

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

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

REPORT AND ORDER AND NOTICE OF PROPOSED RULEMAKING

Adopted: August 25, 2021

Released: August 26, 2021

Comment Date: [30 days after date of publication in the Federal Register]

Reply Comment Date: [45 days after date of publication in the Federal Register]

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

I. 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 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.

II. BACKGROUND

2. 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 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 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 de minimis entities,⁵ and entities whose regulatory fees are waived.⁶

3. 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

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.

² See 47 U.S.C. § 159(a), (b).

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*).

⁴ 47 U.S.C. § 159(e)(1).

⁵ 47 U.S.C. § 159(e)(2).

⁶ 47 U.S.C. § 159a(d); 47 CFR § 1.1166.

account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities.⁷⁷ The Commission typically assesses the allocation of full-time equivalents (FTEs)⁸ 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 The direct FTEs within each core bureau are then attributed to payor categories based on the nature of the FTE work.¹⁰ 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 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 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

4. 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 Commission's actions in assessing regulatory fees are fair, administrable, and sustainable.¹⁴ In 2018, as part of the RAY BAUM'S Act, Congress revised the

⁷ 47 U.S.C. § 159(d).

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.

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.

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.")

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*).

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).

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).

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*

(continued....)

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 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 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 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

5. 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 (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 We discuss each of these issues below.

III. REPORT AND ORDER

6. Pursuant to section 9 of the Act, in this Report and Order we adopt the regulatory fee

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.

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.

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.

¹⁷ *Id.*

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.*

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.

²⁰ Appendix A contains the list of commenters and reply commenters.

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

A. Allocating Full-time Equivalents

7. 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” bureau²² (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 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.

8. 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 The high percentage of indirect FTEs is indicative of the fact that many Commission

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.

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.*

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.

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 Fees 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*).

activities and costs are not limited to a particular fee category and instead benefit the Commission and its work as a whole.²⁵

9. 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.

10. Certain commenters representing the broadcast industry have several objections to our proposals and the current allocation of FTEs,²⁶ which they argue has resulted in an increase in regulatory fees.²⁷ We discuss this issue below.

11. **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 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 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 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 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

²⁵ *FY 2013 Report and Order*, 28 FCC Rcd at 12357, para. 17.

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). Reasonable approximations will suffice. *Id.*; *Mississippi Power & Light*, 601 F.2d at 232; *National Cable Television Ass'n v. FCC*, 554 F.2d 1094, 1105 (D.C. Cir. 1976); 36 Comp. Gen. 75 (1956).

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.

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.

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 crowdsourced information about the development and availability of broadband service. *Id.*

³⁰ Broadband DATA Act, § 802(b)(2).

³¹ *Id.* at § 801(1).

³² 47 CFR § 8.1(b).

Consistent with this statutory language, congressional reports recognized that specific segments of the Commission FTEs may be specifically focused on broadband mapping issues.³³ 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

12. 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 They argue that broadcasters are not regulated by nor do they benefit from implementation of the Broadband DATA Act.³⁶ 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

13. 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,

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/billssthisweek/20201221/BILLS-116RCP68-JES-DIVISION-E.pdf> (Explanatory Statement).

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.

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.

³⁶ See NAB Comments at 6-9; Joint Radio Broadcasters Reply at 3; State Broadcasters Association Reply at 16.

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.

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 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 as 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.

14. It is rare for the Commission’s salaries and expenses appropriation to contain earmarks³⁹ to be recovered through regulatory fees, other than the annual designation of funds for the Office of Inspector General.⁴⁰ 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 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.

15. 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 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

³⁸ 47 U.S.C. § 159(d).

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.

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.”).

⁴¹ Committee Report at p. 59.

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).

Telecommunications Bureau, the Wireline Competition Bureau, and the International Bureau).⁴³ 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 Furthermore, all core bureaus except the Media Bureau have staff contributing to the implementation effort.⁴⁵ 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.

16. 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 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 Therefore, in this unique instance, we will exclude “Media Services” licensees from recovery of the \$33 million earmark for Broadband DATA Act implementation.⁴⁸ 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

⁴³ See Improving Broadband Mapping Data February Open Meeting Presentation (Feb. 17, 2021), <https://docs.fcc.gov/public/attachments/DOC-370061A1.pdf>.

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 crowdsourcing processes required under the Broadband DATA Act. *Comment Sought on Technical Requirements for the Mobile Challenge Verification and Crowdsourcing 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).

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.

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).

⁴⁷ See NAB Comments at 7.

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.

unusual position of broadcasters vis-à-vis other Commission regulatees in this instance.⁴⁹

17. 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.

18. **Auction FTEs.** Several commenters contend that the Commission should include auctions FTEs in the calculation of indirect and overhead expenses.⁵⁰ 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 We find, however, that including auctions FTEs would be inconsistent with section 9 of the Act and therefore decline to accept this proposal.

19. 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 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 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 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

20. Similarly, auctions FTEs are not included in the calculation of regulatory fees because

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.*

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.

⁵¹ *See* NAB Comments at 12.

⁵² *See* 47 U.S.C. §§ 159(a), (b).

⁵³ 47 U.S.C. § 159(d).

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.

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.

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 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 Thus, only *direct non-auctions FTEs* are used in the calculation of the regulatory fee rate and consequently impact the overall regulatory fee calculations.

21. **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 As discussed above, we decline the commenters' request⁵⁹ 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 Instead, we conclude that the better course

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.

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 ($6,449 \div 80$) and 67 FTEs for S&E ($5,371 \div 80$).

⁵⁸ See, e.g., NAB Comments at 12-14; State Broadcasters Associations Reply at 22-23.

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.

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.

at this time is to continue to classify OET's FTEs as "indirect," for the reasons below.

22. 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 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

23. 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 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 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

24. 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 As such OET's equipment

⁶¹ 47 U.S.C. § 159(d).

⁶² See *FY 2013 Report and Order*, 28 FCC Rcd 12351, 12357, para. 17.

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.

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>.

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.

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

(continued....)

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 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 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

25. 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 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 But section 9 requires the Commission to do more than merely consider "whether the payor receives benefits from the Commission's activities."⁷² 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 This statutory language was not changed by the

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).

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).

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.

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.

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).

⁷¹ NAB Reply at 3-5; State Broadcasters Associations Reply at 11-14.

⁷² NAB Comments at 2.

⁷³ 47 U.S.C. § 159(d) (emphasis added).

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 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 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.

26. **Exempt Noncommercial Stations.** The State Broadcasters Associations contends that broadcasters should not be responsible for the regulatory fees of exempt noncommercial stations.⁷⁶ We disagree. The RAY BAUM'S Act specifically exempted non-commercial radio and television stations from regulatory fees.⁷⁷ 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 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 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.

B. Commercial Mobile Radio Service Regulatory Fees Calculation

27. 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 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

⁷⁴ *Telesat Canada, et al. v. FCC*, 999 F.3d 707, 710-712 (D.C. Cir. 2021) (*Telesat*).

⁷⁵ *Id.* at 710-714; *FY 2020 NPRM*, 35 FCC Rcd at 4988, para. 26.

⁷⁶ State Broadcasters Associations Reply at 19-20.

⁷⁷ 47 U.S.C. § 159(e)(1)(C).

⁷⁸ *FY 2019 Report and Order*, 34 FCC Rcd at 8196-97, para. 19.

⁷⁹ *Id.*

⁸⁰ *FY 2021 NPRM*, 2021 WL 1835889 at *9, *10, paras. 24-29.

be 15 cents per subscriber.⁸¹ As we explained in the *FY 2021 NPRM*, non-geographic numbers are assigned numbers but not associated with any particular geographic area.⁸² They are included in Numbering Resource Utilization Forecast (NRUF) Report data and fall within the definition of assigned numbers.⁸³ 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 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 Therefore, counting non-geographic numbers for regulatory fee purposes is no longer duplicative of the geographic number.⁸⁶ No commenters oppose our proposal, and we therefore adopt it.

C. Direct Broadcast Satellite Fees

28. 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) providers⁸⁷ in the same fee category at the same per subscriber regulatory fee.⁸⁸ 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 DBS providers are multichannel video programming distributors

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 Fees for Fiscal Year 2020*, Report and Order and Further Notice of Proposed Rulemaking, 36 FCC Rcd 1731, 1773 (2020) (*FY 2020 Report and Order*).

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).

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).

⁸⁴ *2020 NRUF Report* at 6.

⁸⁵ *FY 2021 NPRM*, 2021 WL 1835889 at *10, para. 28.

⁸⁶ *2020 NRUF Report* at 6.

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.

⁸⁸ *FY 2021 NPRM*, 2021 WL 1835889 at *11, paras. 30-31.

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.

(MVPDs), as defined in section 602(13) of the Act.⁹⁰ The Media Bureau oversees the regulation of MVPDs,⁹¹ 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.

29. The Commission first adopted a regulatory fee for DBS providers based on FTEs in the Media Bureau in FY 2015,⁹² 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 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 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

30. 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 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 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 We therefore do not agree with the DBS providers’ argument that MVPD issues are predominantly specific to cable television.

31. 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 The Commission has consistently held that the DBS regulatory fee

⁹⁰ 47 U.S.C. § 522(13).

⁹¹ MVPD is defined in section 602(13) of the Act, 47 U.S.C. § 522(13).

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*).

⁹³ *FY 2015 Report and Order*, 30 FCC Rcd at 10277, para. 20.

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

⁹⁵ *FY 2020 Report and Order*, 36 FCC Rcd at 1737, para. 16.

⁹⁶ *See* NCTA and ACA Connects Comments at 1-2 & Reply at 3-5.

⁹⁷ DIRECTV and DISH Comments at 2.

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.

⁹⁹ DIRECTV and DISH Comments at 3.

is based on the significant number of Media Bureau FTEs that work on MVPD issues that include DBS.¹⁰⁰ 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

32. 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 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.

33. We are not persuaded by DIRECTV's and DISH's claims that the fee increase will harm consumers.¹⁰³ 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 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.

34. 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 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 We agree with this suggestion and will make this revision.¹⁰⁷

35. 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

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*).

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.

¹⁰² DIRECTV and DISH Comments at 3.

¹⁰³ DIRECTV and DISH Comments at 4.

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.

¹⁰⁵ NCTA and ACA Connects Comments at 3.

¹⁰⁶ *Id.*

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.

order.¹⁰⁸ 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.

D. Full-Service Television Broadcaster Fees

1. FY 2021 Regulatory Fees

36. We adopt the use of the population-based methodology for full-service television broadcasters for FY 2021, as proposed.¹⁰⁹ 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 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 We proposed adopting a factor of .8525 of one cent (\$.008525) per population served for FY 2021 full-power broadcast television station fees.¹¹² 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 The population data for each licensee and the population-based fee (population multiplied by \$.007793) for each full-power broadcast television

¹⁰⁸ DIRECTV and DISH Comments at 4-5.

¹⁰⁹ *FY 2021 NPRM*, 2021 WL 1835889 at *11, para. 32.

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.

¹¹¹ *FY 2021 NPRM*, 2021 WL 1835889 at *11, para. 32.

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).

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.

station,¹¹⁴ including each satellite station, is listed in Appendix G.

37. 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 While NAB agrees that we should continue to use the population-based methodology as the objective unit measure,¹¹⁶ 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 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

2. Stations in Puerto Rico

38. 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 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 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 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 In the *FY 2021 NPRM*, we sought comment on adopting these proposals again for FY 2021.¹²³

39. SBS and Televiscentro support the proposal to extend to FY 2021 the adjustments made in

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.

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.

¹¹⁶ NAB Comments at 14-15.

¹¹⁷ Joint Broadcasters Reply at 5.

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). Reasonable approximations will suffice. *Id.*; *Mississippi Power & Light*, 601 F.2d at 232; *National Cable Television Ass'n v. FCC*, 554 F.2d 1094, 1105 (D.C. Cir. 1976); 36 Comp. Gen. 75 (1956).

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).

¹²⁰ *Id.* at 5003, para. 69 (citing Puerto Rico Broadcasters Comments in MD Docket No. 20-105, at 10).

¹²¹ *FY 2021 NPRM*, 2021 WL 1835889 at *12, para. 34.

¹²² See United States Census, "Quick Facts, Puerto Rico," <https://www.census.gov/quickfacts/PR> (last visited Apr. 30, 2021).

¹²³ *FY 2021 NPRM*, 2021 WL 1835889 at *12, para. 34.

FY 2020.¹²⁴ 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 According to these commenters, the factors that led the Commission to adopt the FY 2020 modifications have not changed in the past year.¹²⁶ Due to population decline in the past decade, Puerto Rico's population remains well below that reflected in the 2010 census.¹²⁷ 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 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 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 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

E. Toll-Free Numbers

40. 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 With toll-free calls, the charge for the call is paid by the called party (the toll-free subscriber) instead.¹³³ 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 For reasons discussed in the *FY 2014 Report and Order*¹³⁵ and the *FY 2015 Report and Order*,¹³⁶ the Commission

¹²⁴ SBS and Televiscentro Comments at 1-2.

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ *Id.* at 2.

¹²⁸ *Id.*

¹²⁹ *Id.* at 3.

¹³⁰ *Id.*

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.

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).

¹³³ 47 U.S.C. §§ 52.101 (e), (f).

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*).

¹³⁵ *FY 2014 Report and Order*, 29 FCC Rcd at 10777-79, paras. 25-28.

¹³⁶ *FY 2015 Report and Order*, 30 FCC Rcd at 5362-64, paras. 23-27.

established a regulatory fee obligation for RespOrgs¹³⁷ that manage toll-free numbers, beginning in FY 2015.¹³⁸ 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

41. 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 ATL argues that clients that are carriers, and report revenues on FCC Form 499s,¹⁴¹ 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 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

F. Submarine Cable Regulatory Fees

42. 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 International bearer circuits (IBCs) consist of terrestrial and satellite circuits and submarine

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).

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*).

¹³⁹ *FY 2014 Report and Order*, 29 FCC Rcd at 10778, para. 26.

¹⁴⁰ ATL Comments at 1.

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).

¹⁴² ATL Comments at 1.

¹⁴³ Appendix B contains a list of all regulatory fees for FY 2021.

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> (stating that there are two principal ways of measuring a cable’s capacity: (1) potential capacity; and (2) lit capacity).

cable systems.¹⁴⁵ 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 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 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 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

43. In the *FY 2020 Report and Order*, the Commission revised the allocation of IBC fees¹⁵⁰ and adopted new tiers for the fees.¹⁵¹ 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 The Commission found again that capacity was an appropriate measure by which to assess IBC fees.¹⁵³ The Commission rejected the use of a flat rate for submarine cables¹⁵⁴ and adjusted the tiers for submarine cables.¹⁵⁵ 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*

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.

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).

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.

¹⁴⁸ *Id.* at 4212-13, paras. 8-9.

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.

¹⁵⁰ *FY 2020 Report and Order*, 36 FCC Rcd at 1755-56, paras. 61-63.

¹⁵¹ *Id.* at 1757-59, paras. 68-73.

¹⁵² *Id.* at 1755-56, paras. 61-63.

¹⁵³ *Id.* at 1753-55, paras. 56-60.

¹⁵⁴ *Id.* at 1757, para. 67.

¹⁵⁵ *Id.* at 1758, para. 70.

Order.¹⁵⁶ Lumen agrees with our capacity-based approach.¹⁵⁷ The Submarine Cable Coalition,¹⁵⁸ 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

44. 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 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

45. The Submarine Cable Coalition reiterates its arguments that were rejected by the Commission in the FY 2020 proceeding.¹⁶² It argues that the benefits submarine cable regulatees receive from the International Bureau's work are fixed, regardless of the cable capacity¹⁶³ 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 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 The Commission updated the capacity tiers in 2018 to reflect the increasing capacity of submarine cable systems and again in 2020.¹⁶⁶ We therefore find sufficient reason to adopt the proposed fees for submarine cable systems based on lit capacity.

G. Space Station Regulatory Fees

1. NGSO Regulatory Fees—Less Complex and Other

46. In 2020, the Commission adjusted the allocation of FTEs among GSO and NGSO space

¹⁵⁶ See *FY 2021 NPRM* at Appendix B.

¹⁵⁷ Lumen Reply at 1-3.

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.

¹⁵⁹ Submarine Cable Coalition Comments at 2-4.

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).

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 Rcd at 4214-15, para. 16.

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.

¹⁶³ Submarine Cable Coalition Comments at 4.

¹⁶⁴ See *FY 2020 Report and Order*, 36 FCC Rcd at 1754-55, 1759 paras. 58, 74-75.

¹⁶⁵ *Submarine Cable Order*, 24 FCC Rcd at 4215, para. 18.

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.

station and earth station operators.¹⁶⁷ 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 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

47. 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

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.

48. 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 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 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 In the *FY 2021 NPRM*, we also sought comment on how to

¹⁶⁷ *FY 2020 NPRM*, 35 FCC Rcd at 4993-95, paras. 39-45.

¹⁶⁸ *Id.* at 4993, para. 40.

¹⁶⁹ *Id.* at 4993, para. 41.

¹⁷⁰ *FY 2020 Report and Order*, 36 FCC Rcd at 1763, para. 93.

¹⁷¹ *FY 2021 NPRM*, 2021 WL 1835889 at *3, para. 7.

¹⁷² *Id.* at *5, para. 12.

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

(continued....)

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

49. 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 Below, we discuss the NGSO subcategories and the allocation of the NGSO fees among the NGSO subcategories.

a. NGSO Space Station Subcategories

50. 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.

51. We reject commenters’ assertions that there is insufficient notice or lack of “reasoned decision making” to create NGSO subcategories for regulatory fee purposes.¹⁷⁶ 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 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 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 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

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.

¹⁷⁴ *FY 2021 NPRM*, 2021 WL 1835889 at *13, para. 35.

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.

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).

¹⁷⁷ *FY 2021 NPRM* at paras. 7, 18.

¹⁷⁸ *FY 2020 Report and Order*, 36 FCC Rcd at 1762-63, paras. 88-91.

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.”).

purpose of a notice and comment rulemaking process. Indeed, our decision to create two NGSO fee subcategories incorporated elements of the specific proposals.¹⁸⁰ 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 but was rather an informed decision-making process based on a fully developed record, following a notice and comment rulemaking.

52. 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 Section 9 of the Communications Act requires the Commission to recover, through regulatory fees, the total amount of its appropriation each year.¹⁸³ 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

53. 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 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 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

54. 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

¹⁸⁰ *Id.* at *5-*8, paras. 11-13, 15-19.

¹⁸¹ NGSO Satellite Coalition Comments at 5; Iridium Reply at 2.

¹⁸² NGSO Satellite Coalition Comments at 6.

¹⁸³ 47 U.S.C. § 159(a).

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)).

¹⁸⁵ See Kepler Reply at 6; NGSO Satellite Coalition Comments at 7-8; see also SES Reply at 4.

¹⁸⁶ NGSO Satellite Coalition Comments at 7-8.

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.

in EESS application processing vis-à-vis NGSO FSS application processing.¹⁸⁸ The NGSO Satellite Coalition points to the fact that EESS applications are more likely to require coordination with the Interdepartmental Radio Advisory Committee.¹⁸⁹ 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

55. 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 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 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 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 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.

56. 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 For example, the NGSO Satellite Coalition and Kepler argue that our decision to

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).

¹⁸⁹ NGSO Satellite Coalition Comments at 8.

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.

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).

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.

¹⁹³ *See also* SpaceX Comments at 2.

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.

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 1835889 at *7, para. 17. *See also id.* at

(continued....)

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 The definition of small satellite for the purposes of Commission licensing is broader than the NGSO subcategories adopted for regulatory fees purposes,¹⁹⁷ 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 As another example, Kepler argues that the Commission should create additional subcategories within the "other" NGSO category.¹⁹⁹ 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 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 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

57. Finally, we reject commenters' allegations that the consideration of earth stations is overly simplistic.²⁰³ Comparative complexity in earth station siting and licensing is not relevant to our

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).

¹⁹⁶ NGSO Satellite Coalition Comments at 12-13; Kepler Comments at 4.

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*).

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.*

¹⁹⁹ Kepler Comments at 3.

²⁰⁰ *Id.* at 4.

²⁰¹ *FY 2021 NPRM*, 2021 WL 1835889 at *8, para. 19.

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.

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

(continued....)

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 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 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 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.

b. 20/80 NGSO Regulatory Fee Allocation

58. 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 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 others disagree. Many of those commenters disagree with

that includes intra-service and inter-service sharing or sharing with government systems requires “extensive regulatory intervention.”); *see also* Iridium Reply at 2.

²⁰⁴ NGSO Satellite Coalition Comments at 14.

²⁰⁵ *FY 2021 NPRM*, 2021 WL 1835889 at *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.”).

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.

²⁰⁷ *See FY 2021 NPRM*, 2021 WL 1835889 at *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).

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.

the underlying creation of the “less complex” NGSO fee category, as adopted.

59. Specifically, we reject Iridium’s argument that the Commission did not provide adequate evidence to justify the proposed fee allocation.²⁰⁹ 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 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 We refocused our analysis on ongoing totality of regulatory work benefiting NGSO systems, rather than just application or coordination processes.²¹² 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

60. We disagree with Iridium’s suggestion that adoption of granular fee categories must be accompanied by “transparent data” supporting the granularity.²¹⁴ 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 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 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 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 We then considered the number of FTEs

²⁰⁹ Iridium Comments at 3.

²¹⁰ *Id.* at 3; Kepler Reply at 3; SES Reply at 2-3; Smallsat Operators Reply at 1.

²¹¹ See *FY 2021 NPRM*, 2021 WL 1835889 at *5, para. 12.

²¹² *Id.*

²¹³ *Id.*

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 Iridium).

²¹⁵ See e.g., *FY 2020 NPRM*, 35 FCC Rcd at 4993, para. 41.

²¹⁶ *FY 2020 NPRM*, 35 FCC Rcd at 4993, para. 41.

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.

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

(continued...)

typically working on processing round issues/adjudications on an ongoing basis,²¹⁹ 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 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 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.

61. 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 SES alleges that none of the factors cited in the *FY 2020 NPRM* provide a valid justification of the cost apportioning.²²³ 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 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

who petitioned for it. SpaceX Comments at 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.

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.

²²⁰ *FY 2021 NPRM*, 2021 WL 1835889 at *13, para. 36.

²²¹ *Id.*

²²² SES Reply at 1.

²²³ *Id.* at 2.

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.

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 SES also argues that "the most important and complex" pending satellite rulemaking involves updating orbital debris rules, which applies to all NGSO systems.²²⁶ 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

62. 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 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 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.

63. 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 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.

64. 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 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 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 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

²²⁵ See *supra* n.26.

²²⁶ SES Reply at 3; *see also* Kinéis Reply at 6.

²²⁷ *FY 2020 NPRM*, 35 FCC Red at 4993, para. 41.

²²⁸ AWS Comments at 2. Planet also supports this position in its reply comments. *See* Planet Reply at 5.

²²⁹ AWS Comments at 3.

²³⁰ Iridium Comments at 6-7.

²³¹ *See id.* at 4-5; Kepler Comments at 3.

²³² Iridium Comments at 4.

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").

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 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 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.

65. 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 is inconsistent with guidance given to SES in 2020 when it sought a regulatory fee exemption.²³⁶ 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 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.

66. 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 Kinéis states, for example, that the Commission acts as both a registration

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.

²³⁵ Kepler Comments at 7.

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.

²³⁷ *FY 2021 NPRM*, 2021 WL 1835889 at *7, para. 18.

²³⁸ Kinéis Reply at 6-7.

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 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 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 We see no reason now to revisit the Commission’s prior conclusion.

2. NGSO Regulatory Fees—Satellites Authorized under Multiple Call Signs

67. 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 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 Myriota expresses concern that failure to do so will result in inefficient outcomes and unintended consequences.²⁴⁴ 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 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

68. 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 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

²³⁹ *Id.* at 7.

²⁴⁰ *FY 2020 NPRM*, 35 FCC Rcd at 4985, para. 19.

²⁴¹ *Id.* at 4986, para. 21.

²⁴² Myriota Comments at 5; Spire Reply at 3; Smallsat Operators Reply at 1.

²⁴³ Myriota Comments at 5; Spire Reply at 3; Smallsat Operators Reply at 1.

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.*

²⁴⁵ *Id.* at 2.

²⁴⁶ *Id.* at 2-3.

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.

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 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 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

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

69. 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 Last year, the Commission adopted certain relief measures to address concerns raised by commenters about financial hardship caused by the COVID-19 pandemic.²⁵² 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 Accordingly, we find good reason to continue the same relief measures we adopted in FY 2020 for FY 2021.

70. 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 and may submit all such requests for

²⁴⁸ Myriota Comments at 2-3, n.8.

²⁴⁹ *Id.* at 3, nn.9-10.

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.

²⁵¹ *FY 2021 NPRM*, 2021 WL 1835889 at *13, *14, paras. 37-40; *FY 2020 Report and Order*, 36 FCC Rcd at 1760-61, paras. 80-85.

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).

²⁵³ Joint Broadcasters Associations Reply at 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 Reply at 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).

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.

relief electronically to the Commission via a dedicated email address.²⁵⁵ For FY 2021, the email address is 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 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 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.

71. 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 installment payments to a nominal rate²⁵⁸ and we suspend our down payment requirement.²⁵⁹ 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 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 Finally, we direct the Managing Director to release one or more public notices describing in more detail the relief we have described herein.

72. 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 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 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 Other statutory limitations include that the Commission must act on waiver requests individually,²⁶⁵ and cannot extend the deadline we set for payment of fees beyond September 30.²⁶⁶

²⁵⁵ *FY 2020 Report and Order*, 36 FCC Rcd at 1760-61, paras. 80-81.

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.

²⁵⁷ *FY 2020 Report and Order*, 36 FCC Rcd at 1761, para. 84.

²⁵⁸ 31 U.S.C. § 3717(a); *FY 2020 Report and Order*, 36 FCC Rcd at 1761, para. 82.

²⁵⁹ *FY 2020 Report and Order*, 36 FCC Rcd at 1761, para. 82.

²⁶⁰ *Id.* at 1761, para. 83.

²⁶¹ *Id.*

²⁶² 47 U.S.C. § 159A(d).

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.

²⁶⁴ *FY 2020 Report and Order*, 36 FCC Rcd at 1762, para. 87.

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 Rcd at 8207, para. 50.

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
(continued....)

IV. NOTICE OF PROPOSED RULEMAKING

A. New Regulatory Fee Categories

73. 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 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 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.

74. 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 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 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.

B. Fees for Small Satellites

75. 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

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.")

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).

²⁶⁸ *See supra* para 24.

²⁶⁹ 47 U.S.C. § 159(d).

²⁷⁰ *See FY 2013 Report and Order*, 28 FCC Rcd 12351, 12357, para. 17.

Commission adopted a new, optional licensing process for small satellites and small spacecraft.²⁷¹ 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 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

76. 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 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 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 According to Eutelsat, such a fee reflected the Commission’s costs and was fair but substantial.²⁷⁷

77. 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 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.

78. 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 Moreover, small satellite licensees are limited to a license term not to exceed six years.²⁸⁰ 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

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.”

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.*

²⁷³ *FY 2018 Report and Order*, 33 FCC Rcd at 8499, n.21.

²⁷⁴ AWS Comments at 4.

²⁷⁵ *Id.* at 4-5.

²⁷⁶ Eutelsat Reply, MD Docket No. 20-105, at 5 (rec. Dec. 28, 2020).

²⁷⁷ *Id.*

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.

²⁷⁹ See *Small Satellite Report and Order*, 34 FCC Rcd at 13083, 13086, 13111-12, paras. 19, 25, 90-92.

²⁸⁰ See *id.* at 13088, para. 31.

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

79. 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 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.

80. 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

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.

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.

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 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 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

81. 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.

82. 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.

83. 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

²⁸³ AWS Comments at 1, 4-5; Planet Reply at 6.

²⁸⁴ AWS Comments at 1, 4-5; Planet Reply at 6.

²⁸⁵ See *Small Satellite Report and Order*, 34 FCC Rcd at 13118-19, para. 105.

operators are fair, administrable, and sustainable.²⁸⁶

V. PROCEDURAL MATTERS

84. Included below are procedural items as well as our current payment and collection methods.

85. *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 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>.

86. *Payment Methods.* Pursuant to an Office of Management and Budget (OMB) directive,²⁸⁸ the Commission is moving towards a paperless environment, extending to disbursement and collection of select federal government payments and receipts.²⁸⁹ 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 During the fee season for collecting regulatory fees, regulatees can pay their fees by credit card through Pay.gov, ACH, debit card,²⁹¹ 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>.

87. *De Minimis Regulatory Fees, Section 9(e)(2) Exemption.* Under the de minimis rule, and

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.

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.

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>.

²⁸⁹ See U.S. Department of the Treasury, Open Government Plan 2.1, Sept. 2012.

²⁹⁰ *FY 2015 Report and Order*, 30 FCC Rcd at 10282-83, para. 35; 47 CFR § 1.1158.

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.

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 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.

88. *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 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 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 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 Regulatory fees also must be paid for CARS

²⁹² *FY 2019 Report and Order*, 34 FCC Rcd at 8206-8207, paras. 46-48; 47 U.S.C. § 159(e)(2).

²⁹³ Audio bridging services are toll teleconferencing services.

²⁹⁴ 47 CFR § 52.103.

²⁹⁵ These multiyear licenses are for PLMRS (exclusive), PLMRS (shared), Microwave, Marine (ship), Aviation (aircraft), Marine (coast), and Aviation (ground).

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.

(continued....)

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 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.

89. *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 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).

90. 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 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

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.

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.

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*).

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.

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.

91. 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.

92. *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.

93. *Final Regulatory Flexibility Analysis.* As required by the Regulatory Flexibility Act of 1980 (RFA)³⁰⁰ the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) relating to this Report and Order. The FRFA is contained in Appendix I.

94. *Initial Regulatory Flexibility Analysis.* As required by the Regulatory Flexibility Act of 1980 (RFA)³⁰¹ 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.

95. *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).

96. *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).

97. *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

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).

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).

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

- 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>.

98. *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 or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice).

99. *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.

100. *Ex Parte Information.* This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³⁰³ 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,

³⁰² *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

³⁰³ 47 CFR §§ 1.1200 *et seq.*

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.

VI. ORDERING CLAUSES

101. 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**.

102. **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**.

103. **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.

104. **IT IS FURTHER ORDERED** that the Report and Order and Notice of Proposed Rulemaking **SHALL BE EFFECTIVE** upon publication in the Federal Register.

105. **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 Televiscentro of Puerto Rico, LLC	SBS and Televiscentro
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	State Broadcasters Associations

<p>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</p>	
<p>American General Media</p>	<p>AGM</p>
<p>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,</p>	<p>Joint Radio Broadcasters</p>

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.	
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 Requirement	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 A ¹	63	1	296,100	290,869	4,617	4,615	290,745
AM Class B ¹	1,456	1	3,681,450	3,609,310	2,479	2,480	3,610,880
AM Class C ¹	825	1	1,310,400	1,292,416	1,567	1,565	1,291,125
AM Class D ¹	1,397	1	4,356,100	4,269,73	3,056	3,055	4,267,835
FM Classes A, B1 & C3 ¹	3,059	1	9,141,975	8,885,212	2,905	2,905	8,886,395
FM Classes B, C, C0, C1 & C2 ¹	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 Permits ²	55	1	64,500	58,850	1,070	1,070	58,850
Digital Television ⁵ (including Satellite TV)	3.262 billion population	1	25,473,855	25,416,380	.0077927	.007793	25,416,380
Digital TV Construction Permits ²	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	1,250	1	716,800	756,250	605	605	756,250

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
LMDS	342	1	190,400	206,910	605	605	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)	605
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	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/

Fee Category	Annual Regulatory Fee (U.S. \$s)
	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	Based on WTB reports and actual FY 2020 payment units.

MDS/MMDS)LMDS	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

<u>LICENSEE</u>	<u>CALL SIGN</u>	<u>SATELLITE NAME</u>	<u>TYPE</u>
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	EHOSTAR 18	GSO
DISH Operating L.L.C.	S2738	EHOSTAR 11	GSO
DISH Operating L.L.C.	S2694	EHOSTAR 10	GSO
DISH Operating L.L.C.	S2740	EHOSTAR 7	GSO
DISH Operating L.L.C.	S2790	EHOSTAR 14	GSO
EchoStar Satellite Operating Corporation	S2811	EHOSTAR 15	GSO
EchoStar Satellite Operating Corporation	S2844	EHOSTAR 16	GSO
EchoStar Satellite Operating Corporation	S2653	EHOSTAR 12	GSO
EchoStar Satellite Services L.L.C.	S2179	EHOSTAR 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	EHOSTAR 19	GSO
Hughes Network Systems, LLC	S2753	EHOSTAR 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	INTELSAT 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

<u>LICENSEE</u>	<u>CALL SIGN</u>	<u>SATELLITE COMMON NAME</u>	<u>SATELLITE TYPE</u>
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
Hisparmar Satélites, S.A.	S2793	AMAZONAS-2	GSO
Hisparmar 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 Telecomunicacoes S.A.	S2677	STAR ONE C1	GSO
Embratel Tvsat Telecomunicacoes S.A.	S2678	STAR ONE C2	GSO
Embratel Tvsat Telecomunicacoes 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

<u>ITU Name (if available)</u>	<u>Common Name</u>	<u>Call Sign</u>	<u>GSO/NGSO</u>
APSTAR V	APSTAR 5	E980250	GSO
AUSSAT B 152E	OPTUS D2	M221170	GSO
CAN-BSS3 and CAN-BSS	EHOSTAR 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*

<u>ITU Name (if available)</u>	<u>Common Name</u>	<u>Call Sign</u>	<u>NGSO</u>
ORBCOMM License Corp	ORBCOMM	S2103	Other
Iridium Constellation LLC	IRIDIUM	S2110	Other
Space Exploration Holdings, LLC	SPACEEX 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

<u>ITU Name (if available)</u>	<u>Common Name</u>	<u>Call Sign</u>	<u>NGSO</u>
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

<u>ITU Name (if available)</u>	<u>Common Name</u>	<u>Call Sign</u>	<u>NGSO</u>
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

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
3246	KA AH-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	KA EF-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	KA II-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	KBTX-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	KGPM-TV	685,626	624,955	\$4,870
25511	KGTF	161,885	160,568	\$1,251
40876	KGTW	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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	KPKJ	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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	KWTV-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WBBD	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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WPX-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	WBTW	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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WHSB-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WKOI-TV	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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WLUC-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
41398	WNPT	2,260,463	2,227,570	\$17,359
28468	WNPX-TV	2,084,890	2,071,017	\$16,139
61009	WNVC-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WTFX-TV	10,784,256	10,492,549	\$81,768
41065	WTFX-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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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	WWTW	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

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
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)	560
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	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	315

Fee Category	Annual Regulatory Fee (U.S. \$s)
part 74)	
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),¹ an Initial Regulatory Flexibility Analysis (IRFA) was included in the *Notice of Proposed Rulemaking (NPRM)* for fiscal year 2021.² The Commission sought written public comment on these proposals including comment on the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the IRFA.³

A. Need for, and Objectives of, the Report and Order

2. 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),⁴ 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.⁵ 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.

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

3. None.

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

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

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

5. 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.⁶ The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."⁷ In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act.⁸ A "small

¹ 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).

² *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, Notice of Proposed Rulemaking, 36 FCC Rcd – (2021).

³ 5 U.S.C. § 604.

⁴ 47 U.S.C. § 159.

⁵ 47 U.S.C. § 159(a).

⁶ 5 U.S.C. § 603(b)(3).

⁷ 5 U.S.C. § 601(6).

⁸ 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 (continued....)

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.⁹

6. *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.¹⁰ 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.¹¹ These types of small businesses represent 99.9% of all businesses in the United States, which translates to 30.7 million businesses.¹²

7. 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.”¹³ 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.¹⁴ 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.¹⁵

8. 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.”¹⁶ U.S. Census Bureau data from the 2017 Census of Governments¹⁷ indicate that there were 90,075 local governmental jurisdictions consisting of general

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.”

⁹ 15 U.S.C. § 632.

¹⁰ See 5 U.S.C. § 601(3)-(6).

¹¹ 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).

¹² *Id.*

¹³ 5 U.S.C. § 601(4).

¹⁴ 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. See 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.

¹⁵ 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.

¹⁶ 5 U.S.C. § 601(5).

¹⁷ 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>.

purpose governments and special purpose governments in the United States.¹⁸ Of this number there were 36,931 general purpose governments (county¹⁹, municipal and town or township²⁰) with populations of less than 50,000 and 12,040 special purpose governments - independent school districts²¹ with enrollment populations of less than 511 governmental jurisdictions.”²²

9. *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.”²³ 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.²⁴ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.²⁵ Of this total, 3,083 operated with

¹⁸ 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.

¹⁹ 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.

²⁰ 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.

²¹ 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.

²² 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.

²³ 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/>.

²⁴ See 13 CFR § 120.201, NAICS Code 517311 (previously 517110).

²⁵ 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).

fewer than 1,000 employees.²⁶ Thus, under this size standard, the majority of firms in this industry can be considered small.

10. *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.²⁷ Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.²⁸ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated for the entire year.²⁹ Of that total, 3,083 operated with fewer than 1,000 employees.³⁰ Thus under this category and the associated size standard, the Commission estimates that the majority of local exchange carriers are small entities.

11. *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.³¹ Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.³² U.S. Census Bureau data for 2012 indicate that 3,117 firms operated the entire year.³³ Of this total, 3,083 operated with fewer than 1,000 employees.³⁴ 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.³⁵ Of this total, an estimated 1,006 have 1,500 or fewer employees.³⁶ Thus, using the SBA's size standard the majority of incumbent LECs can be considered small entities.

12. *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,

²⁶ *Id.*

²⁷ 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>.

²⁸ *Id.*

²⁹ 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>.

³⁰ *Id.*

³¹ 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>.

³² *Id.*

³³ 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>.

³⁴ *Id.*

³⁵ 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*).

³⁶ *Id.*

such a business is small if it has 1,500 or fewer employees.³⁷ U.S. Census Bureau data for 2012 indicate that 3,117 firms operated during that year.³⁸ Of that number, 3,083 operated with fewer than 1,000 employees.³⁹ 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.⁴⁰ Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees.⁴¹ 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.⁴² Also, 72 carriers have reported that they are Other Local Service Providers.⁴³ Of this total, 70 have 1,500 or fewer employees.⁴⁴ 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.

13. *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.⁴⁵ The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.⁴⁶ U.S. Census Bureau data for 2012 indicate that 3,117 firms operated for the entire year.⁴⁷ Of that number, 3,083 operated with fewer than 1,000 employees.⁴⁸ According to internally developed Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services.⁴⁹ Of this total, an estimated 317 have 1,500 or fewer employees.⁵⁰ Consequently, the Commission estimates that the

³⁷ 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>.

³⁸ 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>.

³⁹ *Id.*

⁴⁰ See *Trends in Telephone Service* at Table 5.3.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ 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>.

⁴⁶ *Id.*

⁴⁷ 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>.

⁴⁸ *Id.*

⁴⁹ See *Trends in Telephone Service* at Table 5.3.

⁵⁰ *Id.*

majority of interexchange service providers are small entities.

14. *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.⁵¹ The SBA has developed a small business size standard for the category of Telecommunications Resellers.⁵² Under that size standard, such a business is small if it has 1,500 or fewer employees.⁵³ U.S. Census Bureau data for 2012 show that 1,341 firms provided resale services during that year.⁵⁴ Of that number, 1,341 operated with fewer than 1,000 employees.⁵⁵ 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.⁵⁶ All 193 carriers have 1,500 or fewer employees.⁵⁷ Consequently, the Commission estimates that the majority of prepaid calling card providers are small.

15. *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.⁵⁸ Under the SBA's size standard, such a business is small if it has 1,500 or fewer employees.⁵⁹ U.S. Census Bureau data from 2012 show that 1,341 firms provided resale services during that year.⁶⁰ Of

⁵¹ 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>.

⁵² 13 CFR § 121.201 (NAICS code 517911), <https://www.census.gov/naics/?input=517911&year=2017&details=517911>.

⁵³ *Id.*

⁵⁴ 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>.

⁵⁵ *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."

⁵⁶ See *Trends in Telephone Service*, at tbl. 5.3.

⁵⁷ *Id.*

⁵⁸ 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>.

⁵⁹ 13 CFR § 121.201, NAICS code 517911.

⁶⁰ 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).

that number, all operated with fewer than 1,000 employees.⁶¹ 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.⁶² Of these, an estimated 211 have 1,500 or fewer employees and two have more than 1,500 employees.⁶³ Consequently, the Commission estimates that the majority of local resellers are small entities.

16. *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.⁶⁴ The SBA has developed a small business size standard for the category of Telecommunications Resellers.⁶⁵ Under that size standard, such a business is small if it has 1,500 or fewer employees.⁶⁶ 2012 Census Bureau data show that 1,341 firms provided resale services during that year.⁶⁷ Of that number, 1,341 operated with fewer than 1,000 employees.⁶⁸ 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.⁶⁹ Of this total, an estimated 857 have 1,500 or fewer employees.⁷⁰ Consequently, the Commission estimates that the majority of toll resellers are small entities.

17. *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.⁷¹ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.⁷² Of this total, 3,083 operated with fewer than

⁶¹ *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.”

⁶² See *Trends in Telephone Service* at Table 5.3.

⁶³ *Id.*

⁶⁴ 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>.

⁶⁵ 13 CFR § 121.201, NAICS code 517911; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>.

⁶⁶ *Id.*

⁶⁷ 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>.

⁶⁸ *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.”

⁶⁹ See *Trends in Telephone Service* at Table 5.3.

⁷⁰ *Id.*

⁷¹ See 13 CFR § 120.201, NAICS Code 517311 (previously 517110).

⁷² 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>.

1,000 employees.⁷³ 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.⁷⁴ Of these, an estimated 279 have 1,500 or fewer employees.⁷⁵ Consequently, the Commission estimates that most Other Toll Carriers are small entities.

18. *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.⁷⁶ The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.⁷⁷ For this industry, U.S. Census Bureau data for 2012 show that there were 967 firms that operated for the entire year.⁷⁸ Of this total, 955 firms had employment of 999 or fewer employees and 12 had employment of 1000 employees or more.⁷⁹ Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities.

19. *Television Broadcasting*. This Economic Census category “comprises establishments primarily engaged in broadcasting images together with sound.”⁸⁰ These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public.⁸¹ 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.⁸² The 2012 Economic Census reports that 751 firms in this category operated in that year.⁸³ Of that number, 656 had annual receipts of \$25,000,000 or less.⁸⁴ Based on this data we therefore estimate that the majority of commercial television broadcasters are small entities under the applicable SBA size standard.

20. The Commission has estimated the number of licensed commercial television stations to

⁷³ *Id.*

⁷⁴ *Trends in Telephone Service* at tbl. 5.3.

⁷⁵ *Id.*

⁷⁶ 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>.

⁷⁷ 13 CFR § 121.201, NAICS code 517210.

⁷⁸ 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>.

⁷⁹ *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.”

⁸⁰ 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>.

⁸¹ *Id.*

⁸² 13 CFR § 121.201; 2012 NAICS code 515120.

⁸³ 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).

⁸⁴ *Id.*

be 1,377.⁸⁵ 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 384.⁸⁶ 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.⁸⁷ 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.

21. In assessing whether a business concern qualifies as “small” under the above definition, business (control) affiliations⁸⁸ 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.

22. *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.”⁸⁹ The SBA has established a small business size standard for this category as firms having \$41.5 million or less in annual receipts.⁹⁰ Economic Census data for 2012 show that 2,849 radio station firms operated during that year.⁹¹ 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.⁹² Therefore, based on the SBA’s size standard the majority of such entities are small entities.

23. 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

⁸⁵ *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>.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ “[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).

⁸⁹ 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>.

⁹⁰ 13 CFR § 121.201; NAICS code 515112. <https://www.naics.com/naics-code-description/?code=515112>.

⁹¹ 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).

⁹² *Id.*

definition.⁹³ 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 11,371.⁹⁴ We note the Commission has also estimated the number of licensed noncommercial (NCE) FM radio stations to be 4,128.⁹⁵ 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.⁹⁶ 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.⁹⁷ 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.

24. *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.⁹⁸ Industry data indicate that there are 4,600 active cable systems in the United States.⁹⁹ Of this total, all but five cable operators nationwide are small under the 400,000-subscriber size standard.¹⁰⁰ In addition, under the Commission's rate regulation rules, a "small system" is a cable system serving 15,000 or fewer subscribers.¹⁰¹ Commission records show 4,600 cable systems nationwide.¹⁰² 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.¹⁰³ Thus, under this standard as well, we estimate that most cable systems are small entities.

25. *Cable System Operators (Telecom Act Standard)*. The Communications Act of 1934, as

⁹³ BIA/Kelsey, MEDIA Access Pro Database, <http://www.biakelsey.com/data-platforms/media-access-pro/>.

⁹⁴ June 30, 2018, *Broadcast Station Totals Press Release*.

⁹⁵ *Id.*

⁹⁶ "[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).

⁹⁷ 13 CFR § 121.102(b).

⁹⁸ 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).

⁹⁹ 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/>.

¹⁰⁰ 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/](https://www.kagan.com/news/online-tv-growth-slows-despite-record-q3-pay-tv-subscriber-exodus).

¹⁰¹ 47 CFR § 76.901(c).

¹⁰² See *supra* note 402..

¹⁰³ *Id.*

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.”¹⁰⁴ As of 2019, there were approximately 48,646,056 basic cable video subscribers in the United States.¹⁰⁵ 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.¹⁰⁶ Based on available data, we find that all but five cable operators are small entities under this size standard.¹⁰⁷ 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.¹⁰⁸ 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.

26. *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.”¹⁰⁹ 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.¹¹⁰ 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.¹¹¹ By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.¹¹² The SBA determines that a

¹⁰⁴ 47 U.S.C. § 543(m)(2); *see also* 47 CFR § 76.901(e).

¹⁰⁵ 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>.

¹⁰⁶ 47 CFR § 76.901(e).

¹⁰⁷ 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).**

¹⁰⁸ 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).

¹⁰⁹ *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>.

¹¹⁰ *Id.*

¹¹¹ *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.

¹¹² *Id.*

wireline business is small if it has fewer than 1,500 employees.¹¹³ U.S. Census Bureau data for 2012 indicates that 3,117 wireline companies were operational during that year.¹¹⁴ Of that number, 3,083 operated with fewer than 1,000 employees.¹¹⁵ 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.¹¹⁶ 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.

27. *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.¹¹⁷ 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.¹¹⁸ Establishments providing Internet services or voice over Internet protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.¹¹⁹ 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.¹²⁰ For this category, U.S. Census Bureau data for 2012 shows that there were 1,442 firms that operated for the entire year.¹²¹ 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, 999,999.¹²² Thus, the Commission estimates that the majority of “All Other Telecommunications” firms potentially affected by our action can be considered small.

28. *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.¹²³ 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.

29. *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

¹¹³ 13 CFR § 121.201. This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>.

¹¹⁴ 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>.

¹¹⁵ *Id.*

¹¹⁶ 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).

¹¹⁷ 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>.

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ See 13 CFR § 121.201, NAICS code 517919; <https://www.census.gov/naics/?input=517919&year=2017&details=517919>.

¹²¹ 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>.

¹²² *Id.*

¹²³ See 47 CFR § 52.101(b).

NAICS code-based definitional categories for Carrier RespOrgs are Wired Telecommunications Carriers,¹²⁴ and Wireless Telecommunications Carriers (except satellite).¹²⁵

30. 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.”¹²⁶ 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.¹²⁷ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.¹²⁸ Of this total, 3,083 operated with fewer than 1,000 employees.¹²⁹ Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.

31. 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.¹³⁰ The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.¹³¹ 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.¹³² Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

32. *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

¹²⁴ 13 CFR § 121.201. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>.

¹²⁵ *Id.*

¹²⁶ 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/>.

¹²⁷ See 13 CFR § 120.201, NAICS Code 517311 (previously 517110).

¹²⁸ 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>.

¹²⁹ *Id.*

¹³⁰ 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>.

¹³¹ 13 CFR § 120.201, NAICS code 517120.

¹³² 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>.

Advertising”¹³³ and “Other Management Consulting Services.”¹³⁴

33. 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).¹³⁵ The SBA has established a size standard for this industry as annual receipts of \$16.5 million dollars or less.¹³⁶ Census data for 2012 show that 5,804 firms operated in this industry for the entire year.¹³⁷ Of that number, 5,612 operated with annual receipts of less than \$10 million.¹³⁸ Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.

34. 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.¹³⁹ The SBA has established a size standard for this industry of \$16.5 million dollars or less.¹⁴⁰ Census data for 2012 show that 3,683 firms operated in this industry for that entire year.¹⁴¹ 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.¹⁴²

35. 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.

E. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements

36. This Report and Order does not adopt any new reporting, recordkeeping, or other

¹³³ 13 CFR § 121.201, NAICS code 541890;
<https://www.census.gov/naics/?input=541890&year=2017&details=541890>.

¹³⁴ 13 CFR § 121.201, NAICS code 541618;
<https://www.census.gov/naics/?input=541618&year=2017&details=541618>.

¹³⁵ <https://www.census.gov/naics/>.

¹³⁶ 13 CFR § 121.201, subsector 541; NAICS code 541890.

¹³⁷ 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>.

¹³⁸ In 2017, there were a total of 6,758 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>.

¹³⁹ <http://www.census.gov/cgi-bin/sssd/naics.naicsrch>.

¹⁴⁰ 13 CFR § 121.201, subsector 541; NAICS code 541618. *See* Class Codes, NAICS Code 541618,
<https://classcodes.com/lookup/naics-code-541618/>.

¹⁴¹ In 2017, there were a total of 5,804 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>.

¹⁴² 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.

compliance requirements.

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

37. 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.¹⁴³

38. 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.

39. 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.

¹⁴³ 5 U.S.C. § 603(c)(1)–(c)(4).

APPENDIX J

Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),¹⁴⁴ 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).¹⁴⁵ In addition, the *NPRM* and IRFA (or summaries thereof) will be published in the Federal Register.¹⁴⁶

A. Need for, and Objectives of, the Proposed Rules

2. 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),¹⁴⁷ 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*.

3. 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."¹⁴⁸ The objective of the *NPRM* is to determine a methodology for calculating small satellite regulatory fees.

¹⁴⁴ 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).

¹⁴⁵ 5 U.S.C. § 603(a).

¹⁴⁶ *Id.*

¹⁴⁷ 47 U.S.C. § 159.

¹⁴⁸ 47 U.S.C. § 159(a).

B. Legal Basis

4. 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.¹⁴⁹

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

5. 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.¹⁵⁰ The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹⁵¹ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.¹⁵² 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.¹⁵³

6. *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.¹⁵⁴ 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.¹⁵⁵ These types of small businesses represent 99.9% of all businesses in the United States, which translates to 30.7 million businesses.¹⁵⁶

7. 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.”¹⁵⁷ 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.¹⁵⁸ Nationwide, for tax year 2018, there were approximately 571,709 small exempt organizations in the U.S. reporting revenues of \$50,000 or less

¹⁴⁹ 47 U.S.C. §§ 154(i) and (j), 159, and 303(r).

¹⁵⁰ 5 U.S.C. § 603(b)(3).

¹⁵¹ 5 U.S.C. § 601(6).

¹⁵² 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.”

¹⁵³ 15 U.S.C. § 632.

¹⁵⁴ See 5 U.S.C. § 601(3)-(6).

¹⁵⁵ 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).

¹⁵⁶ *Id.*

¹⁵⁷ 5 U.S.C. § 601(4).

¹⁵⁸ 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. See 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.

according to the registration and tax data for exempt organizations available from the IRS.¹⁵⁹

8. 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.”¹⁶⁰ U.S. Census Bureau data from the 2017 Census of Governments¹⁶¹ indicate that there were 90,075 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.¹⁶² Of this number there were 36,931 general purpose governments (county¹⁶³, municipal and town or township¹⁶⁴) with populations of less than 50,000 and 12,040 special purpose governments - independent school districts¹⁶⁵ with enrollment populations of less than 511 governmental jurisdictions.¹⁶⁶

9. *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

¹⁵⁹ 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.

¹⁶⁰ 5 U.S.C. § 601(5).

¹⁶¹ 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>.

¹⁶² 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.

¹⁶³ 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.

¹⁶⁴ 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.

¹⁶⁵ 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.

¹⁶⁶ 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.

industry.¹⁶⁷ 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.¹⁶⁸ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.¹⁶⁹ Of this total, 3,083 operated with fewer than 1,000 employees.¹⁷⁰ Thus, under this size standard, the majority of firms in this industry can be considered small.

10. *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.¹⁷¹ Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.¹⁷² U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated for the entire year.¹⁷³ Of that total, 3,083 operated with fewer than 1,000 employees.¹⁷⁴ Thus under this category and the associated size standard, the Commission estimates that the majority of local exchange carriers are small entities.

11. *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.¹⁷⁵ Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.¹⁷⁶ U.S. Census Bureau data for 2012 indicate that 3,117 firms operated the entire year.¹⁷⁷ Of this total, 3,083 operated with fewer than 1,000 employees.¹⁷⁸

¹⁶⁷ 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/>.

¹⁶⁸ See 13 CFR § 120.201, NAICS Code 517311 (previously 517110).

¹⁶⁹ 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).

¹⁷⁰ *Id.*

¹⁷¹ 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>.

¹⁷² *Id.*

¹⁷³ 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>.

¹⁷⁴ *Id.*

¹⁷⁵ 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>.

¹⁷⁶ *Id.*

¹⁷⁷ 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>.

¹⁷⁸ *Id.*

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.¹⁷⁹ Of this total, an estimated 1,006 have 1,500 or fewer employees.¹⁸⁰ Thus, using the SBA's size standard the majority of incumbent LECs can be considered small entities.

12. *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.¹⁸¹ U.S. Census Bureau data for 2012 indicate that 3,117 firms operated during that year.¹⁸² Of that number, 3,083 operated with fewer than 1,000 employees.¹⁸³ 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.¹⁸⁴ Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees.¹⁸⁵ 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.¹⁸⁶ Also, 72 carriers have reported that they are Other Local Service Providers.¹⁸⁷ Of this total, 70 have 1,500 or fewer employees.¹⁸⁸ 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.

13. *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.¹⁸⁹ The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.¹⁹⁰ U.S. Census Bureau data for 2012 indicate

¹⁷⁹ 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*).

¹⁸⁰ *Id.*

¹⁸¹ 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>.

¹⁸² 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>.

¹⁸³ *Id.*

¹⁸⁴ See *Trends in Telephone Service* at Table 5.3.

¹⁸⁵ *Id.*

¹⁸⁶ *Id.*

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ 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>.

¹⁹⁰ *Id.*

that 3,117 firms operated for the entire year.¹⁹¹ Of that number, 3,083 operated with fewer than 1,000 employees.¹⁹² According to internally developed Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services.¹⁹³ Of this total, an estimated 317 have 1,500 or fewer employees.¹⁹⁴ Consequently, the Commission estimates that the majority of interexchange service providers are small entities.

14. *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.¹⁹⁵ The SBA has developed a small business size standard for the category of Telecommunications Resellers.¹⁹⁶ Under that size standard, such a business is small if it has 1,500 or fewer employees.¹⁹⁷ U.S. Census Bureau data for 2012 show that 1,341 firms provided resale services during that year.¹⁹⁸ Of that number, 1,341 operated with fewer than 1,000 employees.¹⁹⁹ 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.²⁰⁰ All 193 carriers have 1,500 or fewer employees.²⁰¹ Consequently, the Commission estimates that the majority of prepaid calling card providers are small.

15. *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

¹⁹¹ 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>.

¹⁹² *Id.*

¹⁹³ See *Trends in Telephone Service* at Table 5.3.

¹⁹⁴ *Id.*

¹⁹⁵ 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>.

¹⁹⁶ 13 CFR § 121.201 (NAICS code 517911), <https://www.census.gov/naics/?input=517911&year=2017&details=517911>.

¹⁹⁷ *Id.*

¹⁹⁸ 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>.

¹⁹⁹ *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.”

²⁰⁰ See *Trends in Telephone Service*, at tbl. 5.3.

²⁰¹ *Id.*

industry.²⁰² Under the SBA's size standard, such a business is small if it has 1,500 or fewer employees.²⁰³ U.S. Census Bureau data from 2012 show that 1,341 firms provided resale services during that year.²⁰⁴ Of that number, all operated with fewer than 1,000 employees.²⁰⁵ 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.²⁰⁶ Of these, an estimated 211 have 1,500 or fewer employees and two have more than 1,500 employees.²⁰⁷ Consequently, the Commission estimates that the majority of local resellers are small entities.

16. *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.²⁰⁸ The SBA has developed a small business size standard for the category of Telecommunications Resellers.²⁰⁹ Under that size standard, such a business is small if it has 1,500 or fewer employees.²¹⁰ 2012 Census Bureau data show that 1,341 firms provided resale services during that year.²¹¹ Of that number, 1,341 operated with fewer than 1,000 employees.²¹² 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.²¹³ Of this total, an estimated 857 have 1,500 or fewer employees.²¹⁴ Consequently, the Commission estimates that the majority of toll resellers are small entities.

²⁰² 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>.

²⁰³ 13 CFR § 121.201, NAICS code 517911.

²⁰⁴ 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).

²⁰⁵ *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.”

²⁰⁶ See *Trends in Telephone Service* at Table 5.3.

²⁰⁷ *Id.*

²⁰⁸ 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>.

²⁰⁹ 13 CFR § 121.201, NAICS code 517911; <https://www.census.gov/naics/?input=517911&year=2017&details=517911>.

²¹⁰ *Id.*

²¹¹ 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>.

²¹² *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.”

²¹³ See *Trends in Telephone Service* at Table 5.3.

²¹⁴ *Id.*

17. *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.²¹⁵ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.²¹⁶ Of this total, 3,083 operated with fewer than 1,000 employees.²¹⁷ 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.²¹⁸ Of these, an estimated 279 have 1,500 or fewer employees.²¹⁹ Consequently, the Commission estimates that most Other Toll Carriers are small entities.

18. *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.²²⁰ The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.²²¹ For this industry, U.S. Census Bureau data for 2012 show that there were 967 firms that operated for the entire year.²²² Of this total, 955 firms had employment of 999 or fewer employees and 12 had employment of 1000 employees or more.²²³ Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities.

19. *Television Broadcasting.* This Economic Census category “comprises establishments primarily engaged in broadcasting images together with sound.”²²⁴ These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public.²²⁵ 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

²¹⁵ See 13 CFR § 120.201, NAICS Code 517311 (previously 517110).

²¹⁶ 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>.

²¹⁷ *Id.*

²¹⁸ *Trends in Telephone Service* at tbl. 5.3.

²¹⁹ *Id.*

²²⁰ 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>.

²²¹ 13 CFR § 121.201, NAICS code 517210.

²²² 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>.

²²³ *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.”

²²⁴ 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>.

²²⁵ *Id.*

million or less in annual receipts.²²⁶ The 2012 Economic Census reports that 751 firms in this category operated in that year.²²⁷ Of that number, 656 had annual receipts of \$25,000,000 or less.²²⁸ Based on this data we therefore estimate that the majority of commercial television broadcasters are small entities under the applicable SBA size standard.

20. The Commission has estimated the number of licensed commercial television stations to be 1,377.²²⁹ 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 384.²³⁰ 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.²³¹ 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.

21. In assessing whether a business concern qualifies as “small” under the above definition, business (control) affiliations²³² 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.

22. *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.”²³³ The SBA has established a small business size standard for this category as firms having \$41.5 million or less in annual receipts.²³⁴

²²⁶ 13 CFR § 121.201; 2012 NAICS code 515120.

²²⁷ 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).

²²⁸ *Id.*

²²⁹ *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>.

²³⁰ *Id.*

²³¹ *Id.*

²³² “[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).

²³³ 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>.

²³⁴ 13 CFR § 121.201; NAICS code 515112. <https://www.naics.com/naics-code-description/?code=515112>.

Economic Census data for 2012 show that 2,849 radio station firms operated during that year.²³⁵ 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.²³⁶ Therefore, based on the SBA's size standard the majority of such entities are small entities.

23. 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.²³⁷ 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 11,371.²³⁸ We note the Commission has also estimated the number of licensed noncommercial (NCE) FM radio stations to be 4,128.²³⁹ 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.²⁴⁰ 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.²⁴¹ 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.

24. *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.²⁴² Industry data indicate that there are 4,600 active cable systems in the United States.²⁴³ Of this total, all but five cable

²³⁵ 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).

²³⁶ *Id.*

²³⁷ BIA/Kelsey, MEDIA Access Pro Database, <http://www.biakelsey.com/data-platforms/media-access-pro/>.

²³⁸ *June 30, 2018, Broadcast Station Totals Press Release.*

²³⁹ *Id.*

²⁴⁰ "[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).

²⁴¹ 13 CFR § 121.102(b).

²⁴² 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 Red 7393, 7408 (1995).

²⁴³ 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/>.

operators nationwide are small under the 400,000-subscriber size standard.²⁴⁴ In addition, under the Commission's rate regulation rules, a "small system" is a cable system serving 15,000 or fewer subscribers.²⁴⁵ Commission records show 4,600 cable systems nationwide.²⁴⁶ 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.²⁴⁷ Thus, under this standard as well, we estimate that most cable systems are small entities.

25. *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."²⁴⁸ As of 2019, there were approximately 48,646,056 basic cable video subscribers in the United States.²⁴⁹ 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.²⁵⁰ Based on available data, we find that all but five cable operators are small entities under this size standard.²⁵¹ 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.²⁵² 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.

26. *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."²⁵³ 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

²⁴⁴ 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/.](#)

²⁴⁵ 47 CFR § 76.901(c).

²⁴⁶ See *supra* note **Error! Bookmark not defined.**

²⁴⁷ *Id.*

²⁴⁸ 47 U.S.C. § 543(m)(2); see also 47 CFR § 76.901(e).

²⁴⁹ 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>.

²⁵⁰ 47 CFR § 76.901(e).

²⁵¹ 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 \(last visited May 18, 2021\).](#)

²⁵² 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).

²⁵³ 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>.

wired telecommunications networks.²⁵⁴ 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.²⁵⁵ By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.²⁵⁶ The SBA determines that a wireline business is small if it has fewer than 1,500 employees.²⁵⁷ U.S. Census Bureau data for 2012 indicates that 3,117 wireline companies were operational during that year.²⁵⁸ Of that number, 3,083 operated with fewer than 1,000 employees.²⁵⁹ 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.²⁶⁰ 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.

27. *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.²⁶¹ 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.²⁶² Establishments providing Internet services or voice over Internet protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.²⁶³ 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.²⁶⁴ For this category, U.S. Census Bureau data for 2012 shows that there were 1,442 firms that operated for the

²⁵⁴ *Id.*

²⁵⁵ *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.

²⁵⁶ *Id.*

²⁵⁷ 13 CFR § 121.201. This NAICS code is now 517311, <https://www.naics.com/naics-code-description/?code=517311>.

²⁵⁸ 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>.

²⁵⁹ *Id.*

²⁶⁰ 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).

²⁶¹ 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>.

²⁶² *Id.*

²⁶³ *Id.*

²⁶⁴ See 13 CFR § 121.201, NAICS code 517919; <https://www.census.gov/naics/?input=517919&year=2017&details=517919>.

entire year.²⁶⁵ 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, 999,999.²⁶⁶ Thus, the Commission estimates that the majority of “All Other Telecommunications” firms potentially affected by our action can be considered small.

28. *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.²⁶⁷ 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.

29. *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,²⁶⁸ and Wireless Telecommunications Carriers (except satellite).²⁶⁹

30. 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.”²⁷⁰ 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.²⁷¹ U.S. Census Bureau data for 2012 show that there were 3,117 firms that operated that year.²⁷² Of this total, 3,083 operated with fewer than 1,000 employees.²⁷³ Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.

31. 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

²⁶⁵ 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>.

²⁶⁶ *Id.*

²⁶⁷ See 47 CFR § 52.101(b).

²⁶⁸ 13 CFR § 121.201. This NAICS code is now 517311. <https://www.naics.com/naics-code-description/?code=517311>.

²⁶⁹ *Id.*

²⁷⁰ 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/>.

²⁷¹ See 13 CFR § 120.201, NAICS Code 517311 (previously 517110).

²⁷² 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>.

²⁷³ *Id.*

wireless video services.²⁷⁴ The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.²⁷⁵ 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.²⁷⁶ Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

32. *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”²⁷⁷ and “Other Management Consulting Services.”²⁷⁸

33. 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).²⁷⁹ The SBA has established a size standard for this industry as annual receipts of \$16.5 million dollars or less.²⁸⁰ Census data for 2012 show that 5,804 firms operated in this industry for the entire year.²⁸¹ Of that number, 5,612 operated with annual receipts of less than \$10 million.²⁸² Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.

34. 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.²⁸³ The SBA has established a size standard for this industry of \$16.5 million dollars or less.²⁸⁴ Census data for 2012 show that 3,683 firms operated

²⁷⁴ 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>.

²⁷⁵ 13 CFR § 120.201, NAICS code 517120.

²⁷⁶ 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>.

²⁷⁷ 13 CFR § 121.201, NAICS code 541890;
<https://www.census.gov/naics/?input=541890&year=2017&details=541890>.

²⁷⁸ 13 CFR § 121.201, NAICS code 541618;
<https://www.census.gov/naics/?input=541618&year=2017&details=541618>.

²⁷⁹ <https://www.census.gov/naics/>.

²⁸⁰ 13 CFR § 121.201, subsector 541; NAICS code 541890.

²⁸¹ 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>.

²⁸² In 2017, there were a total of 6,758 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>.

²⁸³ <http://www.census.gov/cgi-bin/sssd/naics.naicsrch>.

²⁸⁴ 13 CFR § 121.201, subsector 541; NAICS code 541618. *See* Class Codes, NAICS Code 541618,
<https://classcodes.com/lookup/naics-code-541618/>.

in this industry for that entire year.²⁸⁵ 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.²⁸⁶

35. 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.

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

36. 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.

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

37. 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.²⁸⁷

38. 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.

39. 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.

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

40. None.

²⁸⁵ In 2017, there were a total of 5,804 firms. <https://www.census.gov/data/tables/2017/econ/susb/2017-susb-annual.html>.

²⁸⁶ 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.

²⁸⁷ 5 U.S.C. § 603(c)(1)–(c)(4).

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 Amount²⁸⁸	
1. Land Mobile (Above 470 MHz and 220 MHz Local, Base Station & SMRS) (47 CFR part 90)		
a)New, Renew/Mod (FCC 601 & 159)	\$25.00	
b) New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$25.00	
c)Renewal Only (FCC 601 & 159)	\$25.00	
	d)Renewal Only	\$25.00
(Electronic Filing) (FCC 601 & 159)		
220 MHz Nationwide	\$25.00	

²⁸⁸ 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.

a)New, Renew/Mod (FCC 601 & 159)	
b)New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$25.00
c)Renewal Only (FCC 601 & 159)	\$25.00
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$25.00
2. Microwave (47 CFR Pt. 101) (Private)	
a)New, Renew/Mod (FCC 601 & 159)	\$25.00
b)New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$25.00
c)Renewal Only (FCC 601 & 159)	\$25.00
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$25.00
3. Shared Use Services	
Land Mobile (Frequencies Below 470 MHz – except 220 MHz)	
a)New, Renew/Mod (FCC 601 & 159)	\$10.00
b) New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$10.00
c)Renewal Only (FCC 601 & 159)	\$10.00
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$10.00
Rural Radio (Part 22)	
a)New, Additional Facility, Major Renew/Mod	\$10.00

(Electronic Filing) (FCC 601 & 159)	
b)Renewal, Minor Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$10.00
Marine Coast	
a)New Renewal/Mod (FCC 601 & 159)	\$40.00
b)New, Renewal/Mod (Electronic Filing) (FCC 601 & 159)	\$40.00
c)Renewal Only (FCC 601 & 159)	\$40.00
d)Renewal Only (Electronic Filing) (FCC 601 & 159)	\$40.00
Aviation Ground	
a)New, Renewal/Mod (FCC 601 & 159)	\$20.00
b)New, Renewal/Mod (Electronic Filing) (FCC 601 & 159)	\$20.00
c)Renewal Only (FCC 601 & 159)	\$20.00
d)Renewal Only (Electronic Only) (FCC 601 & 159)	\$20.00
Marine Ship	
a)New, Renewal/Mod (FCC 605 & 159)	\$15.00
b)New, Renewal/Mod (Electronic Filing) (FCC 605 & 159)	\$15.00
c)Renewal Only (FCC 605 & 159)	\$15.00

d)Renewal Only (Electronic Filing) (FCC 605 & 159)	\$15.00
Aviation Aircraft	
a)New, Renew/Mod (FCC 605 & 159)	\$10.00
b)New, Renew/Mod (Electronic Filing) (FCC 605 & 159)	\$10.00
c)Renewal Only (FCC 605 & 159)	\$10.00
d)Renewal Only (Electronic Filing) (FCC 605 & 159)	\$10.00
4. CMRS Cellular/Mobile Services (per unit) (FCC 159)	\$.15 ²⁸⁹
5. CMRS Messaging Services (per unit) (FCC 159)	\$.08 ²⁹⁰
6. Broadband Radio Service (formerly MMDS and MDS)	\$ 605
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. <u>AM Class A</u>	
<=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

²⁸⁹ These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

²⁹⁰ These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

	3,000,001-6,000,000 population	\$11,105
	>6,000,000 population	\$16,665
2.	<u>AM Class B</u>	
	<=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.	<u>AM Class C</u>	
	<=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.	<u>AM Class D</u>	
	<=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.	<u>FM Classes A, B1 and C3</u>	
	<=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.	<u>FM Classes B, C, C0, C1 and C2</u>	
	<=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
Translator, & FM Booster
(47 CFR part 74)** \$ 320

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) (Electronic Filing) (FCC Form 601 & 159)	\$25.00

Carriers

1. Interstate Telephone Service Providers (per interstate and international end-user revenues (see FCC Form 499-A))	\$.00400
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 and DBS (per subscriber)	\$.98

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.