aviation (Ground) | 550 | 10 | 220,000 | 110,000 | 20.00 | 20 | 110,000 |
| AM Class A1 | 63 | 1 | 296,100 | 290,869 | 4,617 | 4,615 | 290,745 |
| AM Class B1 | 1,456 | 1 | 3,681,450 | 3,609,310 | 2,479 | 2,480 | 3,610,880 |
| AM Class C1 | 825 | 1 | 1,310,400 | 1,292,416 | 1,567 | 1,565 | 1,291,125 |
| AM Class D1 | 1,397 | 1 | 4,356,100 | 4,269,73 | 3,056 | 3,055 | 4,267,835 |
| FM Classes A, B1 & C31 | 3,059 | 1 | 9,141,975 | 8,885,212 | 2,905 | 2,905 | 8,886,395 |
| FM Classes B, C, C0, C1 & C21 | 3,118 | 1 | 11,246,950 | 11,102,752 | 3,561 | 3,560 | 11,100,080 |
| AM Construction Permits 2 | 6 | 1 | 3,660 | 3,660 | 610 | 610 | 3,660 |
| FM Construction Permits2 | 55 | 1 | 64,500 | 58,850 | 1,070 | 1,070 | 58,850 |
| Digital Television5  (including Satellite TV) | 3.262 billion population | 1 | 25,473,855 | 25,416,380 | .0077927 | .007793 | 25,416,380 |
| Digital TV Construction Permits2 | 4 | 1 | 14,850 | 20,400 | 5,100 | 5,100 | 20,400 |
| LPTV/Class A/Translators FM Trans/Boosters | 5,156 | 1 | 1,682,100 | 1,654,836 | 321 | 320 | 1,649,920 |
| CARS Stations | 150 | 1 | 208,000 | 233,524 | 1,557 | 1,555 | 233,250 |
| Cable TV Systems, including IPTV & DBS | 77,800,000 | 1 | 69,511,000 | 75,900,608 | .9756 | .98 | 76,244,000 |
| Interstate Telecommunication Service Providers | $30,100,000,000 | 1 | 98,547,000 | 120,352,605 | 0.003998 | 0.00400 | 120,400,000 |
| Toll Free Numbers | 33,500,000 | 1 | 3,960,000 | 4,135,328 | 0.12344 | 0.12 | 4,020,000 |
| CMRS Mobile Services (Cellular/Public Mobile) | 504,000,000 | 1 | 72,250,000 | 76,601,126 | 0.1520 | 0.15 | 75,600,000 |
| CMRS Messaging Services | 1,700,000 | 1 | 152,000 | 136,000 | 0.0800 | 0.080 | 136,000 |
| BRS/3  LMDS | 1,250  342 | 1  1 | 716,800  190,400 | 756,250  206,910 | 605  605 | 605  605 | 756,250  206,910 |
| Per Gbps circuit Int’l Bearer Circuits  Terrestrial (Common & Non-Common) & Satellite (Common & Non-Common) | 10,900 | 1 | 438,700 | 465,241 | 42.68 | 43 | 468,700 |
| Submarine Cable Providers (See chart at bottom of Appendix C)4 | 58.188 | 1 | 8,280,333 | 8,839,411 | 151,913 | 151,915 | 8,839,554 |
| Earth Stations | 3,000 | 1 | 1,680,000 | 1,791,235 | 597 | 595 | 1,785,000 |
| Space Stations (Geostationary) | 147 | 1 | 16,092,500 | 17,177,620 | 116,855 | 116,855 | 17,177,685 |
| Space Stations (Non-Geostationary, Other) | 10 | 1 | 4,023,000 | 3,435,525 | 343,553 | 343,555 | 3,435,550 |
| Space Stations (Non-Geostationary, Less Complex) | 7 | 1 |  | 858,880 | 122,697 | 122,695 | 858,865 |
| **\*\*\*\*\*\* Total Estimated Revenue to be Collected** |  |  | **338,940,733** | **373,897,672** |  |  | **373,920,077** |
| **\*\*\*\*\*\* Total Revenue Requirement** |  |  | **339,000,000** | **374,000,000** |  |  | **374,000,000** |
| **Difference** |  |  | **(59,267)** | **(102,328)** |  |  | **(79,923)** |

Notes on Appendix B

1 The fee amounts listed in the column entitled “Rounded New FY 2021 Regulatory Fee” constitute a weighted average broadcast regulatory fee by class of service. The actual FY 2021 regulatory fees for AM/FM radio station are listed on a grid located at the end of Appendix C.

2 The AM and FM Construction Permit revenues and the Digital (VHF/UHF) Construction Permit revenues were adjusted, respectively, to set the regulatory fee to an amount no higher than the lowest licensed fee for that class of service. Reductions in the Digital (VHF/UHF) Construction Permit revenues, and in the AM and FM Construction Permit revenues, were offset by increases in the revenue totals for Digital television stations by market size, and in the AM and FM radio stations by class size and population served, respectively.

3 The MDS/MMDS category was renamed Broadband Radio Service (BRS). *See Amendment of Parts 1, 21, 73, 74 and 101 of the Commission’s Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands*, Report & Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 14165, 14169, para. 6 (2004).

4 The chart at the end of Appendix C lists the submarine cable bearer circuit regulatory fees (common and non-common carrier basis) that resulted from the adoption of the *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,* Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6388 (2008) and *Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, Second Report and Order, 24 FCC Rcd 4208 (2009). The Submarine Cable fee in Appendix B is a weighted average of the various fee payers in the chart at the end of Appendix C.

5 The actual digital television regulatory fees to be paid by call sign are identified in Appendix G.

**APPENDIX C**

**FY 2021 Schedule of Regulatory Fees**

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

| **Fee Category** | **Annual Regulatory Fee**  **(U.S. $s)** |
| --- | --- |
| PLMRS (per license) (Exclusive Use) (47 CFR part 90) | 25 |
| Microwave (per license) (47 CFR part 101) | 25 |
| Marine (Ship) (per station) (47 CFR part 80) | 15 |
| Marine (Coast) (per license) (47 CFR part 80) | 40 |
| Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category) | 10 |
| PLMRS (Shared Use) (per license) (47 CFR part 90) | 10 |
| Aviation (Aircraft) (per station) (47 CFR part 87) | 10 |
| Aviation (Ground) (per license) (47 CFR part 87) | 20 |
| CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90) (Includes Non-Geographic telephone numbers) | .15 |
| CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90) | .08 |
| Broadband Radio Service (formerly MMDS/ MDS) (per license) (47 CFR part 27)  Local Multipoint Distribution Service (per call sign) (47 CFR, part 101) | 605  605 |
| AM Radio Construction Permits | 610 |
| FM Radio Construction Permits | 1,070 |
| AM and FM Broadcast Radio Station Fees | See Table Below |
| Digital TV (47 CFR part 73) VHF and UHF Commercial Fee Factor | $.007793  See Appendix G for fee amounts due, also available at  <https://www.fcc.gov/licensing-databases/fees/regulatory-fees> |
| Digital TV Construction Permits | 5,100 |
| Low Power TV, Class A TV, TV/FM Translators & FM Boosters (47 CFR  part 74) | 320 |
| CARS (47 CFR part 78) | 1,555 |
| Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV (per subscriber) and Direct Broadcast Satellite (DBS) (per subscriber) | .98 |
| Interstate Telecommunication Service Providers (per revenue dollar) | .00400 |
| Toll Free (per toll free subscriber) (47 CFR section 52.101 (f) of the rules) | .12 |
| Earth Stations (47 CFR part 25) | 595 |
| Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100) | 116,855 |
| Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other) | 343,555 |
| Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex) | 122,695 |
| International Bearer Circuits - Terrestrial/Satellites (per Gbps circuit) | $43 |
| Submarine Cable Landing Licenses Fee (per cable system) | See Table Below |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FY 2021 RADIO STATION REGULATORY FEES** | | | | | | |
| **Population**  **Served** | **AM Class A** | **AM Class B** | **AM Class C** | **AM Class D** | **FM Classes**  **A, B1 & C3** | **FM Classes**  **B, C, C0, C1 & C2** |
| **<=25,000** | $975 | $700 | $610 | $670 | $1,070 | $1,220 |
| **25,001 – 75,000** | $1,465 | $1,050 | $915 | $1,000 | $1,605 | $1,830 |
| **75,001 – 150,000** | $2,195 | $1,575 | $1,375 | $1,510 | $2,410 | $2,745 |
| **150,001 – 500,000** | $3,295 | $2,365 | $2,060 | $2,265 | $3,615 | $4,125 |
| **500,001 – 1,200,000** | $4,935 | $3,540 | $3,085 | $3,390 | $5,415 | $6,175 |
| **1,200,001 – 3,000,000** | $7,410 | $5,320 | $4,635 | $5,090 | $8,130 | $9,270 |
| **3,000,001 – 6,000,000** | $11,105 | $7,975 | $6,950 | $7,630 | $12,185 | $13,895 |
| **>6,000,000** | $16,665 | $11,965 | $10,425 | $11,450 | $18,285 | $20,850 |

**FY 2021 International Bearer Circuits - Submarine Cable Systems**

|  |  |  |
| --- | --- | --- |
| **Submarine Cable Systems**  **(capacity as of December 31, 2020)** | **Fee Ratio** | **FY 2021 Regulatory Fees** |
| Less than 50 Gbps | .0625 Units | $9,495 |
| 50 Gbps or greater, but less than 250 Gbps | .125 Units | $18,990 |
| 250 Gbps or greater, but less than 1,500 Gbps | .25 Units | $37,980 |
| 1,500 Gbps or greater, but less than 3,500 Gbps | .5 Units | $75,955 |
| 3,500 Gbps or greater, but less than 6,500 Gbps | 1.0 Unit | $151,910 |
| 6,500 Gbps or greater | 2.0 Units | $303,820 |

**APPENDIX D**

**Sources of Payment Unit Estimates for FY 2021**

In order to calculate individual service fees for FY 2021, we adjusted FY 2020 payment units for each service to more accurately reflect expected FY 2021 payment liabilities. We obtained our updated estimates through a variety of means and sources. For example, we used Commission licensee data bases, actual prior year payment records and industry and trade association projections, when available. The databases we consulted include our Universal Licensing System (ULS), International Bureau Filing System (IBFS), Consolidated Database System (CDBS), Licensing and Management System (LMS) and Cable Operations and Licensing System (COALS), as well as reports generated within the Commission such as the Wireless Telecommunications Bureau’s *Numbering Resource Utilization Forecast*. Regulatory fee payment units are not all the same for all fee categories. For most fee categories, the term “units” reflect licenses or permits that have been issued, but for other fee categories, the term “units” reflect quantities such as subscribers, population counts, circuit counts, telephone numbers, and revenues.

We sought verification for these estimates from multiple sources and, in all cases, we compared FY 2021 estimates with actual FY 2020 payment units to ensure that our revised estimates were reasonable. Where appropriate, we adjusted and/or rounded our final estimates to take into consideration the fact that certain variables that impact on the number of payment units cannot yet be estimated with sufficient accuracy. These include an unknown number of waivers and/or exemptions that may occur in FY 2021 and the fact that, in many services, the number of actual licensees or station operators fluctuates from time to time due to economic, technical, or other reasons. When we note, for example, that our estimated FY 2021 payment units are based on FY 2020 actual payment units, it does not necessarily mean that our FY 2021 projection is exactly the same number as in FY 2020. We have either rounded the FY 2020 number or adjusted it slightly to account for these variables.

|  |  |
| --- | --- |
| **FEE CATEGORY** | **SOURCES OF PAYMENT UNIT ESTIMATES** |
| Land Mobile (All), Microwave, Marine (Ship & Coast), Aviation (Aircraft & Ground), Domestic Public Fixed | Based on Wireless Telecommunications Bureau (WTB) projections of new applications and renewals taking into consideration existing Commission licensee data bases. Aviation (Aircraft) and Marine (Ship) estimates have been adjusted to take into consideration the licensing of portions of these services on a voluntary basis. |
| CMRS Cellular/Mobile Services | Based on WTB projection reports, and FY 2020 payment data. |
| CMRS Messaging Services | Based on WTB reports, and FY 2020 payment data. |
| AM/FM Radio Stations | Based on CDBS data, adjusted for exemptions, and actual FY 2020 payment units. |
| Digital TV Stations (Combined VHF/UHF units) | Based on LMS data, fee rate adjusted for exemptions, and population figures are calculated based on individual station parameters. |
| AM/FM/TV Construction Permits | Based on CDBS data, adjusted for exemptions, and actual FY 2020 payment units. |
| LPTV, Translators and Boosters, Class A Television | Based on LMS data, adjusted for exemptions, and actual FY 2020 payment units. |
| BRS (formerly MDS/MMDS)LMDS | Based on WTB reports and actual FY 2020 payment units. Based on WTB reports and actual FY 2020 payment units. |
| Cable Television Relay Service (CARS) Stations | Based on data from Media Bureau’s COALS database and actual FY 2020 payment units. |
| Cable Television System Subscribers, Including IPTV Subscribers | Based on publicly available data sources for estimated subscriber counts and actual FY 2020 payment units. |
| Interstate Telecommunication Service Providers | Based on FCC Form 499-Q data for the four quarters of calendar year 2020, the Wireline Competition Bureau projected the amount of calendar year 2020 revenue that will be reported on the 2021 FCC Form 499-A worksheets due in April 2021. |
| Earth Stations | Based on International Bureau licensing data and actual FY 2020 payment units. |
| Space Stations (GSOs & NGSOs) | Based on International Bureau data reports and actual FY 2020 payment units. |
| International Bearer Circuits | Based on International Bureau reports and submissions by licensees, adjusted as necessary, and actual FY 2020 payment units. |
| Submarine Cable Licenses | Based on International Bureau license information, and actual FY 2020 payment units. |

**APPENDIX E**

**Factors, Measurements, and Calculations that Determine Station Signal Contours and Associated** **Population Coverages**

**AM Stations**

For stations with nondirectional daytime antennas, the theoretical radiation was used at all azimuths. For stations with directional daytime antennas, specific information on each day tower, including field ratio, phase, spacing, and orientation was retrieved, as well as the theoretical pattern root-mean-square of the radiation in all directions in the horizontal plane (RMS) figure (milliVolt per meter (mV/m) @ 1 km) for the antenna system. The standard, or augmented standard if pertinent, horizontal plane radiation pattern was calculated using techniques and methods specified in sections 73.150 and 73.152 of the Commission’s rules. Radiation values were calculated for each of 360 radials around the transmitter site. Next, estimated soil conductivity data was retrieved from a database representing the information in FCC Figure R3. Using the calculated horizontal radiation values, and the retrieved soil conductivity data, the distance to the principal community (5 mV/m) contour was predicted for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2010 block centroids were contained in the polygon. (A block centroid is the center point of a small area containing population as computed by the U.S. Census Bureau.) The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

**FM Stations**

The greater of the horizontal or vertical effective radiated power (ERP) (kW) and respective height above average terrain (HAAT) (m) combination was used. Where the antenna height above mean sea level (HAMSL) was available, it was used in lieu of the average HAAT figure to calculate specific HAAT figures for each of 360 radials under study. Any available directional pattern information was applied as well, to produce a radial-specific ERP figure. The HAAT and ERP figures were used in conjunction with the Field Strength (50-50) propagation curves specified in 47 CFR § 73.313 of the Commission’s rules to predict the distance to the principal community (70 dBu (decibel above 1 microVolt per meter) or 3.17 mV/m) contour for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2010 block centroids were contained in the polygon. The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

**APPENDIX F**

**Satellite Charts for FY 2021 Regulatory Fees**

**U.S.-Licensed Space Stations**

|  |  |  |  |
| --- | --- | --- | --- |
| **LICENSEE** | **CALL SIGN** | **SATELLITE NAME** | **TYPE** |
| DIRECTV Enterprises, LLC | S2922 | SKY-B1 | GSO |
| DIRECTV Enterprises, LLC | S2640 | DIRECTV T11 | GSO |
| DIRECTV Enterprises, LLC | S2711 | DIRECTV RB-1 | GSO |
| DIRECTV Enterprises, LLC | S2632 | DIRECTV T8 | GSO |
| DIRECTV Enterprises, LLC | S2669 | DIRECTV T9S | GSO |
| DIRECTV Enterprises, LLC | S2641 | DIRECTV T10 | GSO |
| DIRECTV Enterprises, LLC | S2797 | DIRECTV T12 | GSO |
| DIRECTV Enterprises, LLC | S2930 | DIRECTV T15 | GSO |
| DIRECTV Enterprises, LLC | S2673 | DIRECTV T5 | GSO |
| DIRECTV Enterprises, LLC | S2455 | DIRECTV T7S | GSO |
| DIRECTV Enterprises, LLC | S2133 | SPACEWAY 2 | GSO |
| DIRECTV Enterprises, LLC | S3039 | DIRECTV T16 | GSO |
| DISH Operating L.L.C. | S2931 | ECHOSTAR 18 | GSO |
| DISH Operating L.L.C. | S2738 | ECHOSTAR 11 | GSO |
| DISH Operating L.L.C. | S2694 | ECHOSTAR 10 | GSO |
| DISH Operating L.L.C. | S2740 | ECHOSTAR 7 | GSO |
| DISH Operating L.L.C. | S2790 | ECHOSTAR 14 | GSO |
| EchoStar Satellite Operating Corporation | S2811 | ECHOSTAR 15 | GSO |
| EchoStar Satellite Operating Corporation | S2844 | ECHOSTAR 16 | GSO |
| EchoStar Satellite Operating Corporation | S2653 | ECHOSTAR 12 | GSO |
| EchoStar Satellite Services L.L.C. | S2179 | ECHOSTAR 9 | GSO |
| ES 172 LLC | S2610 | EUTELSAT 174A | GSO |
| ES 172 LLC | S3021 | EUTELSAT 172B | GSO |
| Horizon-3 Satellite LLC | S2947 | HORIZONS-3e | GSO |
| Hughes Network Systems, LLC | S2663 | SPACEWAY 3 | GSO |
| Hughes Network Systems, LLC | S2834 | ECHOSTAR 19 | GSO |
| Hughes Network Systems, LLC | S2753 | ECHOSTAR XVII | GSO |
| Intelsat License LLC/ViaSat, Inc. | S2160 | GALAXY 28 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2414 | INTELSAT 10-02 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2972 | INTELSAT 37e | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2854 | NSS-7 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2409 | INELSAT 905 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2405 | INTELSAT 901 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2408 | INTELSAT 904 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2804 | INTELSAT 25 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2959 | INTELSAT 35e | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2237 | INTELSAT 11 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2785 | INTELSAT 14 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2913 | INTELSAT 29E | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2380 | INTELSAT 9 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2831 | INTELSAT 23 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2915 | INTELSAT 34 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2863 | INTELSAT 21 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2750 | INTELSAT 16 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2715 | GALAXY 17 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2154 | GALAXY 25 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2253 | GALAXY 11 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2381 | GALAXY 3C | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2887 | INTELSAT 30 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2924 | INTELSAT 31 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2647 | GALAXY 19 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2687 | GALAXY 16 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2733 | GALAXY 18 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2385 | GALAXY 14 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2386 | GALAXY 13 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2422 | GALAXY 12 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2387 | GALAXY 15 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2704 | INTELSAT 5 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2817 | INTELSAT 18 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2960 | JCSAT-RA | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2850 | INTELSAT 19 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2368 | INTELSAT 1R | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2988 | TELKOM-2 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2789 | INTELSAT 15 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2423 | HORIZONS 2 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2846 | INTELSAT 22 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2847 | INTELSAT 20 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2948 | INTELSAT 36 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2814 | INTELSAT 17 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2410 | INTELSAT 906 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2406 | INTELSAT 902 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2939 | INTELSAT 33e | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2382 | INTELSAT 10 | GSO |
| Intelsat License LLC, Debtor-in-Possession | S2751 | NEW DAWN | GSO |
| Intelsat License LLC, Debtor-in-Possession | S3023 | INTELSAT 39 | GSO |
| Leidos, Inc. | S2371 | LM-RPS2 | GSO |
| Ligado Networks Subsidiary, LLC | S2358 | SKYTERRA-1 | GSO |
| Ligado Networks Subsidiary, LLC | AMSC-1 | MSAT-2 | GSO |
| Novavision Group, Inc. | S2861 | DIRECTV KU-79W | GSO |
| Satellite CD Radio LLC | S2812 | FM-6 | GSO |
| SES Americom, Inc. | S2415 | NSS-10 | GSO |
| SES Americom, Inc. | S2162 | AMC-3 | GSO |
| SES Americom, Inc. | S2347 | AMC-6 | GSO |
| SES Americom, Inc. | S2134 | AMC-2 | GSO |
| SES Americom, Inc. | S2826 | SES-2 | GSO |
| SES Americom, Inc. | S2807 | SES-1 | GSO |
| SES Americom, Inc. | S2892 | SES-3 | GSO |
| SES Americom, Inc. | S2180 | AMC-15 | GSO |
| SES Americom, Inc. | S2445 | AMC-1 | GSO |
| SES Americom, Inc. | S2135 | AMC-4 | GSO |
| SES Americom, Inc. | S2155 | AMC-7 | GSO |
| SES Americom, Inc. | S2713 | AMC-18 | GSO |
| SES Americom, Inc. | S2433 | AMC-11 | GSO |
| SES Americom, Inc./Alascom, Inc. | S2379 | AMC-8 | GSO |
| SES Americom, Inc./EchoStar Satellite Services L.L.C. | S2181 | AMC-16 | GSO |
| Sirius XM Radio Inc. | S2710 | FM-5 | GSO |
| Skynet Satellite Corporation | S2933 | TELSTAR 12V | GSO |
| Skynet Satellite Corporation | S2357 | TELSTAR 11N | GSO |
| ViaSat, Inc. | S2747 | VIASAT-1 | GSO |
| XM Radio LLC | S2617 | XM-3 | GSO |
| XM Radio LLC | S2616 | XM-4 | GSO |
| XM Radio LLC | S2786 | XM-5 | GSO |

**Non-U.S.-Licensed Space Stations – Market Access Through Petition for Declaratory Ruling**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **SATELLITE** | **SATELLITE** |
| **LICENSEE** | **CALL SIGN** | **COMMON NAME** | **TYPE** |
| ABS Global Ltd. | S2987 | ABS-3A | GSO |
| DBSD Services Ltd | S2651 | DBSD G1 | GSO |
| Empresa Argentina de Soluciones Satelitales S.A. | S2956 | ARSAT-2 | GSO |
| European Telecommunications Satellite Organization | S2596 | Atlantic Bird 2 | GSO |
| European Telecommunications Satellite Organization | S3031 | EUTELSAT 133 WEST A | GSO |
| Eutelsat S.A. | S3056 | EUTELSAT 8 WEST B | GSO |
| Gamma Acquisition L.L.C. | S2633 | TerreStar 1 | GSO |
| Hispamar Satélites, S.A. | S2793 | AMAZONAS-2 | GSO |
| Hispamar Satélites, S.A. | S2886 | AMAZONAS-3 | GSO |
| Hispasat, S.A. | S2969 | HISPASAT 30W-6 | GSO |
| Inmarsat PLC | S2932 | Inmarsat-4 F3 | GSO |
| Inmarsat PLC | S2949 | Inmarsat-3 F5 | GSO |
| Inmarsat Mobile Networks, Inc. | E150028 | Inmarsat 5F3 | GSO |
| Intelsat License LLC | S2592/S2868 | Galaxy 23 | GSO |
| Intelsat License LLC | S3058 | HISPASAT 143W-1 | GSO |
| New Skies Satellites B.V. | S2756 | NSS-9 | GSO |
| New Skies Satellites B.V. | S2870 | SES-6 | GSO |
| New Skies Satellites B.V. | S3048 | NSS-6 | GSO |
| New Skies Satellites B.V. | S2828 | SES-4 | GSO |
| New Skies Satellites B.V. | S2950 | SES-10 | GSO |
| Satelites Mexicanos, S.A. de C.V. | S2695 | EUTELSAT 113 WEST A | GSO |
| Satelites Mexicanos, S.A. de C.V. | S2926 | EUTELSAT 117 WEST B | GSO |
| Satelites Mexicanos, S.A. de C.V. | S2938 | EUTELSAT 115 WEST B | GSO |
| Satelites Mexicanos, S.A. de C.V. | S2873 | EUTELSAT 117 WEST A | GSO |
| SES Satellites (Gibraltar) Ltd. | S2676 | AMC 21 | GSO |
| SES Americom, Inc. | S3037 | NSS-11 | GSO |
| SES Americom, Inc. | S2964 | SES-11 | GSO |
| SES DTH do Brasil Ltda | S2974 | SES-14 | GSO |
| SES Satellites (Gibraltar) Ltd. | S2951 | SES-15 | GSO |
| Embratel Tvsat Telecommunicacoes S.A. | S2677 | STAR ONE C1 | GSO |
| Embratel Tvsat Telecommunicacoes S.A. | S2678 | STAR ONE C2 | GSO |
| Embratel Tvsat Telecommunicacoes S.A. | S2845 | STAR ONE C3 | GSO |
| Telesat Brasil Capacidade de Satelites Ltda. | S2821 | ESTRELA DO SUL 2 | GSO |
| Telesat Canada | S2674 | ANIK F1R | GSO |
| Telesat Canada | S2703 | ANIK F3 | GSO |
| Telesat Canada | S2646/S2472 | ANIK F2 | GSO |
| Telesat International Ltd. | S2955 | TELSTAR 19 VANTAGE | GSO |
| Viasat, Inc. | S2902 | VIASAT-2 | GSO |

**Non-U.S.-Licensed Space Stations - Market Access Through Earth Station Licenses**

|  |  |  |  |
| --- | --- | --- | --- |
| **ITU Name (if available)** | **Common Name** | **Call Sign** | **GSO/NGSO** |
| APSTAR V | APSTAR 5 | E980250 | GSO |
| AUSSAT B 152E | OPTUS D2 | M221170 | GSO |
| CAN-BSS3 and CAN-BSS | ECHOSTAR 23 | SM1987/SM2975 | GSO |
| Ciel Satellite Group | Ciel-2 | E050029 | GSO |
| Eutelsat 65 West A | Eutelsat 65 West A | E160081 | GSO |
| INMARSAT 3F3 | INMARSAT 3F3 | E000284 | GSO |
| INMARSAT 4F1 | INMARSAT 4F1 | KA25 | GSO |
| INMARSAT 5F2 | INMARSAT 5F2 | E120072 | GSO |
| JCSAT-2B | JCSAT-2B | M174163 | GSO |
| NIMIQ 5 | NIMIQ 5 | E080107 | GSO |
| MSAT-1 | MSAT-1 | E980179 | GSO |
| QUETZSAT-1(MEX) | QUETZSAT-1 | NUS1101 | GSO |
| Superbird C2 | Superbird C2 | M334100 | GSO |
| WILDBLUE-1 | WILDBLUE-1 | E040213 | GSO |
| Yamal 300K | Yamal 300K | M174162 | GSO |

**Non-Geostationary Space Stations (NGSO)**

*U.S.-Licensed NGSO Systems*

|  |  |  |  |
| --- | --- | --- | --- |
| **ITU Name (if available)** | **Common Name** | **Call Sign** | **NGSO** |
|  |  |  |  |
| ORBCOMM License Corp | ORBCOMM | S2103 | Other |
| Iridium Constellation LLC | IRIDIUM | S2110 | Other |
| Space Exploration Holdings, LLC | SPACEX Ku/Ka-Band | S2983/S3018 | Other |
| Swarm Technologies | SWARM | S3041 | Other |
| Planet Labs | Flock | S2912 | Less Complex |
| Planet Labs | Skysats | S2862 | Less Complex |
| Maxar License | WorldView 1,2,3 & 4 | S2129/S2348 | Less Complex |
| BlackSky Global | Global 1,2,3 & 4 | S3032 | Less Complex |
| Astro Digital U.S., Inc. | LANDMAPPER | S3014 | Less Complex |
| Hawkeye 360 | HE360 | S3042 | Less Complex |
|  |  |  |  |

*Non-U.S.-Licensed NGSO Systems – Market Access Through Petition for Declaratory Ruling*

|  |  |  |  |
| --- | --- | --- | --- |
| **ITU Name (if available)** | **Common Name** | **Call Sign** | **NGSO** |
|  |  |  |  |
| Telesat Canada | TELESAT Ku/Ka-Band | S2976 | Other |
| Kepler Communications, Inc. | KEPLER | S2981 | Other |
| WorldVu Satellites Ltd. | ONEWEB | S2963 | Other |
| Hiber Inc. | HIBER | S3038 | Other |
| O3b Ltd. | O3b | S2935 | Other |

*NGSO Systems that Are Partly U.S.-Licensed and Partly Non-U.S.-Licensed with Market Access Through Petition for Declaratory Ruling*

|  |  |  |  |
| --- | --- | --- | --- |
| **ITU Name (if available)** | **Common Name** | **Call Sign** | **NGSO** |
|  |  |  |  |
| Globalstar License LLC | GLOBALSTAR | S2115 | Other |
| Spire Global | LEMUR & MINAS | S2946/S3045 | Less Complex |

**APPENDIX G**

**FY 2021 Full-Service Broadcast Television Stations by Call Sign**

|  |  | **Service Area** | **Terrain Limited** | **Terrain Limited** |
| --- | --- | --- | --- | --- |
| **Facility Id.** | **Call Sign** | **Population** | **Population** | **Fee Amount** |
| 3246 | KAAH-TV | 955,391 | 879,906 | $6,857 |
| 18285 | KAAL | 589,502 | 568,169 | $4,428 |
| 11912 | KAAS-TV | 220,262 | 219,922 | $1,714 |
| 56528 | KABB | 2,474,296 | 2,456,689 | $19,145 |
| 282 | KABC-TV | 17,540,791 | 16,957,292 | $132,148 |
| 1236 | KACV-TV | 372,627 | 372,330 | $2,902 |
| 33261 | KADN-TV | 877,965 | 877,965 | $6,842 |
| 8263 | KAEF-TV | 138,085 | 122,808 | $957 |
| 2728 | KAET | 4,217,217 | 4,184,386 | $32,609 |
| 2767 | KAFT | 1,204,376 | 1,122,928 | $8,751 |
| 62442 | KAID | 711,035 | 702,721 | $5,476 |
| 4145 | KAII-TV | 188,810 | 165,396 | $1,289 |
| 67494 | KAIL | 1,967,744 | 1,948,341 | $15,183 |
| 13988 | KAIT | 861,149 | 845,812 | $6,591 |
| 40517 | KAJB | 383,886 | 383,195 | $2,986 |
| 65522 | KAKE | 803,937 | 799,254 | $6,229 |
| 804 | KAKM | 380,240 | 379,105 | $2,954 |
| 148 | KAKW-DT | 2,615,956 | 2,531,813 | $19,730 |
| 51598 | KALB-TV | 943,307 | 942,043 | $7,341 |
| 51241 | KALO | 948,683 | 844,503 | $6,581 |
| 40820 | KAMC | 391,526 | 391,502 | $3,051 |
| 8523 | KAMR-TV | 366,476 | 366,335 | $2,855 |
| 65301 | KAMU-TV | 346,892 | 342,455 | $2,669 |
| 2506 | KAPP | 319,797 | 283,944 | $2,213 |
| 3658 | KARD | 703,234 | 700,887 | $5,462 |
| 23079 | KARE | 3,924,944 | 3,907,483 | $30,451 |
| 33440 | KARK-TV | 1,212,038 | 1,196,196 | $9,322 |
| 37005 | KARZ-TV | 1,066,386 | 1,050,270 | $8,185 |
| 32311 | KASA-TV | 1,161,789 | 1,119,108 | $8,721 |
| 41212 | KASN | 1,175,627 | 1,159,721 | $9,038 |
| 7143 | KASW | 4,174,437 | 4,160,497 | $32,423 |
| 55049 | KASY-TV | 1,144,839 | 1,099,825 | $8,571 |
| 33471 | KATC | 1,348,897 | 1,348,897 | $10,512 |
| 13813 | KATN | 97,466 | 97,128 | $757 |
| 21649 | KATU | 2,977,993 | 2,845,582 | $22,176 |
| 33543 | KATV | 1,257,777 | 1,234,933 | $9,624 |
| 50182 | KAUT-TV | 1,637,333 | 1,636,330 | $12,752 |
| 6864 | KAUZ-TV | 381,671 | 379,435 | $2,957 |
| 73101 | KAVU-TV | 319,618 | 319,484 | $2,490 |
| 49579 | KAWB | 186,919 | 186,845 | $1,456 |
| 49578 | KAWE | 136,033 | 133,937 | $1,044 |
| 58684 | KAYU-TV | 809,464 | 750,766 | $5,851 |
| 29234 | KAZA-TV | 14,973,535 | 13,810,130 | $107,622 |
| 17433 | KAZD | 6,776,778 | 6,774,172 | $52,791 |
| 1151 | KAZQ | 1,097,010 | 1,084,327 | $8,450 |
| 35811 | KAZT-TV | 436,925 | 359,273 | $2,800 |
| 4148 | KBAK-TV | 1,510,400 | 1,263,910 | $9,850 |
| 16940 | KBCA | 479,260 | 479,219 | $3,735 |
| 53586 | KBCB | 1,256,193 | 1,223,883 | $9,538 |
| 69619 | KBCW | 8,227,562 | 7,375,199 | $57,475 |
| 22685 | KBDI-TV | 4,042,177 | 3,683,394 | $28,705 |
| 56384 | KBEH | 17,736,497 | 17,695,306 | $137,900 |
| 65395 | KBFD-DT | 953,207 | 834,341 | $6,502 |
| 169030 | KBGS-TV | 159,269 | 156,802 | $1,222 |
| 61068 | KBHE-TV | 140,860 | 133,082 | $1,037 |
| 48556 | KBIM-TV | 205,701 | 205,647 | $1,603 |
| 29108 | KBIN-TV | 912,921 | 911,725 | $7,105 |
| 33658 | KBJR-TV | 275,585 | 271,298 | $2,114 |
| 83306 | KBLN-TV | 297,384 | 134,927 | $1,051 |
| 63768 | KBLR | 1,964,979 | 1,915,861 | $14,930 |
| 53324 | KBME-TV | 123,571 | 123,485 | $962 |
| 10150 | KBMT | 743,009 | 742,369 | $5,785 |
| 22121 | KBMY | 119,993 | 119,908 | $934 |
| 49760 | KBOI-TV | 715,191 | 708,374 | $5,520 |
| 55370 | KBRR | 149,869 | 149,868 | $1,168 |
| 66414 | KBSD-DT | 155,012 | 154,891 | $1,207 |
| 66415 | KBSH-DT | 102,781 | 100,433 | $783 |
| 19593 | KBSI | 756,501 | 754,722 | $5,882 |
| 66416 | KBSL-DT | 49,814 | 48,483 | $378 |
| 4939 | KBSV | 1,352,166 | 1,262,708 | $9,840 |
| 62469 | KBTC-TV | 3,697,981 | 3,621,965 | $28,226 |
| 61214 | KBTV-TV | 734,008 | 734,008 | $5,720 |
| 6669 | KBTX-TV | 4,404,648 | 4,401,048 | $34,297 |
| 35909 | KBVO | 1,498,015 | 1,312,360 | $10,227 |
| 58618 | KBVU | 135,249 | 120,827 | $942 |
| 6823 | KBYU-TV | 2,389,548 | 2,209,060 | $17,215 |
| 33756 | KBZK | 120,807 | 107,817 | $840 |
| 21422 | KCAL-TV | 17,499,483 | 16,889,157 | $131,617 |
| 11265 | KCAU-TV | 714,315 | 706,224 | $5,504 |
| 14867 | KCBA | 3,088,394 | 2,369,803 | $18,468 |
| 27507 | KCBD | 414,804 | 414,091 | $3,227 |
| 9628 | KCBS-TV | 17,853,152 | 16,656,778 | $129,806 |
| 49750 | KCBY-TV | 89,156 | 73,211 | $571 |
| 33710 | KCCI | 1,102,130 | 1,095,326 | $8,536 |
| 9640 | KCCW-TV | 284,280 | 276,935 | $2,158 |
| 63158 | KCDO-TV | 2,798,103 | 2,650,225 | $20,653 |
| 62424 | KCDT | 698,389 | 657,101 | $5,121 |
| 83913 | KCEB | 1,163,228 | 1,159,665 | $9,037 |
| 57219 | KCEC | 3,831,192 | 3,613,287 | $28,158 |
| 10245 | KCEN-TV | 1,795,767 | 1,757,018 | $13,692 |
| 13058 | KCET | 16,875,019 | 15,402,588 | $120,032 |
| 18079 | KCFW-TV | 148,162 | 129,122 | $1,006 |
| 132606 | KCGE-DT | 123,930 | 123,930 | $966 |
| 60793 | KCHF | 1,118,671 | 1,085,205 | $8,457 |
| 33722 | KCIT | 382,477 | 381,818 | $2,976 |
| 62468 | KCKA | 953,680 | 804,362 | $6,268 |
| 41969 | KCLO-TV | 138,413 | 132,157 | $1,030 |
| 47903 | KCNC-TV | 3,794,400 | 3,541,089 | $27,596 |
| 71586 | KCNS | 8,270,858 | 7,381,656 | $57,525 |
| 33742 | KCOP-TV | 17,386,133 | 16,647,708 | $129,736 |
| 19117 | KCOS | 1,014,396 | 1,014,205 | $7,904 |
| 63165 | KCOY-TV | 664,655 | 459,468 | $3,581 |
| 33894 | KCPQ | 4,439,875 | 4,311,994 | $33,603 |
| 53843 | KCPT | 2,507,879 | 2,506,224 | $19,531 |
| 33875 | KCRA-TV | 10,612,483 | 6,500,774 | $50,661 |
| 9719 | KCRG-TV | 1,136,762 | 1,107,130 | $8,628 |
| 60728 | KCSD-TV | 273,553 | 273,447 | $2,131 |
| 59494 | KCSG | 174,814 | 164,765 | $1,284 |
| 33749 | KCTS-TV | 4,177,824 | 4,115,603 | $32,073 |
| 41230 | KCTV | 2,547,456 | 2,545,645 | $19,838 |
| 58605 | KCVU | 630,068 | 616,068 | $4,801 |
| 10036 | KCWC-DT | 44,216 | 39,439 | $307 |
| 64444 | KCWE | 2,460,172 | 2,458,913 | $19,162 |
| 51502 | KCWI-TV | 1,043,811 | 1,042,642 | $8,125 |
| 42008 | KCWO-TV | 50,707 | 50,685 | $395 |
| 166511 | KCWV | 207,398 | 207,370 | $1,616 |
| 24316 | KCWX | 3,961,268 | 3,954,787 | $30,820 |
| 68713 | KCWY-DT | 79,948 | 79,414 | $619 |
| 22201 | KDAF | 6,648,507 | 6,645,226 | $51,786 |
| 33764 | KDBC-TV | 1,015,564 | 1,015,162 | $7,911 |
| 79258 | KDCK | 43,088 | 43,067 | $336 |
| 166332 | KDCU-DT | 796,251 | 795,504 | $6,199 |
| 38375 | KDEN-TV | 3,376,799 | 3,351,182 | $26,116 |
| 17037 | KDFI | 6,684,439 | 6,682,487 | $52,077 |
| 33770 | KDFW | 6,659,312 | 6,657,023 | $51,878 |
| 29102 | KDIN-TV | 1,088,376 | 1,083,845 | $8,446 |
| 25454 | KDKA-TV | 3,611,796 | 3,450,690 | $26,891 |
| 60740 | KDKF | 71,413 | 64,567 | $503 |
| 4691 | KDLH | 263,422 | 260,394 | $2,029 |
| 41975 | KDLO-TV | 208,354 | 208,118 | $1,622 |
| 55379 | KDLT-TV | 639,284 | 628,281 | $4,896 |
| 55375 | KDLV-TV | 96,873 | 96,620 | $753 |
| 25221 | KDMD | 375,328 | 373,408 | $2,910 |
| 78915 | KDMI | 1,141,990 | 1,140,939 | $8,891 |
| 56524 | KDNL-TV | 2,987,219 | 2,982,311 | $23,241 |
| 24518 | KDOC-TV | 17,503,793 | 16,701,233 | $130,153 |
| 1005 | KDOR-TV | 1,112,060 | 1,108,556 | $8,639 |
| 60736 | KDRV | 519,706 | 440,002 | $3,429 |
| 61064 | KDSD-TV | 64,314 | 59,635 | $465 |
| 53329 | KDSE | 42,896 | 41,432 | $323 |
| 56527 | KDSM-TV | 1,096,220 | 1,095,478 | $8,537 |
| 49326 | KDTN | 6,602,327 | 6,600,186 | $51,435 |
| 83491 | KDTP | 26,564 | 24,469 | $191 |
| 33778 | KDTV-DT | 7,959,349 | 7,129,638 | $55,561 |
| 67910 | KDTX-TV | 6,680,738 | 6,679,424 | $52,053 |
| 126 | KDVR | 3,644,912 | 3,521,884 | $27,446 |
| 18084 | KECI-TV | 211,745 | 193,803 | $1,510 |
| 51208 | KECY-TV | 399,372 | 394,379 | $3,073 |
| 58408 | KEDT | 513,683 | 513,683 | $4,003 |
| 55435 | KEET | 177,313 | 159,960 | $1,247 |
| 41983 | KELO-TV | 705,364 | 646,126 | $5,035 |
| 34440 | KEMO-TV | 8,270,858 | 7,381,656 | $57,525 |
| 2777 | KEMV | 619,889 | 559,135 | $4,357 |
| 26304 | KENS | 2,544,094 | 2,529,382 | $19,711 |
| 63845 | KENV-DT | 47,220 | 40,677 | $317 |
| 18338 | KENW | 87,017 | 87,017 | $678 |
| 50591 | KEPB-TV | 576,964 | 523,655 | $4,081 |
| 56029 | KEPR-TV | 453,259 | 433,260 | $3,376 |
| 49324 | KERA-TV | 6,681,083 | 6,677,852 | $52,041 |
| 40878 | KERO-TV | 1,285,357 | 1,164,979 | $9,079 |
| 61067 | KESD-TV | 166,018 | 159,195 | $1,241 |
| 25577 | KESQ-TV | 1,334,172 | 572,057 | $4,458 |
| 50205 | KETA-TV | 1,702,441 | 1,688,227 | $13,156 |
| 62182 | KETC | 2,913,924 | 2,911,313 | $22,688 |
| 37101 | KETD | 3,323,570 | 3,285,231 | $25,602 |
| 2768 | KETG | 426,883 | 409,511 | $3,191 |
| 12895 | KETH-TV | 6,088,821 | 6,088,677 | $47,449 |
| 55643 | KETK-TV | 1,031,567 | 1,030,122 | $8,028 |
| 2770 | KETS | 1,185,111 | 1,166,796 | $9,093 |
| 53903 | KETV | 1,355,714 | 1,350,740 | $10,526 |
| 92872 | KETZ | 526,890 | 523,877 | $4,083 |
| 68853 | KEYC-TV | 544,900 | 531,079 | $4,139 |
| 33691 | KEYE-TV | 2,732,257 | 2,652,529 | $20,671 |
| 60637 | KEYT-TV | 1,419,564 | 1,239,577 | $9,660 |
| 83715 | KEYU | 339,348 | 339,302 | $2,644 |
| 34406 | KEZI | 1,113,171 | 1,065,880 | $8,306 |
| 34412 | KFBB-TV | 93,519 | 91,964 | $717 |
| 125 | KFCT | 795,114 | 788,747 | $6,147 |
| 51466 | KFDA-TV | 385,064 | 383,977 | $2,992 |
| 22589 | KFDM | 732,665 | 732,588 | $5,709 |
| 65370 | KFDX-TV | 381,703 | 381,318 | $2,972 |
| 49264 | KFFV | 4,020,926 | 3,987,153 | $31,072 |
| 12729 | KFFX-TV | 409,952 | 403,692 | $3,146 |
| 83992 | KFJX | 515,708 | 505,647 | $3,941 |
| 42122 | KFMB-TV | 3,947,735 | 3,699,981 | $28,834 |
| 53321 | KFME | 393,045 | 392,472 | $3,059 |
| 74256 | KFNB | 80,382 | 79,842 | $622 |
| 21613 | KFNE | 54,988 | 54,420 | $424 |
| 21612 | KFNR | 10,988 | 10,965 | $85 |
| 66222 | KFOR-TV | 1,616,459 | 1,615,614 | $12,590 |
| 33716 | KFOX-TV | 1,023,999 | 1,018,549 | $7,938 |
| 41517 | KFPH-DT | 347,579 | 282,838 | $2,204 |
| 81509 | KFPX-TV | 963,969 | 963,846 | $7,511 |
| 31597 | KFQX | 186,473 | 163,637 | $1,275 |
| 59013 | KFRE-TV | 1,721,275 | 1,705,484 | $13,291 |
| 51429 | KFSF-DT | 7,348,828 | 6,528,430 | $50,876 |
| 66469 | KFSM-TV | 906,728 | 884,919 | $6,896 |
| 8620 | KFSN-TV | 1,836,607 | 1,819,585 | $14,180 |
| 29560 | KFTA-TV | 818,859 | 809,173 | $6,306 |
| 83714 | KFTC | 61,990 | 61,953 | $483 |
| 60537 | KFTH-DT | 6,080,688 | 6,080,373 | $47,384 |
| 60549 | KFTR-DT | 17,560,679 | 16,305,726 | $127,071 |
| 61335 | KFTS | 74,936 | 65,126 | $508 |
| 81441 | KFTU-DT | 113,876 | 109,731 | $855 |
| 34439 | KFTV-DT | 1,794,984 | 1,779,917 | $13,871 |
| 36917 | KFVE | 953,895 | 851,585 | $6,636 |
| 592 | KFVS-TV | 895,871 | 873,777 | $6,809 |
| 29015 | KFWD | 6,610,836 | 6,598,496 | $51,422 |
| 35336 | KFXA | 875,538 | 874,070 | $6,812 |
| 17625 | KFXB-TV | 373,280 | 368,466 | $2,871 |
| 70917 | KFXK-TV | 934,043 | 931,791 | $7,261 |
| 84453 | KFXL-TV | 862,531 | 854,678 | $6,661 |
| 41427 | KFYR-TV | 130,881 | 128,301 | $1,000 |
| 25685 | KGAN | 1,083,213 | 1,057,597 | $8,242 |
| 34457 | KGBT-TV | 1,230,798 | 1,230,791 | $9,592 |
| 52593 | KGBY | 270,089 | 218,544 | $1,703 |
| 7841 | KGCW | 949,575 | 945,476 | $7,368 |
| 24485 | KGEB | 1,186,225 | 1,150,201 | $8,964 |
| 34459 | KGET-TV | 917,927 | 874,332 | $6,814 |
| 53320 | KGFE | 114,564 | 114,564 | $893 |
| 7894 | KGIN | 230,535 | 228,338 | $1,779 |
| 83945 | KGLA-DT | 1,645,641 | 1,645,641 | $12,824 |
| 34445 | KGMB | 953,398 | 851,088 | $6,633 |
| 23302 | KGMC | 1,824,786 | 1,803,796 | $14,057 |
| 36914 | KGMD-TV | 94,323 | 93,879 | $732 |
| 36920 | KGMV | 193,564 | 162,230 | $1,264 |
| 10061 | KGNS-TV | 267,236 | 259,548 | $2,023 |
| 34470 | KGO-TV | 8,637,074 | 7,929,294 | $61,793 |
| 56034 | KGPE | 1,699,131 | 1,682,082 | $13,108 |
| 81694 | KGPX-TV | 685,626 | 624,955 | $4,870 |
| 25511 | KGTF | 161,885 | 160,568 | $1,251 |
| 40876 | KGTV | 3,960,667 | 3,682,219 | $28,696 |
| 36918 | KGUN-TV | 1,398,527 | 1,212,484 | $9,449 |
| 34874 | KGW | 3,058,216 | 2,881,387 | $22,455 |
| 63177 | KGWC-TV | 80,475 | 80,009 | $624 |
| 63162 | KGWL-TV | 38,125 | 38,028 | $296 |
| 63166 | KGWN-TV | 469,467 | 440,388 | $3,432 |
| 63170 | KGWR-TV | 51,315 | 50,957 | $397 |
| 4146 | KHAW-TV | 95,204 | 94,851 | $739 |
| 34846 | KHBC-TV | 74,884 | 74,884 | $584 |
| 60353 | KHBS | 631,770 | 608,052 | $4,739 |
| 27300 | KHCE-TV | 2,353,883 | 2,348,391 | $18,301 |
| 26431 | KHET | 959,060 | 944,568 | $7,361 |
| 21160 | KHGI-TV | 233,973 | 229,173 | $1,786 |
| 29085 | KHIN | 1,041,244 | 1,039,383 | $8,100 |
| 17688 | KHME | 181,345 | 179,706 | $1,400 |
| 47670 | KHMT | 175,601 | 170,957 | $1,332 |
| 47987 | KHNE-TV | 203,931 | 202,944 | $1,582 |
| 34867 | KHNL | 953,398 | 851,088 | $6,633 |
| 60354 | KHOG-TV | 765,360 | 702,984 | $5,478 |
| 4144 | KHON-TV | 953,207 | 886,431 | $6,908 |
| 34529 | KHOU | 6,083,336 | 6,081,785 | $47,395 |
| 4690 | KHQA-TV | 318,469 | 316,134 | $2,464 |
| 34537 | KHQ-TV | 822,371 | 774,821 | $6,038 |
| 30601 | KHRR | 1,227,847 | 1,166,890 | $9,094 |
| 34348 | KHSD-TV | 188,735 | 185,202 | $1,443 |
| 24508 | KHSL-TV | 625,904 | 608,850 | $4,745 |
| 69677 | KHSV | 2,059,794 | 2,020,045 | $15,742 |
| 64544 | KHVO | 94,226 | 93,657 | $730 |
| 23394 | KIAH | 6,099,694 | 6,099,297 | $47,532 |
| 34564 | KICU-TV | 8,233,041 | 7,174,316 | $55,909 |
| 56028 | KIDK | 305,509 | 302,535 | $2,358 |
| 58560 | KIDY | 116,614 | 116,596 | $909 |
| 53382 | KIEM-TV | 174,390 | 160,801 | $1,253 |
| 66258 | KIFI-TV | 324,422 | 320,118 | $2,495 |
| 10188 | KIII | 569,864 | 566,796 | $4,417 |
| 29095 | KIIN | 1,365,215 | 1,335,707 | $10,409 |
| 34527 | KIKU | 953,896 | 850,963 | $6,632 |
| 63865 | KILM | 17,256,205 | 15,804,489 | $123,164 |
| 56033 | KIMA-TV | 308,604 | 260,593 | $2,031 |
| 66402 | KIMT | 654,083 | 643,384 | $5,014 |
| 67089 | KINC | 2,002,066 | 1,920,903 | $14,970 |
| 34847 | KING-TV | 4,074,288 | 4,036,926 | $31,460 |
| 51708 | KINT-TV | 1,015,582 | 1,015,274 | $7,912 |
| 26249 | KION-TV | 2,400,317 | 855,808 | $6,669 |
| 62427 | KIPT | 171,405 | 170,455 | $1,328 |
| 66781 | KIRO-TV | 4,058,101 | 4,030,968 | $31,413 |
| 62430 | KISU-TV | 311,827 | 307,651 | $2,398 |
| 12896 | KITU-TV | 712,362 | 712,362 | $5,551 |
| 64548 | KITV | 953,207 | 839,906 | $6,545 |
| 59255 | KIVI-TV | 710,819 | 702,619 | $5,476 |
| 47285 | KIXE-TV | 467,518 | 428,118 | $3,336 |
| 13792 | KJJC-TV | 82,749 | 81,865 | $638 |
| 14000 | KJLA | 17,929,100 | 16,794,896 | $130,883 |
| 20015 | KJNP-TV | 98,403 | 98,097 | $764 |
| 53315 | KJRE | 16,187 | 16,170 | $126 |
| 59439 | KJRH-TV | 1,416,108 | 1,397,311 | $10,889 |
| 55364 | KJRR | 45,515 | 44,098 | $344 |
| 7675 | KJTL | 379,594 | 379,263 | $2,956 |
| 55031 | KJTV-TV | 406,283 | 406,260 | $3,166 |
| 13814 | KJUD | 31,229 | 30,106 | $235 |
| 36607 | KJZZ-TV | 2,388,965 | 2,209,183 | $17,216 |
| 83180 | KKAI | 955,203 | 941,214 | $7,335 |
| 58267 | KKAP | 957,786 | 923,172 | $7,194 |
| 24766 | KKCO | 206,018 | 172,628 | $1,345 |
| 35097 | KKJB | 629,939 | 624,784 | $4,869 |
| 22644 | KKPX-TV | 7,588,288 | 6,758,490 | $52,669 |
| 35037 | KKTV | 2,892,126 | 2,478,864 | $19,318 |
| 35042 | KLAS-TV | 2,094,297 | 1,940,030 | $15,119 |
| 52907 | KLAX-TV | 367,212 | 366,839 | $2,859 |
| 3660 | KLBK-TV | 387,783 | 387,743 | $3,022 |
| 65523 | KLBY | 31,102 | 31,096 | $242 |
| 38430 | KLCS | 16,875,019 | 15,402,588 | $120,032 |
| 77719 | KLCW-TV | 381,889 | 381,816 | $2,975 |
| 51479 | KLDO-TV | 250,832 | 250,832 | $1,955 |
| 37105 | KLEI | 175,045 | 138,087 | $1,076 |
| 56032 | KLEW-TV | 164,908 | 148,256 | $1,155 |
| 35059 | KLFY-TV | 1,355,890 | 1,355,409 | $10,563 |
| 54011 | KLJB | 1,027,104 | 1,012,309 | $7,889 |
| 11264 | KLKN | 932,757 | 895,101 | $6,976 |
| 47975 | KLNE-TV | 120,338 | 120,277 | $937 |
| 38590 | KLPA-TV | 414,699 | 414,447 | $3,230 |
| 38588 | KLPB-TV | 749,053 | 749,053 | $5,837 |
| 749 | KLRN | 2,374,472 | 2,353,440 | $18,340 |
| 11951 | KLRT-TV | 1,171,678 | 1,152,541 | $8,982 |
| 8564 | KLRU | 2,614,658 | 2,575,518 | $20,071 |
| 8322 | KLSR-TV | 564,415 | 508,157 | $3,960 |
| 31114 | KLST | 199,067 | 169,551 | $1,321 |
| 24436 | KLTJ | 6,034,131 | 6,033,867 | $47,022 |
| 38587 | KLTL-TV | 423,574 | 423,574 | $3,301 |
| 38589 | KLTM-TV | 694,280 | 688,915 | $5,369 |
| 38591 | KLTS-TV | 883,661 | 882,589 | $6,878 |
| 68540 | KLTV | 1,069,690 | 1,051,361 | $8,193 |
| 12913 | KLUJ-TV | 1,195,751 | 1,195,751 | $9,318 |
| 57220 | KLUZ-TV | 1,079,718 | 1,019,302 | $7,943 |
| 11683 | KLVX | 2,044,150 | 1,936,083 | $15,088 |
| 82476 | KLWB | 1,065,748 | 1,065,748 | $8,305 |
| 40250 | KLWY | 541,043 | 538,231 | $4,194 |
| 64551 | KMAU | 213,060 | 188,953 | $1,473 |
| 51499 | KMAX-TV | 10,767,605 | 7,132,240 | $55,582 |
| 65686 | KMBC-TV | 2,507,895 | 2,506,661 | $19,534 |
| 56079 | KMBH | 1,225,732 | 1,225,732 | $9,552 |
| 35183 | KMCB | 69,357 | 66,203 | $516 |
| 41237 | KMCC | 2,064,592 | 2,010,262 | $15,666 |
| 42636 | KMCI-TV | 2,429,392 | 2,428,626 | $18,926 |
| 38584 | KMCT-TV | 267,004 | 266,880 | $2,080 |
| 22127 | KMCY | 71,797 | 71,793 | $559 |
| 162016 | KMDE | 35,409 | 35,401 | $276 |
| 26428 | KMEB | 221,810 | 203,470 | $1,586 |
| 39665 | KMEG | 708,748 | 704,130 | $5,487 |
| 35123 | KMEX-DT | 17,628,354 | 16,318,720 | $127,172 |
| 40875 | KMGH-TV | 3,815,253 | 3,574,365 | $27,855 |
| 35131 | KMID | 383,449 | 383,439 | $2,988 |
| 16749 | KMIR-TV | 2,760,914 | 730,764 | $5,695 |
| 63164 | KMIZ | 532,025 | 530,008 | $4,130 |
| 53541 | KMLM-DT | 293,290 | 293,290 | $2,286 |
| 52046 | KMLU | 711,951 | 708,107 | $5,518 |
| 47981 | KMNE-TV | 47,232 | 44,189 | $344 |
| 24753 | KMOH-TV | 199,885 | 184,283 | $1,436 |
| 4326 | KMOS-TV | 804,745 | 803,129 | $6,259 |
| 41425 | KMOT | 81,517 | 79,504 | $620 |
| 70034 | KMOV | 3,035,077 | 3,029,405 | $23,608 |
| 51488 | KMPH-TV | 1,725,397 | 1,697,871 | $13,232 |
| 73701 | KMPX | 6,678,829 | 6,674,706 | $52,016 |
| 44052 | KMSB | 1,321,614 | 1,039,442 | $8,100 |
| 68883 | KMSP-TV | 3,832,040 | 3,805,141 | $29,653 |
| 12525 | KMSS-TV | 1,068,120 | 1,066,388 | $8,310 |
| 43095 | KMTP-TV | 5,252,062 | 4,457,617 | $34,738 |
| 35189 | KMTR | 589,948 | 520,666 | $4,058 |
| 35190 | KMTV-TV | 1,346,549 | 1,344,796 | $10,480 |
| 77063 | KMTW | 761,521 | 761,516 | $5,934 |
| 35200 | KMVT | 184,647 | 176,351 | $1,374 |
| 32958 | KMVU-DT | 308,150 | 231,506 | $1,804 |
| 86534 | KMYA-DT | 200,764 | 200,719 | $1,564 |
| 51518 | KMYS | 2,273,888 | 2,267,913 | $17,674 |
| 54420 | KMYT-TV | 1,314,197 | 1,302,378 | $10,149 |
| 35822 | KMYU | 133,563 | 130,198 | $1,015 |
| 993 | KNAT-TV | 1,157,630 | 1,124,619 | $8,764 |
| 24749 | KNAZ-TV | 332,321 | 227,658 | $1,774 |
| 47906 | KNBC | 17,859,647 | 16,555,232 | $129,015 |
| 81464 | KNBN | 145,493 | 136,995 | $1,068 |
| 9754 | KNCT | 1,751,838 | 1,726,148 | $13,452 |
| 82611 | KNDB | 118,154 | 118,122 | $921 |
| 82615 | KNDM | 72,216 | 72,209 | $563 |
| 12395 | KNDO | 314,875 | 270,892 | $2,111 |
| 12427 | KNDU | 475,612 | 462,556 | $3,605 |
| 17683 | KNEP | 101,389 | 95,890 | $747 |
| 48003 | KNHL | 277,777 | 277,308 | $2,161 |
| 125710 | KNIC-DT | 2,398,296 | 2,383,294 | $18,573 |
| 59363 | KNIN-TV | 708,289 | 703,838 | $5,485 |
| 48525 | KNLC | 2,981,508 | 2,978,979 | $23,215 |
| 48521 | KNLJ | 655,000 | 642,705 | $5,009 |
| 84215 | KNMD-TV | 1,120,286 | 1,100,869 | $8,579 |
| 55528 | KNME-TV | 1,149,036 | 1,103,695 | $8,601 |
| 47707 | KNMT | 2,887,142 | 2,794,995 | $21,781 |
| 48975 | KNOE-TV | 733,097 | 729,703 | $5,687 |
| 49273 | KNOP-TV | 87,904 | 85,423 | $666 |
| 10228 | KNPB | 604,614 | 462,732 | $3,606 |
| 55362 | KNRR | 25,957 | 25,931 | $202 |
| 35277 | KNSD | 3,861,660 | 3,618,321 | $28,198 |
| 19191 | KNSN-TV | 611,981 | 459,485 | $3,581 |
| 58608 | KNSO | 1,976,317 | 1,931,825 | $15,055 |
| 35280 | KNTV | 8,525,818 | 8,027,505 | $62,558 |
| 144 | KNVA | 2,550,225 | 2,529,184 | $19,710 |
| 33745 | KNVN | 495,902 | 470,252 | $3,665 |
| 69692 | KNVO | 1,247,014 | 1,247,014 | $9,718 |
| 29557 | KNWA-TV | 822,906 | 804,682 | $6,271 |
| 16950 | KNXT | 2,180,045 | 2,160,460 | $16,836 |
| 59440 | KNXV-TV | 4,183,943 | 4,173,022 | $32,520 |
| 59014 | KOAA-TV | 1,608,528 | 1,203,731 | $9,381 |
| 50588 | KOAB-TV | 207,070 | 203,371 | $1,585 |
| 50590 | KOAC-TV | 1,957,282 | 1,543,401 | $12,028 |
| 58552 | KOAM-TV | 595,307 | 584,921 | $4,558 |
| 53928 | KOAT-TV | 1,132,372 | 1,105,116 | $8,612 |
| 35313 | KOB | 1,152,841 | 1,113,162 | $8,675 |
| 35321 | KOBF | 201,911 | 166,177 | $1,295 |
| 8260 | KOBI | 562,463 | 519,063 | $4,045 |
| 62272 | KOBR | 211,709 | 211,551 | $1,649 |
| 50170 | KOCB | 1,629,783 | 1,629,152 | $12,696 |
| 4328 | KOCE-TV | 17,447,903 | 16,331,792 | $127,274 |
| 84225 | KOCM | 1,434,325 | 1,433,605 | $11,172 |
| 12508 | KOCO-TV | 1,716,569 | 1,708,085 | $13,311 |
| 83181 | KOCW | 83,807 | 83,789 | $653 |
| 18283 | KODE-TV | 740,156 | 731,512 | $5,701 |
| 66195 | KOED-TV | 1,497,297 | 1,459,833 | $11,376 |
| 50198 | KOET | 658,606 | 637,640 | $4,969 |
| 51189 | KOFY-TV | 5,252,062 | 4,457,617 | $34,738 |
| 34859 | KOGG | 190,829 | 161,310 | $1,257 |
| 166534 | KOHD | 201,310 | 197,662 | $1,540 |
| 35380 | KOIN | 3,028,482 | 2,881,460 | $22,455 |
| 35388 | KOKH-TV | 1,627,116 | 1,625,246 | $12,666 |
| 11910 | KOKI-TV | 1,366,220 | 1,352,227 | $10,538 |
| 48663 | KOLD-TV | 1,216,228 | 887,754 | $6,918 |
| 7890 | KOLN | 1,225,400 | 1,190,178 | $9,275 |
| 63331 | KOLO-TV | 959,178 | 826,985 | $6,445 |
| 28496 | KOLR | 1,076,144 | 1,038,613 | $8,094 |
| 21656 | KOMO-TV | 4,132,260 | 4,087,435 | $31,853 |
| 65583 | KOMU-TV | 551,658 | 542,544 | $4,228 |
| 35396 | KONG | 4,006,008 | 3,985,271 | $31,057 |
| 60675 | KOOD | 113,416 | 113,285 | $883 |
| 50589 | KOPB-TV | 3,059,231 | 2,875,815 | $22,411 |
| 2566 | KOPX-TV | 1,501,110 | 1,500,883 | $11,696 |
| 64877 | KORO | 560,983 | 560,983 | $4,372 |
| 6865 | KOSA-TV | 340,978 | 338,070 | $2,635 |
| 34347 | KOTA-TV | 174,876 | 152,861 | $1,191 |
| 8284 | KOTI | 298,175 | 97,132 | $757 |
| 35434 | KOTV-DT | 1,417,753 | 1,403,838 | $10,940 |
| 56550 | KOVR | 10,784,477 | 7,162,989 | $55,821 |
| 51101 | KOZJ | 429,982 | 427,991 | $3,335 |
| 51102 | KOZK | 839,841 | 834,308 | $6,502 |
| 3659 | KOZL-TV | 992,495 | 963,281 | $7,507 |
| 35455 | KPAX-TV | 206,895 | 193,201 | $1,506 |
| 67868 | KPAZ-TV | 4,190,080 | 4,176,323 | $32,546 |
| 6124 | KPBS | 3,584,237 | 3,463,189 | $26,989 |
| 50044 | KPBT-TV | 340,080 | 340,080 | $2,650 |
| 77452 | KPCB-DT | 30,861 | 30,835 | $240 |
| 35460 | KPDX | 2,970,703 | 2,848,423 | $22,198 |
| 12524 | KPEJ-TV | 368,212 | 368,208 | $2,869 |
| 41223 | KPHO-TV | 4,195,073 | 4,175,139 | $32,537 |
| 61551 | KPIC | 156,687 | 105,807 | $825 |
| 86205 | KPIF | 265,080 | 258,174 | $2,012 |
| 25452 | KPIX-TV | 8,340,753 | 7,480,594 | $58,296 |
| 58912 | KPJK | 7,884,411 | 6,955,179 | $54,202 |
| 166510 | KPJR-TV | 3,402,088 | 3,372,831 | $26,284 |
| 13994 | KPLC | 1,406,085 | 1,403,853 | $10,940 |
| 41964 | KPLO-TV | 55,827 | 52,765 | $411 |
| 35417 | KPLR-TV | 2,968,619 | 2,965,673 | $23,111 |
| 12144 | KPMR | 1,731,370 | 1,473,251 | $11,481 |
| 47973 | KPNE-TV | 92,675 | 89,021 | $694 |
| 35486 | KPNX | 4,215,834 | 4,184,428 | $32,609 |
| 77512 | KPNZ | 2,394,311 | 2,208,707 | $17,212 |
| 73998 | KPOB-TV | 144,525 | 143,656 | $1,120 |
| 26655 | KPPX-TV | 4,186,998 | 4,171,450 | $32,508 |
| 53117 | KPRC-TV | 6,099,422 | 6,099,076 | $47,530 |
| 48660 | KPRY-TV | 42,521 | 42,426 | $331 |
| 61071 | KPSD-TV | 19,886 | 18,799 | $147 |
| 53544 | KPTB-DT | 322,780 | 320,646 | $2,499 |
| 81445 | KPTF-DT | 84,512 | 84,512 | $659 |
| 77451 | KPTH | 660,556 | 655,373 | $5,107 |
| 51491 | KPTM | 1,414,998 | 1,414,014 | $11,019 |
| 33345 | KPTS | 832,000 | 827,866 | $6,452 |
| 50633 | KPTV | 2,998,460 | 2,847,263 | $22,189 |
| 82575 | KPTW | 80,374 | 80,012 | $624 |
| 1270 | KPVI-DT | 271,379 | 264,204 | $2,059 |
| 58835 | KPXB-TV | 6,062,472 | 6,062,271 | $47,243 |
| 68695 | KPXC-TV | 3,362,518 | 3,341,951 | $26,044 |
| 68834 | KPXD-TV | 6,555,157 | 6,553,373 | $51,070 |
| 33337 | KPXE-TV | 2,437,178 | 2,436,024 | $18,984 |
| 5801 | KPXG-TV | 3,026,219 | 2,882,598 | $22,464 |
| 81507 | KPXJ | 1,138,632 | 1,135,626 | $8,850 |
| 61173 | KPXL-TV | 2,257,007 | 2,243,520 | $17,484 |
| 35907 | KPXM-TV | 3,507,312 | 3,506,503 | $27,326 |
| 58978 | KPXN-TV | 17,256,205 | 15,804,489 | $123,164 |
| 77483 | KPXO-TV | 953,329 | 913,341 | $7,118 |
| 21156 | KPXR-TV | 828,915 | 821,250 | $6,400 |
| 10242 | KQCA | 10,077,891 | 6,276,197 | $48,910 |
| 41430 | KQCD-TV | 35,623 | 33,415 | $260 |
| 18287 | KQCK | 3,220,160 | 3,162,711 | $24,647 |
| 78322 | KQCW-DT | 1,128,198 | 1,123,324 | $8,754 |
| 35525 | KQDS-TV | 304,935 | 301,439 | $2,349 |
| 35500 | KQED | 8,195,398 | 7,283,828 | $56,763 |
| 35663 | KQEH | 8,195,398 | 7,283,828 | $56,763 |
| 8214 | KQET | 2,981,040 | 2,076,157 | $16,179 |
| 5471 | KQIN | 596,371 | 596,277 | $4,647 |
| 17686 | KQME | 188,783 | 184,719 | $1,440 |
| 61063 | KQSD-TV | 32,526 | 31,328 | $244 |
| 8378 | KQSL | 196,316 | 133,564 | $1,041 |
| 20427 | KQTV | 1,494,987 | 1,401,160 | $10,919 |
| 78921 | KQUP | 697,016 | 551,824 | $4,300 |
| 306 | KRBC-TV | 229,395 | 229,277 | $1,787 |
| 166319 | KRBK | 983,888 | 966,187 | $7,529 |
| 22161 | KRCA | 17,540,791 | 16,957,292 | $132,148 |
| 57945 | KRCB | 8,783,441 | 8,503,802 | $66,270 |
| 41110 | KRCG | 684,989 | 662,418 | $5,162 |
| 8291 | KRCR-TV | 423,000 | 402,594 | $3,137 |
| 10192 | KRCW-TV | 2,966,912 | 2,842,523 | $22,152 |
| 49134 | KRDK-TV | 349,941 | 349,929 | $2,727 |
| 52579 | KRDO-TV | 2,622,603 | 2,272,383 | $17,709 |
| 70578 | KREG-TV | 149,306 | 95,141 | $741 |
| 34868 | KREM | 817,619 | 752,113 | $5,861 |
| 51493 | KREN-TV | 810,039 | 681,212 | $5,309 |
| 70596 | KREX-TV | 145,700 | 145,606 | $1,135 |
| 70579 | KREY-TV | 74,963 | 65,700 | $512 |
| 48589 | KREZ-TV | 148,079 | 105,121 | $819 |
| 43328 | KRGV-TV | 1,247,057 | 1,247,029 | $9,718 |
| 82698 | KRII | 133,840 | 132,912 | $1,036 |
| 29114 | KRIN | 949,313 | 923,735 | $7,199 |
| 25559 | KRIS-TV | 561,825 | 561,718 | $4,377 |
| 22204 | KRIV | 6,078,936 | 6,078,846 | $47,372 |
| 14040 | KRMA-TV | 3,722,512 | 3,564,949 | $27,782 |
| 14042 | KRMJ | 174,094 | 159,511 | $1,243 |
| 20476 | KRMT | 2,956,144 | 2,864,236 | $22,321 |
| 84224 | KRMU | 85,274 | 72,499 | $565 |
| 20373 | KRMZ | 36,293 | 33,620 | $262 |
| 47971 | KRNE-TV | 47,473 | 38,273 | $298 |
| 60307 | KRNV-DT | 955,490 | 792,543 | $6,176 |
| 65526 | KRON-TV | 8,573,167 | 8,028,256 | $62,564 |
| 53539 | KRPV-DT | 65,943 | 65,943 | $514 |
| 48575 | KRQE | 1,135,461 | 1,105,093 | $8,612 |
| 57431 | KRSU-TV | 1,000,289 | 998,310 | $7,780 |
| 82613 | KRTN-TV | 96,062 | 74,452 | $580 |
| 35567 | KRTV | 92,645 | 90,849 | $708 |
| 84157 | KRWB-TV | 111,538 | 110,979 | $865 |
| 35585 | KRWF | 85,596 | 85,596 | $667 |
| 55516 | KRWG-TV | 894,492 | 661,703 | $5,157 |
| 48360 | KRXI-TV | 725,391 | 548,865 | $4,277 |
| 307 | KSAN-TV | 135,063 | 135,051 | $1,052 |
| 11911 | KSAS-TV | 752,513 | 752,504 | $5,864 |
| 53118 | KSAT-TV | 2,539,658 | 2,502,246 | $19,500 |
| 35584 | KSAX | 365,209 | 365,209 | $2,846 |
| 35587 | KSAZ-TV | 4,203,126 | 4,178,448 | $32,563 |
| 38214 | KSBI | 1,577,231 | 1,575,865 | $12,281 |
| 19653 | KSBW | 5,083,461 | 4,429,165 | $34,516 |
| 19654 | KSBY | 535,029 | 495,562 | $3,862 |
| 82910 | KSCC | 517,740 | 517,740 | $4,035 |
| 10202 | KSCE | 1,015,148 | 1,010,581 | $7,875 |
| 35608 | KSCI | 17,447,903 | 16,331,792 | $127,274 |
| 72348 | KSCW-DT | 915,691 | 910,511 | $7,096 |
| 46981 | KSDK | 2,986,764 | 2,979,035 | $23,216 |
| 35594 | KSEE | 1,761,193 | 1,746,282 | $13,609 |
| 48658 | KSFY-TV | 670,536 | 607,844 | $4,737 |
| 17680 | KSGW-TV | 62,178 | 57,629 | $449 |
| 59444 | KSHB-TV | 2,432,205 | 2,431,273 | $18,947 |
| 73706 | KSHV-TV | 943,947 | 942,978 | $7,349 |
| 29096 | KSIN-TV | 340,143 | 338,811 | $2,640 |
| 664 | KSIX-TV | 82,902 | 73,553 | $573 |
| 35606 | KSKN | 731,818 | 643,590 | $5,015 |
| 70482 | KSLA | 1,017,556 | 1,016,667 | $7,923 |
| 6359 | KSL-TV | 2,390,742 | 2,206,920 | $17,199 |
| 71558 | KSMN | 320,813 | 320,808 | $2,500 |
| 33336 | KSMO-TV | 2,401,201 | 2,398,686 | $18,693 |
| 28510 | KSMQ-TV | 524,391 | 507,983 | $3,959 |
| 35611 | KSMS-TV | 1,589,263 | 882,948 | $6,881 |
| 21161 | KSNB-TV | 658,560 | 656,650 | $5,117 |
| 72359 | KSNC | 174,135 | 173,744 | $1,354 |
| 67766 | KSNF | 621,919 | 617,868 | $4,815 |
| 72361 | KSNG | 145,058 | 144,822 | $1,129 |
| 72362 | KSNK | 48,715 | 45,414 | $354 |
| 67335 | KSNT | 622,818 | 594,604 | $4,634 |
| 10179 | KSNV | 1,967,781 | 1,919,296 | $14,957 |
| 72358 | KSNW | 791,403 | 791,127 | $6,165 |
| 61956 | KSPS-TV | 819,101 | 769,852 | $5,999 |
| 52953 | KSPX-TV | 7,078,228 | 5,275,946 | $41,115 |
| 166546 | KSQA | 382,328 | 374,290 | $2,917 |
| 53313 | KSRE | 75,181 | 75,181 | $586 |
| 35843 | KSTC-TV | 3,843,788 | 3,835,674 | $29,891 |
| 63182 | KSTF | 51,317 | 51,122 | $398 |
| 28010 | KSTP-TV | 3,788,898 | 3,782,053 | $29,474 |
| 60534 | KSTR-DT | 6,632,577 | 6,629,296 | $51,662 |
| 64987 | KSTS | 8,363,473 | 7,264,852 | $56,615 |
| 22215 | KSTU | 2,384,996 | 2,201,716 | $17,158 |
| 23428 | KSTW | 4,265,956 | 4,186,266 | $32,624 |
| 5243 | KSVI | 175,390 | 173,667 | $1,353 |
| 58827 | KSWB-TV | 3,677,190 | 3,488,655 | $27,187 |
| 60683 | KSWK | 79,012 | 78,784 | $614 |
| 35645 | KSWO-TV | 483,132 | 458,057 | $3,570 |
| 61350 | KSYS | 519,209 | 443,204 | $3,454 |
| 59988 | KTAB-TV | 270,967 | 268,579 | $2,093 |
| 999 | KTAJ-TV | 2,343,843 | 2,343,227 | $18,261 |
| 35648 | KTAL-TV | 1,094,332 | 1,092,958 | $8,517 |
| 12930 | KTAS | 471,882 | 464,149 | $3,617 |
| 81458 | KTAZ | 4,182,503 | 4,160,481 | $32,423 |
| 35649 | KTBC | 3,242,215 | 2,956,614 | $23,041 |
| 67884 | KTBN-TV | 17,795,677 | 16,510,302 | $128,665 |
| 67999 | KTBO-TV | 1,585,283 | 1,583,664 | $12,341 |
| 35652 | KTBS-TV | 1,163,228 | 1,159,665 | $9,037 |
| 28324 | KTBU | 6,035,927 | 6,035,725 | $47,036 |
| 67950 | KTBW-TV | 4,202,104 | 4,108,031 | $32,014 |
| 35655 | KTBY | 348,080 | 346,562 | $2,701 |
| 68594 | KTCA-TV | 3,693,877 | 3,684,081 | $28,710 |
| 68597 | KTCI-TV | 3,606,606 | 3,597,183 | $28,033 |
| 35187 | KTCW | 103,341 | 89,207 | $695 |
| 36916 | KTDO | 1,015,336 | 1,010,771 | $7,877 |
| 2769 | KTEJ | 419,750 | 417,368 | $3,253 |
| 83707 | KTEL-TV | 53,423 | 53,414 | $416 |
| 35666 | KTEN | 602,788 | 599,778 | $4,674 |
| 24514 | KTFD-TV | 3,210,669 | 3,172,543 | $24,724 |
| 35512 | KTFF-DT | 2,225,169 | 2,203,398 | $17,171 |
| 20871 | KTFK-DT | 6,969,307 | 5,211,719 | $40,615 |
| 68753 | KTFN | 1,017,335 | 1,013,157 | $7,896 |
| 35084 | KTFQ-TV | 1,151,433 | 1,117,061 | $8,705 |
| 29232 | KTGM | 159,358 | 159,091 | $1,240 |
| 2787 | KTHV | 1,275,062 | 1,246,348 | $9,713 |
| 29100 | KTIN | 281,096 | 279,385 | $2,177 |
| 66170 | KTIV | 751,089 | 746,274 | $5,816 |
| 49397 | KTKA-TV | 759,369 | 746,370 | $5,816 |
| 35670 | KTLA | 18,156,910 | 16,870,262 | $131,470 |
| 62354 | KTLM | 1,044,526 | 1,044,509 | $8,140 |
| 49153 | KTLN-TV | 5,381,955 | 4,740,894 | $36,946 |
| 64984 | KTMD | 6,095,741 | 6,095,606 | $47,503 |
| 14675 | KTMF | 187,251 | 168,526 | $1,313 |
| 10177 | KTMW | 2,261,671 | 2,144,791 | $16,714 |
| 21533 | KTNC-TV | 8,270,858 | 7,381,656 | $57,525 |
| 47996 | KTNE-TV | 100,341 | 95,324 | $743 |
| 60519 | KTNL-TV | 8,642 | 8,642 | $67 |
| 74100 | KTNV-TV | 2,094,506 | 1,936,752 | $15,093 |
| 71023 | KTNW | 450,926 | 432,398 | $3,370 |
| 8651 | KTOO-TV | 31,269 | 31,176 | $243 |
| 7078 | KTPX-TV | 1,066,196 | 1,063,754 | $8,290 |
| 68541 | KTRE | 441,879 | 421,406 | $3,284 |
| 35675 | KTRK-TV | 6,114,259 | 6,112,870 | $47,638 |
| 28230 | KTRV-TV | 714,833 | 707,557 | $5,514 |
| 69170 | KTSC | 3,124,536 | 2,949,795 | $22,988 |
| 61066 | KTSD-TV | 83,645 | 82,828 | $645 |
| 37511 | KTSF | 7,959,349 | 7,129,638 | $55,561 |
| 67760 | KTSM-TV | 1,015,348 | 1,011,264 | $7,881 |
| 35678 | KTTC | 815,213 | 731,919 | $5,704 |
| 28501 | KTTM | 76,133 | 73,664 | $574 |
| 11908 | KTTU | 1,324,801 | 1,060,613 | $8,265 |
| 22208 | KTTV | 17,380,551 | 16,693,085 | $130,089 |
| 28521 | KTTW | 329,633 | 326,405 | $2,544 |
| 65355 | KTTZ-TV | 380,240 | 380,225 | $2,963 |
| 35685 | KTUL | 1,416,959 | 1,388,183 | $10,818 |
| 10173 | KTUU-TV | 380,240 | 379,047 | $2,954 |
| 77480 | KTUZ-TV | 1,668,531 | 1,666,026 | $12,983 |
| 49632 | KTVA | 342,517 | 342,300 | $2,668 |
| 34858 | KTVB | 714,865 | 707,882 | $5,517 |
| 31437 | KTVC | 137,239 | 100,204 | $781 |
| 68581 | KTVD | 3,800,970 | 3,547,607 | $27,647 |
| 35692 | KTVE | 641,139 | 640,201 | $4,989 |
| 49621 | KTVF | 98,068 | 97,929 | $763 |
| 5290 | KTVH-DT | 228,832 | 184,264 | $1,436 |
| 35693 | KTVI | 2,995,764 | 2,991,513 | $23,313 |
| 40993 | KTVK | 4,184,825 | 4,173,028 | $32,520 |
| 22570 | KTVL | 419,849 | 369,469 | $2,879 |
| 18066 | KTVM-TV | 260,105 | 217,694 | $1,696 |
| 59139 | KTVN | 955,490 | 800,420 | $6,238 |
| 21251 | KTVO | 148,780 | 148,647 | $1,158 |
| 35694 | KTVQ | 179,797 | 173,271 | $1,350 |
| 50592 | KTVR | 147,808 | 54,480 | $425 |
| 23422 | KTVT | 6,912,366 | 6,908,715 | $53,840 |
| 35703 | KTVU | 8,297,634 | 7,406,751 | $57,721 |
| 35705 | KTVW-DT | 4,173,111 | 4,159,807 | $32,417 |
| 68889 | KTVX | 2,389,392 | 2,200,520 | $17,149 |
| 55907 | KTVZ | 201,828 | 198,558 | $1,547 |
| 18286 | KTWO-TV | 80,426 | 79,905 | $623 |
| 70938 | KTWU | 1,703,798 | 1,562,305 | $12,175 |
| 51517 | KTXA | 6,915,461 | 6,911,822 | $53,864 |
| 42359 | KTXD-TV | 6,706,651 | 6,704,781 | $52,250 |
| 51569 | KTXH | 6,092,710 | 6,092,525 | $47,479 |
| 10205 | KTXL | 8,306,449 | 5,896,320 | $45,950 |
| 308 | KTXS-TV | 247,603 | 246,760 | $1,923 |
| 69315 | KUAC-TV | 98,717 | 98,189 | $765 |
| 51233 | KUAM-TV | 159,358 | 159,358 | $1,242 |
| 2722 | KUAS-TV | 994,802 | 977,391 | $7,617 |
| 2731 | KUAT-TV | 1,485,024 | 1,253,342 | $9,767 |
| 60520 | KUBD | 14,817 | 13,363 | $104 |
| 70492 | KUBE-TV | 6,090,970 | 6,090,817 | $47,466 |
| 1136 | KUCW | 2,388,889 | 2,199,787 | $17,143 |
| 69396 | KUED | 2,388,995 | 2,203,093 | $17,169 |
| 69582 | KUEN | 2,364,481 | 2,184,483 | $17,024 |
| 82576 | KUES | 30,925 | 25,978 | $202 |
| 82585 | KUEW | 132,168 | 120,411 | $938 |
| 66611 | KUFM-TV | 187,680 | 166,697 | $1,299 |
| 169028 | KUGF-TV | 86,622 | 85,986 | $670 |
| 68717 | KUHM-TV | 154,836 | 145,241 | $1,132 |
| 69269 | KUHT | 6,090,213 | 6,089,665 | $47,457 |
| 62382 | KUID-TV | 432,855 | 284,023 | $2,213 |
| 169027 | KUKL-TV | 124,505 | 115,844 | $903 |
| 35724 | KULR-TV | 177,242 | 170,142 | $1,326 |
| 41429 | KUMV-TV | 41,607 | 41,224 | $321 |
| 81447 | KUNP | 130,559 | 43,472 | $339 |
| 4624 | KUNS-TV | 4,027,849 | 4,015,626 | $31,294 |
| 86532 | KUOK | 28,974 | 28,945 | $226 |
| 66589 | KUON-TV | 1,375,257 | 1,360,005 | $10,599 |
| 86263 | KUPB | 318,914 | 318,914 | $2,485 |
| 65535 | KUPK | 149,642 | 148,180 | $1,155 |
| 27431 | KUPT | 87,602 | 87,602 | $683 |
| 89714 | KUPU | 956,178 | 948,005 | $7,388 |
| 57884 | KUPX-TV | 2,374,672 | 2,191,229 | $17,076 |
| 23074 | KUSA | 3,803,461 | 3,561,587 | $27,755 |
| 61072 | KUSD-TV | 460,480 | 460,277 | $3,587 |
| 10238 | KUSI-TV | 3,572,818 | 3,435,670 | $26,774 |
| 43567 | KUSM-TV | 122,678 | 109,830 | $856 |
| 69694 | KUTF | 1,210,774 | 1,031,870 | $8,041 |
| 81451 | KUTH-DT | 2,219,788 | 2,027,174 | $15,798 |
| 68886 | KUTP | 4,191,015 | 4,176,014 | $32,544 |
| 35823 | KUTV | 2,388,625 | 2,199,731 | $17,143 |
| 63927 | KUVE-DT | 1,294,971 | 964,396 | $7,516 |
| 7700 | KUVI-DT | 1,204,490 | 1,009,943 | $7,870 |
| 35841 | KUVN-DT | 6,680,126 | 6,678,157 | $52,043 |
| 58609 | KUVS-DT | 4,043,413 | 4,005,657 | $31,216 |
| 49766 | KVAL-TV | 1,016,673 | 866,173 | $6,750 |
| 32621 | KVAW | 76,153 | 76,153 | $593 |
| 58795 | KVCR-DT | 18,215,524 | 17,467,140 | $136,121 |
| 35846 | KVCT | 288,221 | 287,446 | $2,240 |
| 10195 | KVCW | 1,967,550 | 1,918,811 | $14,953 |
| 64969 | KVDA | 2,566,563 | 2,548,720 | $19,862 |
| 19783 | KVEA | 17,423,429 | 16,146,250 | $125,828 |
| 12523 | KVEO-TV | 1,244,504 | 1,244,504 | $9,698 |
| 2495 | KVEW | 476,720 | 464,347 | $3,619 |
| 35852 | KVHP | 747,917 | 747,837 | $5,828 |
| 49832 | KVIA-TV | 1,015,350 | 1,011,266 | $7,881 |
| 35855 | KVIE | 10,759,440 | 7,467,369 | $58,193 |
| 40450 | KVIH-TV | 91,912 | 91,564 | $714 |
| 40446 | KVII-TV | 379,042 | 378,218 | $2,947 |
| 61961 | KVLY-TV | 350,732 | 350,449 | $2,731 |
| 16729 | KVMD | 6,145,526 | 4,116,524 | $32,080 |
| 83825 | KVME-TV | 26,711 | 22,802 | $178 |
| 25735 | KVOA | 1,317,956 | 1,030,404 | $8,030 |
| 35862 | KVOS-TV | 2,202,674 | 2,131,652 | $16,612 |
| 69733 | KVPT | 1,744,349 | 1,719,318 | $13,399 |
| 55372 | KVRR | 356,645 | 356,645 | $2,779 |
| 166331 | KVSN-DT | 2,706,244 | 2,283,409 | $17,795 |
| 608 | KVTH-DT | 303,755 | 299,230 | $2,332 |
| 2784 | KVTJ-DT | 1,466,426 | 1,465,802 | $11,423 |
| 607 | KVTN-DT | 936,328 | 925,884 | $7,215 |
| 35867 | KVUE | 2,661,290 | 2,611,314 | $20,350 |
| 78910 | KVUI | 257,964 | 251,872 | $1,963 |
| 35870 | KVVU-TV | 2,042,029 | 1,935,466 | $15,083 |
| 36170 | KVYE | 396,495 | 392,498 | $3,059 |
| 35095 | KWBA-TV | 1,129,524 | 1,073,029 | $8,362 |
| 78314 | KWBM | 657,822 | 639,560 | $4,984 |
| 27425 | KWBN | 953,207 | 840,455 | $6,550 |
| 76268 | KWBQ | 1,148,810 | 1,105,600 | $8,616 |
| 66413 | KWCH-DT | 883,647 | 881,674 | $6,871 |
| 71549 | KWCM-TV | 252,284 | 244,033 | $1,902 |
| 35419 | KWDK | 4,194,152 | 4,117,852 | $32,090 |
| 42007 | KWES-TV | 424,862 | 423,544 | $3,301 |
| 50194 | KWET | 127,976 | 112,750 | $879 |
| 35881 | KWEX-DT | 2,376,463 | 2,370,469 | $18,473 |
| 35883 | KWGN-TV | 3,706,495 | 3,513,577 | $27,381 |
| 37099 | KWHB | 979,393 | 978,719 | $7,627 |
| 37103 | KWHD | 97,959 | 94,560 | $737 |
| 36846 | KWHE | 952,966 | 834,341 | $6,502 |
| 26231 | KWHY-TV | 17,736,497 | 17,695,306 | $137,900 |
| 35096 | KWKB | 1,121,676 | 1,111,629 | $8,663 |
| 162115 | KWKS | 39,708 | 39,323 | $306 |
| 12522 | KWKT-TV | 1,299,675 | 1,298,478 | $10,119 |
| 21162 | KWNB-TV | 91,093 | 89,332 | $696 |
| 67347 | KWOG | 512,412 | 505,049 | $3,936 |
| 56852 | KWPX-TV | 4,220,008 | 4,148,577 | $32,330 |
| 6885 | KWQC-TV | 1,063,507 | 1,054,618 | $8,219 |
| 29121 | KWSD | 280,675 | 280,672 | $2,187 |
| 53318 | KWSE | 54,471 | 53,400 | $416 |
| 71024 | KWSU-TV | 725,554 | 468,295 | $3,649 |
| 25382 | KWTV-DT | 1,628,106 | 1,627,198 | $12,681 |
| 35903 | KWTX-TV | 2,071,023 | 1,972,365 | $15,371 |
| 593 | KWWL | 1,089,498 | 1,078,458 | $8,404 |
| 84410 | KWWT | 293,291 | 293,291 | $2,286 |
| 14674 | KWYB | 86,495 | 69,598 | $542 |
| 10032 | KWYP-DT | 128,874 | 126,992 | $990 |
| 35920 | KXAN-TV | 2,678,666 | 2,624,648 | $20,454 |
| 49330 | KXAS-TV | 6,774,295 | 6,771,827 | $52,773 |
| 24287 | KXGN-TV | 14,217 | 13,883 | $108 |
| 35954 | KXII | 2,323,974 | 2,264,951 | $17,651 |
| 55083 | KXLA | 17,929,100 | 16,794,896 | $130,883 |
| 35959 | KXLF-TV | 258,100 | 217,808 | $1,697 |
| 53847 | KXLN-DT | 6,085,891 | 6,085,712 | $47,426 |
| 35906 | KXLT-TV | 348,025 | 347,296 | $2,706 |
| 61978 | KXLY-TV | 772,116 | 740,960 | $5,774 |
| 55684 | KXMA-TV | 32,005 | 31,909 | $249 |
| 55686 | KXMB-TV | 142,755 | 138,506 | $1,079 |
| 55685 | KXMC-TV | 97,569 | 89,483 | $697 |
| 55683 | KXMD-TV | 37,962 | 37,917 | $295 |
| 47995 | KXNE-TV | 300,021 | 298,839 | $2,329 |
| 81593 | KXNW | 602,168 | 597,747 | $4,658 |
| 35991 | KXRM-TV | 1,843,363 | 1,500,689 | $11,695 |
| 1255 | KXTF | 121,558 | 121,383 | $946 |
| 25048 | KXTV | 10,759,864 | 7,477,140 | $58,269 |
| 35994 | KXTX-TV | 6,721,578 | 6,718,616 | $52,358 |
| 62293 | KXVA | 185,478 | 185,276 | $1,444 |
| 23277 | KXVO | 1,404,703 | 1,403,380 | $10,937 |
| 9781 | KXXV | 1,771,620 | 1,748,287 | $13,624 |
| 31870 | KYAZ | 6,038,257 | 6,038,071 | $47,055 |
| 21488 | KYES-TV | 381,413 | 380,355 | $2,964 |
| 29086 | KYIN | 581,748 | 574,691 | $4,479 |
| 60384 | KYLE-TV | 323,330 | 323,225 | $2,519 |
| 33639 | KYMA-DT | 396,278 | 391,619 | $3,052 |
| 47974 | KYNE-TV | 929,406 | 929,242 | $7,242 |
| 53820 | KYOU-TV | 651,334 | 640,935 | $4,995 |
| 36003 | KYTV | 1,095,904 | 1,083,524 | $8,444 |
| 55644 | KYTX | 927,327 | 925,550 | $7,213 |
| 13815 | KYUR | 379,943 | 379,027 | $2,954 |
| 5237 | KYUS-TV | 12,496 | 12,356 | $96 |
| 33752 | KYVE | 301,951 | 259,559 | $2,023 |
| 55762 | KYVV-TV | 67,201 | 67,201 | $524 |
| 25453 | KYW-TV | 11,061,941 | 10,876,511 | $84,761 |
| 69531 | KZJL | 6,037,458 | 6,037,272 | $47,048 |
| 69571 | KZJO | 4,147,016 | 4,097,776 | $31,934 |
| 61062 | KZSD-TV | 41,207 | 35,825 | $279 |
| 33079 | KZTV | 567,635 | 564,464 | $4,399 |
| 57292 | WAAY-TV | 1,498,006 | 1,428,197 | $11,130 |
| 1328 | WABC-TV | 20,948,273 | 20,560,001 | $160,224 |
| 43203 | WABG-TV | 393,020 | 392,348 | $3,058 |
| 17005 | WABI-TV | 530,773 | 510,729 | $3,980 |
| 16820 | WABM | 1,703,202 | 1,675,700 | $13,059 |
| 23917 | WABW-TV | 1,097,560 | 1,096,376 | $8,544 |
| 19199 | WACH | 1,403,222 | 1,400,385 | $10,913 |
| 189358 | WACP | 9,415,263 | 9,301,049 | $72,483 |
| 23930 | WACS-TV | 621,686 | 616,443 | $4,804 |
| 60018 | WACX | 4,292,829 | 4,288,149 | $33,418 |
| 361 | WACY-TV | 946,580 | 946,071 | $7,373 |
| 455 | WADL | 4,610,065 | 4,606,521 | $35,899 |
| 589 | WAFB | 1,857,882 | 1,857,418 | $14,475 |
| 591 | WAFF | 1,527,517 | 1,456,436 | $11,350 |
| 70689 | WAGA-TV | 6,000,355 | 5,923,191 | $46,159 |
| 48305 | WAGM-TV | 64,721 | 63,331 | $494 |
| 37809 | WAGV | 1,193,158 | 1,060,935 | $8,268 |
| 706 | WAIQ | 611,733 | 609,794 | $4,752 |
| 701 | WAKA | 799,637 | 793,645 | $6,185 |
| 4143 | WALA-TV | 1,320,419 | 1,318,127 | $10,272 |
| 70713 | WALB | 773,899 | 772,467 | $6,020 |
| 60536 | WAMI-DT | 5,449,193 | 5,449,193 | $42,466 |
| 70852 | WAND | 1,388,118 | 1,386,074 | $10,802 |
| 39270 | WANE-TV | 1,146,442 | 1,146,442 | $8,934 |
| 52280 | WAOE | 2,943,679 | 2,887,654 | $22,503 |
| 64546 | WAOW | 636,957 | 629,068 | $4,902 |
| 52073 | WAPA-TV | 3,764,742 | 2,794,738 | $21,779 |
| 49712 | WAPT | 793,621 | 791,620 | $6,169 |
| 67792 | WAQP | 2,135,670 | 2,131,399 | $16,610 |
| 13206 | WATC-DT | 5,732,204 | 5,705,819 | $44,465 |
| 71082 | WATE-TV | 1,874,433 | 1,638,059 | $12,765 |
| 22819 | WATL | 5,882,837 | 5,819,099 | $45,348 |
| 20287 | WATM-TV | 893,989 | 749,183 | $5,838 |
| 11907 | WATN-TV | 1,787,595 | 1,784,560 | $13,907 |
| 13989 | WAVE | 1,891,797 | 1,880,563 | $14,655 |
| 71127 | WAVY-TV | 2,080,708 | 2,080,691 | $16,215 |
| 54938 | WAWD | 579,079 | 579,023 | $4,512 |
| 65247 | WAWV-TV | 705,790 | 700,361 | $5,458 |
| 12793 | WAXN-TV | 2,677,951 | 2,669,224 | $20,801 |
| 65696 | WBAL-TV | 9,743,335 | 9,344,875 | $72,825 |
| 74417 | WBAY-TV | 1,225,928 | 1,225,335 | $9,549 |
| 71085 | WBBH-TV | 2,017,267 | 2,017,267 | $15,721 |
| 65204 | WBBJ-TV | 662,148 | 658,839 | $5,134 |
| 9617 | WBBM-TV | 9,914,233 | 9,907,806 | $77,212 |
| 9088 | WBBZ-TV | 1,269,256 | 1,260,686 | $9,825 |
| 70138 | WBDT | 3,660,544 | 3,646,874 | $28,420 |
| 51349 | WBEC-TV | 5,421,355 | 5,421,355 | $42,249 |
| 10758 | WBFF | 8,523,983 | 8,381,042 | $65,313 |
| 12497 | WBFS-TV | 5,349,613 | 5,349,613 | $41,690 |
| 6568 | WBGU-TV | 1,343,816 | 1,343,816 | $10,472 |
| 81594 | WBIF | 309,707 | 309,707 | $2,414 |
| 84802 | WBIH | 718,439 | 706,994 | $5,510 |
| 717 | WBIQ | 1,563,080 | 1,532,266 | $11,941 |
| 46984 | WBIR-TV | 1,978,347 | 1,701,857 | $13,263 |
| 67048 | WBKB-TV | 136,823 | 130,625 | $1,018 |
| 34167 | WBKI | 2,062,137 | 2,046,808 | $15,951 |
| 4692 | WBKO | 963,413 | 862,651 | $6,723 |
| 76001 | WBKP | 55,655 | 55,305 | $431 |
| 68427 | WBMM | 562,284 | 562,123 | $4,381 |
| 73692 | WBNA | 1,699,683 | 1,666,248 | $12,985 |
| 23337 | WBNG-TV | 1,435,634 | 1,051,932 | $8,198 |
| 71217 | WBNS-TV | 2,847,721 | 2,784,795 | $21,702 |
| 72958 | WBNX-TV | 3,639,256 | 3,630,531 | $28,293 |
| 71218 | WBOC-TV | 813,888 | 813,888 | $6,343 |
| 71220 | WBOY-TV | 711,302 | 621,367 | $4,842 |
| 60850 | WBPH-TV | 10,613,847 | 9,474,797 | $73,837 |
| 7692 | WBPX-TV | 6,833,712 | 6,761,949 | $52,696 |
| 5981 | WBRA-TV | 1,726,408 | 1,677,204 | $13,070 |
| 71221 | WBRC | 1,884,007 | 1,849,135 | $14,410 |
| 71225 | WBRE-TV | 2,879,196 | 2,244,735 | $17,493 |
| 38616 | WBRZ-TV | 2,223,336 | 2,222,309 | $17,318 |
| 82627 | WBSF | 1,836,543 | 1,832,446 | $14,280 |
| 30826 | WBTV | 4,433,020 | 4,295,962 | $33,478 |
| 66407 | WBTW | 1,975,457 | 1,959,172 | $15,268 |
| 16363 | WBUI | 981,884 | 981,868 | $7,652 |
| 59281 | WBUP | 126,472 | 112,603 | $878 |
| 60830 | WBUY-TV | 1,569,254 | 1,567,815 | $12,218 |
| 72971 | WBXX-TV | 2,142,759 | 1,984,544 | $15,466 |
| 25456 | WBZ-TV | 7,960,556 | 7,730,847 | $60,246 |
| 63153 | WCAU | 11,269,831 | 11,098,540 | $86,491 |
| 363 | WCAV | 1,032,270 | 874,886 | $6,818 |
| 46728 | WCAX-TV | 784,748 | 665,685 | $5,188 |
| 39659 | WCBB | 964,079 | 910,222 | $7,093 |
| 10587 | WCBD-TV | 1,149,489 | 1,149,489 | $8,958 |
| 12477 | WCBI-TV | 680,511 | 678,424 | $5,287 |
| 9610 | WCBS-TV | 22,087,789 | 21,511,236 | $167,637 |
| 49157 | WCCB | 3,642,232 | 3,574,928 | $27,859 |
| 9629 | WCCO-TV | 3,837,442 | 3,829,714 | $29,845 |
| 14050 | WCCT-TV | 5,818,471 | 5,307,612 | $41,362 |
| 69544 | WCCU | 694,550 | 693,317 | $5,403 |
| 3001 | WCCV-TV | 3,391,703 | 2,062,994 | $16,077 |
| 23937 | WCES-TV | 1,098,868 | 1,097,706 | $8,554 |
| 65666 | WCET | 3,123,290 | 3,110,519 | $24,240 |
| 46755 | WCFE-TV | 445,131 | 411,198 | $3,204 |
| 71280 | WCHS-TV | 1,352,824 | 1,274,766 | $9,934 |
| 42124 | WCIA | 834,084 | 833,547 | $6,496 |
| 711 | WCIQ | 3,186,320 | 3,016,907 | $23,511 |
| 71428 | WCIU-TV | 10,052,136 | 10,049,244 | $78,314 |
| 9015 | WCIV | 1,152,800 | 1,152,800 | $8,984 |
| 42116 | WCIX | 554,002 | 549,911 | $4,285 |
| 16993 | WCJB-TV | 977,492 | 977,492 | $7,618 |
| 11125 | WCLF | 4,097,389 | 4,096,624 | $31,925 |
| 68007 | WCLJ-TV | 2,305,723 | 2,303,534 | $17,951 |
| 50781 | WCMH-TV | 2,756,260 | 2,712,989 | $21,142 |
| 9917 | WCML | 233,439 | 224,255 | $1,748 |
| 9908 | WCMU-TV | 707,702 | 699,551 | $5,452 |
| 9922 | WCMV | 425,499 | 411,288 | $3,205 |
| 9913 | WCMW | 106,975 | 104,859 | $817 |
| 32326 | WCNC-TV | 3,883,049 | 3,809,706 | $29,689 |
| 53734 | WCNY-TV | 1,342,821 | 1,279,429 | $9,971 |
| 73642 | WCOV-TV | 889,102 | 884,417 | $6,892 |
| 40618 | WCPB | 560,426 | 560,426 | $4,367 |
| 59438 | WCPO-TV | 3,330,885 | 3,313,654 | $25,823 |
| 10981 | WCPX-TV | 9,753,235 | 9,751,916 | $75,997 |
| 71297 | WCSC-TV | 1,028,018 | 1,028,018 | $8,011 |
| 39664 | WCSH | 1,755,325 | 1,548,824 | $12,070 |
| 69479 | WCTE | 612,760 | 541,314 | $4,218 |
| 18334 | WCTI-TV | 1,671,152 | 1,668,833 | $13,005 |
| 31590 | WCTV | 1,065,524 | 1,065,464 | $8,303 |
| 33081 | WCTX | 7,844,936 | 7,332,431 | $57,142 |
| 65684 | WCVB-TV | 7,780,868 | 7,618,496 | $59,371 |
| 9987 | WCVE-TV | 1,721,004 | 1,712,249 | $13,344 |
| 83304 | WCVI-TV | 50,601 | 50,495 | $394 |
| 34204 | WCVN-TV | 2,129,816 | 2,120,349 | $16,524 |
| 9989 | WCVW | 1,505,484 | 1,505,330 | $11,731 |
| 73042 | WCWF | 1,077,314 | 1,077,194 | $8,395 |
| 35385 | WCWG | 3,630,551 | 3,299,114 | $25,710 |
| 29712 | WCWJ | 1,661,270 | 1,661,132 | $12,945 |
| 73264 | WCWN | 1,909,223 | 1,621,751 | $12,638 |
| 2455 | WCYB-TV | 2,363,002 | 2,057,404 | $16,033 |
| 11291 | WDAF-TV | 2,539,581 | 2,537,411 | $19,774 |
| 21250 | WDAM-TV | 512,594 | 500,343 | $3,899 |
| 22129 | WDAY-TV | 339,239 | 338,856 | $2,641 |
| 22124 | WDAZ-TV | 151,720 | 151,659 | $1,182 |
| 71325 | WDBB | 1,792,728 | 1,762,643 | $13,736 |
| 71326 | WDBD | 940,665 | 939,489 | $7,321 |
| 71329 | WDBJ | 1,626,017 | 1,435,762 | $11,189 |
| 51567 | WDCA | 8,070,491 | 8,015,328 | $62,463 |
| 16530 | WDCQ-TV | 1,269,199 | 1,269,199 | $9,891 |
| 30576 | WDCW | 8,155,998 | 8,114,847 | $63,239 |
| 54385 | WDEF-TV | 1,731,483 | 1,508,250 | $11,754 |
| 32851 | WDFX-TV | 271,499 | 270,942 | $2,111 |
| 43846 | WDHN | 452,377 | 451,978 | $3,522 |
| 71338 | WDIO-DT | 341,506 | 327,469 | $2,552 |
| 714 | WDIQ | 663,062 | 620,124 | $4,833 |
| 53114 | WDIV-TV | 5,450,318 | 5,450,174 | $42,473 |
| 71427 | WDJT-TV | 3,267,652 | 3,256,507 | $25,378 |
| 39561 | WDKA | 658,699 | 658,277 | $5,130 |
| 64017 | WDKY-TV | 1,204,817 | 1,173,579 | $9,146 |
| 67893 | WDLI-TV | 4,147,298 | 4,114,920 | $32,068 |
| 72335 | WDPB | 596,888 | 596,888 | $4,652 |
| 83740 | WDPM-DT | 1,365,977 | 1,364,744 | $10,635 |
| 1283 | WDPN-TV | 11,594,463 | 11,467,616 | $89,367 |
| 6476 | WDPX-TV | 6,833,712 | 6,761,949 | $52,696 |
| 28476 | WDRB | 2,054,813 | 2,037,086 | $15,875 |
| 12171 | WDSC-TV | 3,389,559 | 3,389,559 | $26,415 |
| 17726 | WDSE | 330,994 | 316,643 | $2,468 |
| 71353 | WDSI-TV | 1,100,302 | 1,042,191 | $8,122 |
| 71357 | WDSU | 1,649,083 | 1,649,083 | $12,851 |
| 7908 | WDTI | 2,092,242 | 2,091,941 | $16,302 |
| 65690 | WDTN | 3,660,544 | 3,646,874 | $28,420 |
| 70592 | WDTV | 962,532 | 850,394 | $6,627 |
| 25045 | WDVM-TV | 3,074,837 | 2,646,508 | $20,624 |
| 4110 | WDWL | 2,638,361 | 1,977,410 | $15,410 |
| 49421 | WEAO | 3,960,217 | 3,945,408 | $30,747 |
| 71363 | WEAR-TV | 1,520,973 | 1,520,386 | $11,848 |
| 7893 | WEAU | 1,006,393 | 971,050 | $7,567 |
| 61003 | WEBA-TV | 645,039 | 635,967 | $4,956 |
| 19561 | WECN | 2,886,669 | 2,157,288 | $16,812 |
| 48666 | WECT | 1,156,807 | 1,156,807 | $9,015 |
| 13602 | WEDH | 5,328,800 | 4,724,167 | $36,815 |
| 13607 | WEDN | 3,451,170 | 2,643,344 | $20,600 |
| 69338 | WEDQ | 5,379,887 | 5,365,612 | $41,814 |
| 21808 | WEDU | 5,379,887 | 5,365,612 | $41,814 |
| 13594 | WEDW | 5,996,408 | 5,544,708 | $43,210 |
| 13595 | WEDY | 5,328,800 | 4,724,167 | $36,815 |
| 24801 | WEEK-TV | 698,238 | 698,220 | $5,441 |
| 6744 | WEFS | 3,380,743 | 3,380,743 | $26,346 |
| 24215 | WEHT | 857,558 | 844,070 | $6,578 |
| 721 | WEIQ | 1,055,632 | 1,055,193 | $8,223 |
| 18301 | WEIU-TV | 458,480 | 458,416 | $3,572 |
| 69271 | WEKW-TV | 1,263,049 | 773,108 | $6,025 |
| 60825 | WELF-TV | 1,477,691 | 1,387,044 | $10,809 |
| 26602 | WELU | 2,248,146 | 1,678,682 | $13,082 |
| 40761 | WEMT | 1,726,085 | 1,186,706 | $9,248 |
| 69237 | WENH-TV | 4,500,498 | 4,328,222 | $33,730 |
| 71508 | WENY-TV | 656,240 | 517,754 | $4,035 |
| 83946 | WEPH | 604,105 | 602,833 | $4,698 |
| 81508 | WEPX-TV | 950,012 | 950,012 | $7,403 |
| 25738 | WESH | 4,059,180 | 4,048,459 | $31,550 |
| 65670 | WETA-TV | 8,315,499 | 8,258,807 | $64,361 |
| 69944 | WETK | 670,087 | 558,842 | $4,355 |
| 60653 | WETM-TV | 721,800 | 620,074 | $4,832 |
| 18252 | WETP-TV | 2,167,383 | 1,888,574 | $14,718 |
| 2709 | WEUX | 380,569 | 373,680 | $2,912 |
| 72041 | WEVV-TV | 752,417 | 751,094 | $5,853 |
| 59441 | WEWS-TV | 4,112,984 | 4,078,299 | $31,782 |
| 72052 | WEYI-TV | 3,715,686 | 3,652,991 | $28,468 |
| 72054 | WFAA | 6,917,502 | 6,907,616 | $53,831 |
| 81669 | WFBD | 814,185 | 813,564 | $6,340 |
| 69532 | WFDC-DT | 8,155,998 | 8,114,847 | $63,239 |
| 10132 | WFFF-TV | 633,649 | 552,182 | $4,303 |
| 25040 | WFFT-TV | 1,095,429 | 1,095,411 | $8,537 |
| 11123 | WFGC | 3,018,351 | 3,018,351 | $23,522 |
| 6554 | WFGX | 1,493,866 | 1,493,319 | $11,637 |
| 13991 | WFIE | 743,079 | 740,909 | $5,774 |
| 715 | WFIQ | 546,563 | 544,258 | $4,241 |
| 64592 | WFLA-TV | 5,583,544 | 5,576,649 | $43,459 |
| 22211 | WFLD | 9,957,301 | 9,954,828 | $77,578 |
| 72060 | WFLI-TV | 1,294,209 | 1,189,897 | $9,273 |
| 39736 | WFLX | 5,740,086 | 5,740,086 | $44,732 |
| 72062 | WFMJ-TV | 4,328,477 | 3,822,691 | $29,790 |
| 72064 | WFMY-TV | 4,772,783 | 4,746,167 | $36,987 |
| 39884 | WFMZ-TV | 10,613,847 | 9,474,797 | $73,837 |
| 83943 | WFNA | 1,391,519 | 1,390,447 | $10,836 |
| 47902 | WFOR-TV | 5,398,266 | 5,398,266 | $42,069 |
| 11909 | WFOX-TV | 1,603,324 | 1,603,324 | $12,495 |
| 40626 | WFPT | 5,829,226 | 5,442,352 | $42,412 |
| 21245 | WFPX-TV | 2,637,949 | 2,634,141 | $20,528 |
| 25396 | WFQX-TV | 537,340 | 534,314 | $4,164 |
| 9635 | WFRV-TV | 1,263,353 | 1,256,376 | $9,791 |
| 53115 | WFSB | 4,752,788 | 4,370,519 | $34,059 |
| 6093 | WFSG | 364,961 | 364,796 | $2,843 |
| 21801 | WFSU-TV | 576,105 | 576,093 | $4,489 |
| 11913 | WFTC | 3,787,177 | 3,770,207 | $29,381 |
| 64588 | WFTS-TV | 5,236,379 | 5,236,287 | $40,806 |
| 16788 | WFTT-TV | 4,523,828 | 4,521,879 | $35,239 |
| 72076 | WFTV | 3,882,888 | 3,882,888 | $30,259 |
| 70649 | WFTX-TV | 1,758,172 | 1,758,172 | $13,701 |
| 60553 | WFTY-DT | 5,678,755 | 5,560,460 | $43,333 |
| 25395 | WFUP | 234,863 | 234,436 | $1,827 |
| 60555 | WFUT-DT | 19,992,096 | 19,643,518 | $153,082 |
| 22108 | WFWA | 1,035,114 | 1,034,862 | $8,065 |
| 9054 | WFXB | 1,393,865 | 1,393,510 | $10,860 |
| 3228 | WFXG | 1,070,032 | 1,057,760 | $8,243 |
| 70815 | WFXL | 793,637 | 785,106 | $6,118 |
| 19707 | WFXP | 583,315 | 562,500 | $4,384 |
| 24813 | WFXR | 1,426,061 | 1,286,450 | $10,025 |
| 6463 | WFXT | 7,494,070 | 7,400,830 | $57,675 |
| 22245 | WFXU | 218,273 | 218,273 | $1,701 |
| 43424 | WFXV | 702,682 | 612,494 | $4,773 |
| 25236 | WFXW | 274,078 | 270,967 | $2,112 |
| 41397 | WFYI | 2,389,627 | 2,388,970 | $18,617 |
| 53930 | WGAL | 6,287,688 | 5,610,833 | $43,725 |
| 2708 | WGBA-TV | 1,170,375 | 1,170,127 | $9,119 |
| 24314 | WGBC | 249,415 | 249,235 | $1,942 |
| 72099 | WGBH-TV | 7,711,842 | 7,601,732 | $59,240 |
| 12498 | WGBO-DT | 9,771,815 | 9,769,552 | $76,134 |
| 72098 | WGBX-TV | 7,803,280 | 7,636,641 | $59,512 |
| 72096 | WGBY-TV | 4,470,009 | 3,739,675 | $29,143 |
| 72120 | WGCL-TV | 6,027,276 | 5,961,471 | $46,458 |
| 62388 | WGCU | 1,510,671 | 1,510,671 | $11,773 |
| 54275 | WGEM-TV | 361,598 | 356,682 | $2,780 |
| 27387 | WGEN-TV | 43,037 | 43,037 | $335 |
| 7727 | WGFL | 877,163 | 877,163 | $6,836 |
| 25682 | WGGB-TV | 3,443,386 | 3,053,436 | $23,795 |
| 11027 | WGGN-TV | 1,991,462 | 1,969,331 | $15,347 |
| 9064 | WGGS-TV | 2,759,326 | 2,705,067 | $21,081 |
| 72106 | WGHP | 4,174,964 | 4,123,106 | $32,131 |
| 710 | WGIQ | 363,849 | 363,806 | $2,835 |
| 12520 | WGMB-TV | 1,742,708 | 1,742,659 | $13,581 |
| 25683 | WGME-TV | 1,495,724 | 1,325,465 | $10,329 |
| 24618 | WGNM | 742,458 | 741,502 | $5,779 |
| 72119 | WGNO | 1,641,765 | 1,641,765 | $12,794 |
| 9762 | WGNT | 2,128,079 | 2,127,891 | $16,583 |
| 72115 | WGN-TV | 9,942,959 | 9,941,552 | $77,475 |
| 40619 | WGPT | 578,294 | 344,300 | $2,683 |
| 65074 | WGPX-TV | 2,765,350 | 2,754,743 | $21,468 |
| 64547 | WGRZ | 1,878,725 | 1,812,309 | $14,123 |
| 63329 | WGTA | 1,061,654 | 1,030,538 | $8,031 |
| 66285 | WGTE-TV | 2,210,496 | 2,208,927 | $17,214 |
| 59279 | WGTQ | 95,618 | 92,019 | $717 |
| 59280 | WGTU | 358,543 | 353,477 | $2,755 |
| 23948 | WGTV | 5,880,594 | 5,832,714 | $45,454 |
| 7623 | WGTW-TV | 807,797 | 807,797 | $6,295 |
| 24783 | WGVK | 2,439,225 | 2,437,526 | $18,996 |
| 24784 | WGVU-TV | 1,825,744 | 1,784,264 | $13,905 |
| 21536 | WGWG | 986,963 | 986,963 | $7,691 |
| 56642 | WGWW | 1,677,166 | 1,647,976 | $12,843 |
| 58262 | WGXA | 779,955 | 779,087 | $6,071 |
| 73371 | WHAM-TV | 1,381,564 | 1,334,653 | $10,401 |
| 32327 | WHAS-TV | 1,955,983 | 1,925,901 | $15,009 |
| 6096 | WHA-TV | 1,635,777 | 1,628,950 | $12,694 |
| 13950 | WHBF-TV | 1,712,339 | 1,704,072 | $13,280 |
| 12521 | WHBQ-TV | 1,736,335 | 1,708,345 | $13,313 |
| 10894 | WHBR | 1,302,764 | 1,302,041 | $10,147 |
| 65128 | WHDF | 1,553,469 | 1,502,852 | $11,712 |
| 72145 | WHDH | 7,441,208 | 7,343,735 | $57,230 |
| 83929 | WHDT | 5,768,239 | 5,768,239 | $44,952 |
| 70041 | WHEC-TV | 1,322,243 | 1,279,606 | $9,972 |
| 67971 | WHFT-TV | 5,417,409 | 5,417,409 | $42,218 |
| 41458 | WHIO-TV | 3,877,520 | 3,868,597 | $30,148 |
| 713 | WHIQ | 1,278,174 | 1,225,940 | $9,554 |
| 61216 | WHIZ-TV | 917,531 | 847,762 | $6,607 |
| 65919 | WHKY-TV | 3,304,037 | 3,269,549 | $25,480 |
| 18780 | WHLA-TV | 554,446 | 515,561 | $4,018 |
| 48668 | WHLT | 484,432 | 483,532 | $3,768 |
| 24582 | WHLV-TV | 3,906,201 | 3,906,201 | $30,441 |
| 37102 | WHMB-TV | 2,959,585 | 2,889,145 | $22,515 |
| 61004 | WHMC | 774,921 | 774,921 | $6,039 |
| 36117 | WHME-TV | 1,455,358 | 1,455,110 | $11,340 |
| 37106 | WHNO | 1,499,653 | 1,499,653 | $11,687 |
| 72300 | WHNS | 2,549,610 | 2,270,868 | $17,697 |
| 48693 | WHNT-TV | 1,569,885 | 1,487,578 | $11,593 |
| 66221 | WHO-DT | 1,120,480 | 1,099,818 | $8,571 |
| 6866 | WHOI | 736,125 | 736,047 | $5,736 |
| 72313 | WHP-TV | 4,030,693 | 3,538,096 | $27,572 |
| 51980 | WHPX-TV | 5,579,464 | 5,114,336 | $39,856 |
| 73036 | WHRM-TV | 495,398 | 495,174 | $3,859 |
| 25932 | WHRO-TV | 2,169,238 | 2,169,237 | $16,905 |
| 68058 | WHSG-TV | 5,870,314 | 5,808,605 | $45,266 |
| 4688 | WHSV-TV | 845,013 | 711,912 | $5,548 |
| 9990 | WHTJ | 807,960 | 690,381 | $5,380 |
| 72326 | WHTM-TV | 2,829,585 | 2,367,000 | $18,446 |
| 11117 | WHTN | 1,914,755 | 1,905,733 | $14,851 |
| 27772 | WHUT-TV | 7,649,763 | 7,617,337 | $59,362 |
| 18793 | WHWC-TV | 994,710 | 946,335 | $7,375 |
| 72338 | WHYY-TV | 10,379,045 | 9,982,651 | $77,795 |
| 5360 | WIAT | 1,837,072 | 1,802,810 | $14,049 |
| 63160 | WIBW-TV | 1,234,347 | 1,181,009 | $9,204 |
| 25684 | WICD | 1,238,332 | 1,237,046 | $9,640 |
| 25686 | WICS | 1,149,358 | 1,147,264 | $8,941 |
| 24970 | WICU-TV | 740,115 | 683,435 | $5,326 |
| 62210 | WICZ-TV | 1,249,974 | 965,416 | $7,523 |
| 18410 | WIDP | 2,559,306 | 1,899,768 | $14,805 |
| 26025 | WIFS | 1,583,693 | 1,578,870 | $12,304 |
| 720 | WIIQ | 353,241 | 347,685 | $2,710 |
| 68939 | WILL-TV | 1,178,545 | 1,158,147 | $9,025 |
| 6863 | WILX-TV | 3,378,644 | 3,218,221 | $25,080 |
| 22093 | WINK-TV | 1,851,105 | 1,851,105 | $14,426 |
| 67787 | WINM | 1,001,485 | 971,031 | $7,567 |
| 41314 | WINP-TV | 2,935,057 | 2,883,944 | $22,475 |
| 3646 | WIPB | 1,965,353 | 1,965,174 | $15,315 |
| 48408 | WIPL | 850,656 | 799,165 | $6,228 |
| 53863 | WIPM-TV | 2,196,157 | 1,554,017 | $2,253 |
| 53859 | WIPR-TV | 3,596,802 | 2,811,148 | $21,907 |
| 10253 | WIPX-TV | 2,305,723 | 2,303,534 | $17,951 |
| 39887 | WIRS | 1,153,382 | 761,454 | $4,676 |
| 71336 | WIRT-DT | 127,001 | 126,300 | $984 |
| 13990 | WIS | 2,644,715 | 2,600,887 | $20,269 |
| 65143 | WISC-TV | 1,734,112 | 1,697,537 | $13,229 |
| 13960 | WISE-TV | 1,070,155 | 1,070,155 | $8,340 |
| 39269 | WISH-TV | 2,912,963 | 2,855,253 | $22,251 |
| 65680 | WISN-TV | 3,003,636 | 2,997,695 | $23,361 |
| 73083 | WITF-TV | 2,412,561 | 2,191,501 | $17,078 |
| 73107 | WITI | 3,111,641 | 3,102,097 | $24,175 |
| 594 | WITN-TV | 1,861,458 | 1,836,905 | $14,315 |
| 61005 | WITV | 871,783 | 871,783 | $6,794 |
| 7780 | WIVB-TV | 1,900,503 | 1,820,106 | $14,184 |
| 11260 | WIVT | 855,138 | 613,934 | $4,784 |
| 60571 | WIWN | 3,338,845 | 3,323,941 | $25,903 |
| 62207 | WIYC | 639,641 | 637,499 | $4,968 |
| 73120 | WJAC-TV | 2,219,529 | 1,897,986 | $14,791 |
| 10259 | WJAL | 8,750,706 | 8,446,074 | $65,820 |
| 50780 | WJAR | 7,108,180 | 6,976,099 | $54,365 |
| 35576 | WJAX-TV | 1,630,782 | 1,630,782 | $12,709 |
| 27140 | WJBF | 1,601,088 | 1,588,444 | $12,379 |
| 73123 | WJBK | 5,748,623 | 5,711,224 | $44,508 |
| 37174 | WJCL | 938,086 | 938,086 | $7,311 |
| 73130 | WJCT | 1,624,624 | 1,624,033 | $12,656 |
| 29719 | WJEB-TV | 1,607,603 | 1,607,603 | $12,528 |
| 65749 | WJET-TV | 747,431 | 717,721 | $5,593 |
| 7651 | WJFB | 1,805,891 | 1,798,600 | $14,016 |
| 49699 | WJFW-TV | 277,530 | 268,295 | $2,091 |
| 73136 | WJHG-TV | 864,121 | 859,823 | $6,701 |
| 57826 | WJHL-TV | 2,034,663 | 1,462,129 | $11,394 |
| 68519 | WJKT | 655,780 | 655,373 | $5,107 |
| 1051 | WJLA-TV | 8,750,706 | 8,447,643 | $65,832 |
| 86537 | WJLP | 21,384,863 | 21,119,366 | $164,583 |
| 9630 | WJMN-TV | 160,991 | 154,424 | $1,203 |
| 61008 | WJPM-TV | 623,965 | 623,813 | $4,861 |
| 58340 | WJPX | 3,254,481 | 2,500,195 | $19,484 |
| 21735 | WJRT-TV | 2,788,684 | 2,543,446 | $19,821 |
| 23918 | WJSP-TV | 4,225,860 | 4,188,428 | $32,640 |
| 41210 | WJTC | 1,381,529 | 1,379,283 | $10,749 |
| 48667 | WJTV | 987,206 | 980,717 | $7,643 |
| 73150 | WJW | 3,977,148 | 3,905,325 | $30,434 |
| 61007 | WJWJ-TV | 1,034,555 | 1,034,555 | $8,062 |
| 58342 | WJWN-TV | 1,962,885 | 1,405,189 | $4,676 |
| 53116 | WJXT | 1,622,616 | 1,622,616 | $12,645 |
| 11893 | WJXX | 1,618,191 | 1,617,272 | $12,603 |
| 32334 | WJYS | 9,667,341 | 9,667,317 | $75,337 |
| 25455 | WJZ-TV | 9,743,335 | 9,350,346 | $72,867 |
| 73152 | WJZY | 4,432,745 | 4,301,117 | $33,519 |
| 64983 | WKAQ-TV | 3,697,088 | 2,731,588 | $21,287 |
| 6104 | WKAR-TV | 1,693,373 | 1,689,830 | $13,169 |
| 34171 | WKAS | 542,308 | 512,994 | $3,998 |
| 51570 | WKBD-TV | 5,065,617 | 5,065,350 | $39,474 |
| 73153 | WKBN-TV | 4,898,622 | 4,535,576 | $35,346 |
| 13929 | WKBS-TV | 1,082,894 | 937,847 | $7,309 |
| 74424 | WKBT-DT | 866,325 | 824,795 | $6,428 |
| 54176 | WKBW-TV | 2,247,191 | 2,161,366 | $16,844 |
| 53465 | WKCF | 4,241,181 | 4,240,354 | $33,045 |
| 73155 | WKEF | 3,730,595 | 3,716,127 | $28,960 |
| 34177 | WKGB-TV | 413,268 | 411,587 | $3,207 |
| 34196 | WKHA | 511,281 | 400,721 | $3,123 |
| 34207 | WKLE | 856,237 | 846,630 | $6,598 |
| 34212 | WKMA-TV | 524,617 | 524,035 | $4,084 |
| 71293 | WKMG-TV | 3,803,492 | 3,803,492 | $29,641 |
| 34195 | WKMJ-TV | 1,477,906 | 1,470,645 | $11,461 |
| 34202 | WKMR | 463,316 | 428,462 | $3,339 |
| 34174 | WKMU | 344,430 | 344,050 | $2,681 |
| 42061 | WKNO | 1,645,867 | 1,642,092 | $12,797 |
| 83931 | WKNX-TV | 1,684,178 | 1,459,493 | $11,374 |
| 34205 | WKOH | 584,645 | 579,258 | $4,514 |
| 67869 | WKOI-TV | 3,660,544 | 3,646,874 | $28,420 |
| 34211 | WKON | 1,080,274 | 1,072,320 | $8,357 |
| 18267 | WKOP-TV | 1,555,654 | 1,382,098 | $10,771 |
| 64545 | WKOW | 1,918,224 | 1,899,746 | $14,805 |
| 21432 | WKPC-TV | 1,525,919 | 1,517,701 | $11,827 |
| 65758 | WKPD | 283,454 | 282,250 | $2,200 |
| 34200 | WKPI-TV | 606,666 | 481,220 | $3,750 |
| 27504 | WKPT-TV | 1,131,213 | 887,806 | $6,919 |
| 58341 | WKPV | 1,132,932 | 731,199 | $4,676 |
| 11289 | WKRC-TV | 3,281,914 | 3,229,223 | $25,165 |
| 73187 | WKRG-TV | 1,526,600 | 1,526,075 | $11,893 |
| 73188 | WKRN-TV | 2,409,767 | 2,388,588 | $18,614 |
| 34222 | WKSO-TV | 658,441 | 642,090 | $5,004 |
| 40902 | WKTC | 1,387,229 | 1,386,779 | $10,807 |
| 60654 | WKTV | 1,573,503 | 1,342,387 | $10,461 |
| 73195 | WKYC | 4,180,327 | 4,124,135 | $32,139 |
| 24914 | WKYT-TV | 1,174,615 | 1,156,978 | $9,016 |
| 71861 | WKYU-TV | 411,448 | 409,310 | $3,190 |
| 34181 | WKZT-TV | 1,044,532 | 1,020,878 | $7,956 |
| 18819 | WLAE-TV | 1,397,967 | 1,397,967 | $10,894 |
| 36533 | WLAJ | 4,100,475 | 4,063,963 | $31,670 |
| 2710 | WLAX | 469,017 | 447,381 | $3,486 |
| 68542 | WLBT | 948,671 | 947,857 | $7,387 |
| 39644 | WLBZ | 373,129 | 364,346 | $2,839 |
| 69328 | WLED-TV | 332,718 | 174,998 | $1,364 |
| 63046 | WLEF-TV | 192,283 | 191,149 | $1,490 |
| 73203 | WLEX-TV | 969,481 | 964,735 | $7,518 |
| 37806 | WLFB | 808,036 | 680,534 | $5,303 |
| 37808 | WLFG | 1,614,321 | 1,282,063 | $9,991 |
| 73204 | WLFI-TV | 2,243,009 | 2,221,313 | $17,311 |
| 73205 | WLFL | 3,640,360 | 3,636,542 | $28,340 |
| 11113 | WLGA | 950,018 | 943,236 | $7,351 |
| 19777 | WLII-DT | 2,801,102 | 2,153,564 | $13,928 |
| 37503 | WLIO | 1,067,232 | 1,050,170 | $8,184 |
| 38336 | WLIW | 20,027,920 | 19,717,729 | $153,660 |
| 27696 | WLJC-TV | 1,401,072 | 1,281,256 | $9,985 |
| 71645 | WLJT-DT | 385,493 | 385,380 | $3,003 |
| 53939 | WLKY | 1,927,997 | 1,919,810 | $14,961 |
| 11033 | WLLA | 2,081,693 | 2,081,436 | $16,221 |
| 17076 | WLMB | 2,754,484 | 2,747,490 | $21,411 |
| 68518 | WLMT | 1,736,552 | 1,733,496 | $13,509 |
| 22591 | WLNE-TV | 6,429,522 | 6,381,825 | $49,734 |
| 74420 | WLNS-TV | 4,100,475 | 4,063,963 | $31,670 |
| 73206 | WLNY-TV | 7,501,199 | 7,415,578 | $57,790 |
| 84253 | WLOO | 913,960 | 912,674 | $7,112 |
| 56537 | WLOS | 3,086,751 | 2,544,360 | $19,828 |
| 37732 | WLOV-TV | 609,526 | 607,780 | $4,736 |
| 13995 | WLOX | 1,182,149 | 1,170,659 | $9,123 |
| 38586 | WLPB-TV | 1,219,624 | 1,219,407 | $9,503 |
| 73189 | WLPX-TV | 1,066,912 | 1,022,543 | $7,969 |
| 66358 | WLRN-TV | 5,447,399 | 5,447,399 | $42,452 |
| 73226 | WLS-TV | 10,174,464 | 10,170,757 | $79,261 |
| 73230 | WLTV-DT | 5,427,398 | 5,427,398 | $42,296 |
| 37176 | WLTX | 1,580,677 | 1,578,645 | $12,302 |
| 37179 | WLTZ | 689,521 | 685,358 | $5,341 |
| 21259 | WLUC-TV | 92,246 | 85,393 | $665 |
| 4150 | WLUK-TV | 1,251,563 | 1,247,414 | $9,721 |
| 73238 | WLVI | 7,441,208 | 7,343,735 | $57,230 |
| 36989 | WLVT-TV | 10,613,847 | 9,474,797 | $73,837 |
| 3978 | WLWC | 3,281,532 | 3,150,875 | $24,555 |
| 46979 | WLWT | 3,367,381 | 3,355,009 | $26,146 |
| 54452 | WLXI | 4,184,851 | 4,166,318 | $32,468 |
| 55350 | WLYH | 2,829,585 | 2,367,000 | $18,446 |
| 43192 | WMAB-TV | 407,794 | 401,487 | $3,129 |
| 43170 | WMAE-TV | 686,076 | 653,173 | $5,090 |
| 43197 | WMAH-TV | 1,257,393 | 1,256,995 | $9,796 |
| 43176 | WMAO-TV | 369,696 | 369,343 | $2,878 |
| 47905 | WMAQ-TV | 9,914,395 | 9,913,272 | $77,254 |
| 59442 | WMAR-TV | 9,198,495 | 9,072,076 | $70,699 |
| 43184 | WMAU-TV | 642,328 | 636,504 | $4,960 |
| 43193 | WMAV-TV | 1,008,339 | 1,008,208 | $7,857 |
| 43169 | WMAW-TV | 726,173 | 715,450 | $5,576 |
| 46991 | WMAZ-TV | 1,185,678 | 1,136,616 | $8,858 |
| 66398 | WMBB | 935,027 | 914,607 | $7,128 |
| 43952 | WMBC-TV | 18,706,132 | 18,458,331 | $143,846 |
| 42121 | WMBD-TV | 742,729 | 742,660 | $5,788 |
| 83969 | WMBF-TV | 445,363 | 445,363 | $3,471 |
| 60829 | WMCF-TV | 612,942 | 609,635 | $4,751 |
| 9739 | WMCN-TV | 10,379,045 | 9,982,651 | $77,795 |
| 19184 | WMC-TV | 2,047,403 | 2,043,125 | $15,922 |
| 189357 | WMDE | 6,384,827 | 6,257,910 | $48,768 |
| 73255 | WMDN | 278,227 | 278,018 | $2,167 |
| 16455 | WMDT | 731,931 | 731,931 | $5,704 |
| 39656 | WMEA-TV | 902,755 | 853,857 | $6,654 |
| 39648 | WMEB-TV | 511,761 | 494,574 | $3,854 |
| 70537 | WMEC | 218,027 | 217,839 | $1,698 |
| 39649 | WMED-TV | 30,488 | 29,577 | $230 |
| 39662 | WMEM-TV | 71,700 | 69,981 | $545 |
| 41893 | WMFD-TV | 1,561,367 | 1,324,244 | $10,320 |
| 41436 | WMFP | 5,792,048 | 5,564,295 | $43,363 |
| 61111 | WMGM-TV | 807,797 | 807,797 | $6,295 |
| 43847 | WMGT-TV | 601,894 | 601,309 | $4,686 |
| 73263 | WMHT | 1,719,949 | 1,550,977 | $12,087 |
| 68545 | WMLW-TV | 1,843,933 | 1,843,663 | $14,368 |
| 53819 | WMOR-TV | 5,394,541 | 5,394,541 | $42,040 |
| 81503 | WMOW | 121,150 | 105,957 | $826 |
| 65944 | WMPB | 7,279,563 | 7,190,696 | $56,037 |
| 43168 | WMPN-TV | 856,237 | 854,089 | $6,656 |
| 65942 | WMPT | 8,637,742 | 8,584,398 | $66,898 |
| 60827 | WMPV-TV | 1,423,052 | 1,422,411 | $11,085 |
| 10221 | WMSN-TV | 1,947,942 | 1,927,158 | $15,018 |
| 2174 | WMTJ | 3,143,148 | 2,365,308 | $18,433 |
| 6870 | WMTV | 1,548,616 | 1,545,459 | $12,044 |
| 73288 | WMTW | 1,940,292 | 1,658,816 | $12,927 |
| 23935 | WMUM-TV | 862,740 | 859,204 | $6,696 |
| 73292 | WMUR-TV | 5,192,179 | 5,003,980 | $38,996 |
| 42663 | WMVS | 3,172,534 | 3,112,231 | $24,254 |
| 42665 | WMVT | 3,172,534 | 3,112,231 | $24,254 |
| 81946 | WMWC-TV | 946,858 | 916,989 | $7,146 |
| 56548 | WMYA-TV | 1,650,798 | 1,571,594 | $12,247 |
| 74211 | WMYD | 5,750,989 | 5,750,873 | $44,817 |
| 20624 | WMYT-TV | 4,432,745 | 4,301,117 | $33,519 |
| 25544 | WMYV | 3,901,915 | 3,875,210 | $30,200 |
| 73310 | WNAB | 2,176,984 | 2,166,809 | $16,886 |
| 73311 | WNAC-TV | 7,310,183 | 6,959,064 | $54,232 |
| 47535 | WNBC | 21,952,082 | 21,399,204 | $166,764 |
| 83965 | WNBW-DT | 1,400,631 | 1,396,012 | $10,879 |
| 72307 | WNCF | 667,683 | 665,950 | $5,190 |
| 50782 | WNCN | 3,795,494 | 3,783,131 | $29,482 |
| 57838 | WNCT-TV | 1,935,414 | 1,887,929 | $14,713 |
| 41674 | WNDU-TV | 1,863,764 | 1,835,398 | $14,303 |
| 28462 | WNDY-TV | 2,912,963 | 2,855,253 | $22,251 |
| 71928 | WNED-TV | 1,387,961 | 1,370,480 | $10,680 |
| 60931 | WNEH | 1,261,482 | 1,255,218 | $9,782 |
| 41221 | WNEM-TV | 1,475,094 | 1,471,908 | $11,471 |
| 49439 | WNEO | 3,353,869 | 3,271,369 | $25,494 |
| 73318 | WNEP-TV | 3,429,213 | 2,838,000 | $22,117 |
| 18795 | WNET | 21,113,760 | 20,615,190 | $160,654 |
| 51864 | WNEU | 7,135,190 | 7,067,520 | $55,077 |
| 23942 | WNGH-TV | 5,744,856 | 5,595,366 | $43,605 |
| 67802 | WNIN | 883,322 | 865,128 | $6,742 |
| 41671 | WNIT | 1,305,447 | 1,305,447 | $10,173 |
| 48457 | WNJB | 20,787,272 | 20,036,393 | $156,144 |
| 48477 | WNJN | 20,787,272 | 20,036,393 | $156,144 |
| 48481 | WNJS | 7,211,292 | 7,176,711 | $55,928 |
| 48465 | WNJT | 7,211,292 | 7,176,711 | $55,928 |
| 73333 | WNJU | 21,952,082 | 21,399,204 | $166,764 |
| 73336 | WNJX-TV | 1,585,248 | 1,149,468 | $2,381 |
| 61217 | WNKY | 379,002 | 377,357 | $2,941 |
| 71905 | WNLO | 1,900,503 | 1,820,106 | $14,184 |
| 4318 | WNMU | 181,736 | 179,662 | $1,400 |
| 73344 | WNNE | 792,551 | 676,539 | $5,272 |
| 54280 | WNOL-TV | 1,632,389 | 1,632,389 | $12,721 |
| 71676 | WNPB-TV | 2,130,047 | 1,941,707 | $15,132 |
| 62137 | WNPI-DT | 167,931 | 161,748 | $1,261 |
| 41398 | WNPT | 2,260,463 | 2,227,570 | $17,359 |
| 28468 | WNPX-TV | 2,084,890 | 2,071,017 | $16,139 |
| 61009 | WNSC-TV | 2,431,154 | 2,425,044 | $18,898 |
| 61010 | WNTV | 2,419,841 | 2,211,019 | $17,230 |
| 16539 | WNTZ-TV | 344,704 | 343,849 | $2,680 |
| 7933 | WNUV | 9,098,694 | 8,906,508 | $69,408 |
| 9999 | WNVC | 807,960 | 690,381 | $5,380 |
| 10019 | WNVT | 1,721,004 | 1,712,249 | $13,344 |
| 73354 | WNWO-TV | 2,232,660 | 2,232,660 | $17,399 |
| 136751 | WNYA | 1,540,430 | 1,406,032 | $10,957 |
| 30303 | WNYB | 1,785,269 | 1,756,096 | $13,685 |
| 6048 | WNYE-TV | 19,185,983 | 19,015,910 | $148,191 |
| 34329 | WNYI | 1,627,542 | 1,338,811 | $10,433 |
| 67784 | WNYO-TV | 1,430,491 | 1,409,756 | $10,986 |
| 73363 | WNYT | 1,679,494 | 1,516,775 | $11,820 |
| 22206 | WNYW | 20,075,874 | 19,753,060 | $153,936 |
| 69618 | WOAI-TV | 2,525,811 | 2,513,887 | $19,591 |
| 66804 | WOAY-TV | 581,486 | 443,210 | $3,454 |
| 41225 | WOFL | 4,048,104 | 4,043,672 | $31,512 |
| 70651 | WOGX | 1,112,408 | 1,112,408 | $8,669 |
| 8661 | WOI-DT | 1,173,757 | 1,170,432 | $9,121 |
| 39746 | WOIO | 3,821,233 | 3,745,335 | $29,187 |
| 71725 | WOLE-DT | 1,784,094 | 1,312,984 | $10,232 |
| 73375 | WOLF-TV | 2,990,646 | 2,522,858 | $19,661 |
| 60963 | WOLO-TV | 2,635,715 | 2,594,980 | $20,223 |
| 36838 | WOOD-TV | 2,507,053 | 2,501,084 | $19,491 |
| 67602 | WOPX-TV | 3,877,863 | 3,877,805 | $30,220 |
| 64865 | WORA-TV | 2,733,629 | 2,149,090 | $2,873 |
| 73901 | WORO-DT | 3,243,301 | 2,511,742 | $19,574 |
| 60357 | WOST | 1,193,381 | 853,762 | $6,653 |
| 66185 | WOSU-TV | 2,843,651 | 2,776,901 | $21,640 |
| 131 | WOTF-TV | 3,451,383 | 3,451,383 | $26,897 |
| 10212 | WOTV | 2,368,797 | 2,368,397 | $18,457 |
| 50147 | WOUB-TV | 756,762 | 734,988 | $5,728 |
| 50141 | WOUC-TV | 1,713,515 | 1,649,853 | $12,857 |
| 23342 | WOWK-TV | 1,159,175 | 1,083,663 | $8,445 |
| 65528 | WOWT | 1,380,979 | 1,377,287 | $10,733 |
| 31570 | WPAN | 637,347 | 637,347 | $4,967 |
| 4190 | WPBA | 5,217,180 | 5,200,958 | $40,531 |
| 51988 | WPBF | 3,190,307 | 3,186,405 | $24,832 |
| 21253 | WPBN-TV | 442,005 | 430,953 | $3,358 |
| 62136 | WPBS-DT | 338,448 | 301,692 | $2,351 |
| 13456 | WPBT | 5,416,604 | 5,416,604 | $42,212 |
| 13924 | WPCB-TV | 2,934,614 | 2,800,516 | $21,824 |
| 64033 | WPCH-TV | 5,948,778 | 5,874,163 | $45,777 |
| 4354 | WPCT | 195,270 | 194,869 | $1,519 |
| 69880 | WPCW | 3,393,365 | 3,188,441 | $24,848 |
| 17012 | WPDE-TV | 1,772,233 | 1,769,553 | $13,790 |
| 52527 | WPEC | 5,788,448 | 5,788,448 | $45,109 |
| 84088 | WPFO | 1,329,690 | 1,209,873 | $9,429 |
| 54728 | WPGA-TV | 559,495 | 559,025 | $4,356 |
| 60820 | WPGD-TV | 2,355,629 | 2,343,715 | $18,265 |
| 73875 | WPGH-TV | 3,236,098 | 3,121,767 | $24,328 |
| 2942 | WPGX | 425,098 | 422,872 | $3,295 |
| 73879 | WPHL-TV | 10,421,216 | 10,246,856 | $79,854 |
| 73881 | WPIX | 20,638,932 | 20,213,158 | $157,521 |
| 53113 | WPLG | 5,587,129 | 5,587,129 | $43,540 |
| 11906 | WPMI-TV | 1,468,001 | 1,467,594 | $11,437 |
| 10213 | WPMT | 2,412,561 | 2,191,501 | $17,078 |
| 18798 | WPNE-TV | 1,161,295 | 1,160,631 | $9,045 |
| 73907 | WPNT | 3,172,170 | 3,064,423 | $23,881 |
| 28480 | WPPT | 10,613,847 | 9,474,797 | $73,837 |
| 51984 | WPPX-TV | 8,206,117 | 7,995,941 | $62,312 |
| 47404 | WPRI-TV | 7,254,721 | 6,990,606 | $54,478 |
| 51991 | WPSD-TV | 883,814 | 879,213 | $6,852 |
| 12499 | WPSG | 10,232,988 | 9,925,334 | $77,348 |
| 66219 | WPSU-TV | 1,055,133 | 868,013 | $6,764 |
| 73905 | WPTA | 1,099,180 | 1,099,180 | $8,566 |
| 25067 | WPTD | 3,423,417 | 3,411,727 | $26,588 |
| 25065 | WPTO | 2,961,254 | 2,951,883 | $23,004 |
| 59443 | WPTV-TV | 5,840,102 | 5,840,102 | $45,512 |
| 57476 | WPTZ | 792,551 | 676,539 | $5,272 |
| 8616 | WPVI-TV | 11,491,587 | 11,302,701 | $88,082 |
| 48772 | WPWR-TV | 9,957,301 | 9,954,828 | $77,578 |
| 51969 | WPXA-TV | 6,587,205 | 6,458,510 | $50,331 |
| 71236 | WPXC-TV | 1,561,014 | 1,561,014 | $12,165 |
| 5800 | WPXD-TV | 5,249,447 | 5,249,447 | $40,909 |
| 37104 | WPXE-TV | 3,067,071 | 3,057,388 | $23,826 |
| 48406 | WPXG-TV | 2,577,848 | 2,512,150 | $19,577 |
| 73312 | WPXH-TV | 1,471,601 | 1,451,634 | $11,313 |
| 73910 | WPXI | 3,300,896 | 3,197,864 | $24,921 |
| 2325 | WPXJ-TV | 2,357,870 | 2,289,706 | $17,844 |
| 52628 | WPXK-TV | 1,801,997 | 1,577,806 | $12,296 |
| 21729 | WPXL-TV | 1,639,180 | 1,639,180 | $12,774 |
| 48608 | WPXM-TV | 5,153,621 | 5,153,621 | $40,162 |
| 73356 | WPXN-TV | 20,878,066 | 20,454,468 | $159,402 |
| 27290 | WPXP-TV | 5,565,072 | 5,565,072 | $43,369 |
| 50063 | WPXQ-TV | 3,281,532 | 3,150,875 | $24,555 |
| 70251 | WPXR-TV | 1,375,640 | 1,200,331 | $9,354 |
| 40861 | WPXS | 2,339,305 | 2,251,498 | $17,546 |
| 53065 | WPXT | 1,002,128 | 952,535 | $7,423 |
| 37971 | WPXU-TV | 690,613 | 690,613 | $5,382 |
| 67077 | WPXV-TV | 1,919,794 | 1,919,794 | $14,961 |
| 74091 | WPXW-TV | 8,075,268 | 8,024,342 | $62,534 |
| 21726 | WPXX-TV | 1,562,675 | 1,560,834 | $12,164 |
| 73319 | WQAD-TV | 1,101,012 | 1,089,523 | $8,491 |
| 65130 | WQCW | 1,307,345 | 1,236,020 | $9,632 |
| 71561 | WQEC | 183,969 | 183,690 | $1,431 |
| 41315 | WQED | 3,529,305 | 3,426,684 | $26,704 |
| 3255 | WQHA | 1,052,107 | 730,913 | $5,696 |
| 60556 | WQHS-DT | 3,996,567 | 3,952,672 | $30,803 |
| 53716 | WQLN | 602,232 | 577,633 | $4,501 |
| 52075 | WQMY | 410,269 | 254,586 | $1,984 |
| 64550 | WQOW | 369,066 | 358,576 | $2,794 |
| 5468 | WQPT-TV | 595,685 | 595,437 | $4,640 |
| 64690 | WQPX-TV | 1,644,283 | 1,212,587 | $9,450 |
| 52408 | WQRF-TV | 1,375,774 | 1,354,979 | $10,559 |
| 2175 | WQTO | 2,864,201 | 1,598,365 | $5,727 |
| 8688 | WRAL-TV | 3,852,675 | 3,848,801 | $29,994 |
| 10133 | WRAY-TV | 4,184,851 | 4,166,318 | $32,468 |
| 64611 | WRAZ | 3,800,594 | 3,797,515 | $29,594 |
| 136749 | WRBJ-TV | 1,030,831 | 1,028,010 | $8,011 |
| 3359 | WRBL | 1,493,140 | 1,461,459 | $11,389 |
| 57221 | WRBU | 2,933,497 | 2,929,776 | $22,832 |
| 54940 | WRBW | 4,080,267 | 4,077,341 | $31,775 |
| 59137 | WRCB | 1,587,742 | 1,363,582 | $10,626 |
| 47904 | WRC-TV | 8,188,601 | 8,146,696 | $63,487 |
| 54963 | WRDC | 3,972,477 | 3,966,864 | $30,914 |
| 55454 | WRDQ | 3,931,023 | 3,931,023 | $30,634 |
| 73937 | WRDW-TV | 1,564,584 | 1,533,682 | $11,952 |
| 66174 | WREG-TV | 1,642,307 | 1,638,585 | $12,769 |
| 61011 | WRET-TV | 2,419,841 | 2,211,019 | $17,230 |
| 73940 | WREX | 2,303,027 | 2,047,951 | $15,960 |
| 54443 | WRFB | 2,674,527 | 1,975,375 | $21,287 |
| 73942 | WRGB | 1,757,575 | 1,645,483 | $12,823 |
| 411 | WRGT-TV | 3,451,036 | 3,416,078 | $26,621 |
| 74416 | WRIC-TV | 2,059,152 | 1,996,075 | $15,555 |
| 61012 | WRJA-TV | 1,127,088 | 1,119,936 | $8,728 |
| 412 | WRLH-TV | 2,017,508 | 1,959,111 | $15,267 |
| 61013 | WRLK-TV | 1,229,094 | 1,228,616 | $9,575 |
| 43870 | WRLM | 3,960,217 | 3,945,408 | $30,747 |
| 74156 | WRNN-TV | 19,853,836 | 19,615,370 | $152,863 |
| 73964 | WROC-TV | 1,203,412 | 1,185,203 | $9,236 |
| 159007 | WRPT | 110,009 | 109,937 | $857 |
| 20590 | WRPX-TV | 2,637,949 | 2,634,141 | $20,528 |
| 62009 | WRSP-TV | 1,156,134 | 1,154,040 | $8,993 |
| 40877 | WRTV | 2,919,683 | 2,895,164 | $22,562 |
| 15320 | WRUA | 2,905,193 | 2,121,362 | $16,532 |
| 71580 | WRXY-TV | 1,784,000 | 1,784,000 | $13,903 |
| 48662 | WSAV-TV | 1,000,315 | 1,000,309 | $7,795 |
| 6867 | WSAW-TV | 652,442 | 646,386 | $5,037 |
| 36912 | WSAZ-TV | 1,239,187 | 1,168,954 | $9,110 |
| 56092 | WSBE-TV | 7,535,710 | 7,266,304 | $56,626 |
| 73982 | WSBK-TV | 7,290,901 | 7,225,463 | $56,308 |
| 72053 | WSBS-TV | 42,952 | 42,952 | $335 |
| 73983 | WSBT-TV | 1,763,215 | 1,752,698 | $13,659 |
| 23960 | WSB-TV | 5,897,425 | 5,828,269 | $45,420 |
| 69446 | WSCG | 867,516 | 867,490 | $6,760 |
| 64971 | WSCV | 5,465,435 | 5,465,435 | $42,592 |
| 70536 | WSEC | 541,118 | 540,495 | $4,212 |
| 49711 | WSEE-TV | 613,176 | 595,476 | $4,641 |
| 21258 | WSES | 1,548,117 | 1,513,982 | $11,798 |
| 73988 | WSET-TV | 1,569,722 | 1,323,180 | $10,312 |
| 13993 | WSFA | 1,168,636 | 1,133,724 | $8,835 |
| 11118 | WSFJ-TV | 1,675,987 | 1,667,150 | $12,992 |
| 10203 | WSFL-TV | 5,344,129 | 5,344,129 | $41,647 |
| 72871 | WSFX-TV | 970,833 | 970,833 | $7,566 |
| 73999 | WSIL-TV | 672,560 | 669,176 | $5,215 |
| 4297 | WSIU-TV | 1,019,939 | 937,070 | $7,303 |
| 74007 | WSJV | 1,522,499 | 1,522,499 | $11,865 |
| 78908 | WSKA | 546,588 | 431,354 | $3,362 |
| 74034 | WSKG-TV | 892,402 | 633,163 | $4,934 |
| 76324 | WSKY-TV | 1,934,585 | 1,934,519 | $15,076 |
| 57840 | WSLS-TV | 1,447,286 | 1,277,753 | $9,958 |
| 21737 | WSMH | 2,339,224 | 2,327,660 | $18,139 |
| 41232 | WSMV-TV | 2,447,769 | 2,404,766 | $18,740 |
| 70119 | WSNS-TV | 9,914,395 | 9,913,272 | $77,254 |
| 74070 | WSOC-TV | 3,706,808 | 3,638,832 | $28,357 |
| 66391 | WSPA-TV | 3,388,945 | 3,227,025 | $25,148 |
| 64352 | WSPX-TV | 1,298,295 | 1,174,763 | $9,155 |
| 17611 | WSRE | 1,354,495 | 1,353,634 | $10,549 |
| 63867 | WSST-TV | 331,907 | 331,601 | $2,584 |
| 60341 | WSTE-DT | 3,723,930 | 3,033,241 | $23,638 |
| 21252 | WSTM-TV | 1,455,586 | 1,379,393 | $10,750 |
| 11204 | WSTR-TV | 3,297,280 | 3,286,795 | $25,614 |
| 19776 | WSUR-DT | 3,714,790 | 3,015,529 | $10,232 |
| 2370 | WSVI | 50,601 | 50,601 | $394 |
| 63840 | WSVN | 5,588,748 | 5,588,748 | $43,553 |
| 73374 | WSWB | 1,530,002 | 1,102,316 | $8,590 |
| 28155 | WSWG | 381,004 | 380,910 | $2,968 |
| 71680 | WSWP-TV | 858,726 | 659,416 | $5,139 |
| 74094 | WSYM-TV | 1,498,905 | 1,498,671 | $11,679 |
| 73113 | WSYR-TV | 1,329,933 | 1,243,035 | $9,687 |
| 40758 | WSYT | 1,970,721 | 1,739,071 | $13,553 |
| 56549 | WSYX | 2,635,937 | 2,592,420 | $20,203 |
| 65681 | WTAE-TV | 2,995,755 | 2,860,979 | $22,296 |
| 23341 | WTAJ-TV | 1,187,718 | 948,598 | $7,392 |
| 4685 | WTAP-TV | 512,358 | 494,914 | $3,857 |
| 416 | WTAT-TV | 1,111,476 | 1,111,476 | $8,662 |
| 67993 | WTBY-TV | 15,858,470 | 15,766,438 | $122,868 |
| 29715 | WTCE-TV | 2,620,599 | 2,620,599 | $20,422 |
| 65667 | WTCI | 1,204,613 | 1,099,395 | $8,568 |
| 67786 | WTCT | 608,457 | 607,620 | $4,735 |
| 28954 | WTCV | 3,254,481 | 2,500,195 | $19,484 |
| 74422 | WTEN | 1,902,431 | 1,613,747 | $12,576 |
| 9881 | WTGL | 3,707,507 | 3,707,507 | $28,893 |
| 27245 | WTGS | 966,519 | 966,357 | $7,531 |
| 70655 | WTHI-TV | 928,934 | 886,846 | $6,911 |
| 70162 | WTHR | 2,949,339 | 2,901,633 | $22,612 |
| 147 | WTIC-TV | 5,318,753 | 4,707,697 | $36,687 |
| 26681 | WTIN-TV | 3,714,547 | 2,898,224 | $2,381 |
| 66536 | WTIU | 1,570,257 | 1,569,135 | $12,228 |
| 1002 | WTJP-TV | 1,947,743 | 1,907,300 | $14,864 |
| 4593 | WTJR | 334,527 | 334,221 | $2,605 |
| 70287 | WTJX-TV | 135,017 | 121,498 | $947 |
| 47401 | WTKR | 2,149,376 | 2,149,375 | $16,750 |
| 82735 | WTLF | 349,696 | 349,691 | $2,725 |
| 23486 | WTLH | 1,065,127 | 1,065,105 | $8,300 |
| 67781 | WTLJ | 1,622,365 | 1,621,227 | $12,634 |
| 65046 | WTLV | 1,757,600 | 1,739,021 | $13,552 |
| 1222 | WTLW | 1,646,714 | 1,644,206 | $12,813 |
| 74098 | WTMJ-TV | 3,096,406 | 3,085,983 | $24,049 |
| 74109 | WTNH | 7,845,782 | 7,332,431 | $57,142 |
| 19200 | WTNZ | 1,699,427 | 1,513,754 | $11,797 |
| 590 | WTOC-TV | 993,098 | 992,658 | $7,736 |
| 74112 | WTOG | 4,796,964 | 4,796,188 | $37,377 |
| 4686 | WTOK-TV | 410,134 | 404,555 | $3,153 |
| 13992 | WTOL | 4,184,020 | 4,174,198 | $32,530 |
| 21254 | WTOM-TV | 83,379 | 81,092 | $632 |
| 74122 | WTOV-TV | 3,892,886 | 3,619,899 | $28,210 |
| 82574 | WTPC-TV | 2,049,246 | 2,042,851 | $15,920 |
| 86496 | WTPX-TV | 255,972 | 255,791 | $1,993 |
| 6869 | WTRF-TV | 2,941,511 | 2,565,375 | $19,992 |
| 67798 | WTSF | 922,441 | 851,465 | $6,635 |
| 11290 | WTSP | 5,511,840 | 5,494,925 | $42,822 |
| 4108 | WTTA | 5,583,544 | 5,576,649 | $43,459 |
| 74137 | WTTE | 2,690,341 | 2,650,354 | $20,654 |
| 22207 | WTTG | 8,070,491 | 8,015,328 | $62,463 |
| 56526 | WTTK | 2,844,384 | 2,825,807 | $22,022 |
| 74138 | WTTO | 1,817,151 | 1,786,516 | $13,922 |
| 56523 | WTTV | 2,522,077 | 2,518,133 | $19,624 |
| 10802 | WTTW | 9,729,982 | 9,729,634 | $75,823 |
| 74148 | WTVA | 823,492 | 810,123 | $6,313 |
| 22590 | WTVC | 1,579,628 | 1,366,976 | $10,653 |
| 8617 | WTVD | 3,790,354 | 3,775,757 | $29,424 |
| 55305 | WTVE | 5,156,905 | 5,152,997 | $40,157 |
| 36504 | WTVF | 2,384,622 | 2,367,601 | $18,451 |
| 74150 | WTVG | 4,274,274 | 4,263,894 | $33,229 |
| 74151 | WTVH | 1,350,223 | 1,275,171 | $9,937 |
| 10645 | WTVI | 2,856,703 | 2,829,960 | $22,054 |
| 63154 | WTVJ | 5,458,451 | 5,458,451 | $42,538 |
| 595 | WTVM | 1,498,667 | 1,405,957 | $10,957 |
| 72945 | WTVO | 1,409,708 | 1,398,825 | $10,901 |
| 28311 | WTVP | 678,884 | 678,539 | $5,288 |
| 51597 | WTVQ-DT | 989,786 | 983,552 | $7,665 |
| 57832 | WTVR-TV | 1,816,197 | 1,809,035 | $14,098 |
| 16817 | WTVS | 5,511,091 | 5,510,837 | $42,946 |
| 68569 | WTVT | 5,475,385 | 5,462,416 | $42,569 |
| 3661 | WTVW | 839,003 | 834,187 | $6,501 |
| 35575 | WTVX | 3,157,609 | 3,157,609 | $24,607 |
| 4152 | WTVY | 974,532 | 971,173 | $7,568 |
| 40759 | WTVZ-TV | 2,156,534 | 2,156,346 | $16,804 |
| 66908 | WTWC-TV | 1,061,101 | 1,061,079 | $8,269 |
| 20426 | WTWO | 737,341 | 731,294 | $5,699 |
| 81692 | WTWV | 1,527,511 | 1,526,625 | $11,897 |
| 51568 | WTXF-TV | 10,784,256 | 10,492,549 | $81,768 |
| 41065 | WTXL-TV | 1,054,514 | 1,054,322 | $8,216 |
| 8532 | WUAB | 3,821,233 | 3,745,335 | $29,187 |
| 12855 | WUCF-TV | 3,707,507 | 3,707,507 | $28,893 |
| 36395 | WUCW | 3,664,480 | 3,657,236 | $28,501 |
| 69440 | WUFT | 1,372,142 | 1,372,142 | $10,693 |
| 413 | WUHF | 1,152,580 | 1,147,972 | $8,946 |
| 8156 | WUJA | 2,638,361 | 1,977,410 | $15,410 |
| 69080 | WUNC-TV | 4,184,851 | 4,166,318 | $32,468 |
| 69292 | WUND-TV | 1,506,640 | 1,506,640 | $11,741 |
| 69114 | WUNE-TV | 3,146,865 | 2,625,942 | $20,464 |
| 69300 | WUNF-TV | 2,335,055 | 2,068,975 | $16,124 |
| 69124 | WUNG-TV | 3,605,143 | 3,588,220 | $27,963 |
| 60551 | WUNI | 7,209,571 | 7,084,349 | $55,208 |
| 69332 | WUNJ-TV | 1,081,274 | 1,081,274 | $8,426 |
| 69149 | WUNK-TV | 2,018,916 | 2,013,516 | $15,691 |
| 69360 | WUNL-TV | 3,055,263 | 2,834,274 | $22,087 |
| 69444 | WUNM-TV | 1,357,346 | 1,357,346 | $10,578 |
| 69397 | WUNP-TV | 1,402,186 | 1,393,524 | $10,860 |
| 69416 | WUNU | 1,202,495 | 1,201,481 | $9,363 |
| 83822 | WUNW | 1,109,237 | 570,072 | $4,443 |
| 6900 | WUPA | 5,966,454 | 5,888,379 | $45,888 |
| 13938 | WUPL | 1,721,320 | 1,721,320 | $13,414 |
| 10897 | WUPV | 1,933,664 | 1,914,643 | $14,921 |
| 19190 | WUPW | 2,100,914 | 2,099,572 | $16,362 |
| 23128 | WUPX-TV | 1,102,435 | 1,089,118 | $8,487 |
| 65593 | WUSA | 8,750,706 | 8,446,074 | $65,820 |
| 4301 | WUSI-TV | 339,507 | 339,507 | $2,646 |
| 60552 | WUTB | 8,523,983 | 8,381,042 | $65,313 |
| 30577 | WUTF-TV | 7,918,927 | 7,709,189 | $60,078 |
| 57837 | WUTR | 526,114 | 481,957 | $3,756 |
| 415 | WUTV | 1,589,376 | 1,557,474 | $12,137 |
| 16517 | WUVC-DT | 3,768,817 | 3,748,841 | $29,215 |
| 48813 | WUVG-DT | 6,029,495 | 5,965,975 | $46,493 |
| 3072 | WUVN | 1,233,568 | 1,157,140 | $9,018 |
| 60560 | WUVP-DT | 10,421,216 | 10,246,856 | $79,854 |
| 9971 | WUXP-TV | 2,316,872 | 2,305,293 | $17,965 |
| 417 | WVAH-TV | 1,373,555 | 1,295,383 | $10,095 |
| 23947 | WVAN-TV | 1,026,862 | 1,025,950 | $7,995 |
| 65387 | WVBT | 1,885,169 | 1,885,169 | $14,691 |
| 72342 | WVCY-TV | 2,543,642 | 2,542,235 | $19,812 |
| 60559 | WVEA-TV | 4,553,004 | 4,552,113 | $35,475 |
| 74167 | WVEC | 2,098,679 | 2,092,868 | $16,310 |
| 5802 | WVEN-TV | 3,921,016 | 3,919,361 | $30,544 |
| 61573 | WVEO | 1,153,382 | 761,454 | $4,676 |
| 69946 | WVER | 888,756 | 758,441 | $5,911 |
| 10976 | WVFX | 731,193 | 609,763 | $4,752 |
| 47929 | WVIA-TV | 3,429,213 | 2,838,000 | $22,117 |
| 3667 | WVII-TV | 368,022 | 346,874 | $2,703 |
| 70309 | WVIR-TV | 1,945,637 | 1,908,395 | $14,872 |
| 74170 | WVIT | 5,846,093 | 5,357,639 | $41,752 |
| 18753 | WVIZ | 3,695,223 | 3,689,173 | $28,750 |
| 70021 | WVLA-TV | 1,897,179 | 1,897,007 | $14,783 |
| 81750 | WVLR | 1,412,728 | 1,300,554 | $10,135 |
| 35908 | WVLT-TV | 1,888,607 | 1,633,633 | $12,731 |
| 74169 | WVNS-TV | 911,630 | 606,820 | $4,729 |
| 11259 | WVNY | 742,579 | 659,270 | $5,138 |
| 29000 | WVOZ-TV | 1,132,932 | 731,199 | $4,676 |
| 71657 | WVPB-TV | 780,268 | 752,747 | $5,866 |
| 60111 | WVPT | 767,268 | 642,173 | $5,004 |
| 70491 | WVPX-TV | 4,147,298 | 4,114,920 | $32,068 |
| 66378 | WVPY | 756,696 | 632,649 | $4,930 |
| 67190 | WVSN | 2,948,832 | 2,137,333 | $16,656 |
| 69943 | WVTA | 760,072 | 579,703 | $4,518 |
| 69940 | WVTB | 455,880 | 257,445 | $2,006 |
| 74173 | WVTM-TV | 2,009,346 | 1,940,153 | $15,120 |
| 74174 | WVTV | 3,091,132 | 3,083,108 | $24,027 |
| 77496 | WVUA | 2,209,921 | 2,160,101 | $16,834 |
| 4149 | WVUE-DT | 1,658,125 | 1,658,125 | $12,922 |
| 4329 | WVUT | 273,293 | 273,215 | $2,129 |
| 74176 | WVVA | 1,037,632 | 722,666 | $5,632 |
| 3113 | WVXF | 85,191 | 78,556 | $612 |
| 12033 | WWAY | 1,208,625 | 1,208,625 | $9,419 |
| 30833 | WWBT | 1,924,502 | 1,892,842 | $14,751 |
| 20295 | WWCP-TV | 2,811,278 | 2,548,691 | $19,862 |
| 24812 | WWCW | 1,390,985 | 1,212,308 | $9,448 |
| 23671 | WWDP | 5,792,048 | 5,564,295 | $43,363 |
| 21158 | WWHO | 2,762,344 | 2,721,504 | $21,209 |
| 14682 | WWJE-DT | 7,209,571 | 7,084,349 | $55,208 |
| 72123 | WWJ-TV | 5,562,031 | 5,561,777 | $43,343 |
| 166512 | WWJX | 518,866 | 518,846 | $4,043 |
| 6868 | WWLP | 3,838,272 | 3,077,800 | $23,985 |
| 74192 | WWL-TV | 1,788,624 | 1,788,624 | $13,939 |
| 3133 | WWMB | 1,547,974 | 1,544,778 | $12,038 |
| 74195 | WWMT | 2,460,942 | 2,455,432 | $19,135 |
| 68851 | WWNY-TV | 375,600 | 346,623 | $2,701 |
| 74197 | WWOR-TV | 19,853,836 | 19,615,370 | $152,863 |
| 65943 | WWPB | 3,197,858 | 2,775,966 | $21,633 |
| 23264 | WWPX-TV | 2,299,441 | 2,231,612 | $17,391 |
| 68547 | WWRS-TV | 2,324,155 | 2,321,066 | $18,088 |
| 61251 | WWSB | 3,340,133 | 3,340,133 | $26,030 |
| 23142 | WWSI | 11,269,831 | 11,098,540 | $86,491 |
| 16747 | WWTI | 196,531 | 190,097 | $1,481 |
| 998 | WWTO-TV | 5,613,737 | 5,613,737 | $43,748 |
| 26994 | WWTV | 1,034,174 | 1,022,322 | $7,967 |
| 84214 | WWTW | 1,527,511 | 1,526,625 | $11,897 |
| 26993 | WWUP-TV | 116,638 | 110,592 | $862 |
| 23338 | WXBU | 4,030,693 | 3,538,096 | $27,572 |
| 61504 | WXCW | 1,749,847 | 1,749,847 | $13,637 |
| 61084 | WXEL-TV | 5,416,604 | 5,416,604 | $42,212 |
| 60539 | WXFT-DT | 10,174,464 | 10,170,757 | $79,261 |
| 23929 | WXGA-TV | 608,494 | 606,849 | $4,729 |
| 51163 | WXIA-TV | 6,179,680 | 6,035,828 | $47,037 |
| 53921 | WXII-TV | 3,630,551 | 3,299,114 | $25,710 |
| 146 | WXIN | 2,836,532 | 2,814,815 | $21,936 |
| 39738 | WXIX-TV | 2,911,054 | 2,900,875 | $22,607 |
| 414 | WXLV-TV | 4,362,761 | 4,333,737 | $33,773 |
| 68433 | WXMI | 1,988,970 | 1,988,589 | $15,497 |
| 64549 | WXOW | 425,378 | 413,264 | $3,221 |
| 6601 | WXPX-TV | 4,594,588 | 4,592,639 | $35,790 |
| 74215 | WXTV-DT | 19,992,096 | 19,643,518 | $153,082 |
| 12472 | WXTX | 699,095 | 694,837 | $5,415 |
| 11970 | WXXA-TV | 1,680,670 | 1,537,868 | $11,985 |
| 57274 | WXXI-TV | 1,184,860 | 1,168,696 | $9,108 |
| 53517 | WXXV-TV | 1,191,123 | 1,189,584 | $9,270 |
| 10267 | WXYZ-TV | 5,622,543 | 5,622,140 | $43,813 |
| 12279 | WYCC | 9,729,982 | 9,729,634 | $75,823 |
| 77515 | WYCI | 35,873 | 26,508 | $207 |
| 70149 | WYCW | 3,388,945 | 3,227,025 | $25,148 |
| 62219 | WYDC | 560,266 | 449,486 | $3,503 |
| 18783 | WYDN | 2,577,848 | 2,512,150 | $19,577 |
| 35582 | WYDO | 1,097,745 | 1,097,745 | $8,555 |
| 25090 | WYES-TV | 1,872,245 | 1,872,059 | $14,589 |
| 53905 | WYFF | 2,626,363 | 2,416,551 | $18,832 |
| 49803 | WYIN | 6,956,141 | 6,956,141 | $54,209 |
| 24915 | WYMT-TV | 1,180,276 | 863,881 | $6,732 |
| 17010 | WYOU | 2,879,196 | 2,226,883 | $17,354 |
| 77789 | WYOW | 91,233 | 90,799 | $708 |
| 13933 | WYPX-TV | 1,529,500 | 1,413,583 | $11,016 |
| 4693 | WYTV | 4,898,622 | 4,535,576 | $35,346 |
| 5875 | WYZZ-TV | 1,042,140 | 1,036,721 | $8,079 |
| 15507 | WZBJ | 1,606,844 | 1,439,716 | $11,220 |
| 28119 | WZDX | 1,596,771 | 1,514,654 | $11,804 |
| 70493 | WZME | 5,996,408 | 5,544,708 | $43,210 |
| 81448 | WZMQ | 73,423 | 72,945 | $568 |
| 71871 | WZPX-TV | 2,039,157 | 2,039,157 | $15,891 |
| 136750 | WZRB | 952,279 | 951,693 | $7,417 |
| 418 | WZTV | 2,312,658 | 2,301,187 | $17,933 |
| 83270 | WZVI | 76,992 | 75,863 | $591 |
| 19183 | WZVN-TV | 1,981,488 | 1,981,488 | $15,442 |
| 49713 | WZZM | 1,574,546 | 1,548,835 | $12,070 |

1 Call signs WIPM and WIPR are stations in Puerto Rico that are linked together with a total fee of $24,160.

2 Call signs WNJX and WAPA are stations in Puerto Rico that are linked together with a total fee of $24,160.

3 Call signs WKAQ and WORA are stations in Puerto Rico that are linked together with a total fee of $24,160.

4 Call signs WOLE and WLII are stations in Puerto Rico that are linked together with a total fee of $24,160.

5 Call signs WVEO and WTCV are stations in Puerto Rico that are linked together with a total fee of $24,160.

6 Call signs WJPX and WJWN are stations in Puerto Rico that are linked together with a total fee of $24,160.

7 Call signs WAPA and WTIN are stations in Puerto Rico that are linked together with a total fee of $24,160.

8 Call signs WSUR and WLII are stations in Puerto Rico that are linked together with a total fee of $24,160.

9 Call signs WVOZ and WTCV are stations in Puerto Rico that are linked together with a total fee of $24,160.

10 Call signs WJPX and WKPV are stations in Puerto Rico that are linked together with a total fee of $24,160.

11 Call signs WMTJ and WQTO are stations in Puerto Rico that are linked together with a total fee of $24,160.

12 Call signs WIRS and WJPX are stations in Puerto Rico that are linked together with a total fee of $24,160.

13 Call signs WRFB and WORA are stations in Puerto Rico that are linked together with a total fee of $24,160.

**APPENDIX H**

**FY 2020 Schedule of Regulatory Fees**

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

| **Fee Category** | **Annual Regulatory Fee**  **(U.S. $s)** |
| --- | --- |
| PLMRS (per license) (Exclusive Use) (47 CFR part 90) | 25 |
| Microwave (per license) (47 CFR part 101) | 25 |
| Marine (Ship) (per station) (47 CFR part 80) | 15 |
| Marine (Coast) (per license) (47 CFR part 80) | 40 |
| Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category) | 10 |
| PLMRS (Shared Use) (per license) (47 CFR part 90) | 10 |
| Aviation (Aircraft) (per station) (47 CFR part 87) | 10 |
| Aviation (Ground) (per license) (47 CFR part 87) | 20 |
| CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90) | .17 |
| CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90) | .08 |
| Broadband Radio Service (formerly MMDS/ MDS) (per license) (47 CFR part 27)  Local Multipoint Distribution Service (per call sign) (47 CFR, part 101) | 560  560 |
| AM Radio Construction Permits | 610 |
| FM Radio Construction Permits | 1,075 |
| AM and FM Broadcast Radio Station Fees | See Table Below |
| Digital TV (47 CFR part 73) VHF and UHF Commercial Fee Factor | $.007837  See Appendix. G for fee amounts due, also available at  <https://www.fcc.gov/licensing-databases/fees/regulatory-fees> |
| Digital TV Construction Permits | 4,950 |
| Low Power TV, Class A TV, TV/FM Translators & FM Boosters (47 CFR  part 74) | 315 |
| CARS (47 CFR part 78) | 1,300 |
| Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV | .89 |
| Direct Broadcast Service (DBS) (per subscriber) (as defined by section 602(13) of the Act) | .72 |
| Interstate Telecommunication Service Providers (per revenue dollar) | .00321 |
| Toll Free (per toll free subscriber) (47 CFR section 52.101 (f) of the rules) | .12 |
| Earth Stations (47 CFR part 25) | 560 |
| Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100) | 98,125 |
| Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) | 223,500 |
| International Bearer Circuits - Terrestrial/Satellites (per Gbps circuit) | $41 |
| Submarine Cable Landing Licenses Fee (per cable system) | See Table Below |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FY 2020 RADIO STATION REGULATORY FEES** | | | | | | |
| **Population**  **Served** | **AM Class A** | **AM Class B** | **AM Class C** | **AM Class D** | **FM Classes**  **A, B1 & C3** | **FM Classes**  **B, C, C0, C1 & C2** |
| **<=25,000** | $975 | $700 | $610 | $670 | $1,075 | $1,225 |
| **25,001 – 75,000** | $1,475 | $1,050 | $915 | $1,000 | $1,625 | $1,850 |
| **75,001 – 150,000** | $2,200 | $1,575 | $1,375 | $1,500 | $2,425 | $2,750 |
| **150,001 – 500,000** | $3,300 | $2,375 | $2,050 | $2,275 | $3,625 | $4,150 |
| **500,001 – 1,200,000** | $4,925 | $3,550 | $3,075 | $3,400 | $5,450 | $6,200 |
| **1,200,001 – 3,000,000** | $7,400 | $5,325 | $4,625 | $5,100 | $8,175 | $9,300 |
| **3,000,001 – 6,000,000** | $11,100 | $7,975 | $6,950 | $7,625 | $12,250 | $13,950 |
| **>6,000,000** | $16,675 | $11,975 | $10,425 | $11,450 | $18,375 | $20,925 |

**FY 2020 International Bearer Circuits - Submarine Cable Systems**

|  |  |  |
| --- | --- | --- |
| **Submarine Cable Systems**  **(capacity as of December 31, 2019)** | **Fee Ratio** | **FY 2020 Regulatory Fees** |
| Less than 50 Gbps | .0625 Units | $13,450 |
| 50 Gbps or greater, but less than 250 Gbps | .125 Units | $26,875 |
| 250 Gbps or greater, but less than 1,500 Gbps | .25 Units | $53,750 |
| 1,500 Gbps or greater, but less than 3,500 Gbps | .5 Units | $107,500 |
| 3,500 Gbps or greater, but less than 6,500 Gbps | 1.0 Unit | $215,000 |
| 6,500 Gbps or greater | 2.0 Units | $430,000 |

**APPENDIX I**

**Final Regulatory Flexibility Analysis**

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),[[304]](#footnote-306) an Initial Regulatory Flexibility Analysis (IRFA) was included in the *Notice of Proposed Rulemaking* (*NPRM*) for fiscal year 2021.[[305]](#footnote-307)The Commission sought written public comment on these proposals including comment on the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the IRFA.[[306]](#footnote-308)

## Need for, and Objectives of, the Report and Order

1. In the Report and Order, the Commission adopts a regulatory fee schedule to collect $374,000,000 in congressionally required regulatory fees for fiscal year (FY) 2021. Under section 9 of the Communications Act of 1934, as amended, (Communications Act or Act),[[307]](#footnote-309) regulatory fees are mandated by Congress and collected to recover the regulatory costs associated with the Commission’s enforcement, policy and rulemaking, user information, and international activities in an amount that can be reasonably expected to equal the amount of the Commission’s annual appropriation.[[308]](#footnote-310) The objective in the Report for adopting the regulatory fee schedule is to comply with the Congressional mandate to recover the total amount of the Commission’s annual appropriation, from the various industries for which the Commission provides oversight or regulation, based on the number of full time employees (FTEs) involved in such oversight and regulation in the licensing bureaus.

## Summary of the Significant Issues Raised by the Public Comments in Response to the IRFA

1. None.

## Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

1. No comments were filed by the Chief Counsel for Advocacy of the Small Business Administration.

## Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

1. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted.[[309]](#footnote-311) The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”[[310]](#footnote-312) In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.[[311]](#footnote-313) A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.[[312]](#footnote-314)
2. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe here, at the outset, three broad groups of small entities that could be directly affected herein.[[313]](#footnote-315) First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration’s (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees.[[314]](#footnote-316) These types of small businesses represent 99.9% of all businesses in the United States, which translates to 30.7 million businesses.[[315]](#footnote-317)
3. Next, the type of small entity described as a “small organization” is generally “any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.”[[316]](#footnote-318) The Internal Revenue Service (IRS) uses a revenue benchmark of $50,000 or less to delineate its annual electronic filing requirements for small exempt organizations.[[317]](#footnote-319) Nationwide, for tax year 2018, there were approximately 571,709 small exempt organizations in the U.S. reporting revenues of $50,000 or less according to the registration and tax data for exempt organizations available from the IRS.[[318]](#footnote-320)
4. Finally, the small entity described as a “small governmental jurisdiction” is defined generally as “governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.”[[319]](#footnote-321) U.S. Census Bureau data from the 2017 Census of Governments[[320]](#footnote-322) indicate that there were 90,075 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.[[321]](#footnote-323) Of this number there were 36,931 general purpose governments (county[[322]](#footnote-324), municipal and town or township[[323]](#footnote-325)) with populations of less than 50,000 and 12,040 special purpose governments - independent school districts[[324]](#footnote-326) with enrollment populations of less than 5ll governmental jurisdictions.”[[325]](#footnote-327)
5. *Wired Telecommunications Carriers.* The U.S. Census Bureau defines this industry as “establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including Voice over Internet Protocol (VoIP) services, wired (cable and IPTV) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.”[[326]](#footnote-328) The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.[[327]](#footnote-329) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.[[328]](#footnote-330) Of this total, 3,083 operated with fewer than 1,000 employees.[[329]](#footnote-331) Thus, under this size standard, the majority of firms in this industry can be considered small.
6. *Local Exchange Carriers (LECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. The closest applicable NAICS Code category is Wired Telecommunications Carriers.[[330]](#footnote-332) Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.[[331]](#footnote-333) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated for the entire year.[[332]](#footnote-334) Of that total, 3,083 operated with fewer than 1,000 employees.[[333]](#footnote-335) Thus under this category and the associated size standard, the Commission estimates that the majority of local exchange carriers are small entities.
7. *Incumbent LECs.* Neither the Commission nor the SBA has developed a small business size standard specifically for incumbent local exchange services. The closest applicable NAICS Code category is Wired Telecommunications Carriers.[[334]](#footnote-336) Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.[[335]](#footnote-337) U.S. Census Bureau data for 2012 indicate that 3,117 firms operated the entire year.[[336]](#footnote-338) Of this total, 3,083 operated with fewer than 1,000 employees.[[337]](#footnote-339) Consequently, the Commission estimates that most providers of incumbent local exchange service are small businesses that may be affected by our actions. According to Commission data, one thousand three hundred and seven (1,307) Incumbent Local Exchange Carriers reported that they were incumbent local exchange service providers.[[338]](#footnote-340) Of this total, an estimated 1,006 have 1,500 or fewer employees.[[339]](#footnote-341) Thus, using the SBA’s size standard the majority of incumbent LECs can be considered small entities.
8. *Competitive Local Exchange Carriers (Competitive LECs), Competitive Access Providers (CAPs), Shared-Tenant Service Providers, and Other Local Service Providers.* Neither the Commission nor the SBA has developed a small business size standard specifically for these service providers. The appropriate NAICS Code category is Wired Telecommunications Carriers and under that size standard, such a business is small if it has 1,500 or fewer employees.[[340]](#footnote-342)  U.S. Census Bureau data for 2012 indicate that 3,117 firms operated during that year.[[341]](#footnote-343) Of that number, 3,083 operated with fewer than 1,000 employees.[[342]](#footnote-344) Based on these data, the Commission concludes that the majority of Competitive LECS, CAPs, Shared-Tenant Service Providers, and Other Local Service Providers, are small entities. According to Commission data, 1,442 carriers reported that they were engaged in the provision of either competitive local exchange services or competitive access provider services.[[343]](#footnote-345) Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees.[[344]](#footnote-346) In addition, 17 carriers have reported that they are Shared-Tenant Service Providers, and all 17 are estimated to have 1,500 or fewer employees.[[345]](#footnote-347) Also, 72 carriers have reported that they are Other Local Service Providers.[[346]](#footnote-348)  Of this total, 70 have 1,500 or fewer employees.[[347]](#footnote-349) Consequently, based on internally researched FCC data, the Commission estimates that most providers of competitive local exchange service, competitive access providers, Shared-Tenant Service Providers, and Other Local Service Providers are small entities.
9. *Interexchange Carriers (IXCs).* Neither the Commission nor the SBA has developed a small business size standard specifically for Interexchange Carriers. The closest applicable NAICS Code category is Wired Telecommunications Carriers.[[348]](#footnote-350) The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[[349]](#footnote-351) U.S. Census Bureau data for 2012 indicate that 3,117 firms operated for the entire year.[[350]](#footnote-352) Of that number, 3,083 operated with fewer than 1,000 employees.[[351]](#footnote-353) According to internally developed Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services.[[352]](#footnote-354) Of this total, an estimated 317 have 1,500 or fewer employees.[[353]](#footnote-355) Consequently, the Commission estimates that the majority of interexchange service providers are small entities.
10. *Prepaid Calling Card Providers.* Neither the Commission nor the SBA has developed a small business size standard specifically for prepaid calling card providers. The appropriate NAICS code category for prepaid calling card providers is Telecommunications Resellers. This industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry.[[354]](#footnote-356) The SBA has developed a small business size standard for the category of Telecommunications Resellers.[[355]](#footnote-357) Under that size standard, such a business is small if it has 1,500 or fewer employees.[[356]](#footnote-358) U.S. Census Bureau data for 2012 show that 1,341 firms provided resale services during that year.[[357]](#footnote-359) Of that number, 1,341 operated with fewer than 1,000 employees.[[358]](#footnote-360) Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 193 carriers have reported that they are engaged in the provision of prepaid calling cards.[[359]](#footnote-361) All 193 carriers have 1,500 or fewer employees.[[360]](#footnote-362) Consequently, the Commission estimates that the majority of prepaid calling card providers are small.
11. *Local Resellers*. The SBA has not developed a small business size standard specifically for Local Resellers. The SBA category of Telecommunications Resellers is the closest NAICs code category for local resellers. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry.[[361]](#footnote-363) Under the SBA’s size standard, such a business is small if it has 1,500 or fewer employees.[[362]](#footnote-364) U.S. Census Bureau data from 2012 show that 1,341 firms provided resale services during that year.[[363]](#footnote-365) Of that number, all operated with fewer than 1,000 employees.[[364]](#footnote-366) Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 213 carriers have reported that they are engaged in the provision of local resale services.[[365]](#footnote-367) Of these, an estimated 211 have 1,500 or fewer employees and two have more than 1,500 employees.[[366]](#footnote-368) Consequently, the Commission estimates that the majority of local resellers are small entities.
12. *Toll Resellers.* The Commission has not developed a definition for Toll Resellers. The closest NAICS Code Category is Telecommunications Resellers. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. MVNOs are included in this industry.[[367]](#footnote-369) The SBA has developed a small business size standard for the category of Telecommunications Resellers.[[368]](#footnote-370) Under that size standard, such a business is small if it has 1,500 or fewer employees.[[369]](#footnote-371) 2012 Census Bureau data show that 1,341 firms provided resale services during that year.[[370]](#footnote-372) Of that number, 1,341 operated with fewer than 1,000 employees.[[371]](#footnote-373) Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 881 carriers have reported that they are engaged in the provision of toll resale services.[[372]](#footnote-374) Of this total, an estimated 857 have 1,500 or fewer employees.[[373]](#footnote-375) Consequently, the Commission estimates that the majority of toll resellers are small entities.
13. *Other Toll Carriers.* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. The closest applicable NAICS code category is for Wired Telecommunications Carriers, as defined in paragraph 6 of this IRFA. Under that size standard, such a business is small if it has 1,500 or fewer employees.[[374]](#footnote-376) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.[[375]](#footnote-377) Of this total, 3,083 operated with fewer than 1,000 employees.[[376]](#footnote-378) Thus, under this size standard, the majority of firms in this industry can be considered small. According to Commission data, 284 companies reported that their primary telecommunications service activity was the provision of other toll carriage.[[377]](#footnote-379) Of these, an estimated 279 have 1,500 or fewer employees.[[378]](#footnote-380) Consequently, the Commission estimates that most Other Toll Carriers are small entities.
14. *Wireless Telecommunications Carriers (except Satellite).* This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless internet access, and wireless video services.[[379]](#footnote-381) The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[[380]](#footnote-382) For this industry, U.S. Census Bureau data for 2012 show that there were 967 firms that operated for the entire year.[[381]](#footnote-383) Of this total, 955 firms had employment of 999 or fewer employees and 12 had employment of 1000 employees or more.[[382]](#footnote-384) Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities.
15. *Television Broadcasting.* This Economic Census category “comprises establishments primarily engaged in broadcasting images together with sound.”[[383]](#footnote-385) These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public.[[384]](#footnote-386) These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA has created the following small business size standard for such businesses: those having $41.5 million or less in annual receipts.[[385]](#footnote-387) The 2012 Economic Census reports that 751 firms in this category operated in that year.[[386]](#footnote-388) Of that number, 656 had annual receipts of $25,000,000 or less.[[387]](#footnote-389) Based on this data we therefore estimate that the majority of commercial television broadcasters are small entities under the applicable SBA size standard.
16. The Commission has estimated the number of licensed commercial television stations to be 1,377.[[388]](#footnote-390) Of this total, 1,258 stations (or about 91 percent) had revenues of $41.5 million or less, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Television Database (BIA) on November 16, 2017, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission has estimated the number of licensed noncommercial educational television stations to be 384.[[389]](#footnote-391) Notwithstanding, the Commission does not compile and otherwise does not have access to information on the revenue of NCE stations that would permit it to determine how many such stations would qualify as small entities. There are also 2,300 low power television stations, including Class A stations (LPTV) and 3,681 TV translator stations.[[390]](#footnote-392) Given the nature of these services, we will presume that all of these entities qualify as small entities under the above SBA small business size standard.
17. In assessing whether a business concern qualifies as “small” under the above definition, business (control) affiliations[[391]](#footnote-393) must be included. Our estimate, therefore, likely overstates the number of small entities that might be affected by our action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, another element of the definition of “small business” requires that an entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific television broadcast station is dominant in its field of operation. Accordingly, the estimate of small businesses to which rules may apply does not exclude any television station from the definition of a small business on this basis and is therefore possibly over-inclusive. Also, as noted above, an additional element of the definition of “small business” is that the entity must be independently owned and operated. The Commission notes that it is difficult at times to assess these criteria in the context of media entities and its estimates of small businesses to which they apply may be over-inclusive to this extent.
18. *Radio Stations.* This Economic Census category “comprises establishments primarily engaged in broadcasting aural programs by radio to the public. Programming may originate in their own studio, from an affiliated network, or from external sources.”[[392]](#footnote-394) The SBA has established a small business size standard for this category as firms having $41.5 million or less in annual receipts.[[393]](#footnote-395) Economic Census data for 2012 show that 2,849 radio station firms operated during that year.[[394]](#footnote-396) Of that number, 2,806 firms operated with annual receipts of less than $25 million per year, 17 with annual receipts between $25 million and $49,999,999 million and 26 with annual receipts of $50 million or more.[[395]](#footnote-397) Therefore, based on the SBA’s size standard the majority of such entities are small entities.
19. According to Commission staff review of the BIA/Kelsey, LLC’s Media Access Pro Radio Database as of January 2018, about 11,261 (or about 99.9 percent) of 11,383 commercial radio stations had revenues of $41.5 million or less and thus qualify as small entities under the SBA definition.[[396]](#footnote-398) The Commission has estimated the number of licensed commercial AM radio stations to be 4,633 stations and the number of commercial FM radio stations to be 6,738, for a total number of 11,371.[[397]](#footnote-399) We note the Commission has also estimated the number of licensed noncommercial (NCE) FM radio stations to be 4,128.[[398]](#footnote-400) Nevertheless, the Commission does not compile and otherwise does not have access to information on the revenue of NCE stations that would permit it to determine how many such stations would qualify as small entities. We also note, that in assessing whether a business entity qualifies as small under the above definition, business control affiliations must be included.[[399]](#footnote-401) The Commission’s estimate therefore likely overstates the number of small entities that might be affected by its action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, to be determined a “small business,” an entity may not be dominant in its field of operation.[[400]](#footnote-402) We further note, that it is difficult at times to assess these criteria in the context of media entities, and the estimate of small businesses to which these rules may apply does not exclude any radio station from the definition of a small business on these basis, thus our estimate of small businesses may therefore be over-inclusive. Also, as noted above, an additional element of the definition of “small business” is that the entity must be independently owned and operated. The Commission notes that it is difficult at times to assess these criteria in the context of media entities and the estimates of small businesses to which they apply may be over-inclusive to this extent.
20. *Cable Companies and Systems (Rate Regulation).* The Commission has also developed its own small business size standards, for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers nationwide.[[401]](#footnote-403) Industry data indicate that there are 4,600 active cable systems in the United States.[[402]](#footnote-404) Of this total, all but five cable operators nationwide are small under the 400,000-subscriber size standard.[[403]](#footnote-405) In addition, under the Commission’s rate regulation rules, a “small system” is a cable system serving 15,000 or fewer subscribers.[[404]](#footnote-406) Commission records show 4,600 cable systems nationwide.[[405]](#footnote-407) Of this total, 3,900 cable systems have fewer than 15,000 subscribers, and 700 systems have 15,000 or more subscribers, based on the same records.[[406]](#footnote-408) Thus, under this standard as well, we estimate that most cable systems are small entities.
21. *Cable System Operators (Telecom Act Standard).* The Communications Act of 1934, as amended, also contains a size standard for small cable system operators, which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed $250,000,000.”[[407]](#footnote-409) As of 2019, there were approximately 48,646,056 basic cable video subscribers in the United States.[[408]](#footnote-410) Accordingly, an operator serving fewer than 486,460 subscribers shall be deemed a small operator if its annual revenues, when combined with the total annual revenues of all its affiliates, do not exceed $250 million in the aggregate.[[409]](#footnote-411) Based on available data, we find that all but five cable operators are small entities under this size standard.[[410]](#footnote-412) We note that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed $250 million.[[411]](#footnote-413) Therefore, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.
22. *Direct Broadcast Satellite (DBS) Service.* DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic “dish” antenna at the subscriber’s location. DBS is included in SBA’s economic census category “Wired Telecommunications Carriers.”[[412]](#footnote-414) The Wired Telecommunications Carriers industry comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks.[[413]](#footnote-415) Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution; and wired broadband internet services.[[414]](#footnote-416) By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.[[415]](#footnote-417) The SBA determines that a wireline business is small if it has fewer than 1,500 employees.[[416]](#footnote-418) U.S. Census Bureau data for 2012 indicates that 3,117 wireline companies were operational during that year.[[417]](#footnote-419) Of that number, 3,083 operated with fewer than 1,000 employees.[[418]](#footnote-420) Based on that data, we conclude that the majority of wireline firms are small under the applicable SBA standard. Currently, however, only two entities provide DBS service, which requires a great deal of capital for operation: DIRECTV (owned by AT&T) and DISH Network.[[419]](#footnote-421) DIRECTV and DISH Network each report annual revenues that are in excess of the threshold for a small business. Accordingly, we must conclude that internally developed FCC data are persuasive that, in general, DBS service is provided only by large firms.
23. *All Other Telecommunications*. The **“**All Other Telecommunications” category is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.[[420]](#footnote-422) This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems.[[421]](#footnote-423) Establishments providing Internet services or voice over Internet protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.[[422]](#footnote-424) The SBA has developed a small business size standard for All Other Telecommunications, which consists of all such firms with annual receipts of $35 million or less.[[423]](#footnote-425) For this category, U.S. Census Bureau data for 2012 shows that there were 1,442 firms that operated for the entire year.[[424]](#footnote-426) Of those firms, a total of 1,400 had annual receipts less than $25 million and 15 firms had annual receipts of $25 million to $49, 999,999.[[425]](#footnote-427) Thus, the Commission estimates that the majority of “All Other Telecommunications” firms potentially affected by our action can be considered small.
24. *RespOrgs.*Responsible Organizations, or RespOrgs, are entities chosen by toll free subscribers to manage and administer the appropriate records in the toll free Service Management System for the toll free subscriber.[[426]](#footnote-428) Although RespOrgs are often wireline carriers, they can also include non-carrier entities. Therefore, in the definition herein of RespOrgs, two categories are presented, i.e., Carrier RespOrgs and Non-Carrier RespOrgs.
25. *Carrier RespOrgs.* Neither the Commission, the U.S. Census, nor the SBA have developed a definition for Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Carrier RespOrgs are Wired Telecommunications Carriers,[[427]](#footnote-429) and Wireless Telecommunications Carriers (except satellite).[[428]](#footnote-430)
26. The U.S. Census Bureau defines *Wired Telecommunications Carriers* as “establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.”[[429]](#footnote-431) The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.[[430]](#footnote-432) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.[[431]](#footnote-433) Of this total, 3,083 operated with fewer than 1,000 employees.[[432]](#footnote-434) Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.
27. The U.S. Census Bureau defines *Wireless Telecommunications Carriers (except satellite)* as establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves, such as cellular services, paging services, wireless internet access, and wireless video services.[[433]](#footnote-435) The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[[434]](#footnote-436) Census data for 2012 show that 967 Wireless Telecommunications Carriers operated in that year. Of that number, 955 operated with less than 1,000 employees.[[435]](#footnote-437) Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.
28. *Non-Carrier RespOrgs.* Neither the Commission, the U.S. Census, nor the SBA have developed a definition of Non-Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Non-Carrier RespOrgs are “Other Services Related to Advertising”[[436]](#footnote-438) and “Other Management Consulting Services.”[[437]](#footnote-439)
29. The U.S. Census defines *Other Services Related to Advertising*as comprising establishments primarily engaged in providing advertising services (except advertising agency services, public relations agency services, media buying agency services, media representative services, display advertising services, direct mail advertising services, advertising material distribution services, and marketing consulting services).[[438]](#footnote-440) The SBA has established a size standard for this industry as annual receipts of $16.5 million dollars or less.[[439]](#footnote-441) Census data for 2012 show that 5,804 firms operated in this industry for the entire year.[[440]](#footnote-442) Of that number, 5,612 operated with annual receipts of less than $10 million.[[441]](#footnote-443) Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.
30. The U.S. Census defines *Other Management Consulting Services*as establishments primarily engaged in providing management consulting services (except administrative and general management consulting; human resources consulting; marketing consulting; or process, physical distribution, and logistics consulting). Establishments providing telecommunications or utilities management consulting services are included in this industry.[[442]](#footnote-444) The SBA has established a size standard for this industry of $16.5 million dollars or less.[[443]](#footnote-445) Census data for 2012 show that 3,683 firms operated in this industry for that entire year.[[444]](#footnote-446) Of that number, 3,632 operated with less than $10 million in annual receipts. Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.[[445]](#footnote-447)
31. In addition to the data contained in the four (see above) U.S. Census NAICS code categories that provide definitions of what services and functions the Carrier and Non-Carrier RespOrgs provide, Somos, the trade association that monitors RespOrg activities, compiled data showing that as of July 1, 2016 there were 23 RespOrgs operational in Canada and 436 RespOrgs operational in the United States, for a total of 459 RespOrgs currently registered with Somos.

## Description of Projected Reporting, Recordkeeping and Other Compliance Requirements

1. This Report and Order does not adopt any new reporting, recordkeeping, or other compliance requirements.

## Steps Taken to Minimize Significant Economic Impact on Small Entities and Significant Alternatives Considered

1. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives, among others: (1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.[[446]](#footnote-448)
2. The methodology adopted by the Commission for using the population-based calculations for TV broadcasters was initially adopted because it is a fairer methodology for the smaller broadcasters. The Commission is using this methodology for this year, too. The changes for Puerto Rican broadcasters were adopted by the Commission in order to give relief for these broadcasters, some of which may be small entities, and the Commission is also using this methodology this year. Finally, the waiver process that we adopted previously and are continuing in 2021 was adopted to provide relief to entities that have suffered financial hardship in the COVID-19 pandemic, which includes small entities.
3. In addition, under the Commission’s de minimis rule, under section 9(e)(2) of the Act, a regulatee is exempt from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities is $1,000 or less for the fiscal year. The de minimis threshold applies only to filers of annual regulatory fees.

**APPENDIX J**

**Initial Regulatory Flexibility Analysis**

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),[[447]](#footnote-449) the Commission prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in the Notice of Proposed Rulemaking (*NPRM*). Written comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadline for comments on this *NPRM*. The Commission will send a copy of the *NPRM*, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).[[448]](#footnote-450) In addition, the *NPRM* and IRFA (or summaries thereof) will be published in the Federal Register.[[449]](#footnote-451)

## Need for, and Objectives of, the Proposed Rules

1. The *NPRM* seeks comment on a methodology for calculating regulatory fees, as required by section 9 of the Communications Act of 1934, as amended (Communications Act or Act),[[450]](#footnote-452) specifically for small satellites. The *NPRM* seeks comment on various factors, such as rulemakings, adjudications, and international coordination, that are relevant to systems authorized under the Commission’s small satellite process, and on the Commission’s earlier tentative conclusion that approximately 1/20 of FTEs are engaged in ongoing regulatory work related to small satellite systems. Specifically, the Commission observes that in assessing the regulatory fee for such small satellite NGSO systems, there are a number of factors to consider, including the fact that a single system may have multiple licenses, and therefore multiple call signs. The Commission also seeks comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service.  Additionally, the Commission notes that there are a number of limitations on small satellite licensees and market access grantees that limit the benefits such entities may receive from ongoing activities of the Commission. The Commission observes that such systems are by definition not authorized through processing rounds, and while small satellites may receive interference protection when operating in frequency bands allocated for the service they are providing, such satellites must be compatible with existing operations in the requested frequency bands and not materially constrain future operations of other satellites in those frequency bands. Moreover, small satellite licensees are limited to a license term not to exceed six years. Given these limitations, and taking into consideration the regulatory benefits that may be associated with a single license, the Commission proposes a flat regulatory fee for small satellite licenses and market access grants that would be not change based on the number of small satellite fee payors in a given fiscal year. Specifically, the Commission proposes a flat fee for small satellites that would be equal to 1/20th of the fee applicable to each NGSO systems in “other” NGSO subcategory. The Commission seeks comment on this proposal in the *NPRM*.
2. This regulatory fee *NPRM* is needed because the Commission is required by Congress to adopt regulatory fees each year “to recover the costs of carrying out the activities described in section 6(a) only to the extent, and in the total amounts, provided for in Appropriation Acts.”[[451]](#footnote-453) The objective of the *NPRM* is to determine a methodology for calculating small satellite regulatory fees.

## Legal Basis

1. This action, including publication of proposed rules, is authorized under sections (4)(i) and (j), 159, and 303(r) of the Communications Act of 1934, as amended.[[452]](#footnote-454)

## Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

1. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted.[[453]](#footnote-455) The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”[[454]](#footnote-456) In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.[[455]](#footnote-457) A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.[[456]](#footnote-458)
2. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe here, at the outset, three broad groups of small entities that could be directly affected herein.[[457]](#footnote-459) First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration’s (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees.[[458]](#footnote-460) These types of small businesses represent 99.9% of all businesses in the United States, which translates to 30.7 million businesses.[[459]](#footnote-461)
3. Next, the type of small entity described as a “small organization” is generally “any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.”[[460]](#footnote-462) The Internal Revenue Service (IRS) uses a revenue benchmark of $50,000 or less to delineate its annual electronic filing requirements for small exempt organizations.[[461]](#footnote-463) Nationwide, for tax year 2018, there were approximately 571,709 small exempt organizations in the U.S. reporting revenues of $50,000 or less according to the registration and tax data for exempt organizations available from the IRS.[[462]](#footnote-464)
4. Finally, the small entity described as a “small governmental jurisdiction” is defined generally as “governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.”[[463]](#footnote-465) U.S. Census Bureau data from the 2017 Census of Governments[[464]](#footnote-466) indicate that there were 90,075 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.[[465]](#footnote-467) Of this number there were 36,931 general purpose governments (county[[466]](#footnote-468), municipal and town or township[[467]](#footnote-469)) with populations of less than 50,000 and 12,040 special purpose governments - independent school districts[[468]](#footnote-470) with enrollment populations of less than 5ll governmental jurisdictions.”[[469]](#footnote-471)
5. *Wired Telecommunications Carriers.* The U.S. Census Bureau defines this industry as “establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including Voice over Internet Protocol (VoIP) services, wired (cable and IPTV) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.”[[470]](#footnote-472) The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.[[471]](#footnote-473) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.[[472]](#footnote-474) Of this total, 3,083 operated with fewer than 1,000 employees.[[473]](#footnote-475) Thus, under this size standard, the majority of firms in this industry can be considered small.
6. *Local Exchange Carriers (LECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. The closest applicable NAICS Code category is Wired Telecommunications Carriers.[[474]](#footnote-476) Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.[[475]](#footnote-477) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated for the entire year.[[476]](#footnote-478) Of that total, 3,083 operated with fewer than 1,000 employees.[[477]](#footnote-479) Thus under this category and the associated size standard, the Commission estimates that the majority of local exchange carriers are small entities.
7. *Incumbent LECs.* Neither the Commission nor the SBA has developed a small business size standard specifically for incumbent local exchange services. The closest applicable NAICS Code category is Wired Telecommunications Carriers.[[478]](#footnote-480) Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.[[479]](#footnote-481) U.S. Census Bureau data for 2012 indicate that 3,117 firms operated the entire year.[[480]](#footnote-482) Of this total, 3,083 operated with fewer than 1,000 employees.[[481]](#footnote-483) Consequently, the Commission estimates that most providers of incumbent local exchange service are small businesses that may be affected by our actions. According to Commission data, one thousand three hundred and seven (1,307) Incumbent Local Exchange Carriers reported that they were incumbent local exchange service providers.[[482]](#footnote-484) Of this total, an estimated 1,006 have 1,500 or fewer employees.[[483]](#footnote-485) Thus, using the SBA’s size standard the majority of incumbent LECs can be considered small entities.
8. *Competitive Local Exchange Carriers (Competitive LECs), Competitive Access Providers (CAPs), Shared-Tenant Service Providers, and Other Local Service Providers.* Neither the Commission nor the SBA has developed a small business size standard specifically for these service providers. The appropriate NAICS Code category is Wired Telecommunications Carriers and under that size standard, such a business is small if it has 1,500 or fewer employees.[[484]](#footnote-486)  U.S. Census Bureau data for 2012 indicate that 3,117 firms operated during that year.[[485]](#footnote-487) Of that number, 3,083 operated with fewer than 1,000 employees.[[486]](#footnote-488) Based on these data, the Commission concludes that the majority of Competitive LECS, CAPs, Shared-Tenant Service Providers, and Other Local Service Providers, are small entities. According to Commission data, 1,442 carriers reported that they were engaged in the provision of either competitive local exchange services or competitive access provider services.[[487]](#footnote-489) Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees.[[488]](#footnote-490) In addition, 17 carriers have reported that they are Shared-Tenant Service Providers, and all 17 are estimated to have 1,500 or fewer employees.[[489]](#footnote-491) Also, 72 carriers have reported that they are Other Local Service Providers.[[490]](#footnote-492)  Of this total, 70 have 1,500 or fewer employees.[[491]](#footnote-493) Consequently, based on internally researched FCC data, the Commission estimates that most providers of competitive local exchange service, competitive access providers, Shared-Tenant Service Providers, and Other Local Service Providers are small entities.
9. *Interexchange Carriers (IXCs).* Neither the Commission nor the SBA has developed a small business size standard specifically for Interexchange Carriers. The closest applicable NAICS Code category is Wired Telecommunications Carriers.[[492]](#footnote-494) The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[[493]](#footnote-495) U.S. Census Bureau data for 2012 indicate that 3,117 firms operated for the entire year.[[494]](#footnote-496) Of that number, 3,083 operated with fewer than 1,000 employees.[[495]](#footnote-497) According to internally developed Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services.[[496]](#footnote-498) Of this total, an estimated 317 have 1,500 or fewer employees.[[497]](#footnote-499) Consequently, the Commission estimates that the majority of interexchange service providers are small entities.
10. *Prepaid Calling Card Providers.* Neither the Commission nor the SBA has developed a small business size standard specifically for prepaid calling card providers. The appropriate NAICS code category for prepaid calling card providers is Telecommunications Resellers. This industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry.[[498]](#footnote-500) The SBA has developed a small business size standard for the category of Telecommunications Resellers.[[499]](#footnote-501) Under that size standard, such a business is small if it has 1,500 or fewer employees.[[500]](#footnote-502) U.S. Census Bureau data for 2012 show that 1,341 firms provided resale services during that year.[[501]](#footnote-503) Of that number, 1,341 operated with fewer than 1,000 employees.[[502]](#footnote-504) Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 193 carriers have reported that they are engaged in the provision of prepaid calling cards.[[503]](#footnote-505) All 193 carriers have 1,500 or fewer employees.[[504]](#footnote-506) Consequently, the Commission estimates that the majority of prepaid calling card providers are small.
11. *Local Resellers*. The SBA has not developed a small business size standard specifically for Local Resellers. The SBA category of Telecommunications Resellers is the closest NAICs code category for local resellers. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual network operators (MVNOs) are included in this industry.[[505]](#footnote-507) Under the SBA’s size standard, such a business is small if it has 1,500 or fewer employees.[[506]](#footnote-508) U.S. Census Bureau data from 2012 show that 1,341 firms provided resale services during that year.[[507]](#footnote-509) Of that number, all operated with fewer than 1,000 employees.[[508]](#footnote-510) Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 213 carriers have reported that they are engaged in the provision of local resale services.[[509]](#footnote-511) Of these, an estimated 211 have 1,500 or fewer employees and two have more than 1,500 employees.[[510]](#footnote-512) Consequently, the Commission estimates that the majority of local resellers are small entities.
12. *Toll Resellers.* The Commission has not developed a definition for Toll Resellers. The closest NAICS Code Category is Telecommunications Resellers. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. MVNOs are included in this industry.[[511]](#footnote-513) The SBA has developed a small business size standard for the category of Telecommunications Resellers.[[512]](#footnote-514) Under that size standard, such a business is small if it has 1,500 or fewer employees.[[513]](#footnote-515) 2012 Census Bureau data show that 1,341 firms provided resale services during that year.[[514]](#footnote-516) Of that number, 1,341 operated with fewer than 1,000 employees.[[515]](#footnote-517) Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 881 carriers have reported that they are engaged in the provision of toll resale services.[[516]](#footnote-518) Of this total, an estimated 857 have 1,500 or fewer employees.[[517]](#footnote-519) Consequently, the Commission estimates that the majority of toll resellers are small entities.
13. *Other Toll Carriers.* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. The closest applicable NAICS code category is for Wired Telecommunications Carriers, as defined in paragraph 6 of this IRFA. Under that size standard, such a business is small if it has 1,500 or fewer employees.[[518]](#footnote-520) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.[[519]](#footnote-521) Of this total, 3,083 operated with fewer than 1,000 employees.[[520]](#footnote-522) Thus, under this size standard, the majority of firms in this industry can be considered small. According to Commission data, 284 companies reported that their primary telecommunications service activity was the provision of other toll carriage.[[521]](#footnote-523) Of these, an estimated 279 have 1,500 or fewer employees.[[522]](#footnote-524) Consequently, the Commission estimates that most Other Toll Carriers are small entities.
14. *Wireless Telecommunications Carriers (except Satellite).* This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless internet access, and wireless video services.[[523]](#footnote-525) The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[[524]](#footnote-526) For this industry, U.S. Census Bureau data for 2012 show that there were 967 firms that operated for the entire year.[[525]](#footnote-527) Of this total, 955 firms had employment of 999 or fewer employees and 12 had employment of 1000 employees or more.[[526]](#footnote-528) Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities.
15. *Television Broadcasting.* This Economic Census category “comprises establishments primarily engaged in broadcasting images together with sound.”[[527]](#footnote-529) These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public.[[528]](#footnote-530) These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA has created the following small business size standard for such businesses: those having $41.5 million or less in annual receipts.[[529]](#footnote-531) The 2012 Economic Census reports that 751 firms in this category operated in that year.[[530]](#footnote-532) Of that number, 656 had annual receipts of $25,000,000 or less.[[531]](#footnote-533) Based on this data we therefore estimate that the majority of commercial television broadcasters are small entities under the applicable SBA size standard.
16. The Commission has estimated the number of licensed commercial television stations to be 1,377.[[532]](#footnote-534) Of this total, 1,258 stations (or about 91 percent) had revenues of $41.5 million or less, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Television Database (BIA) on November 16, 2017, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission has estimated the number of licensed noncommercial educational television stations to be 384.[[533]](#footnote-535) Notwithstanding, the Commission does not compile and otherwise does not have access to information on the revenue of NCE stations that would permit it to determine how many such stations would qualify as small entities. There are also 2,300 low power television stations, including Class A stations (LPTV) and 3,681 TV translator stations.[[534]](#footnote-536) Given the nature of these services, we will presume that all of these entities qualify as small entities under the above SBA small business size standard.
17. In assessing whether a business concern qualifies as “small” under the above definition, business (control) affiliations[[535]](#footnote-537) must be included. Our estimate, therefore, likely overstates the number of small entities that might be affected by our action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, another element of the definition of “small business” requires that an entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific television broadcast station is dominant in its field of operation. Accordingly, the estimate of small businesses to which rules may apply does not exclude any television station from the definition of a small business on this basis and is therefore possibly over-inclusive. Also, as noted above, an additional element of the definition of “small business” is that the entity must be independently owned and operated. The Commission notes that it is difficult at times to assess these criteria in the context of media entities and its estimates of small businesses to which they apply may be over-inclusive to this extent.
18. *Radio Stations.* This Economic Census category “comprises establishments primarily engaged in broadcasting aural programs by radio to the public. Programming may originate in their own studio, from an affiliated network, or from external sources.”[[536]](#footnote-538) The SBA has established a small business size standard for this category as firms having $41.5 million or less in annual receipts.[[537]](#footnote-539) Economic Census data for 2012 show that 2,849 radio station firms operated during that year.[[538]](#footnote-540) Of that number, 2,806 firms operated with annual receipts of less than $25 million per year, 17 with annual receipts between $25 million and $49,999,999 million and 26 with annual receipts of $50 million or more.[[539]](#footnote-541) Therefore, based on the SBA’s size standard the majority of such entities are small entities.
19. According to Commission staff review of the BIA/Kelsey, LLC’s Media Access Pro Radio Database as of January 2018, about 11,261 (or about 99.9 percent) of 11,383 commercial radio stations had revenues of $41.5 million or less and thus qualify as small entities under the SBA definition.[[540]](#footnote-542) The Commission has estimated the number of licensed commercial AM radio stations to be 4,633 stations and the number of commercial FM radio stations to be 6,738, for a total number of 11,371.[[541]](#footnote-543) We note the Commission has also estimated the number of licensed noncommercial (NCE) FM radio stations to be 4,128.[[542]](#footnote-544) Nevertheless, the Commission does not compile and otherwise does not have access to information on the revenue of NCE stations that would permit it to determine how many such stations would qualify as small entities. We also note, that in assessing whether a business entity qualifies as small under the above definition, business control affiliations must be included.[[543]](#footnote-545) The Commission’s estimate therefore likely overstates the number of small entities that might be affected by its action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, to be determined a “small business,” an entity may not be dominant in its field of operation.[[544]](#footnote-546) We further note, that it is difficult at times to assess these criteria in the context of media entities, and the estimate of small businesses to which these rules may apply does not exclude any radio station from the definition of a small business on these basis, thus our estimate of small businesses may therefore be over-inclusive. Also, as noted above, an additional element of the definition of “small business” is that the entity must be independently owned and operated. The Commission notes that it is difficult at times to assess these criteria in the context of media entities and the estimates of small businesses to which they apply may be over-inclusive to this extent.
20. *Cable Companies and Systems (Rate Regulation).* The Commission has also developed its own small business size standards, for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers nationwide.[[545]](#footnote-547) Industry data indicate that there are 4,600 active cable systems in the United States.[[546]](#footnote-548) Of this total, all but five cable operators nationwide are small under the 400,000-subscriber size standard.[[547]](#footnote-549) In addition, under the Commission’s rate regulation rules, a “small system” is a cable system serving 15,000 or fewer subscribers.[[548]](#footnote-550) Commission records show 4,600 cable systems nationwide.[[549]](#footnote-551) Of this total, 3,900 cable systems have fewer than 15,000 subscribers, and 700 systems have 15,000 or more subscribers, based on the same records.[[550]](#footnote-552) Thus, under this standard as well, we estimate that most cable systems are small entities.
21. *Cable System Operators (Telecom Act Standard).* The Communications Act of 1934, as amended, also contains a size standard for small cable system operators, which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed $250,000,000.”[[551]](#footnote-553) As of 2019, there were approximately 48,646,056 basic cable video subscribers in the United States.[[552]](#footnote-554) Accordingly, an operator serving fewer than 486,460 subscribers shall be deemed a small operator if its annual revenues, when combined with the total annual revenues of all its affiliates, do not exceed $250 million in the aggregate.[[553]](#footnote-555) Based on available data, we find that all but five cable operators are small entities under this size standard.[[554]](#footnote-556) We note that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed $250 million.[[555]](#footnote-557) Therefore, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.
22. *Direct Broadcast Satellite (DBS) Service.* DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic “dish” antenna at the subscriber’s location. DBS is included in SBA’s economic census category “Wired Telecommunications Carriers.”[[556]](#footnote-558) The Wired Telecommunications Carriers industry comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks.[[557]](#footnote-559) Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution; and wired broadband internet services.[[558]](#footnote-560) By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.[[559]](#footnote-561) The SBA determines that a wireline business is small if it has fewer than 1,500 employees.[[560]](#footnote-562) U.S. Census Bureau data for 2012 indicates that 3,117 wireline companies were operational during that year.[[561]](#footnote-563) Of that number, 3,083 operated with fewer than 1,000 employees.[[562]](#footnote-564) Based on that data, we conclude that the majority of wireline firms are small under the applicable SBA standard. Currently, however, only two entities provide DBS service, which requires a great deal of capital for operation: DIRECTV (owned by AT&T) and DISH Network.[[563]](#footnote-565) DIRECTV and DISH Network each report annual revenues that are in excess of the threshold for a small business. Accordingly, we must conclude that internally developed FCC data are persuasive that, in general, DBS service is provided only by large firms.
23. *All Other Telecommunications*. The **“**All Other Telecommunications” category is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.[[564]](#footnote-566) This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems.[[565]](#footnote-567) Establishments providing Internet services or voice over Internet protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.[[566]](#footnote-568) The SBA has developed a small business size standard for All Other Telecommunications, which consists of all such firms with annual receipts of $35 million or less.[[567]](#footnote-569) For this category, U.S. Census Bureau data for 2012 shows that there were 1,442 firms that operated for the entire year.[[568]](#footnote-570) Of those firms, a total of 1,400 had annual receipts less than $25 million and 15 firms had annual receipts of $25 million to $49, 999,999.[[569]](#footnote-571) Thus, the Commission estimates that the majority of “All Other Telecommunications” firms potentially affected by our action can be considered small.
24. *RespOrgs.*Responsible Organizations, or RespOrgs, are entities chosen by toll free subscribers to manage and administer the appropriate records in the toll free Service Management System for the toll free subscriber.[[570]](#footnote-572) Although RespOrgs are often wireline carriers, they can also include non-carrier entities. Therefore, in the definition herein of RespOrgs, two categories are presented, i.e., Carrier RespOrgs and Non-Carrier RespOrgs.
25. *Carrier RespOrgs.* Neither the Commission, the U.S. Census, nor the SBA have developed a definition for Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Carrier RespOrgs are Wired Telecommunications Carriers,[[571]](#footnote-573) and Wireless Telecommunications Carriers (except satellite).[[572]](#footnote-574)
26. The U.S. Census Bureau defines *Wired Telecommunications Carriers* as “establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.”[[573]](#footnote-575) The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.[[574]](#footnote-576) U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.[[575]](#footnote-577) Of this total, 3,083 operated with fewer than 1,000 employees.[[576]](#footnote-578) Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.
27. The U.S. Census Bureau defines *Wireless Telecommunications Carriers (except satellite)* as establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves, such as cellular services, paging services, wireless internet access, and wireless video services.[[577]](#footnote-579) The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[[578]](#footnote-580) Census data for 2012 show that 967 Wireless Telecommunications Carriers operated in that year. Of that number, 955 operated with less than 1,000 employees.[[579]](#footnote-581) Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.
28. *Non-Carrier RespOrgs.* Neither the Commission, the U.S. Census, nor the SBA have developed a definition of Non-Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Non-Carrier RespOrgs are “Other Services Related to Advertising”[[580]](#footnote-582) and “Other Management Consulting Services.”[[581]](#footnote-583)
29. The U.S. Census defines *Other Services Related to Advertising*as comprising establishments primarily engaged in providing advertising services (except advertising agency services, public relations agency services, media buying agency services, media representative services, display advertising services, direct mail advertising services, advertising material distribution services, and marketing consulting services).[[582]](#footnote-584) The SBA has established a size standard for this industry as annual receipts of $16.5 million dollars or less.[[583]](#footnote-585) Census data for 2012 show that 5,804 firms operated in this industry for the entire year.[[584]](#footnote-586) Of that number, 5,612 operated with annual receipts of less than $10 million.[[585]](#footnote-587) Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.
30. The U.S. Census defines *Other Management Consulting Services*as establishments primarily engaged in providing management consulting services (except administrative and general management consulting; human resources consulting; marketing consulting; or process, physical distribution, and logistics consulting). Establishments providing telecommunications or utilities management consulting services are included in this industry.[[586]](#footnote-588) The SBA has established a size standard for this industry of $16.5 million dollars or less.[[587]](#footnote-589) Census data for 2012 show that 3,683 firms operated in this industry for that entire year.[[588]](#footnote-590) Of that number, 3,632 operated with less than $10 million in annual receipts. Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.[[589]](#footnote-591)
31. In addition to the data contained in the four (see above) U.S. Census NAICS code categories that provide definitions of what services and functions the Carrier and Non-Carrier RespOrgs provide, Somos, the trade association that monitors RespOrg activities, compiled data showing that as of July 1, 2016 there were 23 RespOrgs operational in Canada and 436 RespOrgs operational in the United States, for a total of 459 RespOrgs currently registered with Somos.

## Description of Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

1. This *NPRM* does not propose any changes to the Commission’s current information collection, reporting, recordkeeping, or compliance requirements. Licensees, including small entities, will be required to pay application fees after such fees are adopted.

## Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

1. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives, among others: (1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.[[590]](#footnote-592)
2. The *NPRM* seeks comment on a methodology to calculate regulatory fees for small satellites. These small satellite systems are NGSOs; however, the Commission is proposing assessing a much smaller regulatory fee than the fee currently assessed on other NGSO systems. This new methodology would minimize the impact on small entities because the fee would be much lower than the existing NGSO fee. We also seek comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service.  We also seek comment on possible methodologies for re-calculating the regulatory fee allocation.
3. In addition, the Commission has taken steps to minimize the economic impact on small entities by adopting a de minimis threshold under the section 9(e)(2) exemption in the Act. Under the section 9(e)(2) exemption, a regulatee is exempt from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities is $1,000 or less for the fiscal year. The threshold applies only to filers of annual regulatory fees, not regulatory fees paid through multi-year filings.

## Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules

1. None.

**APPENDIX K**

**Rule Changes**

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

**PART 1 – PRACTICE AND PROCEDURE**

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

Authority: [TO BE INSERTED PRIOR FEDERAL REGISTER PUBLICATION]

1. Section 1.1151 of the Commission’s rules is revised to read as follows:

§1.1151 Authority to prescribe and collect regulatory fees.

Authority to impose and collect regulatory fees is contained in section 9 of the Communications Act, as amended by sections 101-103 of title I of the Consolidated Appropriations Act of 2018 (Pub. L 115-141, 132 Stat. 1084), 47 U.S.C. 159, which directs the Commission to prescribe and collect annual regulatory fees to recover the cost of carrying out the functions of the Commission.

2. Section 1.1152 is revised to read as follows:

**§ 1.1152 Schedule of annual regulatory fees for wireless radio services.**

**Exclusive use services (per license) Fee Amount**[[591]](#footnote-593)

**1. Land Mobile (Above 470**

**MHz and 220 MHz Local,**

**Base Station & SMRS)**

**(47 CFR part 90)**

a)New, Renew/Mod $25.00

(FCC 601 & 159)

b) New, Renew/Mod $25.00

(Electronic Filing)

(FCC 601 & 159)

c)Renewal Only $25.00

(FCC 601 & 159)

d)Renewal Only $25.00

(Electronic Filing)

(FCC 601 & 159)

**220 MHz Nationwide** $25.00

a)New, Renew/Mod

(FCC 601 & 159)

b)New, Renew/Mod $25.00

(Electronic Filing)

(FCC 601 & 159)

c)Renewal Only $25.00

(FCC 601 & 159)

d)Renewal Only $25.00

(Electronic Filing)

(FCC 601 & 159)

**2. Microwave (47 CFR Pt. 101) (Private)**

a)New, Renew/Mod $25.00

(FCC 601 & 159)

b)New, Renew/Mod $25.00

(Electronic Filing)

(FCC 601 & 159)

c)Renewal Only $25.00

(FCC 601 & 159)

d)Renewal Only $25.00

(Electronic Filing)

(FCC 601 & 159)

**3. Shared Use Services**

**Land Mobile (Frequencies**

**Below 470 MHz – except**

**220 MHz)**

a)New, Renew/Mod $10.00

(FCC 601 & 159)

b) New, Renew/Mod $10.00

(Electronic Filing)

(FCC 601 & 159)

c)Renewal Only $10.00

(FCC 601 & 159)

d)Renewal Only $10.00

(Electronic Filing)

(FCC 601 & 159)

**Rural Radio (Part 22)**

a)New, Additional Facility, $10.00

Major Renew/Mod

(Electronic Filing)

(FCC 601 & 159)

b)Renewal, Minor Renew/Mod $10.00

(Electronic Filing)

(FCC 601 & 159)

**Marine Coast**

a)New Renewal/Mod $40.00

(FCC 601 & 159)

b)New, Renewal/Mod $40.00

(Electronic Filing)

(FCC 601 & 159)

c)Renewal Only $40.00

(FCC 601 & 159)

d)Renewal Only $40.00

(Electronic Filing)

(FCC 601 & 159)

**Aviation Ground**

a)New, Renewal/Mod $20.00

(FCC 601 & 159)

b)New, Renewal/Mod $20.00

(Electronic Filing)

(FCC 601 & 159)

c)Renewal Only $20.00

(FCC 601 & 159)

d)Renewal Only $20.00

(Electronic Only)

(FCC 601 & 159)

**Marine Ship**

a)New, Renewal/Mod $15.00

(FCC 605 & 159)

b)New, Renewal/Mod $15.00

(Electronic Filing)

(FCC 605 & 159)

c)Renewal Only $15.00

(FCC 605 & 159)

d)Renewal Only $15.00

(Electronic Filing)

(FCC 605 & 159)

**Aviation Aircraft**

a)New, Renew/Mod $10.00

(FCC 605 & 159)

b)New, Renew/Mod $10.00

(Electronic Filing)

(FCC 605 & 159)

c)Renewal Only $10.00

(FCC 605 & 159)

d)Renewal Only $10.00

(Electronic Filing)

(FCC 605 & 159)

**4. CMRS Cellular/Mobile Services** $ .15[[592]](#footnote-594)

**(per unit)**

(FCC 159)

**5. CMRS Messaging Services** $ .08[[593]](#footnote-595)

**(per unit)**

(FCC 159)

**6. Broadband Radio Service** $ 605

(formerly MMDS and MDS)

**7. Local Multipoint Distribution Service** $ 605

3. Section 1.1153 is revised to read as follows:

§ 1.1153 Schedule of annual regulatory fees and filing locations for mass media services.

**Radio [AM and FM] (47 CFR part 73) Fee Amount**

1. AM Class A

<=25,000 population $ 975

25,001-75,000 population $1,465

75,001-150,000 population $2,195

150,001-500,000 population $3,295

500,001-1,200,000 population $4,935

1,200,001-3,000,000 population $7,410

3,000,001-6,000,000 population $11,105

>6,000,000 population $16,665

2. AM Class B

<=25,000 population $700

25,001-75,000 population $1,050

75,001-150,000 population $1,575

150,001-500,000 population $2,365

500,001-1,200,000 population $3,540

1,200,001-3,000,000 population $5,320

3,000,001-6,000,000 population $7,975

>6,000,000 population $11,965

3. AM Class C

<=25,000 population $610

25,001-75,000 population $915

75,001-150,000 population $1,375

150,001-500,000 population $2,060

500,001-1,200,000 population $3,085

1,200,001-3,000,000 population $4,635

3,000,001-6,000,000 population $6,950

>6,000,000 population $10,425

4. AM Class D

<=25,000 population $670

25,001-75,000 population $1,000

75,001-150,000 population $1,510

150,001-500,000 population $2,265

500,001-1,200,000 population $3,390

1,200,001-3,000,000 population $5,090

3,000,001-6,000,000 population $7,630

>6,000,000 population $11,450

5. AM Construction Permit $610

6. FM Classes A, B1 and C3

<=25,000 population $1,070

25,001-75,000 population $1,605

75,001-150,000 population $2,410

150,001-500,000 population $3,615

500,001-1,200,000 population $5,415

1,200,001-3,000,000 population $8,130

3,000,001-6,000,000 population $12,185

>6,000,000 population $18,285

7. FM Classes B, C, C0, C1 and C2

<=25,000 population $1,220

25,001-75,000 population $1,830

75,001-150,000 population $2,745

150,001-500,000 population $4,125

500,001-1,200,000 population $6,175

1,200,001-3,000,000 population $9,270

3,000,001-6,000,000 population $13,895

>6,000,000 population $20,850

8. FM Construction Permits $1,070

**TV (47 CFR, part 73)**

**Digital TV (UHF and VHF Commercial Stations)**

1. Digital TV Construction Permits $5,100

2.Television Fee Factor $.007793 per population count

**Low Power TV, Class A TV, TV/FM** $ 320

**Translator, & FM Booster**

**(47 CFR part 74)**

4. Section 1.1154 is revised to read as follows:

**§ 1.1154 Schedule of annual regulatory charges for common carrier services.**

**Radio Facilities Fee Amount**

1. Microwave (Domestic Public Fixed) $25.00

(Electronic Filing)

(FCC Form 601 & 159)

**Carriers**

1. Interstate Telephone Service Providers $ .00400

(per interstate and international end-user

revenues (see FCC Form 499-A)

2. Toll Free Number Fee $.12 per Toll Free Number

5. Section 1.1155 is revised to read as follows:

**§ 1.1155 Schedule of regulatory fees for cable television services.**

**Fee Amount**

1. Cable Television Relay Service $1,555

2. Cable TV System, Including IPTV $ .98

and DBS (per subscriber)

6. Section 1.1156 is revised to read as follows:

**§ 1.1156 Schedule of regulatory fees for international services.**

a.         The following schedule applies for the listed services:

|  |  |
| --- | --- |
| Fee Category | Fee Amount |
| Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100) | $116,855 |
| Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other) | $343,555 |
| Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex) | $122,695 |
| Earth Stations:  Transmit/Receive & Transmit only (per authorization  or registration) | $595 |

b.         *International Terrestrial and Satellite*.  Regulatory fees for International Bearer Circuits are to be paid by facilities-based common carriers that have active (used or leased) international bearer circuits as of December 31 of the prior year in any terrestrial or satellite transmission facility for the provision of service to an end user or resale carrier, which includes active circuits to themselves or to their affiliates.   In addition, non-common carrier terrestrial and satellite operators must pay a fee for each circuit sold or leased to any customer, including themselves or their affiliates, other than an international common carrier authorized by the Commission to provide U.S. international common carrier services.  “Active circuits” for these purposes include backup and redundant circuits.  In addition, whether circuits are used specifically for voice or data is not relevant in determining that they are active circuits.

The fee amount, per active Gbps circuit will be determined for each fiscal year.

|  |  |
| --- | --- |
| International Terrestrial and Satellite (capacity as of December 31, 2020) | Fee Amount |
| Terrestrial Common Carrier and Non Common Carrier  Satellite Common Carrier and Non-Common Carrier | $43 per Gbps circuit |

c.         *Submarine cable:* Regulatory fees for submarine cable systems will be paid annually, per cable landing license, for all submarine cable systems operating as of December 31 of the prior year.  The fee amount will be determined by the Commission for each fiscal year.

FY 2020 International Bearer Circuits - Submarine Cable Systems

|  |  |  |
| --- | --- | --- |
| **Submarine Cable Systems**  **(capacity as of December 31, 2020)** | **Fee Ratio** | **FY 2021 Regulatory Fees** |
| Less than 50 Gbps | .0625 Units | $9,495 |
| 50 Gbps or greater, but less than 250 Gbps | .125 Units | $18,990 |
| 250 Gbps or greater, but less than 1,500 Gbps | .25 Units | $37,980 |
| 1,500 Gbps or greater, but less than 3,500 Gbps | .5 Units | $75,955 |
| 3,500 Gbps or greater, but less than 6,500 Gbps | 1.0 Unit | $151,910 |
| 6,500 Gbps or greater | 2.0 Units | $303,820 |

**Statement of**

**ACTING CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Assessment and Collection of Regulatory Fees for Fiscal Year 2021,* MD Docket No. 21-190, Report and Order and Notice of Proposed Rulemaking.

Each year, the Commission is required by Congress to assess regulatory fees in an amount equal to its annual appropriation. This year, we not only fulfill this statutory requirement, we also look forward and seek comment on how we might modernize our regulatory fee policies. Just as importantly, we ask how if changes are made, they can be done in an administrable way. I appreciate the interest and input from my colleagues in this effort and am grateful to the agency staff who worked on this effort. I look forward to the record that develops.

**STATEMENT OF**

**COMMISSIONER** **BRENDAN CARR**

Re: *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, MD Docket No. 21-190*.*

​I would like to thank my colleagues for working together to more appropriately tailor the regulatory fee collection for our implementation of the Broadband DATA Act.  I would also like to thank them for agreeing to expand the Notice of Proposed Rulemaking to seek comment on whether to update the regulatory fee categories to include large technology companies.  Finally, I would like to thank the staff for their hard work on the item. I look forward to reviewing the record.

**STATEMENT OF**

**COMMISSIONER** **NATHAN SIMINGTON**

Re: *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, MD Docket No. 21-190*.*

Every year, the Commission must collect regulatory fees, generally under a punishing statutory deadline. It is perhaps no one's favorite task, but it is among the most essential of Commission functions. I am humbled by the hard work of my colleagues on the Commission, and particularly of staff, to get the item over the line this year.

I had concerns about the initial draft of this item that ably were addressed in a round of substantial edits. Extending her record of bipartisan leadership, Acting Chairwoman Rosenworcel and her staff shepherded the item through to completion, with thoughtful input from other offices. I believe the resulting report and order, and notice of proposed rulemaking, to be fairer reflections of what the law requires us to do.

Commission staff are the best in the business, which they daily prove. But even though our expectations of them may be high given their uniform dedication and excellence, I believe those high expectations somehow have been exceeded in this instance. To everyone who worked to complete this item, I offer my sincere gratitude.

1. *See* 47 U.S.C. §§ 156, 159. The regulatory fee collection is guided by both the statutory authority in sections 156 and 159 of the Communications Act of 1934, as amended (Communications Act or Act), and the explicit language of each fiscal year’s salaries and expenses appropriation directing the amount to be collected as an offsetting collection. Federal Communications Commission of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Div. E, Title V, 134 Stat. 1182 (2020) (Consolidated Appropriations Act, 2021) (appropriating $374,000,000 to the Commission for salaries and expenses and directing the Commission to collect $374,000,000 in offsetting collections for fiscal year (FY) 2021). Of the $374,000,000 appropriation, Congress directed that “$33,000,000 shall be made available until expended for implementing Title VIII of the Communications Act of 1934 (47 U.S.C. 641 et seq.), as added by the Broadband DATA Act (Public Law 116–130).” *Id*. The Broadband Deployment Accuracy and Technology Availability Act, Pub. L. No. 116-130, 134 Stat. 228 (2020) (codified at 47 U.S.C. §§ 641-646) (Broadband DATA Act) contemplated that a future appropriation for implementations costs might be partially offset by regulatory fees.  Section 805 of the Broadband DATA Act provides that the Commission “may not use funds from the universal service programs” to pay for any costs associated with the Broadband DATA Act, but the Commission “may recover costs associated with this title under section 9 to the extent provided for in an appropriation Act, as required under subsection (a) of that section.” The Broadband DATA Act is available at <https://www.congress.gov/116/plaws/publ130/PLAW-116publ130.pdf>. Separately, Congress has appropriated an additional $65 million for Broadband DATA Act implementation, which is not recovered through regulatory fees. Consolidated Appropriations Act, 2021, Division N, Title IX, section 906. [↑](#footnote-ref-3)
2. *See* 47 U.S.C. § 159(a), (b). [↑](#footnote-ref-4)
3. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2004*, Report and Order, 19 FCC Rcd 11662, 11666, para. 11 (2004) (*FY 2004 Report and Order*). [↑](#footnote-ref-5)
4. 47 U.S.C. § 159(e)(1). [↑](#footnote-ref-6)
5. 47 U.S.C. § 159(e)(2). [↑](#footnote-ref-7)
6. 47 U.S.C. § 159a(d); 47 CFR § 1.1166. [↑](#footnote-ref-8)
7. 47 U.S.C. § 159(d). [↑](#footnote-ref-9)
8. One FTE, a “Full Time Equivalent” or “Full Time Employee,” is a unit of measure equal to the work performed annually by a full-time person (working a 40-hour workweek for a full year) assigned to the particular job, and subject to agency personnel staffing limitations established by the U.S. Office of Management and Budget. *See generally* U.S. Executive Office of the President, Office of Management and Budget, Preparation, Submission, and Execution of the Budget (Washington: GPO, April 2021), <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>. *See* section 85.5(c) for a detailed explanation of how FTEs are calculated. [↑](#footnote-ref-10)
9. *See* *Procedures for Assessment and Collection of Regulatory Fees for Fiscal Year 2012*, Notice of Proposed Rulemaking, 27 FCC Rcd 8458, 8460, para. 5 & n.5 (2012) (*FY 2012 NPRM*); *Procedures for Assessment and Collection of Regulatory Fees for Fiscal Year 2012*, Report and Order, 27 FCC Rcd 8390, 8392 paras. 3-5 (2012). As explained below, auctions FTEs are excluded from the regulatory fee methodology. *See infra* paras. 18-20. [↑](#footnote-ref-11)
10. Our methodology for implementing our regulatory fee authority essentially remains unchanged by the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018 (RAY BAUM’S Act). *See Assessment and Collection of Regulatory Fees for Fiscal Year 2019*, Report and Order and Further Notice of Proposed Rulemaking, 34 FCC Rcd 8189, 8192-93, para. 7 (2019) (*FY 2019 Report and Order*) (“Accordingly, we find the fee assessment structure dictated by the statute fundamentally remains unchanged. Or, in other words, because the new section 9 closely aligns to how the Commission assessed and collected fees under the prior section 9, we will hew closely to our prior methodology in assessing FY 2019 regulatory fees.”) [↑](#footnote-ref-12)
11. *Assessment and Collection of Regulatory Fees for Fiscal Year 2019*, Notice of Proposed Rulemaking, 34 FCC Rcd 3272, 3275-77, paras. 6-10 (2019) (*FY 2019 NPRM*). [↑](#footnote-ref-13)
12. Section 159(c)(1)(B) contemplates such changes to the fee schedule necessary to result in the collection of the amount required by subsection 159(b). 47 U.S.C. § 159(c)(1)(B). [↑](#footnote-ref-14)
13. For example, in 2015, based upon an analysis of the regulatory and oversight work performed by FTEs in the Media Bureau, the Commission adopted a regulatory fee for Direct Broadcast Satellite (DBS), as a subcategory of the cable television and IPTV fee category. *Assessment and Collection of Regulatory Fees for Fiscal Year 2015,* Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10276-77, paras. 19-20 (2015) *(FY 2015 Report and Order*); *see also infra* n.24 (describing the reallocation of FTEs from the Wireline Competition Bureau from direct to indirect). [↑](#footnote-ref-15)
14. *Assessment and Collection of Regulatory Fees for Fiscal Year 2013*, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, 28 FCC Rcd 7790, 7798-7807, paras. 17-40 (2013) (*FY 2013 NPRM*); *FY 2012 NPRM,* 27 FCC Rcd at 8464-65, paras. 14-16. The concept of administrability includes the difficulty in collecting regulatory fees under a system that could have unpredictable dramatic shifts in assessed fees in certain categories from year to year. In adopting our fee schedule, we are also mindful of other general limits of fee authority. *See* *National Cable Television Ass'n v. United States,* 415 U.S. 336, 340-41 (1974) (construing Independent Offices Appropriations Act)(IOAA)); *see also* *National Cable* *Television Ass'n v. FCC*, 554 F.2d 1094, 1106 & n.42 (D.C. Cir. 1976). We are mindful that IOAA no longer applies to the FCC. House of Representatives Report No. 99-453, (1985) at page 433 (noting the significance of National Cable and explaining that IOAA no longer applies to the FCC with the passage of other specific fee authority, application fees, in COBRA-85). We, nevertheless, are cognizant of broader legal issues raised by user fee and/or regulatory fee precedent. [↑](#footnote-ref-16)
15. Consolidated Appropriations Act, 2018, Division P–RAY BAUM’S Act of 2018, Title I, FCC Reauthorization,

    Public Law No. 115-141, § 102, 132 Stat. 348, 1082-86 (2018) (codified at 47 U.S.C. §§ 159, 159A) (RAY BAUM’S Act). Congress provided an effective date of October 1, 2018 for such changes. [↑](#footnote-ref-17)
16. *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 8. As such, our prior decisions to add, delete and amend the regulatory fee schedule are instructive of the detailed analysis that generally accompanies a change to the FTE categorization as direct or indirect, the attribution of FTEs to a fee category and the allocation of fees within a category based on the unit measure adopted. [↑](#footnote-ref-18)
17. *Id.* [↑](#footnote-ref-19)
18. *Id.* at para. 9. As the Commission explained, the first step is to allocate appropriated amounts to be recovered proportionally based on the number of direct FTEs within each core bureau (with indirect FTEs allocated in proportion to the direct FTEs); those proportions are then subdivided within each core bureau into fee categories among the regulatees served by the core bureau; finally, within each fee category, the amount to be collected is divided by a unit that allocates the regulatee’s proportionate share based on an objective measure. *Id.* [↑](#footnote-ref-20)
19. We also sought comment on using a tiered table for FY 2022, instead of the population-based chart with a separate entry for each call sign. *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, Report and Order and Notice of Proposed Rulemaking, FCC 21-49, 2021 WL 1835889 at \*12, para. 33 (May 4, 2021) (*FY* *2021 NPRM*). Commenters were unanimously opposed to this suggestion. *See, e.g*., NAB Comments at 14-15; Joint Broadcaster Reply at 6. As we discuss below, we are using the population-based chart for FY 2021. *See infra* paras. 36-37. [↑](#footnote-ref-21)
20. Appendix A contains the list of commenters and reply commenters. [↑](#footnote-ref-22)
21. The NAB and the State Broadcasters point out an error in Appendix A to the *FY 2021 NPRM*. Specifically, these commenters correctly assert that there is an error in the revenue figures for AM and FM radio stations in Appendix A. *See* NAB Comments at 2, n.6; State Broadcasters Reply at 4, n.9. As these commenters observe the figures are exactly the same in columns FY 2020 and FY 2021. The *correct* sum total for AM and FM radio revenues for FY 2021 is $32,337,925, an increase of $2,304,950 which is a 7.67% increase from FY 2020. [↑](#footnote-ref-23)
22. The phrase “core” bureaus was first adopted in the *FY 2012 NPRM* where the Commission explained that, under (prior) section 9(b)(1)(A), the Commission was instructed to calculate the regulatory fees by determining the FTEs performing the activities enumerated in section 9(a)(1) within the Private Radio Bureau, Mass Media Bureau, and Common Carrier Bureau, and other offices of the Commission, and those bureaus had subsequently been renamed as the Wireless Telecommunications Bureau, Media Bureau, and Wireline Competition Bureau, and a new International Bureau had been formed. *FY 2012 NPRM*, 27 FCC Rcd at 8460, para. 5 & n.5. The Commission explained that “[f]or simplicity and ease of reference, in this Notice we will refer to these four bureaus as the ‘core’ bureaus or the ‘core licensing’ bureaus.” *Id.* [↑](#footnote-ref-24)
23. *See* *FY 2021 NPRM*, 2021 WL 1835889 at \*8, \*9, paras. 21-23. We do not include the FTEs and other expenses associated with our auctions program, which are separately funded. Regulatory fees under section 9 of the Act recover the total amount provided for in the Commission’s annual salaries and expenses appropriation. 47 U.S.C. § 159(a), (b). Auctions expenses are not included in the Commission’s offsetting collection of its annual appropriation. Consolidated Appropriations Act, 2021. [↑](#footnote-ref-25)
24. In 2013, the Commission allocated all FTEs except for 28 in the International Bureau as indirect. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2013*, Report and Order, 28 FCC Rcd 12351, 12355-356, para. 14 (2013) (*FY 2013 Report and Order*). Subsequently, in the *FY 2015 Report and Order*, the Commission allocated an additional four FTEs working on market access requests for non-U.S. licensed space stations as indirect in light of the expansion of the space station regulatory fee category to include non-U.S. licensed space stations granted market access to the United States. *See* *Assessment and Collection of Regulatory Fees for Fiscal Year 2015*, Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10278, para. 24 (2015) (*FY 2015 Report and Order*). However, those four FTEs have since been reclassified as direct. *Assessment and Collection of Regulatory Rees for Fiscal Year 2020*, Report and Order and Notice of Proposed Rulemaking, 35 FCC Rcd 4976, 4991, para. 33 (2020) (*FY* *2020 NPRM*), *affirmed*, *Telesat Canada, et al. v. FCC*, 999 F.3d 707 (D.C. Cir. 2021) (*Telesat*). In 2017, the Commission also allocated 38 FTEs in the Wireline Competition Bureau who work on non-high cost programs of the Universal Service Fund as indirect. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7057, 7061-64, paras. 10-15 (2017) (*FY 2017 Report and Order*). [↑](#footnote-ref-26)
25. *FY 2013 Report and Order*, 28 FCC Rcd at 12357, para. 17. [↑](#footnote-ref-27)
26. The agency is not required to calculate its costs with “scientific precision.” [*Central & Southern Motor Freight Tariff Ass'n v. United States*, 777 F.2d 722, 736 (D.C. Cir. 1985)](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=0000350&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1985157062&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=9718645D&referenceposition=736&rs=WLW15.04). Reasonable approximations will suffice. *Id.;* [*Mississippi Power & Light*, 601 F.2d at 232;](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=350&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1979113602&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=9718645D&referenceposition=232&rs=WLW15.04) [*National Cable Television Ass'n v. FCC*, 554 F.2d 1094, 1105 (D.C. Cir. 1976)](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=0000350&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1977196004&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=9718645D&referenceposition=1105&rs=WLW15.04); [36 Comp. Gen. 75 (1956)](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=0001008&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1956017349&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=9718645D&rs=WLW15.04). [↑](#footnote-ref-28)
27. NAB Comments at 1-4; Joint Broadcasters Reply at 2-4; American General Media (AGM) Reply at 1; Joint Radio Broadcasters Reply at 2. [↑](#footnote-ref-29)
28. For more information about the broadband data collection, *see* FCC, Broadband Data Collection, <https://www.fcc.gov/BroadbandData> (last visited Aug. 13, 2021). See note 1 above for a description of the amounts appropriated for implementation of the Broadband DATA Act. [↑](#footnote-ref-30)
29. *See* Broadband DATA Act. The Broadband DATA Act further requires the Commission to establish processes for members of the public and other entities to: (1) provide verified data for use in the coverage maps; (2) challenge the coverage maps, the broadband availability data submitted by service providers, and the Fabric; and (3) submit specific crowdsource information about the development and availability of broadband service. *Id.* [↑](#footnote-ref-31)
30. Broadband DATA Act, § 802(b)(2). [↑](#footnote-ref-32)
31. *Id.* at § 801(1). [↑](#footnote-ref-33)
32. 47 CFR § 8.1(b). [↑](#footnote-ref-34)
33. *See, e.g*., The House Report 116-456, <https://www.congress.gov/116/crpt/hrpt456/CRPT-116hrpt456.pdf> (Committee Report); the Joint Explanatory Statement for the Consolidated Appropriations Act, 2021, <https://docs.house.gov/billsthisweek/20201221/BILLS-116RCP68-JES-DIVISION-E.pdf> (Explanatory Statement). [↑](#footnote-ref-35)
34. Committee Report at p. 59. The Explanatory Statement also provided that “[i]n addition to adopting the House report language on Broadband Maps, the agreement provides substantial dedicated resources for the FCC to implement the Broadband DATA Act. The FCC is directed to submit a report to the Committees on Appropriations within 90 days of enactment of this Act providing a detailed spending plan for these resources. In addition, the FCC, in coordination with the NTIA, shall outline the specific roles and responsibilities of each agency as it relates to the National Broadband Map and implementation of the Broadband DATA Act. The FCC is directed to report in writing to the Committees every 30 days on the date, amount, and purpose of any new obligation made for broadband mapping and any updates to the broadband mapping spending plan.” Explanatory Statement at p.30. [↑](#footnote-ref-36)
35. *See supra* n.1 (the FY 2021 appropriation includes $33 million designated to cover the costs of implementation of the Broadband DATA Act); NAB Comments at 6-9; Joint Radio Broadcasters Reply at 3; State Broadcasters Association Reply at 16. [↑](#footnote-ref-37)
36. *See* NAB Comments at 6-9; Joint Radio Broadcasters Reply at 3; State Broadcasters Association Reply at 16. [↑](#footnote-ref-38)
37. *See* NAB Comments at 6-9 (“The Commission’s proposal is unjustifiable when broadcasters are not regulated by nor benefit from implementation of the Broadband DATA Act”); NAB contends that section 9 of the Act requires the Commission to make amendments to its schedule of regulatory fees to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities, but the Commission is not expending any funds appropriated for broadband mapping on regulating broadcasters and broadcasters do not receive any benefit from the broadband mapping activities. NAB Comments at 9; *see also* Letter from Scott R. Flick, Counsel to the State Broadcasters Associations, to Marlene H. Dortch, Secretary, FCC (Aug. 19, 2021); Letter from Rick Kaplan, General Counsel and Executive Vice President, Legal and Regulatory Affairs, NAB, to Marlene H. Dortch, Secretary, FCC (Aug. 20, 2021); Letter from Rick Kaplan, General Counsel and Executive Vice President Legal and Regulatory Affairs, National Association of Broadcasters, to Marlene H. Dortch, Secretary, FCC (Aug. 16, 2021); Letter from Rick Kaplan, General Counsel and Executive Vice President Legal and Regulatory Affairs, National Association of Broadcasters, to Marlene H. Dortch, Secretary, FCC (Aug. 12, 2021); Letter from Rick Kaplan, General Counsel and Executive Vice President Legal and Regulatory Affairs, National Association of Broadcasters, to Marlene H. Dortch, Secretary, FCC (Aug. 4, 2021) (NAB August 4 Ex Parte); Letter from Rick Kaplan, General Counsel and Executive Vice President Legal and Regulatory Affairs, National Association of Broadcasters, to Marlene H. Dortch, Secretary, FCC (July 15, 2021). We note that the *pro rata* impact on broadcasters is approximately an additional 8.7% representing $50-$100 on the lower fee categories, and $425-$1,275 on the very highest categories. [↑](#footnote-ref-39)
38. 47 U.S.C. § 159(d). [↑](#footnote-ref-40)
39. An earmark refers to the portion of a lump-sum appropriation designated for a particular purpose. *See* GAO, A Glossary of Terms Used in the Federal Budget Process, GAO-05-734SP (Washington, D.C.: September 2005), at 46-47. [↑](#footnote-ref-41)
40. While Congress did include an earmark for expenses associated with moving the Commission’s headquarters facility to another location in the 2016/2017 FY appropriations, that is a once in every 20 years event. *See* Federal Communications Commission 2021 Budget Estimates to Congress, February 2020, at 60 (Feb. 10, 2020) (depicting historical distribution of appropriated budget authority since FY 2010 and depicting the only other separate appropriations occurred in FY 2016 and 2017 when “$44 million and $17 million, respectively, represent amounts provided for the necessary expenses associated with moving the FCC headquarters to a new facility to significantly reduce space consumption.”). [↑](#footnote-ref-42)
41. Committee Report at p. 59. [↑](#footnote-ref-43)
42. *See* FCC News Release, Acting Chairwoman Rosenworcel Establishes Broadband Data Task Force, Feb 17, 2021, <https://www.fcc.gov/document/rosenworcel-establishes-broadband-data-task-force> (last visited Aug. 13, 2021). [↑](#footnote-ref-44)
43. *See* Improving Broadband Mapping Data February Open Meeting Presentation (Feb. 17, 2021), <https://docs.fcc.gov/public/attachments/DOC-370061A1.pdf>. [↑](#footnote-ref-45)
44. As just one example, in July 2021, the Commission released a public notice, drafted by staff from the Wireless Telecommunications Bureau, Office of Economic Analysis, Office of Engineering and Technology and Office of General Counsel, with a technical appendix and proposed rules seeking comment on the technical requirements for the mobile challenge, verification, and crowdsource processes required under the Broadband DATA Act. *Comment Sought on Technical Requirements for the Mobile Challenge Verification and Crowdsource Processes Required under the Broadband DATA Act*, Public Notice, DA 21-853 (July 16, 2021), <https://www.fcc.gov/document/input-sought-mobile-challenge-verification-technical-requirements>. The Commission also has reached out to the public for input on the availability of broadband services. See FCC News Release, FCC Announces New Outreach to Collect Consumer Broadband Availability Experience, Mar. 22, 2021, <https://docs.fcc.gov/public/attachments/DOC-370978A1.pdf> (last visited Aug. 13, 2021). [↑](#footnote-ref-46)
45. We note that, while involvement is limited in the implementation of the Broadband DATA Act, several International Bureau staff have assisted in coordinating meetings with foreign counterparts for information sharing purposes. [↑](#footnote-ref-47)
46. This category includes AM Radio Construction Permits, FM Radio Construction Permits, AM and FM Broadcast Radio Station Fees, Digital TV, Digital TV Construction Permits, Low Power TV, Class A TV, TV Translators, FM Translators FM Boosters. Media Bureau regulatees are generally divided into two groups: broadcasters (“Media Services” licensees) and Multichannel Video Programming Distributor Services (cable television operators, CARS licensees, DBS, and IPTV). [↑](#footnote-ref-48)
47. *See* NAB Comments at 7. [↑](#footnote-ref-49)
48. *But see* Letter from Karis A. Hastings, counsel for SES, to Marlene H. Dortch, Secretary, FCC (dated Aug. 10, 2021) (filed on behalf of various satellite companies noting that “any consideration of NAB’s request that broadcasters be exempt from costs associated with broadband mapping must occur in the context of an overall re-balancing of indirect cost assignments to make them more equitable.”). As discussed herein, we find broadcasters to be distinguishable from satellite providers, in part because some International Bureau FTEs are involved in the implementation of the Broadband DATA Act. *See supra* n.45*.* [↑](#footnote-ref-50)
49. For the reasons discussed herein, we decline at this time, as suggested by the satellite group, to make a global adjustment of indirect costs due to this earmark. *See id.* [↑](#footnote-ref-51)
50. *See* NAB Comments at 12 & Reply at 7-8; Joint Broadcasters Reply at 5; State Broadcasters Associations Reply at 16; Letter from Karis A. Hastings, Counsel for SES, to Marlene H. Dortch, Secretary, FCC (Aug. 10, 2021) Attachment at 2. [↑](#footnote-ref-52)
51. *See* NAB Comments at 12. [↑](#footnote-ref-53)
52. *See* 47 U.S.C. §§ 159(a), (b). [↑](#footnote-ref-54)
53. 47 U.S.C. § 159(d). [↑](#footnote-ref-55)
54. *See FY 2013 NPRM*, 28 FCC Rcd at 7793-94, para. 7; *FY 2013 Report and Order*, 28 FCC Rcd at 12352-53, para. 6. [↑](#footnote-ref-56)
55. *See supra* para. 7. The Commission observed in the *FY 2013 Report and Order* that “the high percentage of the indirect FTEs is indicative of the fact that many Commission activities and costs are not limited to a particular fee category and instead benefit the Commission as a whole.” *FY 2013 Report and* Order, 28 FCC Rcd at 12357, para. 17. [↑](#footnote-ref-57)
56. 47 U.S.C. § 309 (j)(8)(B) (providing that “the salaries and expenses account of the Commission shall retain as an offsetting collection such sums as may be necessary from such proceeds for the costs of developing and implementing the program required by this subsection.”). For FY 2021, the cap on offsetting collections from auction proceeds is $134,495,000. [↑](#footnote-ref-58)
57. For example, the last pay period data, as of August 11, 2021, shows that the Wireless Telecommunications Bureau charged 11,822 hours with 6,449 hours under auctions and 5,371 hours under Salaries & Expenses (S&E) (regulatory fees). This equals 81 FTEs for auctions (6,449 ÷ 80) and 67 FTEs for S&E (5,371 ÷ 80).  [↑](#footnote-ref-59)
58. *See*, *e.g.*, NAB Comments at 12-14; State Broadcasters Associations Reply at 22-23. [↑](#footnote-ref-60)
59. *See* State Broadcasters Associations Reply at 4-5. While Congress revised the Commission’s regulatory fee authority as part of the RAY BAUM’S Act, it made no changes to the method by which the Commission categorizes its resources in assessing regulatory fees. And while the State Broadcasters Association is correct that the RAY BAUM’S Act itself did not include *new* language containing “limitations tying the Commission’s assessment and collection to regulatees of any particular bureau or office or basing it on the number of FTEs of such bureaus and offices,” *id.* at 8, it itself acknowledges later in its comments that the Commission was required to continue to ensure that regulatory fees “reflect the full-time equivalent number of employees within the bureaus and offices of the Commission.” 47 U.S.C. § 159(d). The Commission’s present regulatory fee framework implements this statutory requirement. Furthermore, because the Commission must adopt and collect all FY 2021 regulatory fees by September 30, 2021, we see no need to address in this order the suggestion that the Commission seek statutory changes necessary to adopt the broadcasters’ proposals. State Broadcasters Associations Reply at 22-23. [↑](#footnote-ref-61)
60. While NAB suggests these users should pay regulatory fees to “support the work of OET or the Commission generally,” it does not specify how regulatory fees could be assigned to “the Commission generally.” NAB Comments at 13. The Commission’s current methodology requires the assignment of each regulatory fee category to a core bureau. NAB’s filings do not appear to suggest that the Commission abandon its basic methodology, nor do they suggest that the proposed fees be assigned to any of the existing core bureaus. Thus, we focus here on NAB’s argument that certain users should pay regulatory fees to support the work of OET. [↑](#footnote-ref-62)
61. 47 U.S.C. § 159(d). [↑](#footnote-ref-63)
62. *See* *FY 2013 Report and Order*, 28 FCC Rcd 12351, 12357, para. 17. [↑](#footnote-ref-64)
63. *See* 47 CFR § 0.31(g). Section 0.31 of the Commission’s rules provides the functions of OET and section 0.241 provides the delegated authority. 47 CFR §§ 0.31 and 241. [↑](#footnote-ref-65)
64. *See* FCC, Engineering & Technology, <https://www.fcc.gov/engineering-technology> (last visited June 30, 2021). For a longer description of OET’s functions and delegation, *see also* 47 CFR §§ 0.31 and 0.241. Federal Communications Commission 2021 Budget Estimates to Congress, February 2020, at 109-10, <https://www.fcc.gov/document/fy-2021-fcc-budget-estimate>. [↑](#footnote-ref-66)
65. Much of OET’s work benefits not only Media Bureau regulatees, but broadcast regulatees, in particular. For example, OET’s work to make spectrum available on an unlicensed basis for new and emerging technologies and that such unlicensed use does not cause harmful interference benefits multiple industry sectors, including the broadcasting industry. Even OET’s work in overseeing the equipment authorization program benefits multiple industry sectors; there is no separate process for devices capable of operating wholly or partly under the Commission’s device rule, as many devices, including some broadcast receiving equipment (e.g., smart TVs) operate on several spectrum bands under rules for both licensed services and unlicensed operations. [↑](#footnote-ref-67)
66. These devices either are exempt from equipment authorization requirements because the devices are unlikely to cause interference or authorized via a Supplier’s Declaration of Conformity (SDOC), a form of self-certification, subject to market surveillance for compliance. Devices in both unlicensed and licensed services may be exempt. *See, e.g.,* 47 CFR § 15.103; 47 CFR § 25.129; 47 CFR § 90.203. Even with respect to devices that require certification, such certifications are granted by outside third parties (Telecommunications Certification Bodies (TCBs)), under Commission oversight. *See generally* 47 CFR § 2.901 *et seq.* Direct costs of device testing and applicant certifications necessary to demonstrate compliance with our technical and equipment authorization rules are paid directly by manufacturers to FCC-recognized labs and TCBs. Those costs are not borne by the Commission and are not recovered through regulatory fees. 47 CFR § 2.962 – (f)(3) states that TCBs may establish and assess fees for processing certification applications and other Commission-required tasks. *See* *Amendment of Parts 0, 1, 2, and 15 of the Commission’s Rules regarding Authorization of Radiofrequency Equipment, Amendment of Part 68 regarding Approval of Terminal Equipment by Telecommunications Certification Bodies*, Report and Order, 29 FCC Rcd 16335 (2014). [↑](#footnote-ref-68)
67. *See* State Broadcaster Associations Comments at 22 (requesting that equipment manufacturers and distributors be included in the universe of regulatory fee payors as beneficiaries of the Commission’s equipment authorization rules). [↑](#footnote-ref-69)
68. Devices often operate on both licensed and unlicensed spectrum, and the Commission’s Equipment Authorization process does not currently permit us to easily identify a separate set of devices that operate on an unlicensed (as opposed to licensed) basis. [↑](#footnote-ref-70)
69. We also reject related proposals inconsistent with applicable statutes. For example, the proposal that regulatory fees be imposed on “new technology” petitions not covered by an application fee, *see* State Broadcasters Association Reply at 22, is inconsistent with the Communications Act. Under section 9 of the Act, the Commission is required to collect the full amount of its annual appropriation through regulatory fees, without any carve-out for Commission costs involving applications that are separately assessed fees under section 8 of the Act. Indeed, application fees collected under section 8 must be deposited in a separate account from the Commission’s appropriation (the general fund of the Treasury) and cannot be used for the Commission’s costs. *Compare* 47 U.S.C. § 158 with § 159; *FY 2019 Report and Order* (explaining the provisions of section 159 as amended) with *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission’s Rules*, *Report and Order*, 35 FCC Rcd 15089 (2020) (adopting a new application fee schedule reflecting the significant change to the Commission’s statutory application fee authority in the RAY BAUM’S Act); 31 U.S.C. § 3302(b) (Miscellaneous Receipts Act). Thus, whether certain entities pay an application fee has no bearing on the regulatory fees the Commission must collect each year under section 9 of the Act. Similarly, any payments made by parties to enforcement investigations pursuant to a consent decree or a forfeiture order (e.g., pirate radio operators) are made directly to the U.S. Treasury, not to the Commission. To the extent that the State Broadcasters Associations are suggesting that Enforcement Bureau FTEs should be categorized as direct, rather than indirect, FTEs, we decline to do so. The Commission’s Enforcement Bureau activities are for the benefit of all industries and consumers; the Enforcement Bureau FTEs are thus appropriately categorized as indirect FTEs. Enforcement actions under 47 U.S.C. § 503 (and other enforcement provisions) are designed to redress conduct issues through deterrence. [↑](#footnote-ref-71)
70. *See FY 2020 NPRM*, 35 FCC Rcd at 4978-4997, paras. 6-52, *affirmed*, *Telesat Canada, et al. v. FCC*, 999 F.3d 707 (D.C. Cir. 2021). [↑](#footnote-ref-72)
71. NAB Reply at 3-5; State Broadcasters Associations Reply at 11-14. [↑](#footnote-ref-73)
72. NAB Comments at 2. [↑](#footnote-ref-74)
73. 47 U.S.C. § 159(d) (emphasis added). [↑](#footnote-ref-75)
74. *Telesat Canada, et al. v. FCC*, 999 F.3d 707, 710-712 (D.C. Cir. 2021) (*Telesat*). [↑](#footnote-ref-76)
75. *Id.* at 710 -714; *FY 2020 NPRM*, 35 FCC Rcd at 4988, para. 26. [↑](#footnote-ref-77)
76. State Broadcasters Associations Reply at 19-20. [↑](#footnote-ref-78)
77. 47 U.S.C. § 159(e)(1)(C). [↑](#footnote-ref-79)
78. *FY 2019 Report and Order*, 34 FCC Rcd at 8196-97, para. 19. [↑](#footnote-ref-80)
79. *Id.* [↑](#footnote-ref-81)
80. *FY 2021 NPRM*, 2021 WL 1835889 at \*9, \*10, paras. 24-29. [↑](#footnote-ref-82)
81. Historically, the Commission obtains data on CMRS providers that file the NRUF report, and the remaining CMRS non-NRUF providers self-report their subscriber count for regulatory fee purposes. The Commission bases its fee rate on the combined NRUF and the estimated non-NRUF subscriber count. For comparison purposes, in FY 2019, there were 421 million payment units, and the fee was 19 cents per subscriber, per year; in FY 2020, there were 425 million payment units, and the fee was 17 cents per subscriber, per year. *See FY 2019 Report and Order*, 34 FCC Rcd at 8224; *Assessment and Collection of Regulatory Rees for Fiscal Year 2020*, Report and Order and Further Notice of Proposed Rulemaking, 36 FCC Rcd 1731, 1773 (2020) (*FY* *2020 Report and Order*). [↑](#footnote-ref-83)
82. *See* North American Numbering Plan Administrator, *Numbering Resources – 5YY-NXX Assignments,* <https://nationalnanpa.com/number_resource_info/5XX_codes.html> (last visited Apr. 7, 2021). [↑](#footnote-ref-84)
83. *See* Industry Analysis Division, Office of Economics and Analytics, FCC, Numbering Resource Utilization in the United States at 1 (2020), <https://docs.fcc.gov/public/attachments/DOC-367592A1.pdf> (*2020 NRUF Report)*. The *2020 NRUF* report uses the term “mobile wireless” to refer to CMRS. *See*, *e.g.*, *id.* at 3. To the extent that CMRS providers, which are telecommunications carriers, obtain numbering resources, they are reporting carriers pursuant to section 52.15(f)(2) of our rules and therefore must provide number utilization forecasts. *See* 47 CFR § 52.15(f)(2). Interconnected voice over Internet Protocol providers that obtain numbering resources are also required to file NRUF reports. 47 CFR § 52.15(g)(3)(iv)(B). CMRS providers are responsible for certifying the accuracy of their subscriber counts and can adjust the estimated counts to correct any inaccuracies. *2020 NRUF Report* at 6. Assigned numbers are numbers working in the Public Switched Telephone Network under an agreement such as a contract or tariff at the request of specific end users or customers for their use, or numbers not yet working but having a customer service order pending. Numbers that are not yet working and have a service order pending for more than five days shall not be classified as assigned numbers. 47 CFR § 52.15(f)(1)(iii). [↑](#footnote-ref-85)
84. *2020 NRUF Report* at 6*.* [↑](#footnote-ref-86)
85. *FY 2021 NPRM*, 2021 WL 1835889 at \*10, para. 28. [↑](#footnote-ref-87)
86. *2020 NRUF Report* at 6. [↑](#footnote-ref-88)
87. When adopting the regulatory fee for IPTV, the Commission determined that IPTV providers should be subject to the same regulatory fees as cable providers. *See**FY 2013 Report and Order*, 28 FCC Rcd at 12362, para. 32. [↑](#footnote-ref-89)
88. *FY 2021 NPRM*, 2021 WL 1835889 at \*11, paras. 30-31. [↑](#footnote-ref-90)
89. These operators of U.S. licensed geostationary space stations, which are used to provide one-way subscription video service to consumers in the United States, currently pay a fee per U.S.-licensed satellite under the category “Space Station (Geostationary Orbit)” in the regulatory fee schedule based on the International Bureau FTEs work associated with satellite regulation. [↑](#footnote-ref-91)
90. 47 U.S.C. § 522(13). [↑](#footnote-ref-92)
91. MVPD is defined in section 602(13) of the Act, 47 U.S.C. § 522(13). [↑](#footnote-ref-93)
92. *Assessment and Collection of Regulatory Fees for Fiscal Year 2015,* Notice of Proposed Rulemaking, Report and Order, and Order, 30 FCC Rcd 5354, 5372-73, para. 41 (2015) (*FY 2015 NPRM*). [↑](#footnote-ref-94)
93. *FY 2015 Report and Order*, 30 FCC Rcd at 10277, para. 20. [↑](#footnote-ref-95)
94. *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, Report and Order and Order, 33 FCC Rcd 8497, 8501, para. 11 (2018) (*FY 2018 Report and Order*); *FY 2017 Report and Order*, 32 FCC Rcd at 7067-68, paras. 22-23; *see also* *FY 2015 NPRM*, 30 FCC Rcd at 5369, para. 33 (“We also reject the argument raised by DIRECTV and DISH that section 9 of the Act requires us to ‘show that DBS and cable occupy a comparable number of FTEs.’”). Media Bureau FTEs’ responsibilities include market modifications, local-into-local, must-carry and retransmission consent disputes, program carriage and program access complaints, over-the-air reception device declaratory rulings and waivers, rulemakings, and proposed transactions. *FY 2018 Report and Order*, 33 FCC Rcd at 8499-8500, para. 8 [↑](#footnote-ref-96)
95. *FY 2020 Report and Order*, 36 FCC Rcd at 1737, para. 16. [↑](#footnote-ref-97)
96. *See* NCTA and ACA Connects Comments at 1-2 & Reply at 3-5. [↑](#footnote-ref-98)
97. DIRECTV and DISH Comments at 2. [↑](#footnote-ref-99)
98. *See* *FY 2020 Report and Order*, 36 FCC Rcd at 1737, paras. 14, 16; *FY 2019 Report and Order*, 34 FCC Rcd at 8198-99, paras. 25-26. [↑](#footnote-ref-100)
99. DIRECTV and DISH Comments at 3. [↑](#footnote-ref-101)
100. *See* *FY 2019 Report and Order*, 34 FCC Rcd at 8198-99, paras. 25-26; *FY 2018 Report and Order*, 33 FCC Rcd at 8501, para. 11; *FY 2017 Report and Order*, 32 FCC Rcd at 7067-68, paras. 22-23; *see also* *FY 2015 NPRM*, 30 FCC Rcd 5354, 5369, para. 33. The Commission has stated that “Section 9 is clear, however, that regulatory fee assessments are based on the burden imposed on the Commission, not benefits realized by regulatees.” *Assessment and Collection of Regulatory Fees for Fiscal Year 2007*, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 15712, 15719, para. 19 (2007) (*FY 2007 Report and Order*). [↑](#footnote-ref-102)
101. ITSPs, regulated by the Wireline Competition Bureau, include interexchange carriers (IXCs), incumbent local exchange carriers (LECs), toll resellers, Voice over Internet Providers (VoIP), and other service providers, all of which involve different degrees of regulatory oversight. *See FY 2018 Report and Order*, 32 FCC Rcd at 7068, para. 24. [↑](#footnote-ref-103)
102. DIRECTV and DISH Comments at 3. [↑](#footnote-ref-104)
103. DIRECTV and DISH Comments at 4. [↑](#footnote-ref-105)
104. *See* *FY 2019 Report and Order*, 34 FCC Rcd at 8198-99, paras. 25-26; *FY 2018 Report and Order*, 33 FCC Rcd at 8501, para. 11; *FY 2017 Report and Order*, 32 FCC Rcd at 7067-68, paras. 22-23; *FY 2015 NPRM*, 30 FCC Rcd 5354, 5369, para. 33. [↑](#footnote-ref-106)
105. NCTA and ACA Connects Comments at 3. [↑](#footnote-ref-107)
106. *Id*. [↑](#footnote-ref-108)
107. We have included the DBS fee category into the fee category of cable television and IPTV for regulatory fee purposes only. This does not imply that there are any changes in the manner in which DBS is licensed. [↑](#footnote-ref-109)
108. DIRECTV and DISH Comments at 4-5. [↑](#footnote-ref-110)
109. *FY 2021 NPRM*, 2021 WL 1835889 at \*11, para. 32. [↑](#footnote-ref-111)
110. *FY 2020 Report and Order*, 36 FCC Rcd at 1738, para 19. Historically, regulatory fees for full-power television stations were based on the Nielsen Designated Market Area (DMA) groupings 1-10, 11-25, 26-50, 51-100, and remaining markets (DMAs 101-210). In the *FY 2018 NPRM*, the Commission sought comment on whether using the actual population covered by the station’s contours instead of DMAs would more accurately reflect the market served by a full-power broadcast television station for purposes of assessing regulatory fees. *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, Notice of Proposed Rulemaking, 33 FCC Rcd 5091, at 5102, para. 28 (2018) (*FY 2018 NPRM*). In the *FY 2018 Report and Order*, the Commission adopted the new methodology and determined that we would fully transition to the methodology by FY 2020, and in the interim, for FY 2019, we adopted a blended fee based partly on the historical DMA methodology and partly on the new population-based methodology.  *FY 2018 Report and Order*, 33 FCC Rcd at 8501-8502, para. 14. [↑](#footnote-ref-112)
111. *FY 2021 NPRM*, 2021 WL 1835889 at \*11, para. 32. [↑](#footnote-ref-113)
112. The factor of .7793 of one cent ($.007793) was derived by taking the revenue amount required from all television fee categories and dividing it by the total population count of all television station call signs subject to regulatory fees. The population data for broadcasters’ service areas are extracted from the TVStudy database, based on a station’s projected noise-limited service contour. 47 CFR § 73.622(e). [↑](#footnote-ref-114)
113. These fee categories are: AM Radio Construction Permits, FM Radio Construction Permits, AM and FM Broadcast Radio Station Fees, Digital TV, Digital TV Construction Permits, Low Power TV, Class A TV, TV Translators, FM Translators, and FM Boosters. [↑](#footnote-ref-115)
114. For those VHF stations whose power had to be increased to obtain a clearer signal, the Commission in FY 2021 will continue to use a population count based on that station’s lower VHF power level rather than at the increased power level. As the Commission stated in the *FY 2020 NPRM*, “we will assess the fees for those VHF stations that are licensed with a power level that exceeds the maximum based on the maximum power level specified for channels 2-6 in 73.622(f)(6) and for channels 7-13 in 73.622(f)(7).” *FY 2020 NPRM*, 35 FCC Rcd at 4997, para. 52. [↑](#footnote-ref-116)
115. As the Commission explained in the *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 9, within each fee category, the amount to be collected is divided by a unit that allocates the regulatee’s proportionate share based on an objective measure. [↑](#footnote-ref-117)
116. NAB Comments at 14-15. [↑](#footnote-ref-118)
117. Joint Broadcasters Reply at 5. [↑](#footnote-ref-119)
118. The agency is not required to calculate its costs with “scientific precision.” [*Central & Southern Motor Freight Tariff Ass'n v. United States*, 777 F.2d 722, 736 (D.C. Cir. 1985)](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=0000350&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1985157062&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=9718645D&referenceposition=736&rs=WLW15.04). Reasonable approximations will suffice. *Id.;* [*Mississippi Power & Light*, 601 F.2d at 232;](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=350&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1979113602&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=9718645D&referenceposition=232&rs=WLW15.04) [*National Cable Television Ass'n v. FCC*, 554 F.2d 1094, 1105 (D.C. Cir. 1976)](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=0000350&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1977196004&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=9718645D&referenceposition=1105&rs=WLW15.04); [36 Comp. Gen. 75 (1956)](https://web2.westlaw.com/find/default.wl?mt=Westlaw&db=0001008&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=0347269281&serialnum=1956017349&vr=2.0&fn=_top&sv=Split&tf=-1&pbc=9718645D&rs=WLW15.04). [↑](#footnote-ref-120)
119. *FY 2020 NPRM*, 34 FCC Rcd at 5003, para. 70 (citing Puerto Rico Broadcasters Comments in MD Docket No. 20-105, at 3-13). [↑](#footnote-ref-121)
120. *Id*. at 5003, para. 69 (citing Puerto Rico Broadcasters Comments in MD Docket No. 20-105, at 10). [↑](#footnote-ref-122)
121. *FY 2021 NPRM*, 2021 WL 1835889 at \*12, para. 34. [↑](#footnote-ref-123)
122. *See* United States Census, “*Quick Facts, Puerto Rico,*” <https://www.census.gov/quickfacts/PR> (last visited Apr. 30, 2021). [↑](#footnote-ref-124)
123. *FY 2021 NPRM*, 2021 WL 1835889 at \*12, para. 34. [↑](#footnote-ref-125)
124. SBS and Televicentro Comments at 1-2. [↑](#footnote-ref-126)
125. *Id*. [↑](#footnote-ref-127)
126. *Id*. [↑](#footnote-ref-128)
127. *Id*. at 2. [↑](#footnote-ref-129)
128. *Id*. [↑](#footnote-ref-130)
129. *Id*. at 3. [↑](#footnote-ref-131)
130. *Id*. [↑](#footnote-ref-132)
131. We expect the population figures from the 2020 Census to be available to the Commission in FY 2022, and with this new population data, we expect that the population count of Puerto Rico to be properly reflected in the 2020 Census. As a result, the Commission may no longer need to discount the population count of Puerto Rico by 16.9% per cent in FY 2022. [↑](#footnote-ref-133)
132. Toll-free numbers are telephone numbers for which the toll charges for completed calls are paid by the toll-free subscriber. *See* 47 CFR § 52.101(f). [↑](#footnote-ref-134)
133. 47 U.S.C. §§ 52.101 (e), (f). [↑](#footnote-ref-135)
134. *Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, Report and Order and Further Notice of Proposed Rulemaking, MD Docket No. 14-92, 29 FCC Rcd 10767, 10777-78, para. 25 (2014) (*FY 2014 Report and Order*). [↑](#footnote-ref-136)
135. *FY 2014 Report and Order*, 29 FCC Rcd at 10777-79, paras. 25-28. [↑](#footnote-ref-137)
136. *FY 2015 Report and Order*, 30 FCC Rcd at 5362-64, paras. 23-27. [↑](#footnote-ref-138)
137. A RespOrg is a company that manages toll-free telephone numbers for subscribers. RespOrgs use the SMS/800 data base to verify the availability of specific numbers and to reserve the numbers for subscribers. *See* 47 CFR § 52.101(b). [↑](#footnote-ref-139)
138. Prior to the *FY 2014 Report and Order*, the Commission did not assess regulatory fees on toll-free numbers on the assumption that the entities controlling the numbers—wireline and wireless common carriers—were already paying regulatory fees based on either revenues or subscribers. *See FY 2014 Report and Order*, 29 FCC Rcd at 10777, para. 25 n.74 (citing *Universal Service Contribution Methodology*, Further Notice of Proposed Rulemaking, 27 FCC Rcd 5357, 5463-64, para. 306 (2012)). In the *FY 2014 NPRM*,the Commission observed this was no longer the case because many toll-free numbers were controlled or managed by RespOrgs that were not common carriers. *Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, Notice of Proposed Rulemaking, Second Further Notice of Proposed Rulemaking, and Order, MD Docket Nos. 14-92, 13-140, and 12-201, 29 FCC Rcd 6417, 6435, para. 51 (2014) (*FY 2014 NPRM*). [↑](#footnote-ref-140)
139. *FY 2014 Report and Order*, 29 FCC Rcd at 10778, para. 26. [↑](#footnote-ref-141)
140. ATL Comments at 1. [↑](#footnote-ref-142)
141. Entities must file an FCC Form 499 if they are defined as a telecommunications carrier under section 3(44) of the Telecommunications Act or if they offer any interstate or international telecommunications services or interconnected Voice over Internet Protocol services. *See* FCC Form 499-A Telecommunications Reporting Worksheet, <https://www.fcc.gov/reports-research/guides/common-carrier-filing-requirements-information-firms-providing-telecommunications-services> (last visited July 15, 2021). [↑](#footnote-ref-143)
142. ATL Comments at 1. [↑](#footnote-ref-144)
143. Appendix B contains a list of all regulatory fees for FY 2021. [↑](#footnote-ref-145)
144. IBC fees consist of (1) active terrestrial and satellite circuits, and (2) lit submarine cable systems. *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 55. The submarine cable industry uses the term “lit capacity” for measuring the capacity available for use on submarine cables. *See* Submarine Cable Frequently Asked Questions, <https://www2.telegeography.com/submarine-cable-faqs-frequently-asked-questions>(statingthat there are two principal ways of measuring a cable’s capacity: (1) potential capacity; and (2) lit capacity). [↑](#footnote-ref-146)
145. Initially, this fee category was for common carrier IBCs. The Commission added non-common carrier satellite IBCs to this regulatory fee category in 1997. *See Assessment and Collection of Regulatory Fees for Fiscal Year 1997,* Report and Order, 12 FCC Rcd 17161, 17189, para. 71 (1997) (*FY 1997 Report and Order*) (explaining that the expansion of services offered by the non-common carrier satellite operators greatly increased the need for Commission oversight of their commercial activities and imposed a greater burden on staff and other resources). More recently, the Commission added non-common carrier terrestrial IBCs to this regulatory fee category in 2017. *See FY 2017 Report and Order*, 32 FCC Rcd at 7071-72, paras. 34-35. [↑](#footnote-ref-147)
146. *Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, Second Report and Order, 24 FCC Rcd 4208, 4208-09, para. 1 (2009) (*Submarine Cable Order*) (the parties to the 2009 Consensus Proposal are set out in footnote 3). [↑](#footnote-ref-148)
147. *Submarine Cable Order*, 24 FCC Rcd at 4214-17, paras. 13-22. The Commission did not change the methodology of assessing regulatory fees for terrestrial and satellite facilities on a per bearer circuit basis. *Id.* at 4223, para. 20. [↑](#footnote-ref-149)
148. *Id.* at 4212-13, paras. 8-9. [↑](#footnote-ref-150)
149. *See FY 2019 Report and Order*, 34 FCC Rcd at 8203-04, paras. 37, 40. We base the regulatory fee recovery on lit capacity because that is the amount of capacity that submarine cable operators are able to provide services over and the regulatory fee is in part recovering the costs related to the regulation and oversight of such services. *See id.* at 8203-04, para. 41. [↑](#footnote-ref-151)
150. *FY 2020 Report and Order*, 36 FCC Rcd at 1755-56, paras. 61-63. [↑](#footnote-ref-152)
151. *Id.* at 1757-59, paras. 68-73. [↑](#footnote-ref-153)
152. *Id.* at 1755-56, paras. 61-63. [↑](#footnote-ref-154)
153. *Id.* at 1753-55, paras. 56-60. [↑](#footnote-ref-155)
154. *Id.* at 1757, para. 67. [↑](#footnote-ref-156)
155. *Id.* at 1758, para. 70. [↑](#footnote-ref-157)
156. *See FY 2021 NPRM* at Appendix B. [↑](#footnote-ref-158)
157. Lumen Reply at 1-3. [↑](#footnote-ref-159)
158. The Submarine Cable Coalition consists of Cable & Wireless Networks; GlobeNet Cabos Submarinos America, Inc.; GU Holdings Inc., an indirect, wholly owned subsidiary of Google LLC; Hawaiki Submarine Cable USA LLC; SETAR; and Tata Communications (Americas), Inc. Submarine Cable Coalition Comments at 1-2. [↑](#footnote-ref-160)
159. Submarine Cable Coalition Comments at 2-4. [↑](#footnote-ref-161)
160. Section 6002(a) of the Omnibus Budget Reconciliation Act of 1993. *See* Pub. L. No. 103–66, Title VI, § 6002(a), 107 Stat. 397 (approved Aug. 10, 1993). [↑](#footnote-ref-162)
161. The new tiered framework was based on a Consensus Proposal submitted by the submarine cable industry. The Commission established five tiers for the assessment of fees on submarine cable systems. *Submarine Cable Order*, 24 FCC Rcdat 4214-15, para. 16. [↑](#footnote-ref-163)
162. *See FY 2020 Report and Order*, 36 FCC Rcd at 1757, para. 67 (“Several commenters retread well-trodden ground to object to this assessment, but we find yet again that they have not provided a rationale to alter our assessment of fees within the IBC category based on capacity. Contrary to the Submarine Cable Coalition’s argument that basing fees on capacity is unlawful, use of capacity is a fundamental premise of how the Commission assesses regulatory fees.” Footnotes omitted.). *See also* Lumen Reply at 2. [↑](#footnote-ref-164)
163. Submarine Cable Coalition Comments at 4. [↑](#footnote-ref-165)
164. *See FY 2020 Report and Order*, 36 FCC Rcd at 1754-55, 1759 paras. 58, 74-75. [↑](#footnote-ref-166)
165. *Submarine Cable Order,* 24 FCC Rcd at 4215, para. 18. [↑](#footnote-ref-167)
166. *See FY 2020 Report and Order*, 36 FCC Rcd at 1758, para. 70; *FY 2018 Report and Order*, 33 FCC Rcd 8497, 8516, Appendix C. [↑](#footnote-ref-168)
167. *FY 2020 NPRM*, 35 FCC Rcd at 4993-95, paras. 39-45. [↑](#footnote-ref-169)
168. *Id*. at 4993, para. 40. [↑](#footnote-ref-170)
169. *Id.* at 4993, para. 41. [↑](#footnote-ref-171)
170. *FY 2020 Report and Order*, 36 FCC Rcd at 1763, para. 93. [↑](#footnote-ref-172)
171. *FY 2021 NPRM*, 2021 WL 1835889 at \*3, para. 7. [↑](#footnote-ref-173)
172. *Id.* at \*5, para. 12. [↑](#footnote-ref-174)
173. The Report and Order accompanying the *FY 2021 NPRM* has not been appealed.  *See* 86 FR 26677 (announcing that final action was effective June 16, 2021).  We received two petitions for reconsiderations involving our decision to adopt two new fee subcategories: less complex NGSO systems and all other NGSO systems.  *See Petition of Kepler for Reconsideration,* MD Docket No. 20-105 (filed June 16, 2021), (*Kepler Petition*)and *Petition of NGSO Satellite Coalition for Reconsideration,* MD Docket No. 20-105 (filed June 16, 2021), (*NGSO Satellite Coalition Petition*).  Kepler joined in the *NGSO Satellite Coalition Petition*, but also filed a separate Petition for Reconsideration.  These Petitions for Reconsideration are pending and will be formally addressed in a separate order.  We note, however, that there is substantial duplication between the arguments in the petitions and the arguments in comments in the proceeding which we are addressing herein. [↑](#footnote-ref-175)
174. *FY 2021 NPRM*, 2021 WL 1835889 at \*13, para. 35. [↑](#footnote-ref-176)
175. *See* Iridium Comments at 1; Kepler Comments at 1-2; NGSO Satellite Coalition Comments at 2-3; SpaceX Comments at 1; SmallSat Operators Reply at 2; *see also* SES Reply at 3. [↑](#footnote-ref-177)
176. *See* NGSO Satellite Coalition Comments at 4 (stating that “[a]lthough there were no material changes in the interim, the Commission has done an about-face; bifurcated the NGSO fee category; and proposed that EESS systems pay only a quarter of the regulatory fees paid by other NGSO systems. The Commission’s abrupt reversal violates basic requirements for reasoned decision making.”) (citations omitted); *see also* Kepler Reply at 2 (“Even if the NGSO systems had been categorized in a reasonable and well-justified decision-process...”); Iridium Reply at 2-3 (“[S]everal commenters, including Iridium, noted that the proposed 20/80 allocation directly conflicts with prior Commission statements… and the NPRM provides no explanation for this abrupt change in direction…. Until the Commission provides factual evidence supporting the proposed 20/80 allocation, there is no basis for adopting different fees for “less complex” and “other” NGSO systems.”) (citations omitted). [↑](#footnote-ref-178)
177. *FY 2021 NPRM* at paras. 7, 18. [↑](#footnote-ref-179)
178. *FY 2020 Report and Order*, 36 FCC Rcd at 1762-63, paras. 88-91. [↑](#footnote-ref-180)
179. *See, e.g., FY 2021 NPRM*, 2021 WL 1835889 at \*3, \*7, paras. 7, 18 (“We sought further comment in the *FNPRM* to develop the record on this issue and using a combination of factors explored in the record, conclude that certain NGSO systems should pay a different fee based on the resources required to regulate such systems.”). [↑](#footnote-ref-181)
180. *Id.* at \*5-\*8, paras. 11-13, 15-19. [↑](#footnote-ref-182)
181. NGSO Satellite Coalition Comments at 5; Iridium Reply at 2. [↑](#footnote-ref-183)
182. NGSO Satellite Coalition Comments at 6. [↑](#footnote-ref-184)
183. 47 U.S.C. § 159(a). [↑](#footnote-ref-185)
184. *See FY 2021 NPRM*, 2021 WL 1835889 at \*5, para. 12 (citing Planet Comments, MD Docket No. 20-105, at 2-3 (rec. Dec. 10, 2020)). [↑](#footnote-ref-186)
185. *See* Kepler Reply at 6; NGSO Satellite Coalition Comments at 7-8; *see also* SES Reply at 4. [↑](#footnote-ref-187)
186. NGSO Satellite Coalition Comments at 7-8. [↑](#footnote-ref-188)
187. In addition, these NGSO FSS systems continuously benefit from the rules adopted through rulemakings and streamlined processes, and if there is any dispute, those are resolved using the existing rules adopted and other conditions imposed on these licensees and authorization holders. [↑](#footnote-ref-189)
188. NGSO Satellite Coalition Comments at 8; *see also* SES Reply at 4 (arguing against the 20/80 fee allocation by asserting that the Commission still expends resources in determining whether to grant a processing round waiver to EESS systems). [↑](#footnote-ref-190)
189. NGSO Satellite Coalition Comments at 8. [↑](#footnote-ref-191)
190. *See FY 2021 NPRM* at paras. 10-12 (citing Planet Comments, MD Docket No. 20-105, at 4 (rec. Dec. 10, 2020)); *see also* Planet Comments at 3. [↑](#footnote-ref-192)
191. *See* NGSO Satellite Coalition Comments at 9-10 (noting those involving the 12 gigahertz frequency bands and the sharing of spectrum with terrestrial licensees in the Upper Mobile Flexible Use Service (UMFUS)); SpaceX Comments at 2 (noting a rulemaking involving the 12 gigahertz frequency band). [↑](#footnote-ref-193)
192. *FY 2021 NPRM*, 2021 WL 1835889 at \*5, para. 12. We used the “See, e.g.,” citation signal to further demonstrate that this is not an exclusive list of proceedings or activities involving spectrum sharing issues between NGSO FSS and terrestrial services. *Id.* at para. 12 n. 48. [↑](#footnote-ref-194)
193. *See also* SpaceX Comments at 2. [↑](#footnote-ref-195)
194. The NGSO Satellite Coalition cites, for example, the rulemaking regarding *Earth Stations in Motion*, 35 FCC Rcd 5137 (2020), since there are concerns raised about potential interference to EESS, but that rulemaking is primarily about FSS operations. *See* NGSO Satellite Coalition Comments at 11 & n. 21. [↑](#footnote-ref-196)
195. Iridium Comments at 6; Kepler Comments at 4; NGSO Satellite Coalition Comments at 12-15. Commenters express disagreement for the underlying theory in the Report and Order and the NPRM that there is a “direct correlation” between the Commission’s regulatory work and the number of U.S. earth stations with which an NGSO system communicates. NGSO Satellite Coalition Comments at 12 (citing *FY 2021 NPRM* at paras. 13, 17); *see* Iridium Comments at 6; Kepler Comments at 4. We note that we did not say that the number of earth stations alone was sufficient to show a less complex space station system. Rather we observed that “the number of earth stations does not drive the regulatory resources expended for regulating space stations per se; rather, the number of earth stations [with which these stations plan to communicate based on their longer-term system design] typically correlates to the complexity of an NGSO space station[,]”based on our review of existing NGSO space systems and our regulatory work involving such systems. *FY 2021 NPRM*, 2021 WL 1835889at \*7, para. 17. *See also id*. at para. 14 (stating that we will look to longer-term system design in order to determine complexity and interpret “planning to communicate” based on the system design provided at the NGSO space station application stage). [↑](#footnote-ref-197)
196. NGSO Satellite Coalition Comments at 12-13; Kepler Comments at 4. [↑](#footnote-ref-198)
197. Systems qualifying as “small satellites” as defined in the *Small Satellite Report and Order* are subject to different bond and milestone requirements, distinct application processing requirements, and different application fees, among other things.  *See* *Streamlining Licensing Procedures for Small Satellites*, Report and Order, 34 FCC Rcd 13077, 13083-84, 13107-18, paras. 17-19, 80-103 (2019) (*Small Satellite Report and Order*). [↑](#footnote-ref-199)
198. In reply comments, Kinéis asserts that we should reconsider additional factors, citing to the indexing approach from its comments to the FY 2020 Regulatory Fee proceeding, which would take into account the total number of satellites deployed and the total transmit bandwidth of an authorized network. Kinéis Reply at 5, n.18. We considered and rejected this approach in the Report and Order attached to the *FY 2021 NPRM*, noting that the proposal was overly complex, and that, for example, the number of satellites is not a key driver of system complexity and regulation. *FY 2021 NPRM*, 2021 WL 1835889 at \*8, para. 19. As an explanatory example, we observed that “an NGSO system with a small number of satellites, authorized as part of a processing round to operate in the FSS to provide broadband to user terminals in a particular area, will receive significant continuous benefits reasonably related to our regulatory work.” *Id.* [↑](#footnote-ref-200)
199. Kepler Comments at 3. [↑](#footnote-ref-201)
200. *Id.* at 4. [↑](#footnote-ref-202)
201. *FY 2021 NPRM*, 2021 WL 1835889 at \*8, para. 19. [↑](#footnote-ref-203)
202. *Id. See also* Kinéis Reply at 6 (arguing that “the more size and scope involved in a satellite system, the greater the risk of orbital debris”). First, the Commission’s orbital debris mitigation proceedings have addressed a variety of issues, including some of which are specific to larger systems of satellites, but also including many others that are applicable to all satellite systems, regardless of size. *See, e.g.*, *Mitigation of Orbital Debris in the New Space Age*, Notice of Proposed Rulemaking, 33 FCC Rcd 11353, 11353, para. 1 (2018) (citing, for example, the increasing capability of relatively inexpensive small satellites, including “CubeSats” as among those market developments prompting review of the Commission’s orbital debris mitigation rules); *see generally* *Mitigation of Orbital Debris in the New Space Age*, Report and Order and Further Notice of Proposed Rulemaking, 35 FCC Rcd 4156 (2020) (adopting rules that apply to all NGSO systems, regardless of number of satellites in the system). We note that, depending on the design and operations, small constellations or even individually-licensed satellites can pose significant orbital debris-related risks. [↑](#footnote-ref-204)
203. Kepler Comments at 3; NGSO Satellite Coalition Comments at 13 (arguing for example, that a blanket license covering one million terminals that operate in a band in which the NGSO system has exclusive use requires “little or no technical oversight,” but on the other hand, a handful of individually licensed earth stations in a frequency band that includes intra-service and inter-service sharing or sharing with government systems requires “extensive regulatory intervention.”); *see also* Iridium Reply at 2. [↑](#footnote-ref-205)
204. NGSO Satellite Coalition Comments at 14. [↑](#footnote-ref-206)
205. *FY 2021 NPRM*, 2021 WL 1835889at \*6, para. 15 (stating that “the total number of earth stations include *all* earth stations planning to communicate with the relevant system – whether the earth station is operated by the system operator or a third party is irrelevant for regulatory fee purposes.”). [↑](#footnote-ref-207)
206. *See* NGSO Satellite Coalition Comments at 14, n. 28. While the NGSO Satellite Coalition claims that we have not adequately accounted for systems communicating through inter-satellite links, they do not make any particular claim that these NGSO systems have additional complexity, other than suggesting that the systems sometimes operate on frequencies not allocated for inter-satellite links in the Table of Frequency Allocations. To the extent EESS applicants have requested such non-conforming operations, special considerations associated with those operations have generally been addressed at the application stage and are otherwise not significant enough to affect the annual regulatory fee calculation. [↑](#footnote-ref-208)
207. *See FY 2021 NPRM*, 2021 WL 1835889at \*13, para. 35. Accordingly, we establish regulatory fees of $122,695 per Space Station (Non-Geostationary Orbit) – Less Complex and $343,555 per Space Station (Non-Geostationary Orbit) – Other, as reflected in Appendix F. We also adopt a regulatory fee of $116,855 for Space Station (Geostationary Orbit). *See* Appendix F. The increases from the proposed fees are due to the exclusion of broadcast licensees from the Broadband DATA Act portion of the Commission’s appropriation and a change in units (number of space stations). [↑](#footnote-ref-209)
208. Maxar Reply at 2-3; Letter from Katie Keane, Vice President, Legal, and Chalinee Tinaves, Counsel, BlackSky Global LLC, to Marlene H. Dortch, Secretary, FCC (July 26, 2021) at 1-2; Loft Orbital Solutions, Inc. (late-filed) Comments at 1-3; AstroDigital, Inc. (late-filed) Comments at 2-3; HawkEye 360, Inc. (late-filed) Comments at 2-4. [↑](#footnote-ref-210)
209. Iridium Comments at 3. [↑](#footnote-ref-211)
210. *Id.* at 3; Kepler Reply at 3; SES Reply at 2-3; Smallsat Operators Reply at 1. [↑](#footnote-ref-212)
211. *See FY 2021 NPRM*, 2021 WL 1835889 at \*5, para. 12. [↑](#footnote-ref-213)
212. *Id.*  [↑](#footnote-ref-214)
213. *Id.* [↑](#footnote-ref-215)
214. Kepler similarly argues that there is not credible reasoning for allocating the “other” NGSO category four times the amount of regulatory fees. Kepler Comments at 4; *see also* Smallsat Operators Reply at 1 (agreeing with Iridum). [↑](#footnote-ref-216)
215. *See e.g*., *FY 2020 NPRM*, 35 FCC Rcd at 4993, para. 41. [↑](#footnote-ref-217)
216. *FY 2020 NPRM*, 35 FCC Rcd at 4993, para. 41. [↑](#footnote-ref-218)
217. Kepler argues that we should not consider rulemakings conducted over past years. Kepler Comments at 6. We note, however, that this is exactly the approach the Commission took in allocating GSO/NGSO regulatory fees, in which the Commission considered data over the prior three years of the number of Commission-level items and the relative precedential value to GSO and NGSO operators. *FY 2020 NPRM*, 35 FCC Rcd at 4994, para. 43. We conclude that this approach provides more insight into typical rulemaking activities than just assessing rulemaking activities at a particular instant in time. [↑](#footnote-ref-219)
218. SpaceX argues that we should not take into consideration the Commission’s current proceeding regarding the 12 GHz band in assessing those rulemakings that are relevant to “other” NGSO systems. *See generally* SpaceX Comments; *see also* Kepler Reply at 4; SES Reply at 3. SpaceX alleges that because NGSO operators opposed the initiation of the rulemaking proceeding, any costs associated with the proceeding should be assessed against those who petitioned for it. SpaceX Commentsat 2-3. We decline to take this type of approach to considering rulemakings in connection with regulatory fees. A particular operator may disagree with the initiation or outcome of a rulemaking proceeding, but that should not mean that the proceeding does not provide benefits for regulatory fee purposes. For example, even if a particular party to a proceeding does not agree with the decision reached by the Commission, the interests of the particular party are taken into account and considered as part of the Commission decision. [↑](#footnote-ref-220)
219. While for FY 2021, the number of authorized “less complex” NGSO systems is only slightly fewer in number than “other” NGSO systems (eight “less complex”/10 “other”), the ongoing “benefits of adjudication” for those “other” NGSO systems is overall greater, and thus the number of systems is not a direct proxy for FTE oversight. [↑](#footnote-ref-221)
220. *FY 2021 NPRM*, 2021 WL 1835889at \*13, para. 36. [↑](#footnote-ref-222)
221. *Id*. [↑](#footnote-ref-223)
222. SES Reply at 1. [↑](#footnote-ref-224)
223. *Id.* at 2. [↑](#footnote-ref-225)
224. *Id.* at 6. The Commission sought further comment on whether and how NGSO space stations can be categorized for purposes of regulatory fees to collect regulatory fees that correspond to the resources actually expended in the regulation and associated benefits received by these regulatees. Our adoption of the “less complex” NGSO fee category and our proposal to have a 20/80 allocation was as a result of that rulemaking process. [↑](#footnote-ref-226)
225. *See supra* n.26. [↑](#footnote-ref-227)
226. SES Reply at 3; *see also* Kinéis Reply at 6. [↑](#footnote-ref-228)
227. *FY 2020 NPRM*, 35 FCC Rcd at 4993, para. 41. [↑](#footnote-ref-229)
228. AWS Comments at 2. Planet also supports this position in its reply comments. *See* Planet Reply at 5. [↑](#footnote-ref-230)
229. AWS Comments at 3. [↑](#footnote-ref-231)
230. Iridium Comments at 6-7. [↑](#footnote-ref-232)
231. *See id.* at 4-5; Kepler Comments at 3. [↑](#footnote-ref-233)
232. Iridium Comments at 4. [↑](#footnote-ref-234)
233. *See, e.g.*, *id.* (stating that the “last two years have seen a dramatic escalation in NGSO regulatory fees” and that “significant escalation of the regulatory fees provides NGSO MSS operators with minimal certainty about their obligations from year to year”). [↑](#footnote-ref-235)
234. We decline to address here the Commission’s overall approach in assessing regulatory fees, which appears to be a source of Iridium’s concern. As part of its argument about increase in regulatory fees, Iridium states that NGSO MSS operators have “received no material change in services or benefits received from the Commission in recent years,” but that NGSO FSS, EESS, and other systems increasingly make up systems authorized by the Commission. *Id.* at 4-5. At this time, NGSO MSS systems are appropriately categorized as “other NGSO” systems for the same reasons as NGSO FSS systems, based on the FTE time devoted to oversight and regulation of our regulatees, the Commission’s costs, and the corresponding benefits to our regulatees, and we also note that there have been a number of new NGSO MSS systems authorized in recent years. [↑](#footnote-ref-236)
235. Kepler Comments at 7. [↑](#footnote-ref-237)
236. SES Reply at 5. (describing an instance pertaining to non-U.S licensed GSO spacecraft with coverage of only U.S. territories in the Pacific). In the *FY 2020 Report and Order*, the Commission discussed this issue and whether a regulatory fee exemption for non-U.S. licensed GSO space stations with coverage of only U.S. territories in the Pacific would be appropriate. In the record of that proceeding, SES stated that this was not a concrete problem in that regulatory fee cycle, but the concern was that the regulatory fee in those circumstances would create an economic barrier to providing access. Telesat suggested that if a foreign or U.S. licensed operator contends that under certain facts it would be inappropriate to pay regulatory fees, they should request a waiver. In that context, the Commission stated that it agreed with Telesat and rejected the argument for exemptions or reduced fees based on the U.S. geographic areas served by the space station, stating that commenters have not shown that providing service to a remote area would reduce the International Bureau’s costs or affect the benefits to the regulatee. *See FY 2020 Report and Order*, 36 FCC Rcd at 1749-50, paras 46-47*.* [↑](#footnote-ref-238)
237. *FY 2021* *NPRM*, 2021 WL 1835889 at \*7, para. 18. [↑](#footnote-ref-239)
238. Kinéis Reply at 6-7. [↑](#footnote-ref-240)
239. *Id.* at 7. [↑](#footnote-ref-241)
240. *FY 2020 NPRM*, 35 FCC Rcd at 4985, para. 19. [↑](#footnote-ref-242)
241. *Id.* at 4986, para. 21. [↑](#footnote-ref-243)
242. Myriota Comments at 5; Spire Reply at 3; Smallsat Operators Reply at 1. [↑](#footnote-ref-244)
243. Myriota Comments at 5; Spire Reply at 3; Smallsat Operators Reply at 1. [↑](#footnote-ref-245)
244. Myriota Comments at 3-4. As an example, Myriota states that satellite service providers participating in the same processing round may or may not be subject to annual regulatory fees depending on whether they seek to operate their own satellites or use a space-as-a-service provider. Another example is U.S. and foreign regulatees operating their own NGSO satellites (like Myriota) could be exposed to large annual regulatory fees that would not be imposed on customers of U.S.-licensed space-as-a-service NGSO system operators, even though they provide the same services to U.S. consumers, impose the same regulatory burdens on Commission staff, and derive the same benefits from Commission regulatory activities. *Id.* [↑](#footnote-ref-246)
245. *Id.* at 2. [↑](#footnote-ref-247)
246. *Id.* at 2-3. [↑](#footnote-ref-248)
247. We do anticipate assessing regulatory fees to small satellite systems authorized through multiple licenses or market access grants, and therefore having multiple call signs, in part because of the design of the small satellite licensing process – which contemplates the possibility of multiple licenses for a single system. We address those separately under our consideration of regulatory fees for NGSO systems in the small satellite category. [↑](#footnote-ref-249)
248. Myriota Comments at 2-3, n.8. [↑](#footnote-ref-250)
249. *Id.* at 3, nn.9-10. [↑](#footnote-ref-251)
250. As Myriota notes, the Commission would need to ensure that its policies and procedures prevent gamesmanship and unintended consequences. *Id.* at 5. Smallsat Operators also disagree with what is described as “Commission policy” of requiring NGSO satellite “bus” operators to be the licensee of shared satellites, suggesting that such licensing “undermines the ability of NGSO operators to effectively manage their systems and may fundamentally limit the number of feeable regulates by incentivizing operators to collocate on shared NGSO satellites.” Smallsat Operators Reply at 2-3. We decline to address this issue – which appears directed toward fundamental application and licensing considerations - as part of this regulatory fees rulemaking. [↑](#footnote-ref-252)
251. *FY 2021 NPRM*, 2021 WL 1835889 at \*13, \*14, paras. 37-40; *FY 2020 Report and Order*, 36 FCC Rcd at1760-61, paras. 80-85. [↑](#footnote-ref-253)
252. *FY 2020 Report and Order*, 36 FCC Rcd at 1760-61, paras.80-85; *see also* *Procedures for Filing Requests for Waiver, Reduction, Deferral and Installment Payment of FY 2020 Regulatory Fees Due to the Coronavirus Pandemic*, Public Notice, 35 FCC Rcd 9461 (OMD Sept. 4, 2020). [↑](#footnote-ref-254)
253. Joint Broadcasters AssociationsReplyat 4-6 (discussing the “extremely challenging financial conditions broadcasters have endured for more than a year due to the COVID-19 pandemic”); State Broadcasters Associations Replyat 17 (noting the continuing financial strain on broadcasters caused by the pandemic); Kepler Comments at 7 (noting that the financial burdens resulting from the ongoing pandemic are still being borne by businesses). Total radio station ad revenue declined by 23.0% from 2019 to 2020. Total TV station ad revenue declined by 3.9% during the same period. Comparing election years, TV station ad revenue was down 10.5% in 2020 compared to 2018. S&P Global, US TV station advertising revenues: 1970-2031 (June 17, 2021); S&P Global, US radio station ad revenues, 1970-2031 (June 17, 2021). [↑](#footnote-ref-255)
254. *FY 2020 Report and Order*, 36 FCC Rcd at 1760-61, paras. 80-81. With this temporary waiver, parties seeking alternative or multiple requests for relief may do so in the form of one consolidated filing or may instead file separate pleadings in accordance with section 1.1166(a) of our rules. 47 CFR § 1.1166. [↑](#footnote-ref-256)
255. *FY 2020 Report and Order*, 36 FCC Rcd at 1760-61, paras. 80-81. [↑](#footnote-ref-257)
256. *Id.* at 1761, para. 84. Under the red-light rule, the Commission will not act on any application or request for relief if the requesting party has not paid a debt owed to the Commission. 47 CFR § 1.1910. [↑](#footnote-ref-258)
257. *FY 2020 Report and Order*, 36 FCC Rcd at 1761, para. 84. [↑](#footnote-ref-259)
258. 31 U.S.C. § 3717(a); *FY 2020 Report and Order*, 36 FCC Rcd at 1761, para. 82. [↑](#footnote-ref-260)
259. *FY 2020 Report and Order,* 36 FCC Rcdat 1761, para. 82. [↑](#footnote-ref-261)
260. *Id.* at 1761, para. 83. [↑](#footnote-ref-262)
261. *Id.* [↑](#footnote-ref-263)
262. 47 U.S.C. § 159A(d). [↑](#footnote-ref-264)
263. In our *FY 2019 Report and Order*, in the context of explaining the implications to the revisions to our regulatory fee authority, we explained in detail the rules pertaining to waiver, reduction, deferral and the responsibility for payment of regulatory fees. FY 2019 Report and Order, 34 FCC Rcd at 8207-8208, paras 49-53. [↑](#footnote-ref-265)
264. *FY 2020 Report and Order*, 36 FCC Rcd at 1762, para. 87. [↑](#footnote-ref-266)
265. Section 9 of the Act does not permit the Commission to exempt any group of regulatees, other than those expressly exempted under the statute. 31 U.S.C. § 159(e). Instead, the statute requires a case-by-case determination to waive regulatory fees or related charges. 31 U.S.C. § 159A(d); *FY 2020 Report and Order*, 36 FCC Rcd at 1761-62, para. 86; *FY 2019 Report and Order*, 34 FCC Rcdat 8207, para. 50. [↑](#footnote-ref-267)
266. 47 U.S.C. § 159(b). September 30 marks the end of the Commission’s fiscal year. The Commission is required to collect the full amount of its appropriation in the offsetting regulatory fee collection for any given fiscal year by the fiscal year end. 47 U.S.C. § 159(b) (“The Commission shall assess and collect regulatory fees at such rates as the Commission shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the amounts described in subsection (a) with respect to such fiscal year.”) [↑](#footnote-ref-268)
267. *See* NAB Comments at 12-14; *see also* State Broadcasters Associations Reply at 22-23 (seeking to broaden the universe of regulatory fee contributors); Letter from Karis A. Hastings, Counsel for SES, to Marlene H. Dortch, Secretary, FCC (Aug. 10, 2021) Attachment at 2 (supporting NAB’s request). [↑](#footnote-ref-269)
268. *See supra* para 24. [↑](#footnote-ref-270)
269. 47 U.S.C. § 159(d). [↑](#footnote-ref-271)
270. *See* *FY 2013 Report and Order*, 28 FCC Rcd 12351, 12357, para. 17. [↑](#footnote-ref-272)
271. *Small Satellite Report and Order*, 34 FCC Rcd at 13080, 13082, paras. 10, 16. Small spacecraft are NGSO space stations designed to operate beyond Earth’s orbit, and which conform to a set of criteria similar to those of “small satellites.” *See* 47 CFR §§ 25.103, 25.123. For purposes of this proceeding, we refer to them together as “small satellites.” [↑](#footnote-ref-273)
272. *Small Satellite Report and Order*, 34 FCC Rcd at 13118-19, para. 105. This new category would include small spacecraft non-Earth orbit missions as well. *Id.* [↑](#footnote-ref-274)
273. *FY 2018 Report and Order*, 33 FCC Rcd at 8499, n.21. [↑](#footnote-ref-275)
274. AWS Comments at 4. [↑](#footnote-ref-276)
275. *Id.* at 4-5. [↑](#footnote-ref-277)
276. Eutelsat Reply, MD Docket No. 20-105, at 5 (rec. Dec. 28, 2020). [↑](#footnote-ref-278)
277. *Id.* [↑](#footnote-ref-279)
278. *See FY 2021 NPRM*, 2021 WL 1835889 at \*2, para. 2, n.4. As discussed, the Commission previously adopted a separate regulatory fee category for NGSO small satellite systems. *See Small Satellite Report and Order*, 34 FCC Rcd at 13118-19, para. 105. [↑](#footnote-ref-280)
279. *See* *Small Satellite Report and Order*, 34 FCC Rcd at 13083, 13086, 13111-12, paras. 19, 25, 90-92. [↑](#footnote-ref-281)
280. *See id.* at 13088, para. 31. [↑](#footnote-ref-282)
281. Since the end of FY 2020, three companies have obtained licenses pursuant to the small satellite process, for a total of five licenses issued. [↑](#footnote-ref-283)
282. In the *FY 2018 Report and Order,* the Commission proposed a regulatory fee for small satellites that would be 1/20th of the fee applicable to NGSO systems. *See FY 2018 Report and Order*, 33 FCC Rcd at 5103, para. 32. However, the Commission deferred adoption of a new fee for small satellites at that time. [↑](#footnote-ref-284)
283. AWS Comments at 1, 4-5; Planet Reply at 6. [↑](#footnote-ref-285)
284. AWS Comments at 1, 4-5; Planet Reply at 6. [↑](#footnote-ref-286)
285. *See* *Small Satellite Report and Order*, 34 FCC Rcd at 13118-19, para. 105. [↑](#footnote-ref-287)
286. FY 2013 NPRM, 28 FCC Rcd at 7798-7807, paras. 17-40; *FY 2012 NPRM,* 27 FCC Rcd at 8464-65, paras. 14-16. [↑](#footnote-ref-288)
287. Customers who owe an amount on a bill, debt, or other obligation due to the federal government are prohibited from splitting the total amount due into multiple payments. Splitting an amount owed into several payment transactions violates the credit card network and Fiscal Service rules. An amount owed that exceeds the Fiscal Service maximum dollar amount, $24,999.99, may not be split into two or more payment transactions in the same day by using one or multiple cards. Also, an amount owed that exceeds the Fiscal Service maximum dollar amount may not be split into two or more transactions over multiple days by using one or more cards. [↑](#footnote-ref-289)
288. Office of Management and Budget (OMB) Memorandum M-10-06, Open Government Directive, Dec. 8, 2009; *see also* <http://www.whitehouse.gov/the-press-office/2011/06/13/executive-order-13576-delivering-efficient-effective-and-accountable-gov>. [↑](#footnote-ref-290)
289. *See* U.S. Department of the Treasury, Open Government Plan 2.1, Sept. 2012. [↑](#footnote-ref-291)
290. *FY 2015 Report and Order*, 30 FCC Rcd at 10282-83, para. 35; 47 CFR § 1.1158. [↑](#footnote-ref-292)
291. In accordance with U.S. Treasury Financial Manual Announcement No. A-2012-02, the maximum dollar-value limit for debit card transactions is eliminated. Only Visa and MasterCard branded debit cards are accepted by Pay.gov. [↑](#footnote-ref-293)
292. *FY 2019 Report and Order*, 34 FCC Rcd at 8206-8207, paras. 46-48; 47 U.S.C. § 159(e)(2). [↑](#footnote-ref-294)
293. Audio bridging services are toll teleconferencing services. [↑](#footnote-ref-295)
294. 47 CFR § 52.103. [↑](#footnote-ref-296)
295. These multiyear licenses are for PLMRS (exclusive), PLMRS (shared), Microwave, Marine (ship), Aviation (aircraft), Marine (coast), and Aviation (ground). [↑](#footnote-ref-297)
296. Cable television system operators should compute their number of basic subscribers as follows: Number of single family dwellings + number of individual households in multiple dwelling unit (apartments, condominiums, mobile home parks, etc.) paying at the basic subscriber rate + bulk rate customers + courtesy and free service. Note: Bulk-Rate Customers = Total annual bulk-rate charge divided by basic annual subscription rate for individual households. Operators may base their count on “a typical day in the last full week” of December 2020, rather than on a count as of December 31, 2020. [↑](#footnote-ref-298)
297. We encourage terrestrial and satellite service providers to seek guidance from the International Bureau’s Telecommunications and Analysis Division to verify their particular IBC reporting processes to ensure that their calculation methods comply with our rules. [↑](#footnote-ref-299)
298. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2005*, Report and Order and Order on Reconsideration, 20 FCC Rcd 12259, 12264, paras. 38-44 (2005) (*FY 2005 Report and Order*). [↑](#footnote-ref-300)
299. In the supporting documentation, the provider will need to state a reason for the change, such as a purchase or sale of a subsidiary, the date of the transaction, and any other pertinent information that will help to justify a reason for the change. [↑](#footnote-ref-301)
300. *See* 5 U.S.C. § 603. The RFA, *see* 5 U.S.C. §§ 601-612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996). The SBREFA was enacted as Title II of the Contract with America Advancement Act of 1996 (CWAAA). [↑](#footnote-ref-302)
301. *See* 5 U.S.C. § 603. The RFA, *see* 5 U.S.C. §§ 601-612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996). The SBREFA was enacted as Title II of the Contract with America Advancement Act of 1996 (CWAAA). [↑](#footnote-ref-303)
302. *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). [↑](#footnote-ref-304)
303. 47 CFR §§ 1.1200 *et seq.* [↑](#footnote-ref-305)
304. 5 U.S.C. § 603. The RFA, 5 U.S.C. §§ 601-612 has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996). [↑](#footnote-ref-306)
305. *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, Notice of Proposed Rulemaking, 36 FCC Rcd – (2021). [↑](#footnote-ref-307)
306. 5 U.S.C. § 604. [↑](#footnote-ref-308)
307. 47 U.S.C. § 159. [↑](#footnote-ref-309)
308. 47 U.S.C. § 159(a). [↑](#footnote-ref-310)
309. 5 U.S.C. § 603(b)(3). [↑](#footnote-ref-311)
310. 5 U.S.C. § 601(6). [↑](#footnote-ref-312)
311. 5 U.S.C. § 601(3) (incorporating by reference the definition of “small-business concern” in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.” [↑](#footnote-ref-313)
312. 15 U.S.C. § 632. [↑](#footnote-ref-314)
313. *See* 5 U.S.C. § 601(3)-(6). [↑](#footnote-ref-315)
314. *See* SBA, Office of Advocacy, “What’s New With Small Business?”, <https://cdn.advocacy.sba.gov/wp-content/uploads/2019/09/23172859/Whats-New-With-Small-Business-2019.pdf> (Sept 2019). [↑](#footnote-ref-316)
315. *Id*. [↑](#footnote-ref-317)
316. 5 U.S.C. § 601(4). [↑](#footnote-ref-318)
317. The IRS benchmark is similar to the population of less than 50,000 benchmark in 5 U.S.C § 601(5) that is used to define a small governmental jurisdiction. Therefore, the IRS benchmark has been used to estimate the number small organizations in this small entity description. S*ee* Annual Electronic Filing Requirement for Small Exempt Organizations — Form 990-N (e-Postcard), “Who must file,” <https://www.irs.gov/charities-non-profits/annual-electronic-filing-requirement-for-small-exempt-organizations-form-990-n-e-postcard>. We note that the IRS data does not provide information on whether a small exempt organization is independently owned and operated or dominant in its field. [↑](#footnote-ref-319)
318. *See* Exempt Organizations Business Master File Extract (EO BMF), "CSV Files by Region," <https://www.irs.gov/charities-non-profits/exempt-organizations-business-master-file-extract-eo-bmf>. The IRS Exempt Organization Business Master File (EO BMF) Extract provides information on all registered tax-exempt/non-profit organizations. The data utilized for purposes of this description was extracted from the IRS EO BMF data for Region 1-Northeast Area (76,886), Region 2-Mid-Atlantic and Great Lakes Areas (221,121), and Region 3-Gulf Coast and Pacific Coast Areas (273,702) which includes the continental U.S., Alaska, and Hawaii. This data does not include information for Puerto Rico. [↑](#footnote-ref-320)
319. 5 U.S.C. § 601(5). [↑](#footnote-ref-321)
320. *See* 13 U.S.C. § 161. The Census of Governments survey is conducted every five (5) years compiling data for years ending with “2” and “7”. *See also* Census of Governments, <https://www.census.gov/programs-surveys/cog/about.html>. [↑](#footnote-ref-322)
321. *See* U.S. Census Bureau, 2017 Census of Governments – Organization Table 2. Local Governments by Type and State: 2017 [CG1700ORG02]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. Local governmental jurisdictions are made up of general purpose governments (county, municipal and town or township) and special purpose governments (special districts and independent school districts). *See also* Table 2.CG1700ORG02 Table Notes\_Local Governments by Type and State\_2017. [↑](#footnote-ref-323)
322. *See id.* at Table 5. County Governments by Population-Size Group and State: 2017 [CG1700ORG05]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. There were 2,105 county governments with populations less than 50,000. This category does not include subcounty (municipal and township) governments. [↑](#footnote-ref-324)
323. *See* *id. at* Table 6. Subcounty General-Purpose Governments by Population-Size Group and State: 2017 [CG1700ORG06]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. There were 18,729 municipal and 16,097 town and township governments with populations less than 50,000. [↑](#footnote-ref-325)
324. *See* *id.* at Table 10. Elementary and Secondary School Systems by Enrollment-Size Group and State: 2017 [CG1700ORG10]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. There were 12,040 independent school districts with enrollment populations less than 50,000. *See also* Table 4. Special-Purpose Local Governments by State Census Years 1942 to 2017 [CG1700ORG04], CG1700ORG04 Table Notes\_Special Purpose Local Governments by State\_Census Years 1942 to 2017. [↑](#footnote-ref-326)
325. This total is derived from the sum of the number of general purpose governments (county, municipal and town or township) with populations of less than 50,000 (36,931) and the number of special purpose governments - independent school districts with enrollment populations of less than 50,000 (12,040), from the 2017 Census of Governments - Organizations Tables 5, 6, and 10. [↑](#footnote-ref-327)
326. *See* 13 CFR § 120.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICS code as 517311 for Wired Telecommunications Carriers. *See* U.S. Census Bureau, *2017 NAICS Definition*, <https://www.census.gov/naics/>. [↑](#footnote-ref-328)
327. *See* 13 CFR § 120.201, NAICS Code 517311 (previously 517110). [↑](#footnote-ref-329)
328. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). <https://www.census.gov/data/tables/2012/econ/census/information.html>. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>; <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html> (showing that 3,364 firms operated in 2017). [↑](#footnote-ref-330)
329. *Id.* [↑](#footnote-ref-331)
330. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-332)
331. *Id.* [↑](#footnote-ref-333)
332. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers), <https://www.census.gov/data/tables/2012/econ/census/information.html>. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-334)
333. *Id.* [↑](#footnote-ref-335)
334. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; https://www.census.gov/naics/?input=517311&year=2017&details=517311. [↑](#footnote-ref-336)
335. *Id*. [↑](#footnote-ref-337)
336. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers), <https://www.census.gov/data/tables/2012/econ/census/information.html>. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-338)
337. *Id.*  [↑](#footnote-ref-339)
338. *See Trends in Telephone Service*, Federal Communications Commission, Wireline Competition Bureau, Industry Analysis and Technology Division at Table 5.3 (Sept. 2010) (*Trends in Telephone Service*). [↑](#footnote-ref-340)
339. *Id*. [↑](#footnote-ref-341)
340. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-342)
341. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>; <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-343)
342. *Id.* [↑](#footnote-ref-344)
343. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-345)
344. *Id*. [↑](#footnote-ref-346)
345. *Id*. [↑](#footnote-ref-347)
346. *Id*. [↑](#footnote-ref-348)
347. *Id*. [↑](#footnote-ref-349)
348. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* U.S. Census Bureau, *2017 NAICS Definition*, <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-350)
349. *Id*. [↑](#footnote-ref-351)
350. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers), This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>; *see also* <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-352)
351. *Id*. [↑](#footnote-ref-353)
352. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-354)
353. *Id*. [↑](#footnote-ref-355)
354. U.S. Census Bureau, *2017 NAICS Definition*, NAICS Code 517911 “Telecommunications Resellers,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-356)
355. 13 CFR § 121.201 (NAICS code 517911), <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-357)
356. *Id*. [↑](#footnote-ref-358)
357. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* NAICS Code 517911, <https://www.census.gov/data/tables/2012/econ/susb/2012-susb-annual.html>. *See also* <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-359)
358. *Id.* Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-360)
359. *See Trends in Telephone Service,* at tbl. 5.3. [↑](#footnote-ref-361)
360. *Id.* [↑](#footnote-ref-362)
361. U.S. Census Bureau, 2017 NAICS Definition, 517911 Telecommunications Resellers, <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-363)
362. 13 CFR § 121.201, NAICS code 517911. [↑](#footnote-ref-364)
363. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* NAICS Code 517911, <https://www.census.gov/data/tables/2012/econ/susb/2012-susb-annual.html>. *See also* <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html> (in 2017, there were a total of 2019 firms). [↑](#footnote-ref-365)
364. *Id*. Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-366)
365. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-367)
366. *Id*. [↑](#footnote-ref-368)
367. U.S. Census Bureau, 2017 NAICS Definition, 517911 Telecommunications Resellers, <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-369)
368. 13 CFR § 121.201, NAICS code 517911; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-370)
369. *Id.* [↑](#footnote-ref-371)
370. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* NAICS Code 517911, <https://www.census.gov/data/tables/2012/econ/census/information.html>. [↑](#footnote-ref-372)
371. *Id.* Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-373)
372. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-374)
373. *Id.* [↑](#footnote-ref-375)
374. *See* 13 CFR § 120.201, NAICS Code 517311 (previously 517110). [↑](#footnote-ref-376)
375. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-377)
376. *Id.* [↑](#footnote-ref-378)
377. *Trends in Telephone Service* at tbl. 5.3. [↑](#footnote-ref-379)
378. *Id.* [↑](#footnote-ref-380)
379. U.S. Census Bureau, 2012 NAICS Definitions, “517210 Wireless Telecommunications Carriers (Except Satellite).” *See* <https://www.census.gov/data/tables/2012/econ/census/information.html>. [↑](#footnote-ref-381)
380. 13 CFR § 121.201, NAICS code 517210. [↑](#footnote-ref-382)
381. U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ5, Information: Subject Series: Estab and Firm Size: Employment Size of Firms for the U.S.: 2012 NAICS Code 517210, <https://www.census.gov/data/tables/2012/econ/census/information.html>. [↑](#footnote-ref-383)
382. *Id*. Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-384)
383. U.S. Census Bureau, 2017 NAICS Definitions, “515120 Television Broadcasting,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=515120&year=2017&details=515120>. [↑](#footnote-ref-385)
384. *Id.* [↑](#footnote-ref-386)
385. 13 CFR § 121.201; 2012 NAICS code 515120. [↑](#footnote-ref-387)
386. U.S. Census Bureau, Table No. EC1251SSSZ4, *Information: Subject Series - Establishment and Firm Size: Receipts Size of Firms for the United States: 2012* (515120 Television Broadcasting). <https://www.census.gov/data/tables/2012/econ/census/information.html>; <https://www.census.gov/naics/?input=515120&year=2017&details=515120> (in 2017, there were 374 such firms). [↑](#footnote-ref-388)
387. *Id*. [↑](#footnote-ref-389)
388. *Broadcast Station Totals* *as of June 30, 2018*, Press Release (MB 2018) (*June 30, 2018, Broadcast Station Totals Press Release*), <https://docs.fcc.gov/public/attachments/DOC-352168A1.pdf>. [↑](#footnote-ref-390)
389. *Id.* [↑](#footnote-ref-391)
390. *Id.* [↑](#footnote-ref-392)
391. “[Business concerns] are affiliates of each other when one concern controls or has the power to control the other or a third party or parties controls or has the power to control both.” 13 CFR § 21.103(a)(1). [↑](#footnote-ref-393)
392. U.S. Census Bureau, 2017 NAICS Definitions, “515112 Radio Stations,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=515112&year=2017&details=515112>. [↑](#footnote-ref-394)
393. 13 CFR § 121.201; NAICS code 515112. <https://www.naics.com/naics-code-description/?code=515112>. [↑](#footnote-ref-395)
394. U.S. Census Bureau, Table No. EC1251SSSZ4, *Information: Subject Series – Establishment and Firm Size: Receipts Size of Firms for the United States: 2012* NAICS Code 515112, <https://www.census.gov/data/tables/2012/econ/susb/2012-susb-annual.html>; <https://www.census.gov/naics/?input=515112&year=2017&details=515112> (in 2017, there were a total of 2,958 firms). [↑](#footnote-ref-396)
395. *Id.* [↑](#footnote-ref-397)
396. BIA/Kelsey, MEDIA Access Pro Database, <http://www.biakelsey.com/data-platforms/media-access-pro/>. [↑](#footnote-ref-398)
397. *June 30, 2018, Broadcast Station Totals Press Release*. [↑](#footnote-ref-399)
398. *Id.* [↑](#footnote-ref-400)
399. “[Business concerns] are affiliates of each other when one concern controls or has the power to control the other, or a third party or parties controls or has power to control both.” 13 CFR § 121.103(a)(1). [↑](#footnote-ref-401)
400. 13 CFR § 121.102(b). [↑](#footnote-ref-402)
401. 47 CFR § 76.901(e). The Commission determined that this size standard equates approximately to a size standard of $100 million or less in annual revenues. *Implementation of Sections of the 1992 Cable Act: Rate Regulation,* Sixth Report and Order and Eleventh Order on Reconsideration, 10 FCC Rcd 7393, 7408 (1995). [↑](#footnote-ref-403)
402. The number of active, registered cable systems comes from the Commission’s Cable Operations and Licensing System (COALS) database on August 15, 2015. *See* FCC, *Cable Operations and Licensing System (COALS)*, <https://apps.fcc.gov/coals/>. [↑](#footnote-ref-404)
403. S&P Global Market Intelligence, *Top Cable MSOs as of 12/2019,* <https://platform.marketintelligence.spglobal.com/> (Dec 2019). The five cable operators all had more than 400,000 basic cable subscribers. *See also*, Kagan-Media Play News, Online TV Growth Slows Despite Record Q3 Pay-TV Subscriber Exodus, (Nov. 13, 2018), <https://www.mediaplaynews.com/tag/kagan/>. [↑](#footnote-ref-405)
404. 47 CFR § 76.901(c). [↑](#footnote-ref-406)
405. *See supra note 402..* [↑](#footnote-ref-407)
406. *Id*. [↑](#footnote-ref-408)
407. 47 U.S.C. § 543(m)(2); *see* *also* 47 CFR § 76.901(e). [↑](#footnote-ref-409)
408. S&P Global Market Intelligence, *U.S. Cable Subscriber Highlights, Basic Subscribers(actual) 2019*, *U.S. Cable MSO Industry Total; see also U.S. Multichannel Industry Benchmarks, U.S. Cable Industry Benchmarks, Basic Subscribers 2019Y,* <https://platform.marketintelligence.spglobal.com>. [↑](#footnote-ref-410)
409. 47 CFR § 76.901(e). [↑](#footnote-ref-411)
410. S&P Global Market Intelligence, *Top Cable MSOs as of 12/2019,* <https://platform.marketintelligence.spglobal.com>. The five cable operators all had more than 486,460 basic cable subscribers. *See also* Broadband Now, Providers Offering Cable Service <https://broadbandnow.com/Cable-Providers> (last visited May 18, 2021). [↑](#footnote-ref-412)
411. The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority’s finding that the operator does not qualify as a small cable operator pursuant to § 76.901(e) of the Commission’s rules. *See* 47 CFR § 76.910(b). [↑](#footnote-ref-413)
412. *See* 13 CFR § 120.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICS code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-414)
413. *Id.* [↑](#footnote-ref-415)
414. *Id*. Examples of this category are: broadband Internet service providers (e.g., cable, DSL); local telephone carriers (wired); cable television distribution services; long-distance telephone carriers (wired); CCTV services; VoIP service providers, using own operated wired telecommunications infrastructure; DTH services; telecommunications carriers (wired); satellite television distribution systems; and MMDS. [↑](#footnote-ref-416)
415. *Id*. [↑](#footnote-ref-417)
416. 13 CFR § 121.201. This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-418)
417. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-419)
418. *Id.* [↑](#footnote-ref-420)
419. *See Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming,* Eighteenth Report,Table III.A.5*,* 32 FCC Rcd 568, 595 (2017). [↑](#footnote-ref-421)
420. *See* U.S. Census Bureau, 2017 NAICS Definitions, NAICS Code “517919 All Other Telecommunications,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517919&year=2017&details=517919>. [↑](#footnote-ref-422)
421. *Id.* [↑](#footnote-ref-423)
422. *Id*. [↑](#footnote-ref-424)
423. *See* 13 CFR § 121.201, NAICS code 517919; <https://www.census.gov/naics/?input=517919&year=2017&details=517919>. [↑](#footnote-ref-425)
424. U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ4, Information: Subject Series - Estab and Firm Size: Receipts Size of Firms for the United States: 2012, NAICS code 517919, <https://www.census.gov/programs-surveys/economic-census/data/tables.html>. [↑](#footnote-ref-426)
425. *Id.* [↑](#footnote-ref-427)
426. *See* 47 CFR § 52.101(b). [↑](#footnote-ref-428)
427. 13 CFR § 121.201. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-429)
428. *Id*. [↑](#footnote-ref-430)
429. *See* 13 CFR § 120.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICS code as 517311 for Wired Telecommunications Carriers. *See* U.S. Census Bureau, *2017 NAICS Definition*, <https://www.census.gov/naics/>. [↑](#footnote-ref-431)
430. *See* 13 CFR § 120.201, NAICS Code 517311 (previously 517110). [↑](#footnote-ref-432)
431. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. There were 3,364 total firms in 2017. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-433)
432. *Id.* [↑](#footnote-ref-434)
433. U.S. Census Bureau, 2012 NAICS Definitions, “517210 Wireless Telecommunications Carriers (Except Satellite).” This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-435)
434. 13 CFR § 120.201, NAICS code 517120. [↑](#footnote-ref-436)
435. U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ5, Information: Subject Series: Estab and Firm Size: Employment Size of Firms for the U.S.: 2012 NAICS Code 517210. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-437)
436. 13 CFR § 121.201, NAICS code 541890; <https://www.census.gov/naics/?input=541890&year=2017&details=541890>. [↑](#footnote-ref-438)
437. 13 CFR § 121.201, NAICS code 541618; <https://www.census.gov/naics/?input=541618&year=2017&details=541618>. [↑](#footnote-ref-439)
438. <https://www.census.gov/naics/>. [↑](#footnote-ref-440)
439. 13 CFR § 121.201, subsector 541; NAICS code 541890. [↑](#footnote-ref-441)
440. 13 CFR § 121.201, subsector 541; NAICS code 541890; <https://www.census.gov/naics/?input=541890&year=2017&details=541890>; in 2017, there were 6,758 firms, <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-442)
441. In 2017, there were a total of 6,758 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-443)
442. http://www.census,gov/cgi-bin/sssd/naics.naicsrch. [↑](#footnote-ref-444)
443. 13 CFR § 121.201, subsector 541; NAICS code 541618. *See* Class Codes, NAICS Code 541618, <https://classcodes.com/lookup/naics-code-541618/>. [↑](#footnote-ref-445)
444. In 2017, there were a total of 5,804 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-446)
445. The four NAICS code-based categories selected above to provide definitions for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs. [↑](#footnote-ref-447)
446. 5 U.S.C. § 603(c)(1)–(c)(4). [↑](#footnote-ref-448)
447. 5 U.S.C. § 603. The RFA, 5 U.S.C. §§ 601-612 has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996). [↑](#footnote-ref-449)
448. 5 U.S.C. § 603(a). [↑](#footnote-ref-450)
449. *Id.* [↑](#footnote-ref-451)
450. 47 U.S.C. § 159. [↑](#footnote-ref-452)
451. 47 U.S.C. § 159(a). [↑](#footnote-ref-453)
452. 47 U.S.C. §§ 154(i) and (j), 159, and 303(r). [↑](#footnote-ref-454)
453. 5 U.S.C. § 603(b)(3). [↑](#footnote-ref-455)
454. 5 U.S.C. § 601(6). [↑](#footnote-ref-456)
455. 5 U.S.C. § 601(3) (incorporating by reference the definition of “small-business concern” in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.” [↑](#footnote-ref-457)
456. 15 U.S.C. § 632. [↑](#footnote-ref-458)
457. *See* 5 U.S.C. § 601(3)-(6). [↑](#footnote-ref-459)
458. *See* SBA, Office of Advocacy, “What’s New With Small Business?”, <https://cdn.advocacy.sba.gov/wp-content/uploads/2019/09/23172859/Whats-New-With-Small-Business-2019.pdf> (Sept 2019). [↑](#footnote-ref-460)
459. *Id*. [↑](#footnote-ref-461)
460. 5 U.S.C. § 601(4). [↑](#footnote-ref-462)
461. The IRS benchmark is similar to the population of less than 50,000 benchmark in 5 U.S.C § 601(5) that is used to define a small governmental jurisdiction. Therefore, the IRS benchmark has been used to estimate the number small organizations in this small entity description. S*ee* Annual Electronic Filing Requirement for Small Exempt Organizations — Form 990-N (e-Postcard), "Who must file,"

     <https://www.irs.gov/charities-non-profits/annual-electronic-filing-requirement-for-small-exempt-organizations-form-990-n-e-postcard>. We note that the IRS data does not provide information on whether a small exempt organization is independently owned and operated or dominant in its field. [↑](#footnote-ref-463)
462. *See* Exempt Organizations Business Master File Extract (EO BMF), “CSV Files by Region,” <https://www.irs.gov/charities-non-profits/exempt-organizations-business-master-file-extract-eo-bmf>. The IRS Exempt Organization Business Master File (EO BMF) Extract provides information on all registered tax-exempt/non-profit organizations. The data utilized for purposes of this description was extracted from the IRS EO BMF data for Region 1-Northeast Area (76,886), Region 2-Mid-Atlantic and Great Lakes Areas (221,121), and Region 3-Gulf Coast and Pacific Coast Areas (273,702) which includes the continental U.S., Alaska, and Hawaii. This data does not include information for Puerto Rico. [↑](#footnote-ref-464)
463. 5 U.S.C. § 601(5). [↑](#footnote-ref-465)
464. *See* 13 U.S.C. § 161. The Census of Governments survey is conducted every five (5) years compiling data for years ending with “2” and “7”. *See also* Census of Governments, <https://www.census.gov/programs-surveys/cog/about.html>. [↑](#footnote-ref-466)
465. *See* U.S. Census Bureau, 2017 Census of Governments – Organization Table 2. Local Governments by Type and State: 2017 [CG1700ORG02]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. Local governmental jurisdictions are made up of general purpose governments (county, municipal and town or township) and special purpose governments (special districts and independent school districts). *See also* Table 2.CG1700ORG02 Table Notes\_Local Governments by Type and State\_2017. [↑](#footnote-ref-467)
466. *See id.* at Table 5. County Governments by Population-Size Group and State: 2017 [CG1700ORG05]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. There were 2,105 county governments with populations less than 50,000. This category does not include subcounty (municipal and township) governments. [↑](#footnote-ref-468)
467. *See* *id. at* Table 6. Subcounty General-Purpose Governments by Population-Size Group and State: 2017 [CG1700ORG06]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. There were 18,729 municipal and 16,097 town and township governments with populations less than 50,000. [↑](#footnote-ref-469)
468. *See* *id.* at Table 10. Elementary and Secondary School Systems by Enrollment-Size Group and State: 2017 [CG1700ORG10]. <https://www.census.gov/data/tables/2017/econ/gus/2017-governments.html>. There were 12,040 independent school districts with enrollment populations less than 50,000. *See also* Table 4. Special-Purpose Local Governments by State Census Years 1942 to 2017 [CG1700ORG04], CG1700ORG04 Table Notes\_Special Purpose Local Governments by State\_Census Years 1942 to 2017. [↑](#footnote-ref-470)
469. This total is derived from the sum of the number of general purpose governments (county, municipal and town or township) with populations of less than 50,000 (36,931) and the number of special purpose governments - independent school districts with enrollment populations of less than 50,000 (12,040), from the 2017 Census of Governments - Organizations Tables 5, 6, and 10. [↑](#footnote-ref-471)
470. *See* 13 CFR § 120.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICS code as 517311 for Wired Telecommunications Carriers. *See* U.S. Census Bureau, *2017 NAICS Definition*, <https://www.census.gov/naics/>. [↑](#footnote-ref-472)
471. *See* 13 CFR § 120.201, NAICS Code 517311 (previously 517110). [↑](#footnote-ref-473)
472. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). <https://www.census.gov/data/tables/2012/econ/census/information.html>. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>; <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html> (showing that 3,364 firms operated in 2017). [↑](#footnote-ref-474)
473. *Id.* [↑](#footnote-ref-475)
474. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-476)
475. *Id.* [↑](#footnote-ref-477)
476. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers), <https://www.census.gov/data/tables/2012/econ/census/information.html>. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-478)
477. *Id.* [↑](#footnote-ref-479)
478. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; https://www.census.gov/naics/?input=517311&year=2017&details=517311. [↑](#footnote-ref-480)
479. *Id*. [↑](#footnote-ref-481)
480. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers), <https://www.census.gov/data/tables/2012/econ/census/information.html>. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-482)
481. *Id.*  [↑](#footnote-ref-483)
482. *See Trends in Telephone Service*, Federal Communications Commission, Wireline Competition Bureau, Industry Analysis and Technology Division at Table 5.3 (Sept. 2010) (*Trends in Telephone Service*). [↑](#footnote-ref-484)
483. *Id*. [↑](#footnote-ref-485)
484. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-486)
485. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>; <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-487)
486. *Id.* [↑](#footnote-ref-488)
487. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-489)
488. *Id*. [↑](#footnote-ref-490)
489. *Id*. [↑](#footnote-ref-491)
490. *Id*. [↑](#footnote-ref-492)
491. *Id*. [↑](#footnote-ref-493)
492. *See* 13 CFR § 121.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICs code as 517311 for Wired Telecommunications Carriers. *See* U.S. Census Bureau, *2017 NAICS Definition*, <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-494)
493. *Id*. [↑](#footnote-ref-495)
494. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers), This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>; *see also* <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-496)
495. *Id*. [↑](#footnote-ref-497)
496. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-498)
497. *Id*. [↑](#footnote-ref-499)
498. U.S. Census Bureau, *2017 NAICS Definition*, NAICS Code 517911 “Telecommunications Resellers,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-500)
499. 13 CFR § 121.201 (NAICS code 517911), <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-501)
500. *Id*. [↑](#footnote-ref-502)
501. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* NAICS Code 517911, <https://www.census.gov/data/tables/2012/econ/susb/2012-susb-annual.html>. *See also* <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-503)
502. *Id.* Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-504)
503. *See Trends in Telephone Service,* at tbl. 5.3. [↑](#footnote-ref-505)
504. *Id.* [↑](#footnote-ref-506)
505. U.S. Census Bureau, 2017 NAICS Definition, 517911 Telecommunications Resellers, <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-507)
506. 13 CFR § 121.201, NAICS code 517911. [↑](#footnote-ref-508)
507. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* NAICS Code 517911, <https://www.census.gov/data/tables/2012/econ/susb/2012-susb-annual.html>. *See also* <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html> (in 2017, there were a total of 2019 firms). [↑](#footnote-ref-509)
508. *Id*. Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-510)
509. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-511)
510. *Id*. [↑](#footnote-ref-512)
511. U.S. Census Bureau, 2017 NAICS Definition, 517911 Telecommunications Resellers, <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-513)
512. 13 CFR § 121.201, NAICS code 517911; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>. [↑](#footnote-ref-514)
513. *Id.* [↑](#footnote-ref-515)
514. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* NAICS Code 517911, <https://www.census.gov/data/tables/2012/econ/census/information.html>. [↑](#footnote-ref-516)
515. *Id.* Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-517)
516. *See Trends in Telephone Service* at Table 5.3. [↑](#footnote-ref-518)
517. *Id.* [↑](#footnote-ref-519)
518. *See* 13 CFR § 120.201, NAICS Code 517311 (previously 517110). [↑](#footnote-ref-520)
519. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-521)
520. *Id.* [↑](#footnote-ref-522)
521. *Trends in Telephone Service* at tbl. 5.3. [↑](#footnote-ref-523)
522. *Id.* [↑](#footnote-ref-524)
523. U.S. Census Bureau, 2012 NAICS Definitions, “517210 Wireless Telecommunications Carriers (Except Satellite).” *See* <https://www.census.gov/data/tables/2012/econ/census/information.html>. [↑](#footnote-ref-525)
524. 13 CFR § 121.201, NAICS code 517210. [↑](#footnote-ref-526)
525. U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ5, Information: Subject Series: Estab and Firm Size: Employment Size of Firms for the U.S.: 2012 NAICS Code 517210, <https://www.census.gov/data/tables/2012/econ/census/information.html>. [↑](#footnote-ref-527)
526. *Id*. Available census data does not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with “1000 employees or more.” [↑](#footnote-ref-528)
527. U.S. Census Bureau, 2017 NAICS Definitions, “515120 Television Broadcasting,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=515120&year=2017&details=515120>. [↑](#footnote-ref-529)
528. *Id.* [↑](#footnote-ref-530)
529. 13 CFR § 121.201; 2012 NAICS code 515120. [↑](#footnote-ref-531)
530. U.S. Census Bureau, Table No. EC1251SSSZ4, *Information: Subject Series - Establishment and Firm Size: Receipts Size of Firms for the United States: 2012* (515120 Television Broadcasting). <https://www.census.gov/data/tables/2012/econ/census/information.html>; <https://www.census.gov/naics/?input=515120&year=2017&details=515120> (in 2017, there were 374 such firms). [↑](#footnote-ref-532)
531. *Id*. [↑](#footnote-ref-533)
532. *Broadcast Station Totals* *as of June 30, 2018*, Press Release (MB 2018) (*June 30, 2018, Broadcast Station Totals Press Release*), <https://docs.fcc.gov/public/attachments/DOC-352168A1.pdf>. [↑](#footnote-ref-534)
533. *Id.* [↑](#footnote-ref-535)
534. *Id.* [↑](#footnote-ref-536)
535. “[Business concerns] are affiliates of each other when one concern controls or has the power to control the other or a third party or parties controls or has the power to control both.” 13 CFR § 21.103(a)(1). [↑](#footnote-ref-537)
536. U.S. Census Bureau, 2017 NAICS Definitions, “515112 Radio Stations,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=515112&year=2017&details=515112>. [↑](#footnote-ref-538)
537. 13 CFR § 121.201; NAICS code 515112. <https://www.naics.com/naics-code-description/?code=515112>. [↑](#footnote-ref-539)
538. U.S. Census Bureau, Table No. EC1251SSSZ4, *Information: Subject Series – Establishment and Firm Size: Receipts Size of Firms for the United States: 2012* NAICS Code 515112, <https://www.census.gov/data/tables/2012/econ/susb/2012-susb-annual.html>; <https://www.census.gov/naics/?input=515112&year=2017&details=515112> (in 2017, there were a total of 2,958 firms). [↑](#footnote-ref-540)
539. *Id.* [↑](#footnote-ref-541)
540. BIA/Kelsey, MEDIA Access Pro Database, <http://www.biakelsey.com/data-platforms/media-access-pro/>. [↑](#footnote-ref-542)
541. *June 30, 2018, Broadcast Station Totals Press Release*. [↑](#footnote-ref-543)
542. *Id.* [↑](#footnote-ref-544)
543. “[Business concerns] are affiliates of each other when one concern controls or has the power to control the other, or a third party or parties controls or has power to control both.” 13 CFR § 121.103(a)(1). [↑](#footnote-ref-545)
544. 13 CFR § 121.102(b). [↑](#footnote-ref-546)
545. 47 CFR § 76.901(e). The Commission determined that this size standard equates approximately to a size standard of $100 million or less in annual revenues. *Implementation of Sections of the 1992 Cable Act: Rate Regulation,* Sixth Report and Order and Eleventh Order on Reconsideration, 10 FCC Rcd 7393, 7408 (1995). [↑](#footnote-ref-547)
546. The number of active, registered cable systems comes from the Commission’s Cable Operations and Licensing System (COALS) database on August 15, 2015. *See* FCC, *Cable Operations and Licensing System (COALS)*, <https://apps.fcc.gov/coals/>. [↑](#footnote-ref-548)
547. S&P Global Market Intelligence, *Top Cable MSOs as of 12/2019,* <https://platform.marketintelligence.spglobal.com/> (Dec 2019). The five cable operators all had more than 400,000 basic cable subscribers. *See also*, Kagan-Media Play News, Online TV Growth Slows Despite Record Q3 Pay-TV Subscriber Exodus, (Nov. 13, 2018), <https://www.mediaplaynews.com/tag/kagan/>. [↑](#footnote-ref-549)
548. 47 CFR § 76.901(c). [↑](#footnote-ref-550)
549. *See supra note* ***Error! Bookmark not defined.****.* [↑](#footnote-ref-551)
550. *Id*. [↑](#footnote-ref-552)
551. 47 U.S.C. § 543(m)(2); *see* *also* 47 CFR § 76.901(e). [↑](#footnote-ref-553)
552. S&P Global Market Intelligence, *U.S. Cable Subscriber Highlights, Basic Subscribers(actual) 2019*, *U.S. Cable MSO Industry Total; see also U.S. Multichannel Industry Benchmarks, U.S. Cable Industry Benchmarks, Basic Subscribers 2019Y,* <https://platform.marketintelligence.spglobal.com>. [↑](#footnote-ref-554)
553. 47 CFR § 76.901(e). [↑](#footnote-ref-555)
554. S&P Global Market Intelligence, *Top Cable MSOs as of 12/2019,* <https://platform.marketintelligence.spglobal.com>. The five cable operators all had more than 486,460 basic cable subscribers. *See also* Broadband Now, Providers Offering Cable Service <https://broadbandnow.com/Cable-Providers> (last visited May 18, 2021). [↑](#footnote-ref-556)
555. The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority’s finding that the operator does not qualify as a small cable operator pursuant to § 76.901(e) of the Commission’s rules. *See* 47 CFR § 76.910(b). [↑](#footnote-ref-557)
556. *See* 13 CFR § 120.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICS code as 517311 for Wired Telecommunications Carriers. *See* <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517311&year=2017&details=517311>. [↑](#footnote-ref-558)
557. *Id.* [↑](#footnote-ref-559)
558. *Id*. Examples of this category are: broadband Internet service providers (e.g., cable, DSL); local telephone carriers (wired); cable television distribution services; long-distance telephone carriers (wired); CCTV services; VoIP service providers, using own operated wired telecommunications infrastructure; DTH services; telecommunications carriers (wired); satellite television distribution systems; and MMDS. [↑](#footnote-ref-560)
559. *Id*. [↑](#footnote-ref-561)
560. 13 CFR § 121.201. This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-562)
561. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-563)
562. *Id.* [↑](#footnote-ref-564)
563. *See Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming,* Eighteenth Report,Table III.A.5*,* 32 FCC Rcd 568, 595 (2017). [↑](#footnote-ref-565)
564. *See* U.S. Census Bureau, 2017 NAICS Definitions, NAICS Code “517919 All Other Telecommunications,” <https://www.census.gov/naics/>; <https://www.census.gov/naics/?input=517919&year=2017&details=517919>. [↑](#footnote-ref-566)
565. *Id.* [↑](#footnote-ref-567)
566. *Id*. [↑](#footnote-ref-568)
567. *See* 13 CFR § 121.201, NAICS code 517919; <https://www.census.gov/naics/?input=517919&year=2017&details=517919>. [↑](#footnote-ref-569)
568. U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ4, Information: Subject Series - Estab and Firm Size: Receipts Size of Firms for the United States: 2012, NAICS code 517919, <https://www.census.gov/programs-surveys/economic-census/data/tables.html>. [↑](#footnote-ref-570)
569. *Id.* [↑](#footnote-ref-571)
570. *See* 47 CFR § 52.101(b). [↑](#footnote-ref-572)
571. 13 CFR § 121.201. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-573)
572. *Id*. [↑](#footnote-ref-574)
573. *See* 13 CFR § 120.201. The Wired Telecommunications Carrier category formerly used the NAICS code of 517110. As of 2017 the U.S. Census Bureau definition shows the NAICS code as 517311 for Wired Telecommunications Carriers. *See* U.S. Census Bureau, *2017 NAICS Definition*, <https://www.census.gov/naics/>. [↑](#footnote-ref-575)
574. *See* 13 CFR § 120.201, NAICS Code 517311 (previously 517110). [↑](#footnote-ref-576)
575. *See* U.S. Census Bureau, *2012 Economic Census of the United States,* Table No. EC1251SSSZ5, *Information: Subject Series - Estab & Firm Size: Employment Size of Firms: 2012* (517110 Wired Telecommunications Carriers). This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. There were 3,364 total firms in 2017. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-577)
576. *Id.* [↑](#footnote-ref-578)
577. U.S. Census Bureau, 2012 NAICS Definitions, “517210 Wireless Telecommunications Carriers (Except Satellite).” This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-579)
578. 13 CFR § 120.201, NAICS code 517120. [↑](#footnote-ref-580)
579. U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ5, Information: Subject Series: Estab and Firm Size: Employment Size of Firms for the U.S.: 2012 NAICS Code 517210. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>. [↑](#footnote-ref-581)
580. 13 CFR § 121.201, NAICS code 541890; <https://www.census.gov/naics/?input=541890&year=2017&details=541890>. [↑](#footnote-ref-582)
581. 13 CFR § 121.201, NAICS code 541618; <https://www.census.gov/naics/?input=541618&year=2017&details=541618>. [↑](#footnote-ref-583)
582. <https://www.census.gov/naics/>. [↑](#footnote-ref-584)
583. 13 CFR § 121.201, subsector 541; NAICS code 541890. [↑](#footnote-ref-585)
584. 13 CFR § 121.201, subsector 541; NAICS code 541890; <https://www.census.gov/naics/?input=541890&year=2017&details=541890>; in 2017, there were 6,758 firms, <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-586)
585. In 2017, there were a total of 6,758 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-587)
586. http://www.census,gov/cgi-bin/sssd/naics.naicsrch. [↑](#footnote-ref-588)
587. 13 CFR § 121.201, subsector 541; NAICS code 541618. *See* Class Codes, NAICS Code 541618, <https://classcodes.com/lookup/naics-code-541618/>. [↑](#footnote-ref-589)
588. In 2017, there were a total of 5,804 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>. [↑](#footnote-ref-590)
589. The four NAICS code-based categories selected above to provide definitions for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs. [↑](#footnote-ref-591)
590. 5 U.S.C. § 603(c)(1)–(c)(4). [↑](#footnote-ref-592)
591. Note that “small fees” are collected in advance for the entire license term. Therefore, the annual fee amount shown in this table that is a small fee (categories 1 through 5) must be multiplied by the 5-or 10-year license term, as appropriate, to arrive at the total amount of regulatory fees owed. Also, application fees may apply as detailed in § 1.1102 of this chapter. [↑](#footnote-ref-593)
592. These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter. [↑](#footnote-ref-594)
593. These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter. [↑](#footnote-ref-595)