

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

In the Matter of)
)
Assessment and Collection of Regulatory Fees for) MD Docket No. 22-223
Fiscal Year 2022)
)
Review of the Commission’s Assessment and) MD Docket No. 22-301
Collection of Regulatory Fees)

REPORT AND ORDER AND NOTICE OF INQUIRY

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By the Commission

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I. INTRODUCTION

1. Each year, the Commission must adopt a schedule of regulatory fees to be collected by the end of September. For fiscal year (FY) 2022, the Commission is required to collect \$381,950,000 in regulatory fees, pursuant to sections 9 and 9A of the Communications Act of 1934, as amended (Act or Communications Act),¹ and the Commission's FY 2022 Appropriations Act.² In this Report and Order, we adopt the regulatory fee schedule, as set forth in Appendices B and C, to collect \$381,950,000 in congressionally required regulatory fees for FY 2022.³ In the attached Notice of Inquiry, we seek further comment on the Commission's methodology for allocating indirect full-time equivalents (FTEs), previously raised in the *FY 2022 NPRM*.⁴

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 salaries and expenses (S&E) appropriation.⁵ 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.⁶ Regulatory fees must recover the total amount of the annual appropriation; therefore, they also cover the Commission's costs incurred in oversight and regulation of entities that are statutorily exempt from paying regulatory fees (i.e., governmental and nonprofit entities,

¹ 47 U.S.C. § 159 (requiring the Commission to assess and collect regulatory fees to recover the costs of carrying out its activities in the total amounts provided for in Appropriations Acts); 47 U.S.C. § 159A (various provisions applicable to application and regulatory fees, e.g., notice to Congress and waiver provisions).

² Consolidated Appropriations Act, 2022, Public Law No. 117-103, Division E - Financial Services and General Government Appropriations Act, 2022, Title V—Independent Agencies, Federal Communications Commission, Salaries and Expenses, 136 Stat. 268-269 (Mar. 15, 2022) (FY 2022 Consolidated Appropriations Act) (appropriating \$381,950,000 to the Commission for salaries and expenses, and directing the Commission to collect \$381,950,000 in offsetting collections for FY 2022).

³ 47 U.S.C. §§ 156, 159. The regulatory fee collection is guided by both the statutory authority in sections 6 and 9 of the Act and the explicit language of each fiscal year's salaries and expenses appropriation directing the amount to be collected as an offsetting collection.

⁴ *Assessment and Collection of Regulatory Fees for Fiscal Year 2021, Assessment and Collection of Regulatory Fees for Fiscal Year 2022*, MD Docket Nos. 21-190, 22-223, Report and Order and Notice of Proposed Rulemaking, FCC 22-39, 2022 WL 2045858, at *18, para. 52 (June 2, 2022) (*FY 2022 NPRM*). A "Full Time Equivalent," 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.

⁵ 47 U.S.C. § 159(a), (b).

⁶ See *Assessment and Collection of Regulatory Fees for Fiscal Year 2004*, MD Docket No. 04-73, Report and Order, 19 FCC Rcd 11662, 11666, para. 11 (2004) (*FY 2004 Report and Order*).

amateur radio operators, and noncommercial radio and television stations),⁷ entities that are exempt from payment of FY 2022 regulatory fees because their total assessed annual regulatory fees fall below the annual de minimis threshold,⁸ and entities whose regulatory fees are waived.⁹

3. *FTE Allocation.* Each fiscal year, the Commission adjusts the regulatory fee schedule to reflect changes in the number of units subject to regulatory fees¹⁰ and changes in the amount of the Commission's appropriation.¹¹ In 2018, as part of the RAY BAUM'S Act,¹² Congress revised the Commission's regulatory fee authority by modifying section 9 of the Act and adding new section 9A.¹³ The Commission adopted several rule amendments¹⁴ to conform the rules to the RAY BAUM'S Act.¹⁵ However, the Commission rejected arguments that the RAY BAUM'S Act fundamentally changed how the Commission should calculate regulatory fees and that it was no longer required to base regulatory fees on the direct FTEs in core bureaus.¹⁶ Given the Act's explicit language that fees must reflect FTEs, the FTE counts are by far the most administrable starting point for regulatory fee allocations.¹⁷ In plain language, the Commission does not assign direct FTEs within a bureau to specific fee categories by rote or at random. Instead, the Commission assigns direct FTEs within a bureau to specific fee categories in a manner that reflects the time spent by FTEs on oversight and regulation of such regulatory fee category, which is the "benefit" to the payor in each fee category.¹⁸ Thus, the Commission explained it would continue to apportion regulatory fees across fee categories based on the number of non-auctions direct FTEs in each core bureau and to take into account factors that are reasonably related to the payor's benefits.¹⁹

4. The Commission issues an annual Notice of Proposed Rulemaking seeking comment on

⁷ 47 U.S.C. § 159(e)(1).

⁸ 47 U.S.C. § 159(e)(2). Section 9(e)(2) of the Act permits the Commission to exempt a party from paying regulatory fees if "in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party."

⁹ 47 U.S.C. § 159A(d); 47 CFR § 1.1166.

¹⁰ 47 U.S.C. § 159(c)(1)(A).

¹¹ 47 U.S.C. § 159(c)(1)(B).

¹² Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, 132 Stat. 1084, Division P – RAY BAUM'S Act of 2018, Title I, § 103 (2018) (RAY BAUM'S Act). Our methodology for implementing our regulatory fee authority essentially remains unchanged by the RAY BAUM'S Act. In the *FY 2019 Report and Order*, the Commission analyzed the changes to the statutory regulatory fee authority and determined that "the fee assessment structure dictated by the statute fundamentally remains unchanged. Or, in other words, because the new section 9 of the Act closely aligns to how the Commission assessed and collected fees under the prior section 9 of the Act, we will hew closely to our prior methodology in assessing FY 2019 regulatory fees." See *Assessment and Collection of Regulatory Fees for Fiscal Year 2019*, MD Docket No. 19-105, Report and Order and Further Notice of Proposed Rulemaking, 34 FCC Rcd 8189, 8192-93, paras. 7-8 (2019) (*FY 2019 Report and Order*).

¹³ See RAY BAUM'S Act.

¹⁴ *FY 2019 Report and Order*, 34 FCC Rcd at 8209-212, paras. 56-60.

¹⁵ *Id.* at 8193, para. 7; 47 U.S.C. § 159.

¹⁶ *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 8.

¹⁷ *Id.*

¹⁸ The Commission has stated that "Section 9 is clear . . . 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*, MD 07-81, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 15712, 15719, para. 19 (2007).

¹⁹ See *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 9.

the methodology for assessing regulatory fees and the proposed regulatory fees for the fiscal year.²⁰ In addition to annual regulatory fee adjustments,²¹ the Commission is required to amend the regulatory fee schedule “if the Commission determines that the schedule requires amendment so that such fees 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.”²² In implementing the Commission’s section 9 authority, the Commission considers the adoption of a new regulatory fee category or a change in an existing regulatory fee category 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 assessment of regulatory fees is fair, administrable, and sustainable.²³

5. The Commission’s methodology for assessing regulatory fees must “reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission’s activities.”²⁴ The Commission, therefore, typically assesses the allocation of FTEs by first determining the number of direct FTEs, those non-auctions²⁵ FTEs whose work is focused on the industry

²⁰ The annual Notice of Proposed Rulemaking, *FY 2022 NPRM*, was released on June 2, 2022.

²¹ See 47 U.S.C. § 159(c). Pursuant to section 9A of the Act, the Commission must notify Congress immediately upon adoption of any adjustment. See 47 U.S.C. § 159(A)(b)(1).

²² 47 U.S.C. § 159(d). Pursuant to section 9A of the Act, the Commission must notify Congress at least 90 days prior to making any amendments to the regulatory fee schedule effective. See 47 U.S.C. § 159(A)(b)(2).

²³ See *Assessment and Collection of Regulatory Fees for Fiscal Year 2013*, MD Docket Nos. 12-201, 13-58, 08-65, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, 28 FCC Rcd 7790, 7798-7807, paras. 17-40 (2013); *Procedures for Assessment and Collection of Regulatory Fees for Fiscal Year 2012*, MD Docket No. 12-20, Notice of Proposed Rulemaking, 27 FCC Rcd 8458, 8464-65, paras. 14-16 (2012) (*FY 2012 Regulatory Fee Reform NPRM*). The concept of administrability includes the difficulty in collecting regulatory fees under a system that could have unpredictable dramatic shifts in assessed fees in certain categories from year to year. In adopting our fee schedule, we are also mindful of other general limits of fee authority. See *National Cable Television Ass’n v. United States*, 415 U.S. 336, 340-41 (1974) (construing Independent Offices Appropriations Act (IOAA)); see also *National Cable Television Ass’n v. FCC*, 554 F.2d 1094, 1106 & n.42 (D.C. Cir. 1976). While IOAA no longer applies to the Commission, we remain cognizant of broader legal issues raised by user fee and/or regulatory fee precedent. See 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 Commission with the passage of other specific fee authority, application fees, in COBRA-85).

²⁴ 47 U.S.C. § 159(d). See, e.g., *FY 2019 Report and Order*, 34 FCC Rcd at 8195, para. 14 (“we have long relied on direct FTE allocations because the Commission has found those allocations best reflect the ‘benefits provided to the payor of the fee by the Commission’s activities’—in the case of broadcast licensees, the work the Media Bureau does to grant licenses and oversee and regulate their operations.”); *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8461, para. 8 (“The Commission allocates FTEs according to the nature of the employees’ work. If the work performed by an employee can be assigned to a regulatory fee category in one of the four core licensing bureaus—Wireless Telecommunications, Media, Wireline Competition, and International—that employee’s time is counted as a direct FTE. If the work cannot be assigned to one of the bureau’s designated fee categories, the employee’s time is counted as an indirect FTE.”); *Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, MD Docket Nos. 14-92, 13-140, 12-201, Report and Order, 29 FCC Rcd 10767, 10768, para. 2 (2014) (*FY 2014 Report and Order*) (explaining the reliance on direct FTEs for purposes of determining regulatory fee calculations).

²⁵ Auctions expenses are separately funded and not part of the Commission’s S&E appropriation. 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. 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”); FY 2022 Consolidated Appropriations Act (providing that “proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed \$128,621,000 for fiscal year (continued....)

segment in each 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 non-auction FTEs as indirect.²⁶

6. The non-auctions FTEs that are not direct are considered indirect for purposes of calculating regulatory fees. There are 943 indirect FTEs, and they are in the FTEs in the Enforcement Bureau (187), Consumer and Governmental Affairs Bureau (111), Public Safety and Homeland Security Bureau (98), Chairwoman's and Commissioners' offices (22), Office of the Managing Director (136), Office of General Counsel (70), Office of the Inspector General (47), Office of Communications Business Opportunities (10), Office of Engineering and Technology (66), Office of Legislative Affairs (8), Office of Workplace Diversity (4), Office of Media Relations (12), Office of Economics and Analytics (78), and Office of Administrative Law Judges (4), along with some FTEs in the Wireline Competition Bureau (38) and the International Bureau (52) that the Commission has previously classified as indirect for regulatory fee purposes.²⁷

7. The direct FTEs within each core bureau are then attributed to payor categories based on the nature of the FTE work.²⁸ In section 9 of the Act, Congress prescribed that regulatees bear the FTE burden associated with their oversight and regulation by the relevant core bureaus.²⁹ Because the amount the Commission must collect in an offsetting collection changes each year, fees will typically change each

2022.”). For this reason, auctions FTEs are not included in the calculation of regulatory fees and the Commission's methodology excludes all auction-related FTEs and their overhead from the regulatory fee calculations. To the extent that FTEs within core bureaus spend a portion of their time on auctions issues and a portion of their time on non-auctions issues, their time is split and only the non-auctions portion of their time is reflected in the relevant core bureau's FTE count. *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, MD Docket No. 21-190, Report and Order and Notice of Proposed Rulemaking, 36 FCC Rcd 12990, 12999-13000, para. 20 (2021) (*FY 2021 Report and Order*).

²⁶ See *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8460, para. 5 & n.5; *Procedures for Assessment and Collection of Regulatory Fees for Fiscal Year 2012*, MD Docket No. 12-116, Report and Order, 27 FCC Rcd 8390, 8392 paras. 3-5 (2012) (*FY 2012 Report and Order*).

²⁷ The Commission has previously reassigned FTEs in core bureaus as indirect for regulatory fee purposes, due to the nature of their work assignments. For example, in 2013, the Commission allocated as indirect all but 28 International Bureau FTEs. *Assessment and Collection of Regulatory Fees for Fiscal Year 2013*, MD Docket Nos. 13-140, 12-201, 08-65, Report and Order, 28 FCC Rcd 12351, 12355-56, para. 14 (2013) (*FY 2013 Report and Order*). Subsequently, in the *FY 2015 Report and Order*, the Commission reassigned, for regulatory fee purposes, four International Bureau FTEs working on market access requests for non-U.S. licensed space stations as indirect. See *Assessment and Collection of Regulatory Fees for Fiscal Year 2015*, MD Docket No. 15-121, Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10278, para. 24 (2015) (*FY 2015 Report and Order*). Those four indirect FTEs have since been reclassified as direct. *Assessment and Collection of Regulatory Fees for Fiscal Year 2020*, MD Docket Nos. 20-105, 19-105, Report and Order and Notice of Proposed Rulemaking, 35 FCC Rcd 4976, 4991, para. 33 (2020) (*FY 2020 NPRM*). In 2017, the Commission assigned as indirect, for regulatory fee purposes, 38 FTEs in the Wireline Competition Bureau who work on non-high cost programs of the Universal Service Fund. *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, MD Docket No. 17-134, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7057, 7061-64, paras. 10-15 (2017) (*FY 2017 Report and Order*).

²⁸ Our methodology for implementing our regulatory fee authority essentially remains unchanged by the RAY BAUM'S Act. See *FY 2019 Report and Order*, 34 FCC Rcd at 8192-93, para. 7 (“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.”).

²⁹ *Assessment and Collection of Regulatory Fees for Fiscal Year 2019*, MD Docket No. 19-105, Notice of Proposed Rulemaking, 34 FCC Rcd 3272, 3275-77, paras. 6-10 (2019) (*FY 2019 NPRM*).

year as a mathematical consequence of the change in amount to be collected in the current year,³⁰ FTE allocations in the core bureaus, and projected unit estimates.³¹ 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.³²

8. In the *FY 2022 NPRM*, we sought comment on the methodology for assessing regulatory fees and on the schedule of FY 2022 regulatory fees. We also sought comment on several additional issues: (i) space station regulatory fees, including new regulatory fees for small satellites; (ii) continuing to use our methodology for calculating television broadcaster regulatory fees based on population; (iii) calculating the cost of collection of regulatory fees in establishing the annual de minimis threshold; (iv) reclassification of certain FTEs; (v) adopting new regulatory fee categories; and (vi) and how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility. We received ten comments and sixteen reply comments.³³

III. REPORT AND ORDER

9. Pursuant to section 9 of the Act, in this Report and Order we adopt the regulatory fee schedule, as set forth in Appendices B and C for FY 2022, to collect \$381,950,000 in regulatory fees as required by Congress.³⁴

A. Allocating Full-time Equivalents

10. We will continue to apportion regulatory fees across fee categories based on the number of non-auction direct FTEs in each core bureau (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 benefits provided to the payor of the fee by the Commission’s activities.”³⁵ We expect that the work of the non-auctions FTEs in the four core bureaus with oversight

³⁰ The offsetting collection for FY 2022 has increased by \$7,950,000 or 2.13% from the FY 2021 appropriated level of \$374,000,000.

³¹ Section 9(c)(1)(B) of the Act 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). For example, if the number of units in a regulatory fee category increases, the amount due per unit may decrease, depending on other factors. Such changes under section 9(c) of the Act fall under the section 9A(b)(1) Congressional notification requirements. 47 U.S.C. §§ 159A(b)(1), 159(c).

³² 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 Internet Protocol television (IPTV) fee category. *FY 2015 Report and Order*, 30 FCC Rcd at 10276-77, paras. 19-20. Changes under section 9(d) of the Act fall under the section 9A(b)(2) 90-day notification to Congress. 47 U.S.C. §§ 159A(b)(2), 159(d).

³³ Commenters are listed in Appendix A.

³⁴ FY 2022 regulatory fees are listed in Appendices B and C. We note that certain of the fees proposed in our NPRM have changed as a result of our holdings in this order.

³⁵ *FY 2022 NPRM* at *5-*7, paras. 15-19. See *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8461, para. 8 (“The Commission allocates FTEs according to the nature of the employees’ work. If the work performed by an employee can be assigned to a regulatory fee category in one of the four core licensing bureaus—Wireless Telecommunications, Media, Wireline Competition, and International—that employee’s time is counted as a direct FTE.”). The phrase “core” bureaus was first adopted in the *FY 2012 Regulatory Fee Reform NPRM* where the Commission explained that, under (prior) section 9(b)(1)(A), regulatory fees were calculated 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; 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. *Id.* at 8460, para. 5 & n.5. The Commission explained that “[f]or simplicity and ease of reference . . . we will refer to these four bureaus as the ‘core’ bureaus or the ‘core licensing’ bureaus.” *Id.*

and regulation of Commission licensees and regulatees will remain focused on the industry segment regulated by each of those bureaus.³⁶ For this reason, the Commission closely follows the statutory mandate to start with FTE counts and then potentially adjust fees to reflect other factors related to the benefits provided to the payor of the fee by the Commission's activities.³⁷ As the Commission stated in the *FY 2019 Report and Order*, given the Act's requirement that fees must reflect FTE time before adjusting fees to take into account other factors, we continue to find FTE counts by far the most administrable starting point for regulatory fee allocations.³⁸

11. NAB and the Joint Broadcasters question our methodology and argue that the Commission assigns a disproportionate share of the costs of the 343 indirect FTEs to the Media Bureau without any analysis performed as to what portion of those indirect FTEs actually work on Media Bureau issues.³⁹ Specifically, the Joint Broadcasters argue that Media Bureau regulatees' regulatory fees are inflated in order to cover costs for staff time not spent on broadcast-related issues.⁴⁰ The Joint Broadcasters contend that the proportional allocation methodology, whereby regulatory fees are allocated based on the number of direct FTEs in the core bureaus, leads to fundamentally unfair results and that broadcasters subsidize the costs of the Commission's indirect bureaus and offices.⁴¹

12. These commenters fail to recognize the fundamental task assigned to the Commission. The Commission must recover the full S&E appropriation through an offsetting collection. The S&E appropriation does not solely fund staff time spent directly regulating regulatory fee payors. The S&E appropriation funds *all* non-auctions-related costs, such as salaries and expenses of all non-auctions funded staff; 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; support costs, such as rent, utilities, and equipment; and 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),⁴² entities with total annual assessed fees below the de minimis threshold,⁴³ and entities whose regulatory fees are waived.⁴⁴ For that reason, we do not examine whether all indirect FTEs work on Media Bureau issues or on any other core bureau issues. Instead, we recognize that the indirect FTEs' work may not directly address oversight and regulation of just one particular regulatory fee category and may instead cover many different regulatory fee categories or issues not pertaining to any regulated industries. The statute requires the full collection of an amount equal to the annual S&E appropriation and requires that the mechanism used to apportion the collection is based on FTE burden. Thus, all Commission non-auctions FTEs must be accounted for in our regulatory fee assessments because, pursuant to section 9 of the Act, 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

³⁶ *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8465-66, paras. 19-20.

³⁷ *FY 2019 Report and Order*, 34 FCC Rcd at 8195, para. 16.

³⁸ *Id.* at para. 8.

³⁹ NAB Comments at 8; Joint Broadcasters Reply at 3.

⁴⁰ Joint Broadcasters Reply at 3.

⁴¹ *Id.*

⁴² 47 U.S.C. § 159(e)(1).

⁴³ 47 U.S.C. § 159(e)(2).

⁴⁴ 47 U.S.C. § 159(d); 47 CFR § 1.1166. As the Commission explained in the *FY 2019 Report and Order*, Media Bureau regulatory fee payors are not alone in having to pay for exempt licensees; there are exempt licensees in most of the fee categories, such as Interstate Telecommunications Service Providers (ITSPs) and earth stations. *FY 2019 Report and Order*, 34 FCC Rcd at 8196-97, para. 19.

provided to the payor of the fee by the Commission's activities."⁴⁵ In order to allocate regulatory fees based on all the non-auctions FTEs in the Commission's bureaus and offices, the Commission bases this calculation on the number of FTEs within the Commission's core bureaus, i.e., those bureaus that conduct oversight and regulation of issues that benefit the fee payors.⁴⁶

13. The State Broadcasters Associations contend that it is likely that throughout the Commission there are identifiable groups of indirect FTEs working in non-core bureaus and offices, or collaboratively across bureaus and offices, whose work in oversight and regulation can be identifiably shown to only benefit some but not all regulatory fee payors.⁴⁷ Accordingly, the State Broadcasters Associations argue that such indirect FTEs, whether handling Universal Service Fund or broadband Internet access service issues, should be excluded from the indirect FTEs proportionally allocated to media services categories.⁴⁸ Thus, the State Broadcasters Associations propose creating a third regulatory fee category, which they label as "Intersectional FTE."⁴⁹ They propose that this third regulatory category cover FTEs in the non-core bureaus and those in core bureaus who work on similar issues regulated by various bureaus but benefit a discrete group of regulatees.⁵⁰ The State Broadcasters Associations argue that the work of indirect FTEs working on long-standing priorities of the Commission, such as Universal Service Fund program issues and broadband Internet access service, unfairly burdens regulatory fee payors who do not benefit from these programs yet are required to pay regulatory fees that cover a proportion of such indirect FTEs.⁵¹ Essentially, the State Broadcasters Associations are of the opinion that there are some indirect FTEs who do not work on broadcast issues,⁵² and therefore broadcasters

⁴⁵ 47 U.S.C. § 159(d).

⁴⁶ 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.

⁴⁷ State Broadcasters Associations Comments at 14.

⁴⁸ State Broadcasters Associations Comments at 15. *But see* NCTA Reply at 7-8 (asserting that it is disingenuous for broadcasters to contend that they do not benefit from the Commission's broadband or Universal Service Fund work in light of the fact that the expansion of new communications networks into new areas means new carriage opportunities for local broadcasters on the associated video services, and more opportunities for the broadcasters' websites and streaming services to reach viewers).

⁴⁹ State Broadcasters Associations Comments at 15-16.

⁵⁰ State Broadcasters Associations Comments at 15. SIA agrees that we should adopt a hybrid FTE to reflect the intersectional work that involves FTEs from non-core and core bureaus working together collaboratively or across bureaus. SIA Reply at 3.

⁵¹ State Broadcasters Associations Comments at 18.

⁵² Proceedings involving broadcast licenses in Media Bureau dockets are not the only issues that affect broadcasters. Broadcasters and their trade association participate in dockets other than Media Bureau dockets (e.g., non-core bureau dockets) that affect broadcast services. For example, NAB has been involved in a rulemaking proceeding regarding the unlicensed use of spectrum in the 6 GHz band. *Unlicensed Use of the 6 GHz Band*, ET Docket No. 18-295, Report and Order and Further Notice of Proposed Rulemaking, 35 FCC Rcd 3852 (2020) (*6 GHz Report and Order*), *aff'd in part and remanded in part*, *AT&T Servs. Inc., v. FCC*, 21 F.4th 841, 853-54 (D.C. Cir. 2021) (*AT&T*). This proceeding "open[ed up] the entire 6 GHz band [(5.925–7.125 GHz)] for unlicensed indoor lower power access points." *6 GHz Report and Order*, 35 FCC Rcd at 3860, para. 18. The Commission found that "[t]hese access points will be ideal for connecting devices in homes and businesses such [as] smartphones, tablet devices, laptops, and Internet-of-Things devices to the Internet." *Id.* at 3854, para. 3. NAB's position is, in part, that the Commission should prohibit unlicensed mobile hot spots and transportable devices to operate in the 6 GHz band to limit the potential for interference to licensed incumbents. See NAB Reply in ET Docket No. 18-295, GN Docket No. 17-183 at 2 (filed Mar. 23, 2021). See also NAB's comments filed in *Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Bands and Duplex Gap, and Channel 37*, ET Docket No. 14-165, GN Docket No. 12-268, ET Docket No. 20-36, ET Docket No. 04-186 at 1-8 (filed July 1, 2022) contending that the Commission should require all TV white spaces devices to recheck the white spaces database every hour to prevent harmful interference. We also note that other

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should not be assessed regulatory fees that include such indirect FTEs, i.e., their regulatory fees should be reduced.⁵³

14. Additionally, the Satellite Coalition claims that regulatory fees are especially burdensome for the satellite industry, as some satellite companies pay millions of dollars per year solely to cover indirect FTE costs.⁵⁴ The Satellite Coalition contends that by undertaking a reassessment of whether FTEs currently classified as indirect can be assigned directly to one or more categories of fee payors, the Commission can greatly improve the fee structure's fairness.⁵⁵ Similarly, NAB contends that our regulatory fee methodology and allocation of indirect FTEs results in a system that is arbitrary and capricious, inequitable, and unlawful.⁵⁶

15. Again, we note that the regulatory fees must cover the entire appropriation, including those FTEs who may work on issues for which we do not have regulatory fee categories. We therefore continue to find that, consistent with section 9 of the Act, regulatory fees are not based on a precise allocation of specific employees with certain work assignments each year and instead are based on a higher-level approach. As the Commission has explained previously, indirect FTE time covers a wide range of issues; the variety of issues handled by the indirect FTEs in non-core bureaus may also include services that are not specifically correlated with one core bureau, let alone one specific category of regulatees.⁵⁷ Indirect FTE work also includes matters that are not specific to any regulatory fee category, and many Commission attorneys, engineers, analysts, and other staff work on a variety of issues during a single fiscal year. For example, indirect FTEs that devote time to broadband Internet access services or Universal Service Fund issues may also work on a variety of other issues during the fiscal year. Thus, we affirm the longstanding holding that the non-auctions work of certain bureaus and offices within the Commission are properly designated as indirect. Even if we could calculate indirect FTE time assignments at a granular level with accuracy, using any particular window of time less than the full year would not be accurate for the entire fiscal year. Moreover, we note that basing regulatory fees on specific assignments, instead of overall FTE time, would result in significant unplanned shifts in regulatory fees as assignments change over time.⁵⁸

16. Further, much of the work that could be assigned to a single category of regulatees is likely to be interspersed with the work that FTEs do on behalf of many entities that do not pay regulatory fees, e.g., governmental entities, non-profit organizations, and regulatees that have an exemption.⁵⁹ Indirect FTE time covers matters that are not specifically related to a regulated service, but instead support the Commission generally. Additionally, indirect FTE time is devoted to issues that are not

non-core bureaus and offices, such as the Enforcement Bureau and the Office of Administrative Law Judges, handle broadcast licensee matters. *See, e.g.*, FCC, Enforcement Bureau, Investigative and Adjudicatory Areas, <https://www.fcc.gov/eb-iaa> (last visited Aug. 3, 2022); FCC, Office of Administrative Law Judges, Administrative Law Judges Headlines, <https://www.fcc.gov/administrative-law-judges> (last visited Aug. 3, 2022).

⁵³ State Broadcasters Associations Comments at 18; NAB Reply at 6-10.

⁵⁴ Satellite Coalition Reply at 6.

⁵⁵ *Id.* at 7.

⁵⁶ NAB Comments at 8.

⁵⁷ *FY 2019 Report and Order*, 34 FCC Rcd at 8196, para. 18; *FY 2015 Report and Order*, 30 FCC Rcd at 10275, para. 17.

⁵⁸ *FY 2019 Report and Order*, 34 FCC Rcd at 8196, para. 18. As the Commission observed in the *FY 2012 Regulatory Fee Reform NPRM*, with respect to the administrability of trying to allocate indirect FTEs to core bureaus, “if in one year the Public Safety and Homeland Security Bureau handles rulemakings related to broadcasting, but in the following year focuses on wireless services, the resulting shift in FTE allocations could have a substantial impact on the size of regulatory fees, which could then shift significantly again the very next year.” *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8465, para. 15.

⁵⁹ *See, e.g.*, 47 U.S.C. § 159(e).

specifically limited to one type of regulated industry. Finally, we note that regulatory fees are a zero-sum situation, so any decrease to the fees paid by one category of regulatees, such as broadcasters, necessitates an increase in fees for others.⁶⁰ For this reason, there must be a very strong rationale for changing the manner of proportionally allocating indirect FTEs to certain fee categories based on direct FTEs because any such changes will impact the fees of other regulatory fee categories. We disagree with the commenters' contention that our methodology is arbitrary and capricious, inequitable, and unlawful. Instead, we conclude that our methodology is consistent with the requirements of section 9 of the Act that "fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission."⁶¹

17. Additionally, we find that even if the State Broadcasters Associations' proposal were consistent with section 9 of the Act, it would not be administrable given the resources it would take to calculate and the resulting constantly shifting nature of the regulatory fee burdens.⁶² The State Broadcasters Associations' proposal would require resources of both staff and presumably information technology devoted to this proposed new system. Additionally, it would require a close monitoring and analysis of all the work of all indirect FTEs in the Commission over the course of the entire year. As NCTA states, "the idea that the Commission should undertake an analysis of hundreds of employees' daily undertakings, monitoring them and changing their indirect allocation to different fee categories as the employees receive new assignments and work on different issues throughout the day is nonsensical."⁶³ Thus, we do not believe that added granularity would change the overall result, or improve our regulatory fee methodology, but would simply consume more staff resources and increase the indirect FTE time devoted to regulatory fee administration. Even if we could conduct such a monitoring accurately, it would still be unable to account for the vast majority of indirect FTE time that cannot be allocated specifically to regulatory fee categories. This proposal would result in attributing some indirect FTE time to various regulatory fee categories in a manner that would fluctuate constantly, depending on the work done in bureaus and offices during the year, and others that could not be so attributed at all.⁶⁴ We are not adopting a regulatory fee methodology that would result in dramatic swings in fees from one year to the next; instead we take a higher level approach for consistency as well as administrability. Our approach is most accurate when we look at the work of a larger group such as a division, office, or bureau, consistent with the language of section 9 of the Act that "fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission."⁶⁵

18. NAB argues that the Media Bureau regulatees have a high regulatory fee burden because, unlike other core bureaus, the Commission has not reclassified any Media Bureau FTEs as indirect.⁶⁶

⁶⁰ See *FY 2019 Report and Order*, 34 FCC Rcd at 8195, para. 16.

⁶¹ 47 U.S.C. § 159(d).

⁶² NCTA Reply at 5.

⁶³ *Id.*

⁶⁴ See CTIA Reply at 5 (observing that indirect FTE allocations based upon individual proceedings or policy issues would be an insurmountably complex task, particularly when they involve the interests of regulatees from multiple bureaus, and would result in unpredictable and rapid shifts in regulatory fee rates from year to year).

⁶⁵ 47 U.S.C. § 159(d).

⁶⁶ NAB Comments at 10. With respect to the commenters' complaint about the high number of FTEs in the Media Bureau, we recognize that the FTEs in the Media Bureau perform a variety of functions of which commenters may not be aware, e.g., bureau staff develops, recommends, and administers the policy and licensing programs for the regulation of media, including cable television, broadcast television and radio, and satellite services in the United States and its territories. The Media Bureau advises and recommends to the Commission, or acts for the Commission under delegated authority, in matters pertaining to multichannel video programming distribution, broadcast radio and television, direct broadcast satellite service policy, and associated matters. During calendar year 2021, the Media Bureau reviewed and processed over 60,000 applications, reports or special requests. The Media

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This is inaccurate. In FY 2019, we had such reclassifications from core bureaus, including the Media Bureau.⁶⁷ The Commission reassigned staff from other bureaus and offices to the new Office of Economics and Analytics, effective December 11, 2018.⁶⁸ This resulted in the reassignment of 95 FTEs (of which 64 were not auctions-funded) as indirect FTEs because all FTEs in the Office of Economics and Analytics are indirect. The Commission also reassigned Equal Employment Opportunity enforcement staff from the Media Bureau to the Enforcement Bureau, effective March 15, 2019, resulting in a reduction of seven direct FTEs in the Media Bureau.⁶⁹ These reassignments resulted in a reduction in direct FTEs in the Wireline Competition Bureau (from 123 FTEs to 100.8 FTEs), Wireless Telecommunications Bureau (from 89 FTEs to 80.5 FTEs), and Media Bureau (from 131 FTEs to 115.1 FTEs).⁷⁰

19. NAB also argues that the Commission should ensure that broadcasters bear no responsibility for the 84 direct FTEs in the Media Bureau that the Commission has stated to Congress are working to promote a 100% broadband policy, and that these 84 Media Bureau FTEs should be reclassified as indirect.⁷¹ The statement to Congress to which NAB refers is the description of the Commission's Strategic Goals and the distribution of FTEs for each Strategic Goal.⁷² The goal NAB refers to is the Commission's Strategic Goal to "Pursue a "100 Percent" Broadband Policy."⁷³ The other

Bureau anticipates handling a similar number of filings during 2022. The Media Bureau will, among other things: provide oversight of the radio and television industry including enforcement actions; process applications for authorization, assignment, transfer, and renewal of over 32,000 licensed broadcast radio and television stations, and related matters; conduct rulemaking proceedings concerning the legal, engineering, and economic aspects of the media industry; resolve waiver petitions, issue declaratory rulings, and conduct and participate in adjudications related to the media industry; ensure the smooth transition of full power, Class A, LPTV, and translator stations as a result of the Incentive Auction repack and process the reimbursement claims submitted to the \$2.75 billion TV Broadcaster Relocation Fund from these stations, FM stations, and multichannel video programming distributors; and work with the International Bureau on applications and other broadcast matters implicating international rules and policies, including foreign ownership, international broadcast stations, section 325(c) matters, spectrum coordination with Canada and Mexico, and broadcasting issues at the International Telecommunications Union. Thus, the high number of FTEs in the Media Bureau is due to the many functions performed in the Media Bureau for the industry.

⁶⁷ *FY 2019 Report and Order*, 34 FCC Rcd at 8194, para. 11.

⁶⁸ *See Establishment of the Office of Economics and Analytics*, Order, 33 FCC Rcd 1539 (2018); FCC Opens Office of Economics And Analytics, Federal Communications Commission News Release, December 11, 2018, <https://www.fcc.gov/document/fcc-opens-office-economics-and-analytics>.

⁶⁹ *See Transfer of EEO Audit and Enforcement Responsibilities to Enforcement Bureau*, Public Notice, 34 FCC Rcd 1370 (EB 2019).

⁷⁰ *FY 2019 Report and Order*, 34 FCC Rcd at 8194, para. 11.

⁷¹ NAB Comments at 13. NAB claims that the Commission must immediately subtract 84 FTEs from the Media Bureau's count of direct FTEs. NAB Reply at 7.

⁷² *See FCC, 2022 Budget Estimates to Congress* (May 2021) at 15, <https://docs.fcc.gov/public/attachments/DOC-372853A1.pdf>. (*FCC 2022 Budget Estimates to Congress*).

⁷³ The Strategic Goal NAB refers to—Pursue a "100 Percent" Broadband Policy—is described as follows:

The COVID-19 pandemic put a spotlight on the serious broadband gaps that exist across the country, including in rural infrastructure, affordability for low-income Americans, and at-home access for students. This continuing digital divide means millions of Americans do not have meaningful access to essential infrastructure for 21st century success. In response to the COVID-19 pandemic and the challenges that many Americans face, the agency should advance access to communications that are essential for Americans to work remotely, learn remotely, receive healthcare, and engage in commerce. To this end, the FCC will pursue policies to help bring affordable, reliable, high-speed broadband to 100 percent of the country.

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goals are to Promote Diversity, Equity, Inclusion, and Accessibility; Empower Consumers; Enhance Public Safety and National Security; Advance America’s Global Competitiveness; and Foster Operational Excellence.⁷⁴ The Commission, like every other federal agency, adopts strategic goals as part of its long term planning process pursuant to federal financial management requirements.⁷⁵ The financial reporting statutes also require agencies to identify the resources that support such strategic goals.⁷⁶ The strategic goals are not aligned with a particular regulatory fee category and the exercise is guided by a wholly distinct statutory scheme.⁷⁷ In addition, such strategic goals are intended to align with higher level priority goals of the overall federal government.⁷⁸ As such, a notation that staff support a specific strategic goal is not a sound rationale for reassigning staff from direct to indirect or vice versa.⁷⁹ We therefore reject NAB’s contention that planning documents guided by a wholly different statutory scheme form the basis to reassign most or all of the Media Bureau FTEs as indirect.

20. Thus, we decline, at this time, to change the methodology by which we allocate FTEs.⁸⁰ Currently, there are 943 indirect FTEs. The indirect FTEs are the FTEs in the Enforcement Bureau (187), Consumer and Governmental Affairs Bureau (111), Public Safety and Homeland Security Bureau (98), Chairwoman’s and Commissioners’ offices (22), Office of the Managing Director (136), Office of General Counsel (70), Office of the Inspector General (47), Office of Communications Business Opportunities (10), Office of Engineering and Technology (66), Office of Legislative Affairs (8), Office of Workplace Diversity (4), Office of Media Relations (12), Office of Economics and Analytics (78), and Office of Administrative Law Judges (4), along with some FTEs in the Wireline Competition Bureau (38) and the International Bureau (52) that the Commission has previously classified as indirect for regulatory fee purposes.⁸¹

21. The number of direct FTEs are determined within each core bureau and a percentage of the total amount to be collected in regulatory fees for a given fiscal year is calculated. There are 329

Id. at 9.

⁷⁴ *Id.* at 15. These Strategic Goals are part of the Commission’s policy to develop a regulatory environment to encourage private sector to build, maintain, and upgrade next-generation networks so that the benefits of advanced communications services are available to all Americans. *Id.* at 7.

⁷⁵ An agency strategic plan is one of three main elements required by the Government Performance and Results Act (GPRA) of 1993 (P.L. 103-62) and the GPRA Modernization Act of 2010 (P.L. 111-352), codified at 5 U.S.C. § 306, *Agency strategic plans*. Pursuant to GPRA and the Office of Management and Budget’s implementing guidance in OMB Circular A-11, *Preparation, Submission, and Execution of the Budget*, federal agency budgets must include an Annual Performance Plan. The Annual Performance Plan must be based on the Strategic Goals contained in the agency’s four year Strategic Plan.

⁷⁶ *Id.*

⁷⁷ 5 U.S.C. § 306 (directing in section 306(a)(2) each agency to adopt “general goals and objectives, including outcome-oriented goals, for the major functions and operations of the agency”). Moreover, the attribution of staff to any strategic goal in an agency planning document is certainly not accomplished using the framework of section 9 of the Communications Act or the relevant legal principles that apply to agency fee setting activities.

⁷⁸ Such goals should also “contribute to the Federal Government priority goals” required by section 1120(a) of title 31, 5 U.S.C. § 306(a)(3).

⁷⁹ Moreover, we note that the FTE time allocated to each strategic goal, as listed in the *FCC 2022 Budget Estimates to Congress*, are simply estimates of the FTE time allocated to each strategic goal and does not represent the actual FTE time spent in FY 2022 on each of the Commission’s Strategic Goals.

⁸⁰ We note that we seek further comment below, in the attached Notice of Inquiry, on the Commission’s regulatory fee methodology for allocating indirect FTEs. *See infra* Section IV.

⁸¹ *See supra* note 27. While we do not change our established methodology, we update the way we account for the 38 Wireline Competition Bureau FTEs that we previously reclassified as indirect in 2017. We do this in order to maintain the accuracy of our proportional allocation. *See infra* paras. 70-71.

direct FTEs: \$32.70 million (8.56% of the total FTE allocation, 28 direct FTEs) in fees from International Bureau regulatees; \$81.74 million (21.40% of the total FTE allocation, 70 direct FTEs) in fees from Wireless Telecommunications Bureau regulatees; \$129.62 million (33.94% of the total FTE allocation, 111 direct FTEs) from Wireline Competition Bureau regulatees; and \$137.89 million (36.10% of the total FTE allocation, 120 direct FTEs) from Media Bureau regulatees. The regulatory fees we adopt here are based on the established methodology, applied to the allocated FTEs, and based on the Commission's appropriation amount of \$381,950,000.

B. Space Station and Submarine Cable Regulatory Fees

1. Non-Geostationary Orbit System (NGSO) Regulatory Fees

22. We adopt fee rates for NGSO space stations for FY 2022 and decline to create additional regulatory fee categories for FY 2022. In the Report and Order attached to the *FY 2022 NPRM*, we adopted a methodology for calculating the regulatory fee for small satellites and small spacecraft (together, small satellites) based on 1/20th (5%) of the average of the non-small satellite NGSO space station⁸² regulatory fee rates from the current fiscal year on a per license basis.⁸³ In the *FY 2022 NPRM*, we sought comment on the proposed regulatory fee rates for the subcategories of NGSO - small satellite, NGSO - less complex space stations, and NGSO - other space stations for FY 2022, and addressed regulatory fee proposals in the record regarding spacecraft performing on-orbit servicing (OOS) and rendezvous and proximity operations (RPO).⁸⁴ We also tentatively concluded that the addition of a new regulatory fee category for OOS and RPO operations would be premature, but sought further comment on whether and how to assess fees for these types of spacecraft, and other types of satellites servicing other satellites, which operate near to the geostationary orbit (GSO) arc.⁸⁵

23. *NGSO Fee Allocation.* We maintain the 20/80 allocation between “less complex” and “other” NGSO space station fees, respectively, within the NGSO fee category. In 2020, the Commission adjusted the allocation of FTEs among GSO and NGSO space station and earth station operators.⁸⁶ The Commission noted the disparity in the number of units between GSO space stations (98) and NGSO systems (seven), and observed that many satellites 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 license.⁸⁷ To ensure that regulatory fees more closely reflected the FTE oversight and regulation for each space station category, the Commission allocated 80% of space station regulatory fees to GSOs and 20% of the space station regulatory fees to NGSOs.⁸⁸ In 2021, the Commission 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).”⁸⁹ “Less complex” NGSO systems are defined as NGSO satellite 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).⁹⁰ “Less complex” NGSO fees and “other” NGSO fees

⁸² Space stations are divided into two main categories: (1) geostationary orbit (GSO) space stations and (2) non-geostationary orbit (NGSO) systems.

⁸³ *FY 2022 NPRM* at *8-*14, paras. 21-42.

⁸⁴ *Id.* at *8-*16, paras. 21-47.

⁸⁵ *Id.* at *15-*16, paras. 45-47.

⁸⁶ *FY 2020 NPRM*, 35 FCC Rcd at 4993-95, paras. 39-45.

⁸⁷ *Id.* at 4993, para. 40.

⁸⁸ *Id.* at 4993, para. 41.

⁸⁹ *FY 2021 NPRM*, 36 FCC Rcd at 8583, para. 6.

⁹⁰ *Id.* at 8583-84, para. 7. EESS is defined under the Commission rules as “a radiocommunication service between earth stations and one or more space stations... in which... information relating to the characteristics of the Earth

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were split within the broader NGSO fee category on a 20/80 basis.⁹¹

24. In the Report and Order attached to the *FY 2022 NPRM*, the Commission adopted a fee methodology for the “small satellites” and decided that, as the “small satellite” fee is calculated, considering that “small satellites” are NGSO space stations, the fees generated from this “small satellite” fee category will be deducted from the fee amount to be collected from the total NGSO space stations fees, and the remainder of the NGSO space stations fees will continue to be allocated on a 20/80 basis between “less complex” and “other” NSGO space stations respectively.⁹²

25. The Satellite Coalition first claims that the “Commission no longer can assume that EESS systems are less complex because they communicate with fewer than 20 U.S. earth stations.”⁹³ The Satellite Coalition contends that distinguishing “less complex” and “other” NGSOs based on the number of earth stations is no longer accurate because two of the best-known EESS systems, Spire Global and Planet Labs, already communicate with more than 20 FCC-licensed antennas.⁹⁴ The Satellite Coalition also observes that EESS systems are developing substitutes for dedicated, proprietary earth station networks, with some EESS systems relaying data via satellite systems that have established ground infrastructure, others associating with “ground station-as-a-service” organizations,⁹⁵ and others downlinking data directly to user terminals, including more ubiquitous mobile terminals.⁹⁶ The Satellite Coalition contends that the Commission should require licensees of EESS systems to report the total number of FCC-licensed antennas with which their systems communicate.⁹⁷

26. The EESS Coalition disagrees with the Satellite Coalition and argues that in the year since the Commission’s 2021 decision there are “no new arguments or developments” that warrant the alterations to the NGSO fee categories sought by the Satellite Coalition.⁹⁸ The EESS Coalition further argues that considerations regarding the number of earth stations as a proxy for the complexity of a system have not altered.⁹⁹ The EESS Coalition contends that, under our rules, an “earth station” could not be defined as a single antenna.¹⁰⁰ The EESS Coalition further disagrees that the fee allocation needs to be altered as EESS systems may begin to require more earth stations to meet demand because the Commission previously clarified that systems planning to communicate with greater than 20 earth stations would not meet the definition of “less complex.”¹⁰¹ Likewise, the EESS Coalition contends that the fact that EESS systems have been improving their technology is not a reason to change the fee allocation when the Satellite Coalition provides no explanation of how or why the introduction of new use cases that are not directly regulated by the Commission, or the use of third-party ground stations, support the conclusion that there are additional burdens on the Commission’s responsibilities.¹⁰²

and its natural phenomena, including data relating to the state of the environment, is obtained from active sensors or passive sensors on Earth satellites...” 47 CFR § 2.1(c).

⁹¹ *FY 2021 Report and Order*, 36 FCC Rcd at 13018-19, para. 58.

⁹² *FY 2022 NPRM* at *12, para. 35.

⁹³ Satellite Coalition Comments at 9.

⁹⁴ *Id.* at 9-10.

⁹⁵ *Id.* at 11.

⁹⁶ *Id.* at 11.

⁹⁷ *Id.* at 12.

⁹⁸ EESS Coalition Reply at 2.

⁹⁹ *Id.* at 9.

¹⁰⁰ *Id.* at 10.

¹⁰¹ *Id.* at 11-12 (citing *FY 2021 Report and Order*, 36 FCC Rcd at 13017-18, para. 57).

¹⁰² *Id.* at 9.

27. As an initial matter, we emphasize that we previously concluded that 20 or fewer planned earth stations is an accurate proxy to determine whether a primarily AIS and/or EESS system is “less complex” and that EESS systems are less burdensome to regulate than other types of services, such as NGSO FSS systems, when those EESS systems plan to communicate with 20 or fewer earth stations.¹⁰³ We will address the Satellite Coalition’s comments to the extent that it raises new arguments.

28. We find that distinguishing “less complex” EESS systems based on whether those systems plan to communicate with 20 or fewer earth stations is still an accurate proxy.¹⁰⁴ The Satellite Coalition argues that the Commission meant to define earth stations as antennas.¹⁰⁵ Notwithstanding the assertions of the Satellite Coalition, a single call sign, not an antenna, equates to a single earth station license.¹⁰⁶ The Commission’s definition of “earth station,” which incorporates the Commission’s definition of “station,” demonstrates that an antenna is merely part of an “earth station.”¹⁰⁷ A “station” includes “[o]ne or more transmitters or receivers or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a radiocommunication service[.]”¹⁰⁸ While an antenna may be an important piece of equipment in transmitting or receiving signals, additional accessories are needed to successfully carry out a radiocommunication, which, together with one or more antennas, constitute a “station.” Moreover, it is not apparent how the number of antennas at a particular earth station location supports a conclusion that there are additional burdens on the Commission’s responsibilities for regulatory fee purposes.

29. In addition, we disagree that we should change the 20/80 allocation now because EESS systems are developing substitutes for dedicated, proprietary earth station networks. While in the future this may result in our reconsideration of planned 20 earth stations as the dividing line between a “less complex” and “other” system, for FY 2022, we agree with the EESS Coalition that we do not have evidence that “less complex” systems’ new technology has made those NGSO systems more burdensome to regulate.¹⁰⁹ Based on our current experience, the 20/80 split continues to be accurate and closely reflect the percentage of the FTE time spent to regulate less complex NGSO space stations and “other” NGSO space stations.

30. Finally, we remind all operators that the fee payors have an obligation to pay the correct fee amount corresponding to their actual fee category. If a non-small satellite NGSO system is listed as “less complex” but actually communicates with more than 20 earth stations, such fee payor has an obligation to correct that listing mistake to be billed the fee amount that correspond to “other” NGSO space station fee category. In the *FY 2022 NPRM*, we listed systems in various categories and gave the fee payors a chance to verify and correct any mistakes in our space stations list. Based on the information we received, we believe all operational “less complex” space stations are now listed in the appropriate category. We note that the public record in the International Bureau Filing System (IBFS) contains the

¹⁰³ *FY 2021 Report and Order*, 36 FCC Rcd at 13014-18, paras. 50-57. In adopting the 20 earth stations or fewer proxy for the “less complex” NGSO space station fee category, the Commission clarified that it is the number of planned earth stations in the system design provided in the NGSO space station application that is relevant, since some more complex NGSO systems may communicate with a small number of earth stations during the initial operational phases, but actually intend to communicate with a significantly larger set of earth stations. *Id.*

¹⁰⁴ *See also id.* at 13017-18, para. 57 (“We also disagree... that our consideration of numbers of earth stations presupposes that EESS systems require no more than 20 earth stations to support their network.”).

¹⁰⁵ Satellite Coalition Comments at 9-10.

¹⁰⁶ *Contra id.* at 10, n.36.

¹⁰⁷ *See* 47 CFR § 2.1 (defining “earth station” as “[a] station located either on the earth's surface or within the major portion of earth's atmosphere and intended for communication: (1) With one or more space stations; or (2) With one or more stations of the same kind by means of one or more reflecting satellites or other objects in space”).

¹⁰⁸ *See* 47 CFR § 2.1.

¹⁰⁹ EESS Coalition Reply at 9.

call signs of FCC-licensed earth stations with which “less complex” systems presently communicate, with the particular NGSO system listed as a point of communication.¹¹⁰ Since we also include earth stations that have been authorized by other U.S. federal government agencies when determining the total number of earth stations with which a “less complex” system communicates,¹¹¹ and such information is not typically in IBFS, if needed, we may consider other options to verify the information, including an annual reporting requirement regarding the number of earth stations for future fiscal years, to aid in the administrability of and increase transparency in our maintenance of the list of “less complex” space station systems.¹¹²

31. Second, the Satellite Coalition also argues that the characteristics that the Commission previously noted that make EESS systems distinct from other NGSO systems, such as those NGSO systems providing fixed-satellite service (FSS), are breaking down.¹¹³ The Satellite Coalition asserts that EESS systems now are developing a global presence and have significant spectrum needs and use multiple bands, while the significance of processing rounds has been diminished.¹¹⁴ The Satellite Coalition contends that the Commission should not be assessing radically different regulatory fees for NGSO systems that are becoming functionally indistinct and competing for the same or similar customers.¹¹⁵

32. The EESS Coalition counters that many of the developments to EESS systems to which the Satellite Coalition cites took place prior to the FY 2021 regulatory fee proceeding during which the 20/80 allocation was adopted.¹¹⁶ The EESS Coalition further posits that the distinctions between the two regulatory fee categories remain consistent with those analyzed in the *FY 2021 Report and Order*.¹¹⁷ For example, processing rounds have not become less intensive.¹¹⁸ Similarly, EESS systems have not increased their global presence with activities to the extent that the Commission would be required to expend significant staff resources for representation at international forums and multilateral coordination.¹¹⁹ We conclude that the 20/80 allocation among “less complex” and “other” NGSOs remains fair and our definition of “less complex” does not need to be modified. At this time, we are not persuaded that EESS systems communicating with 20 or fewer earth stations have increased in complexity as to justify a change in our definition or the 20/80 allocation. As the EESS Coalition points

¹¹⁰ See, e.g., *Deadline for Submission of Information on Earth Station and Satellite Use of the 3.7-4.2 GHz Band*, GN Docket No. 18-122, Public Notice, 34 FCC Rcd 2287 (IB/WTB/OET 2019) (calling for operators to provide information regarding their C-band usage by providing the call signs of earth stations operating in the band).

¹¹¹ See *FY 2021 NPRM*, 36 FCC Rcd at 8584, para. 7, n.27 (stating that in the context of determining whether a system plans to communicate with 20 or fewer earth stations, we count those earth stations that are or will be operating pursuant to an FCC license or have been authorized by other U.S. federal government agencies and include earth stations located on U.S.-registered vessels or aircraft).

¹¹² See *FY 2021 Report and Order*, 36 FCC Rcd at 13018, para. 57 (“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.”).

¹¹³ Satellite Coalition Comments at 8.

¹¹⁴ *Id.* at 13-15, 17-18. Processing rounds are used by the International Bureau to authorize NGSO systems, including those that may require “always on” availability of the requested spectrum, or availability over larger geographic areas, which is consistent with those “more complex” systems planning to communicate with 20 or more U.S. licensed earth stations. See *FY 2021 NPRM*, 36 FCC Rcd at 8585-8586, para. 12, n.43.

¹¹⁵ *Id.* at 15-16.

¹¹⁶ EESS Coalition Reply at 4.

¹¹⁷ *Id.* at 5.

¹¹⁸ *Id.* at 6-7.

¹¹⁹ *Id.* at 8.

out, the work involving the processing rounds remains at around the same level, “less complex” systems’ global presence has not increased the FTEs’ work at a level that justifies a change, and in some cases the use of spectrum despite increased use of bandwidth of “less complex” systems remains the same.¹²⁰ Although the Satellite Coalition argues that some “less complex” EESS operators do not meet the criteria of “less complex” because their systems communicate with greater than 20 planned FCC-licensed antennas,¹²¹ the criteria we identified in the Report and Order attached to the *FY 2021 NPRM* remain valid. If EESS operators communicate with more than 20 earth stations, they would no longer be considered “less complex.”¹²² Given that we determine the complexity of the NGSO system based on the system design provided at the NGSO space station application stage,¹²³ and that none of our already designated “less complex” systems actually communicate with greater than 20 earth stations, we find that the Satellite Coalition’s examples of “less complex” systems that we have already designated as “less complex” do not establish a sufficient basis upon which to change the 20/80 allocation at this time. While we acknowledge that the technology associated with “less complex” EESS system is changing, and this in some instances involves changes including increases in bandwidth, number of earth stations, amount of time in which spectrum is used, or other such changes, the changes identified appear at this time to be expected incremental changes consistent with the general characteristics identified for less complex systems. Accordingly, we find that the 20/80 allocation still fairly represents Commission resources spent and benefits received by operators.

33. Third, the Satellite Coalition argues that adoption of a fee category for small satellites should result in a re-evaluation of the regulatory fees between “less complex” systems and “other” NGSO systems.¹²⁴ The Satellite Coalition argues that, because Commission resources devoted to the regulation and oversight of “small satellites” is minimal, “small satellites” are the least complex NGSO systems among the types of constellations that formerly were included in the “less complex” NGSO fee category, and now that “small satellites” have their own fee category, only systems that demand relatively more Commission oversight remain in the “less complex” fee category for FY 2022 and going forward.¹²⁵ The EESS Coalition disagrees because the Commission previously “note[d] 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.”¹²⁶

34. We decline to reconsider the “less complex” fee allocation due to the adoption of a small satellite fee category. A new regulatory fee category was created for small satellites in 2019.¹²⁷ The 20/80 fee allocation among “less complex” NGSO systems and “other” NGSO systems was not proposed until 2021.¹²⁸ As a result, parties had notice that small satellites would be assessed fees separately when

¹²⁰ *See id.* at 6-8.

¹²¹ *See* Satellite Coalition Comments at 13-15, 17-18.

¹²² *See also FY 2021 Report and Order*, 36 FCC Rcd at 13017-18, para. 57 (“[I]f 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.”).

¹²³ *FY 2021 NPRM*, 36 FCC Rcd at 8585-86, para. 12.

¹²⁴ Satellite Coalition Comments at 21. The Satellite Coalition also argues that, if we were to broaden our definition of “small satellites” for regulatory fee purposes as OSK suggests, we would be excluding from the “less complex” category a greater number of satellite systems that fall on the “less complex” range of the scale. Satellite Coalition Reply at 9. As discussed below, we decline to adopt OSK’s proposal, and this additional argument is moot.

¹²⁵ Satellite Coalition Comments at 19-20.

¹²⁶ EESS Coalition Reply at 8-9 (citing *FY 2021 Report and Order*, 36 FCC Rcd at 13028-29, para. 80).

¹²⁷ *Streamlining Licensing Procedures for Small Satellites*, IB Docket No. 18-86, Report and Order, 34 FCC Rcd 13077, 13118-19, para. 105 (2019) (*Small Satellite Report and Order*).

¹²⁸ *FY 2021 NPRM*, 36 FCC Rcd 8580, 8595, para. 35.

we accepted comments regarding the 20/80 NGSO fee allocation. Even when we adopted the 20/80 NGSO fee allocation, we left open the question as to how we would integrate the small satellite fee category into the overall space stations fee category rather than guaranteeing that the fee would be integrated into the “less complex” NGSO fee category.¹²⁹ We also did not yet have any operational small satellites that were assessed fees in FY 2021, so small satellite licenses were not factored into the “less complex” allocation.¹³⁰ As such, we see no need to reconsider the 20/80 allocation following integration of the small satellite fee category into the overall NGSO space station fee category at this time.

35. *Small Satellite Regulatory Fees.* We decline to broaden the definition of “small satellites” for regulatory fee purposes. In the *Small Satellite Report and Order*, the Commission adopted a new, optional licensing process for small satellites and spacecraft, a type of NGSO space station.¹³¹ In that proceeding, the Commission also adopted a small satellite regulatory fee category for licensed and operational space stations authorized under the process adopted in that proceeding.¹³² The Commission found that these actions would enable such applicants to choose a streamlined licensing procedure resulting in an easier application process, a lower application fee and a shorter timeline for review than exists for non-small satellite applicants.¹³³ Satellites licensed through the streamlined process have characteristics that distinguish them from traditional NGSO satellite space stations, such as having a lower mass, shorter duration missions, more limited spectrum needs, and detailed certifications that must be submitted by the applicant.¹³⁴

36. We are assessing regulatory fees for small satellites for the first time in FY 2022 because there were five licenses for operational space stations in this small satellite regulatory fee category as of the start of the fiscal year on October 1, 2021.¹³⁵ We are using the methodology adopted in the Report

¹²⁹ *FY 2021 Report and Order*, 36 FCC Rcd at 13029, para. 83.

¹³⁰ *Id.* at 13027, para. 77 (“FY 2022 will be the first year where regulatory fees are assessed for small satellites...”).

¹³¹ *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 in many respects to those of “small satellites.” See 47 CFR §§ 25.103, 25.123.

¹³² *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.* The Commission also established a separate application fee for applicants under this part 25 streamlined process. *Id.* at 13115, para. 99. It has been a long-standing requirement that regulatory fees are assessed on a licensee or grantee of U.S. market access only upon certification of operation of a single satellite in its system. See *Assessment and Collection of Regulatory Fees for Fiscal Year 1997*, MD Docket No. 96-186, Report and Order, 12 FCC Rcd 17161, 17191, para. 75 (1997) (*FY 1997 Report and Order*).

¹³³ *Small Satellite Report and Order*, 34 FCC Rcd at 13118-19, para. 105.

¹³⁴ *Id.* at 13083-84, para. 19; see also *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, MD Docket No. 18-175, Report and Order and Order, 33 FCC Rcd 8497, 8499, n.21 (2018) (*FY 2018 Report and Order*). To apply under the small satellite streamlined rules, an applicant must certify that, among other things: (i) 10 or fewer satellites will operate under a single license; (ii) the maximum in-orbit lifetime of any individual satellite is six years, including time to de-orbit the satellite; (iii) the maximum mass of any individual satellite will be 180 kilograms, including propellant; (iv) the satellite(s) will be deployed below a 600-kilometer altitude or have the capability to perform collision avoidance and de-orbit maneuvers using propulsion; (v) any individual satellite is 10 centimeters or larger in its smallest dimension, and (vi) radiofrequency operations will be compatible with existing operations in the requested frequency bands and not materially constrain future operations of other satellites in those frequency bands. See *Small Satellite Report and Order*, 34 FCC Rcd at 13083-84, para. 19 (including a complete list of criteria).

¹³⁵ We are adopting a small satellite fee, on a per-license basis, of \$12,215. This fee is based on calculating 1/20th (5%) of the average regulatory fee rate for a non-small NGSO system in FY 2022, which we calculated to be \$244,299 (the average of the “less complex” NGSO space station fee of \$143,705 and the “other” NGSO space station fee of \$344,892, which would be the fee rates before the small satellite fees are calculated into the total NGSO space station fee category). Then we calculate the actual fee rate for non-small NGSO systems (i.e., NGSO -

(continued....)

and Order attached to the *FY 2022 NPRM* to calculate the regulatory fee for small satellites. The fee is based on 1/20th (5%) of the average of the non-small satellite NGSO space station regulatory fee rates from the current fiscal year on a per license basis.¹³⁶ This accommodates fluctuations in the number of NGSO space stations fee payors and results in an appropriately low regulatory fee for small satellites.¹³⁷ In addition, this averaging methodology provides a middle ground and an opportunity to gain more experience in regulating small satellites, while also recognizing that small satellites are part of a separate fee category and not within either the “less complex” or “other” NGSO space stations fee categories.¹³⁸ Our small satellite methodology also takes into account our expectation that FTEs will spend approximately twenty times more time on regulating one non-small NGSO space station system compared to the time spent for regulating one small satellite license.¹³⁹

37. OSK requests that we broaden the definition of “small satellites” for the purposes of regulatory fee assessment to include all systems that meet the criteria enumerated in the *Small Satellite Report and Order*, regardless of whether they seek license processing under the small satellite processing rules of section 25.122.¹⁴⁰ OSK contends that the substantial difference in regulatory fee treatment between “small satellites” and NGSO – “less complex” (almost \$130,000 per year) has significant ramifications for small satellite operators, such as OSK, who elect not to utilize the Commission’s new regulatory scheme for small satellites.¹⁴¹ According to OSK, if we assess regulatory fees based on the actual characteristics of the system, rather than the licensing treatment sought, we can increase efficiency and ensure equitable treatment for similarly situated systems.¹⁴² By not assessing regulatory fees based on the actual characteristics of the system, OSK contends that small satellite operators will be forced to contort their constellations to fit under the section 25.122 framework in order to avoid unreasonable fee burdens, thereby removing all optionality the Commission sought to provide through the streamlined licensing regime.¹⁴³

38. SIA responds that OSK’s proposal should be rejected because it would require the Commission to individually determine whether every satellite system that applies for Commission authorization meets the criteria enumerated in the *Small Satellite Report and Order*, regardless of whether they seek license processing under section 25.122, which would significantly add to the administrative burden of the Commission.¹⁴⁴ SIA adds that, rather than changing the definition of a fee category, applicants with individual licensing issues should make use of the existing processes available for regulatees who are concerned about their fees by petitioning for waiver, deferral, or fee determinations.¹⁴⁵

39. We decline to broaden the definition of “small satellites” for the purposes of regulatory fee assessment and conclude that only space stations licensed pursuant to the streamlined small satellite licensing process under sections 25.122 and 25.123 of our rules are eligible to be assessed the small

less complex space stations and NGSO - other space stations) after subtracting the total fee amount that would be allocated to operational small satellites from the total NGSO space station revenues.

¹³⁶ *FY 2022 NPRM* at *8-*14, paras. 21-42. For purposes of the discussion regarding small satellites, we use the term “per license” to mean either a license or grant of U.S. market access.

¹³⁷ *Id.* at *11, para. 31.

¹³⁸ *Id.* at *11-*12, paras. 32-35.

¹³⁹ *Id.* at *11, para. 33.

¹⁴⁰ OSK Comments at 1-4.

¹⁴¹ *Id.* at 3.

¹⁴² *Id.* at 3.

¹⁴³ *Id.* at 4.

¹⁴⁴ SIA Reply at 5.

¹⁴⁵ *Id.* at 5.

satellite regulatory fee. As we noted in the *FY 2022 NPRM*, the streamlined small satellite rules are designed to lower the regulatory burden and reduce staff resources required for licensing, but the rules also restrict the benefits received by these licensees.¹⁴⁶ For example, license terms are limited to six years, including deorbit time, and only 10 satellites are permitted on a single license.¹⁴⁷ In the *Small Satellite Report and Order*, the Commission made clear that the licensing process for small satellites is “optional.”¹⁴⁸ The Commission further adopted a new category in the regulatory fee schedule that is separate from the existing fee categories for satellites licensed pursuant to the streamlined process and stated that the small satellite fee subcategory would apply to licensed and operational satellite systems “authorized under the new process adopted in this proceeding.”¹⁴⁹ Therefore, licensees that could be eligible to receive authorization pursuant to the streamlined small satellite licensing process but choose not to seek authorization pursuant to the streamlined small satellite licensing process have sufficient awareness that the regulatory fee category associated with licenses obtained through small satellite licensing process is separate. Such licensees must pay the regulatory fees associated with non-small satellites, which in turn reflect a higher regulatory oversight cost and significantly greater benefits for the fee payors.¹⁵⁰

40. *FY 2022 NGSO Space Stations Regulatory Fee Rates.* We adopt the below regulatory fee rates for NGSO space stations, as follows for FY 2022:

NGSO - Small Satellite FY 2022 Fee (per license)	NGSO - Other Space Station FY 2022 Fee (per system)	NGSO - Less Complex Space Station FY 2022 Fee (per system)
\$12,215	\$340,005	\$141,670

2. Spacecraft Performing On-Orbit Servicing and Rendezvous and Proximity Operations

41. Due to the nature of the OOS and RPO, or more generally in-space servicing industries, we will continue to evaluate each such spacecraft on a case-by-case basis until we gain more experience in understanding how such spacecraft fit into our regulatory structure. In the *FY 2022 NPRM*, we sought comment on adopting regulatory fee categories for spacecraft performing OOS and RPO.¹⁵¹ We noted that there have been a limited number of such operations and except for GSO servicing missions. We previously stated that we expect that most OOS and RPO operations will be NGSO.¹⁵² We tentatively concluded that it is too early to identify exactly where operations, such as those in low-Earth orbit (LEO), might fit into the regulatory fee structure in the future.¹⁵³

42. SIA supports our earlier conclusion that it is premature to adopt new fee categories for OOS and RPO, as there is currently too much variation in the industry, and such operations continue to

¹⁴⁶ *FY 2022 NPRM* at *8, para. 24.

¹⁴⁷ *FY 2022 NPRM* at *8, para. 23 & n.62.

¹⁴⁸ *Small Satellite Report and Order*, 34 FCC Red at 13078, para. 2.

¹⁴⁹ *Id.* at 13118-19, para. 105.

¹⁵⁰ In the Report and Order attached to the *FY 2022 NPRM*, we discussed in detail the FTE time associated with regulating licenses issued pursuant to the streamlined small satellite licensing process and the differences in benefits received by small satellite and non-small satellite fee payors. *See e.g.*, *FY 2022 NPRM* at para. 33.

¹⁵¹ *FY 2022 NPRM* at *15-*18, paras. 45-46.

¹⁵² *Id.* at *18, para. 46.

¹⁵³ *Id.*

require a case-by-case review.¹⁵⁴ SIA also notes that even Astroscale, which supports a fee for RPO operations, acknowledges that such operations are part of a “nascent infrastructure.”¹⁵⁵

43. Other commenters favor the creation of a new fee category and propose how we may define the services that may be contained in this new category. Spaceflight argues that OOS missions are a new industry sector involving relatively low-cost systems and a high regulatory fee could limit the commercial applications for such systems.¹⁵⁶ Spaceflight states that OOS might support NGSO or GSO satellites and should be their own category.¹⁵⁷ Spaceflight observes that until recently the fact that these missions have been authorized under Special Temporary Authority (STA) has made Commission regulatory fees a non-issue, but now that the Commission is requiring some of these missions to be licensed under part 25, the issue of the appropriate regulatory fees must be decided.¹⁵⁸ Spaceflight also recommends that the Commission define “OOS Missions” as spacecraft whose primary function is to provide OOS, including concepts of operations such as deployment via orbital transfer vehicle (OTV), hosting, or RPO.¹⁵⁹ Turion adds that the proposed OOS regulatory fee category should include space situational awareness (SSA) and space domain awareness (SDA) and, in the absence of an OOS regulatory fee category, SSA and SDA should fall under a new regulatory fee category, separate from the standard NGSO fee category.¹⁶⁰ Astroscale requests that, rather than using the terms OOS and RPO when discussing the creation of a new fee category, we use the term “in-space servicing” to correlate the language with the In-Space Servicing, Assembly, and Manufacturing (ISAM) National Strategy.¹⁶¹ Astroscale suggests “in-space servicing” be defined as activities in space “by a servicer spacecraft or servicing agent on a client space object which require rendezvous and/or proximity operations.”¹⁶² Astroscale also contends that the Commission must not continue to regulate in-space servicing systems on a mission-by-mission basis and notes that three distinct ISAM operators have multiple granted or pending full part 25 licenses and 15 STAs have been granted to support commercial ISAM activities since 2016.¹⁶³ Astroscale adds that a fee category for in-space servicing is needed to solve existing ambiguity and because ISAM operations challenge the current fee structure established by orbital regime since an in-space servicing spacecraft can change between NGSO and GSO operations over their servicing lifetime.¹⁶⁴

44. Two commenters support an interim regulatory fee at the same amount as the small satellite fee.¹⁶⁵ Spaceflight and Turion observe that many of the factors used in determining the small satellite regulatory fee, such as interference protection, limited duration, smaller investment, less adjudication, multiple licenses or market grants, and limited number of missions overall, are also present

¹⁵⁴ SIA Comments at 6-7.

¹⁵⁵ *Id.* at 6 (citing Comments of Astroscale, MD Docket No. 21-190, at 2 (filed Oct. 21, 2021)).

¹⁵⁶ Spaceflight Comments at 7.

¹⁵⁷ *Id.* at 3.

¹⁵⁸ Spaceflight Reply at 2.

¹⁵⁹ Spaceflight Comments at 3.

¹⁶⁰ Turion Reply at 6.

¹⁶¹ Astroscale Reply at 1-2.

¹⁶² Astroscale Reply at 2; *see* Spaceflight Reply at 4-5 (“Spaceflight has used the term “OOS” for purposes of consistency, but with expectation that terminology will be aligned going forward using a more appropriate term such as “in-space” services.”).

¹⁶³ Astroscale Reply at 3.

¹⁶⁴ *Id.* at 4.

¹⁶⁵ Spaceflight Comments at 3-4; Turion Reply at 3-4.

in missions involving their own spacecraft, as well other OOS spacecraft.¹⁶⁶ Spaceflight and Turion propose that an interim regulatory fee should apply per OOS mission license, i.e., 1/20th (5%) of the average of the non-small satellite NGSO and non-OOS regulatory fee rates from the current fiscal year.¹⁶⁷ Turion argues that, if the Commission should label OOS spacecraft as standard NGSOs, despite their meeting the small satellite criteria and not operating as conventional satellites, then they should receive similar regulatory fee treatment to small satellite missions.¹⁶⁸ SIA responds that an interim regulatory fee schedule is unnecessary, as the assessment of how OOS services fit into the current regime at the licensing stage is sufficient for the time being.¹⁶⁹

45. We are unable to adopt a new regulatory fee for in-space servicing operations for FY 2022 now, as we are required to notify Congress at least 90 days prior to creating such a change to the regulatory fee schedule.¹⁷⁰ Moreover, even absent the notice requirement, we find that the record is not sufficient to support such action at this time. As such, we defer this issue to a future fiscal so that we can more effectively address this issue once the regulatory framework under which space stations performing in-space servicing operations, including OOS, RPO, SSA, and SDA operations, and the scope of those operations, is better understood. As SIA, Spaceflight, and Astroscale acknowledge, in-space servicing is a relatively new industry.¹⁷¹ Missions, which can include satellite refueling, inspecting and repairing in-orbit spacecraft, capturing and removing debris, and transforming materials through manufacturing while in space, have the potential to benefit all space stations, the sustainability of the outer space environment and the space-based services.¹⁷² We note that these systems are still nascent.¹⁷³ For FY 2022, only two in-space servicing spacecraft were operating pursuant to full part 25 licenses, which is a marginal number in comparison to the total number of systems operating pursuant to full part 25 licenses that we are regulating during this fiscal year.¹⁷⁴ We need more experience with these operations and in understanding the FTE time required to support them. At this time, we do not have the experience or the robust record needed to establish definitions and methodologies for a new fee category for these operations that would

¹⁶⁶ Spaceflight Comments at 4-6.

¹⁶⁷ Spaceflight Comments at 6-7; Turion Reply at 4-5.

¹⁶⁸ Turion Reply at 3.

¹⁶⁹ SIA Reply at 4.

¹⁷⁰ Section 9(d) of the Act contemplates such amendments to the regulatory fee schedule. See 47 U.S.C. § 159(d). However, pursuant to section 9(A)(b)(2), the Commission must notify Congress at least 90 days prior to making any amendment under section 9(d) of the Act effective. 47 U.S.C. § 159(A)(b)(2).

¹⁷¹ SIA Comments at 6; Spaceflight Comments at 6; Spaceflight Reply at 2; Astroscale Reply at 3.

¹⁷² See generally *Space Innovation; Facilitating Capabilities for In-space Servicing, Assembly, and Manufacturing*, IB Docket No. 22-271, IB Docket No. 22-272, Notice of Inquiry, FCC-22-66, (rel. Aug. 8, 2022) (*Space Innovation NOI*).

¹⁷³ See *FY 2022 NPRM*, at *16, para. 46 n.136. To date, the International Bureau, Satellite Division has authorized two spacecraft for communications while conducting these types of operations with GSO satellites. *Space Logistics, LLC*, IBFS File No. SAT-LOA-20170224-00021; Call Sign S2990 (granted June 20, 2019) (MEV-1); *Space Logistics, LLC*, IBFS File No. SAT-LOA-20191210-00144; Call Sign S3059 (granted March 25, 2020) (MEV-2); see also Caleb Henry, FCC begins approval of Orbital ATK satellite-servicing mission for Intelsat-901 (Dec. 12, 2017), <https://spacenews.com/fcc-begins-approval-of-orbital-atk-satellite-servicing-mission-for-intelsat-901/>. The Satellite Division has also authorized one spacecraft for communications while conducting these types of operations in non-geostationary orbit. *Spaceflight, Inc.*, IBFS File No. SAT-LOA-20220111-00007 (granted May 10, 2022). The Satellite Division also authorized on an STA basis several U.S. earth stations to communicate with the non-U.S.-licensed Astroscale NGSO spacecraft for TT&C during a mission involving RPO. See, e.g., IBFS File Nos. SES-STA-20200113-00043, SES-STA-20200811-00859, SES-STA-20200117-00055.

¹⁷⁴ *Space Logistics LLC*, IBFS File No. SAT-LOA-20191210-00144 (granted Mar. 25, 2020); *Space Logistics LLC*, IBFS File No. SAT-LOA-20170224-00021 (granted June 20, 2019).

fairly recover any costs that might be associated with such services.¹⁷⁵ For the same reasons, we decline to adopt an interim fee, including one equivalent to the fee assessed for systems authorized under the streamlined small satellite licensing process. As we gain more experience in oversight and regulation of this industry, we will better understand how to recover any regulatory costs and benefits that might be associated with these operations. We also expect to gain more insight into this industry through the record associated with our Notice of Inquiry regarding commercial and other non-governmental ISAM activities.¹⁷⁶

3. Submarine Cable Regulatory Fees

46. We reject the Submarine Cable Coalition's request to revise the Commission's regulatory fee methodology for submarine cable operators, which is based upon the lit capacity of the fiber-optic submarine cable.¹⁷⁷ We find that the Submarine Cable Coalition provides no persuasive argument that the Commission's assessment of these regulatory fees based on capacity is contrary to the Communications Act and is not reasonably related to the benefits provided.¹⁷⁸ In the 2009 *Submarine Cable Order*, based on a consensus proposal made by a large number of submarine cable operators (Consensus Proposal), the Commission adopted a new methodology for assessing International Bearer Circuit (IBC) fees.¹⁷⁹ Instead of assessing IBC fees based on 64 kbps circuits for all types of IBCs, the Commission began assessing regulatory fees for submarine cable operators on a per cable landing license basis, with higher fees for larger capacity submarine cable systems and lower fees for smaller capacity submarine cable systems.¹⁸⁰ The Commission adopted a five-tier structure for assessing fees on submarine cables systems based on lit

¹⁷⁵ See *FY 2022 NPRM*, at *16, para. 46 n.137. A review of the licensing and regulatory fee history of small satellites shows that adopting a fair, sustainable and administrable fee system is generally only possible after the service is established and well defined with operational rules. In that instance, the first service rule took effect on August 19, 2020, and we are only in the position to assess fees on such systems for FY 2021. See Federal Communications Commission, *Streamlining Licensing Procedures for Small Satellites*, 85 Fed. Reg. 43711 (July 20, 2020).

¹⁷⁶ See generally *Space Innovation NOI*.

¹⁷⁷ *Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, MD Docket No. 08-65, Second Report and Order, 24 FCC Rcd 4208, 4214-15, paras. 15-16 (2009) (*Submarine Cable Order*); *FY 2019 Report and Order*, 34 FCC Rcd at 8204-05, paras. 39-41; *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 55; *FY 2021 Report and Order*, 36 FCC Rcd at 13010-11, para. 42).

¹⁷⁸ Submarine Cable Coalition Comments at 3-5. 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. *Id.* at 1-2.

¹⁷⁹ As the Commission has stated, "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; *FY 2021 Report and Order*, 36 FCC Rcd at 13010-11, para. 42. Prior to 2009, IBC regulatory fees were collected based on the number of 64 kbps circuits for each of the three types of facilities used to provide international service. *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 55; *FY 2021 Report and Order*, 36 FCC Rcd at 13011, para. 42.

¹⁸⁰ *Submarine Cable Order*, 24 FCC Rcd at 4214-15, paras. 13-18. The parties to the Consensus Proposal were: AT&T, Verizon, Apollo Submarine Cable System, Ltd.; Brasil Telecom of America, Inc.; Columbus Networks USA, Inc.; ARCOS-1 USA, Inc.; A.SUR Net, Inc.; Level 3 Communications, LLC; Hibernia-Atlantic US LLC; Marine Cable Corp.; Pacific Crossing Limited and its subsidiary PC Landing Corp.; Reliance Globalcom Limited and its indirect subsidiary FLAG Network USA Limited; and Tata Communications (US) Inc. *Id.* at 4208, n.3. In the *Submarine Cable Order*, the Commission did not change the methodology of assessing regulatory fees for terrestrial and satellite facilities on a per bearer circuit basis. *Id.* at 4216, para. 20; *FY 2021 Report and Order*, 36 FCC Rcd at 13011, n.147; *FY 2020 Report and Order*, 36 FCC Rcd at 1753, n.162.

capacity.¹⁸¹ The Commission explained that it will define operational submarine cable systems as either “large” or “small” submarine cable systems based on the capacity of each system and the “small” systems will be further subdivided into additional subcategories.¹⁸² The Commission concluded that this methodology served the public interest and was competitively neutral because it included both common carrier and non-common carrier submarine cable operators.¹⁸³ The Commission also explained that the methodology would be easier to administer and for submarine cable operators to comply with.¹⁸⁴ The Commission further stated that a lower fee for licensees of smaller cable systems would mitigate concerns that a flat fee may create a barrier to entry for new entrants.¹⁸⁵ In the *FY 2020 Report and Order*, the Commission found that lit capacity was an appropriate measure by which to assess IBC fees for submarine cables.¹⁸⁶ Subsequently, in the *FY 2021 Report and Order*, the Commission adopted 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.¹⁸⁷

47. The Submarine Cable Coalition reiterates in this proceeding the arguments rejected by the Commission in the FY 2020 and FY 2021 proceedings.¹⁸⁸ The Submarine Cable Coalition contends that the “regulatory fee structure based upon cable system capacity is contrary to the mandate of the Communications Act, is overly burdensome, and is disconnected from the Commission’s responsibilities for regulatory oversight of the submarine cable industry.”¹⁸⁹ The Submarine Cable Coalition argues that our methodology “fails to take into consideration that the size of a system is not tied to the number of customers, nor the amount of revenue that it will generate.”¹⁹⁰ According to the Submarine Cable Coalition, “[t]he location of the system, the existence of competing systems, market demands, whether the system is operated on a private basis, and various [other] system specific factors [make] the assessment of the claimed ‘benefits’ by the Commission a highly nuanced and fact-specific endeavor.”¹⁹¹ The Submarine Cable Coalition further contends that “the Commission must continue to lower the burden on

¹⁸¹ *Submarine Cable Order*, 24 FCC Rcd at 4214-15, paras. 15-16; *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 55; *FY 2021 Report and Order*, 36 FCC Rcd at 13010-11, para. 42; *see also FY 2019 Report and Order*, 34 FCC Rcd at 8204-05, paras. 39-41. As the Commission explained, it “base[s] 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.” *FY 2019 Report and Order*, 34 FCC Rcd at 8204-05, para. 41.

¹⁸² *Submarine Cable Order*, 24 FCC Rcd at 4214, para. 15; *FY 2019 Report and Order*, 34 FCC Rcd at 8204, para. 39. The Commission noted that it “anticipate[s] that the subcategories of small systems and the definitions of large and small systems may change as the submarine cable industry changes.” *Submarine Cable Order*, 24 FCC Rcd at 4214, n.39.

¹⁸³ *Submarine Cable Order*, 24 FCC Rcd at 4212-13, paras. 8-9.

¹⁸⁴ *Id.* at 4213, para. 10; *FY 2019 Report and Order*, 34 FCC Rcd at 8204, para. 39. The Commission explained that, “[b]y ‘flat’ we mean that the regulatory fee is no longer based on the number of active circuits, but is assessed on a per cable system basis . . . we are permitting carriers to pay a lower fee for smaller submarine cable systems.” *Submarine Cable Order*, 24 FCC Rcd at 4210, para. 2 & n.12.

¹⁸⁵ *Submarine Cable Order*, 24 FCC Rcd at 4215, para. 18.

¹⁸⁶ *FY 2020 Report and Order*, 36 FCC Rcd at 1752, para. 53.

¹⁸⁷ *FY 2021 Report and Order*, 36 FCC Rcd at 13010, para. 42.

¹⁸⁸ *Submarine Cable Coalition* at 3-5; *see, e.g., FY 2020 Report and Order*, 36 FCC Rcd at 1754, para. 58; *FY 2021 Report and Order*, 36 FCC Rcd at 13011-12, paras. 43-45.

¹⁸⁹ *Submarine Cable Coalition Comments* at 3 (citing *Submarine Cable Coalition Comments*, MD Docket 20-105, at 3-8 (filed June 12, 2020); *Submarine Cable Coalition Comments*, MD Docket 21-190, at 3-4 (filed June 3, 2021)).

¹⁹⁰ *Id.* at 4.

¹⁹¹ *Id.*

the submarine cable operators¹⁹² and “[t]his continued large increase on the top end of the scale remains unjustified as the amount of regulatory work that is undertaken by the Commission regarding submarine cable regulatees is fixed—the procedures do not vary by the potential traffic the cable is able to carry, nor has that level of regulatory work increased by any significant metric in the preceding period.”¹⁹³ Lumen, on the other hand, states that “capacity is a reasonable way to distinguish those submarine cable providers who benefit more from the Commission’s activities from those who benefit less.”¹⁹⁴ Lumen agrees that the fees for IBCs as a group, which includes submarine cable systems, should be reduced,¹⁹⁵ but supports the Commission’s longstanding practice of assessing fees based on capacity.¹⁹⁶

48. We disagree with the Submarine Cable Coalition’s contention that the Commission’s regulatory fee methodology is contrary to the Communications Act and that the Commission has not developed regulatory fees that are reasonably related to the benefits provided.¹⁹⁷ The Commission has long held that capacity is a reasonable basis to assess regulatory costs among the submarine cable regulatees that benefit from the Commission’s work.¹⁹⁸ As the Commission has previously stated, the fee assessment on submarine cables covers the costs for regulatory activity concerning submarine cables as well as the services provided over the submarine cables.¹⁹⁹ We find it reasonable to continue to assess

¹⁹² *Id.* (arguing that “the proposed FY 2022 regulatory fees are still over 25% higher on the upper echelon of submarine cable operators by capacity than the requisite fees in Fiscal Year 2019”).

¹⁹³ *Id.*

¹⁹⁴ Lumen Reply at 2.

¹⁹⁵ *Id.* at 1, 3.

¹⁹⁶ *Id.* at 1-3.

¹⁹⁷ Submarine Cable Coalition Comments at 3-4. The Submarine Cable Coalition provides no additional or new support for its arguments, nor does it propose an alternative methodology that the Commission could administer in an equitable and efficient manner.

¹⁹⁸ See, e.g., *FY 2021 Report and Order*, 36 FCC Rcd at 13010-12, paras. 42-45; *FY 2020 Report and Order*, 36 FCC Rcd at 1752-55, 1759, paras. 53-60, 74-75; *FY 2019 Report and Order*, 34 FCC Rcd at 8204-06, paras. 39-45. The Commission has historically used capacity to assess IBCs. See *FY 2021 Report and Order*, 36 FCC Rcd at 13012, para. 44; *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 56. 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. *FY 2021 Report and Order*, 36 FCC Rcd at 13012, para. 44 (citation omitted); *FY 2020 Report and Order*, 36 FCC Rcd at 1753-54, para. 56 (citation omitted); Section 6003(a) of the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, Title VI, § 6003(a), 107 Stat 312, 397-401. The Commission continued to assess IBC fees on 64 kbps circuits until 2009 when it adopted a new fee structure based on the 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. *FY 2021 Report and Order*, 36 FCC Rcd at 13012, para. 44; *FY 2020 Report and Order*, 36 FCC Rcd at 1753-54, para. 56.

¹⁹⁹ *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 55 (citing *FY 2015 Report and Order*, 30 FCC Rcd at 10273, para. 12). For instance, the regulatory fees paid by submarine cable operators also cover the services provided to common carriers using the submarine cable circuits in addition to the services that the International Bureau provides to submarine cable operators. *FY 2015 Report and Order*, 30 FCC Rcd at 10273-74, para. 12. Further, regulatory fees, such as IBC fees, are not intended to recover only the costs of Title II regulation, but also the costs of the Commission’s enforcement, policy and rulemaking, user information, and international activities. See *FY 1997 Report and Order*, 12 FCC Rcd at 17188, paras. 68-69. The Commission has found that almost all of the IBC work benefits all international telecommunications service providers no matter what facilities those services are provided over—submarine cable systems, terrestrial facilities, or satellites. *FY 2020 Report and Order*, 36 FCC Rcd at 1754, para. 57. Submarine cable licensees benefit from work that includes among others, maintaining the licensing database, enforcing benchmarks, coordination with other U.S. government agencies, including coordinating with other U.S. agencies’ undersea activities to protect submarine cables, protecting U.S. customers and consumers from anticompetitive actions by foreign carriers, licensing international section 214 authorizations

(continued....)

higher regulatory fees on licensees with larger facilities that benefit more from the Commission's work and thus should pay a larger proportion of the Commission's costs.²⁰⁰ We agree with Lumen's assessment that the Commission's use of capacity to set fees for submarine cables satisfies the requirement of the statute.²⁰¹ As Lumen further states, the statute "requires only that the Commission set fees 'tak[ing] into account factors that are *reasonably* related to the benefits provided to the payor of the fee by the Commission's activities'" and does not require "perfect alignment between fees and benefits."²⁰² We find there are no significant reasons in the record or changes in the marketplace to modify our regulatory fee framework for submarine cable systems.

49. Since FY 2009, when the Commission adopted the new methodology for assessing submarine cable fees, the level of lit capacity for submarine cable systems has increased and the Commission has expanded the different tiers to take into account this change and accommodate for this rapid growth in capacity. However, the basic methodology for calculating submarine cable fees based on capacity has not changed. Submarine cable fees are still calculated on the basis of ".1" unit, ".5" units, ".25" units and so forth. Furthermore, we note that the regulatory fees for FY 2022 have been reduced from those assessed in FY 2021; the assessment per unit is now \$137,715 compared to \$151,910 in FY 2021.²⁰³ As discussed above, lit capacity remains a reasonable basis to apportion regulatory costs among the submarine cable regulatees that benefit from the Commission's work, and our fee methodology with respect to submarine cables continues to reasonably reflect the FTE costs for our regulatory activity concerning submarine cables as well as the services provided over the submarine cables. Accordingly, for FY 2022, we adopt the regulatory fees below for submarine cable systems.

FY 2022 International Bearer Circuits - Submarine Cable Systems

Submarine Cable Systems (lit capacity as of December 31, 2021)	Fee Ratio	FY 2022 Regulatory Fees
Less than 50 Gbps	.0625 Units	\$8,610
50 Gbps or greater, but less than 250 Gbps	.125 Units	\$17,215
250 Gbps or greater, but less than 1,500 Gbps	.25 Units	\$34,430
1,500 Gbps or greater, but less than 3,500 Gbps	.5 Units	\$68,860
3,500 Gbps or greater, but less than 6,500 Gbps	1.0 Unit	\$137,715
6,500 Gbps or greater	2.0 Units	\$275,430

and submarine cables including review of transactions, and representing U.S. interests at bilateral and multilateral negotiations and at international organizations. *Id.*

²⁰⁰ *FY 2020 Report and Order*, 36 FCC Rcd at 1754, para. 58; *FY 2019 Report and Order*, 34 FCC Rcd at 8205, para. 43. The Commission has noted, "[w]hile there may be situations in which it would be equitable to set aside differences in capacity for the sake of administrability, to say that a system with roughly 65,000 times the capacity of another system should pay not a penny more in regulatory fees hardly seems equitable or reflective of the benefits each system owner receives from its Commission license and Commission oversight." *FY 2019 Report and Order*, 34 FCC Rcd at 8205, para. 43.

²⁰¹ Lumen Reply at 2.

²⁰² *Id.* at 2 (quoting 47 U.S.C. § 159(d)).

²⁰³ See *FY 2021 Report and Order*, 36 FCC Rcd at 13044, Appendix C.

C. Broadcaster Regulatory Fees for FY 2022

50. *FY 2021 Broadband DATA Act.* We decline to modify our methodology to continue to exempt broadcasters' from the costs associated with the Commission's broadband work. As part of our FY 2021 appropriation, Congress directed the Commission to assess and collect \$374 million in regulatory fees, of which \$33 million was specifically earmarked to be made available for implementing the Broadband DATA Act.²⁰⁴ Among other things, the Broadband DATA Act required 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.²⁰⁵ As part of its collection of information, the Broadband DATA Act required 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."²⁰⁶ 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."²⁰⁷ 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."²⁰⁸ Congress recognized that specific Commission resources would be utilized in carrying out the requirements of the Broadband DATA Act.²⁰⁹ 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

²⁰⁴ Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Div. E, Title V, Federal Communications Commission, 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 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 Technological 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> (last visited Aug. 12, 2022). Separately, Congress 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, § 906.

²⁰⁵ See Broadband DATA Act § 802(a)(1)(A), (b). The Broadband DATA Act further requires the Commission to establish processes for (1) the collection of verified data for use in the coverage maps; (2) the submission of challenges to the coverage maps, the broadband availability data submitted by service providers, and the Fabric; and (3) the submission of specific crowdsource information about the development and availability of broadband service. *Id.* § 802(a)(1)(B)(i), (iii), (iv).

²⁰⁶ Broadband DATA Act, § 802(b)(2).

²⁰⁷ Broadband DATA Act, § 801(1).

²⁰⁸ 47 CFR § 8.1(b).

²⁰⁹ See, e.g., H.R. Rep. No. 116-456, <https://www.congress.gov/116/crpt/hrpt456/CRPT-116hrpt456.pdf> (last visited Aug. 12, 2022) (Committee Report); the Joint Explanatory Statement for the Consolidated Appropriations Act, 2021, <https://docs.house.gov/billsthisweek/20201221/BILLS-116RCP68-JES-DIVISION-E.pdf> (last visited Aug. 12, 2022) (Explanatory Statement).

broadband mapping.”²¹⁰

51. In the *FY 2021 Report and Order*, we adjusted the Commission’s approach to assessing regulatory fees for broadcasters to account for the unusual circumstances accompanying the Broadband DATA Act earmark.²¹¹ 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 excluded one group of regulatees—broadcasters or “Media Services” licensees—from part of their share of indirect costs.²¹² We concluded that, although we modified our methodology with respect to the \$33 million earmark, this one-time modification was consistent with the Commission’s longstanding goals of implementing a fair, sustainable, and administrable regulatory fee regime.²¹³ The Commission therefore reduced broadcasters’ regulatory fees by approximately 8.88% for FY 2021 and adopted a lower fee factor for full-service television broadcasters for FY 2021.²¹⁴ In doing so, all other fee payors within the core bureaus, including cable, DBS, and IPTV providers regulated by the Media Bureau, had to absorb these indirect costs to ensure that the Commission collected the full annual appropriation.²¹⁵

52. NAB argues that the Commission should continue to exempt broadcasters from paying for the Commission’s ongoing broadband data mapping work.²¹⁶ In FY 2022, however, Congress did not provide an earmark for a particular purpose, and the accompanying direction regarding use of staff resources.²¹⁷ Thus, the reason for the methodology change in FY 2021 is not present for FY 2022. We therefore decline to make this modification to our methodology for FY 2022. “Media Services” licensees will be assessed regulatory fees based on the current allocation FTE percentage calculated for FY 2022. NAB also mischaracterizes the Commission’s modification in methodology in FY 2021 as a determination that broadcasters do not benefit from broadband related activities.²¹⁸ Instead, the Commission recognized that the earmark was limited to a unique mapping task and Congress gave the Commission direction regarding the staff resources it anticipated would be used to carry out the discrete

²¹⁰ Committee Report at 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.

²¹¹ *FY 2021 Report and Order*, 36 FCC Rcd 12995-999, paras. 11-16.

²¹² *Id.* at 12998-999, para. 16.

²¹³ *Id.* at 12996-997, para. 13.

²¹⁴ *Id.* at 13007-3008, para. 36.

²¹⁵ *Id.* at 12998-999, para. 16. (The Commission stated: “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.”)

²¹⁶ NAB Reply at 7.

²¹⁷ See FY 2022 Consolidated Appropriations Act.

²¹⁸ NAB Comments at 14 & Reply at 7. *But see* CTIA Reply at 6 (observing that we excluded broadcasters from the Broadband DATA Act earmark only because it was one-time, large, and explicitly quantified by Congress and the broadcasters do not, and cannot, identify similar circumstances here).

task, which did not include Media FTEs.²¹⁹ The Commission did not make a finding that any group of regulatees do not benefit from broadband-related activities.

53. Commenters argue that broadcasters' regulatory fees have increased by approximately 13% from FY 2021 to FY 2022 with no explanation for such an increase by the Commission.²²⁰ This proposed increase of 12%-13% between FY 2021 and FY 2022 regulatory fee rates was due to the reduction in regulatory fee rates for broadcasters (AM, FM, TV, LPTV) due to the Broadband DATA Act earmark in FY 2021. As discussed below, however, these figures are no longer accurate due to a correction to our allocation of direct FTEs that were previously reassigned as indirect in 2017. That said, as we explained above, because the amount the Commission must collect in an offsetting collection changes each year, regulatory 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.²²¹ Thus, any regulatory fee increases may not necessarily correlate to the Commission's overall increase in its appropriation for a fiscal year.

54. The NJBA contends that we should consider an across-the-board reduction of all fees for broadcasters given the "emerging technologies and the eloquent simplicity of regulating [the broadcast] industry, along with broadcasters' longstanding special place in the fabric of American society."²²² Specifically, the NJBA states that the broadcast industry has largely been governed by the market and enjoys a prolific and symbiotic relationship with the public and, unlike the other technologies competing for Commission resources, broadcasters do not charge their audiences ever-increasing user charges, subscription rates and fees for the services they provide.²²³ Commenters add that broadcasters have been particularly hard hit by the COVID-19 pandemic, with severe reductions in advertisement revenues.²²⁴ Similarly, NAB explains that broadcasters do not have a subscriber base to whom they can pass on costs and they are required to provide a free service to the public and are dependent on advertising revenues to cover their costs.²²⁵

55. We recognize that many entities, including broadcasters, sustained economic losses during the COVID-19 pandemic. We also recognize the broadcasters do not have a subscriber base to whom they can pass through regulatory fees. However, we emphasize that we must collect the full FY 2022 appropriation and cannot exempt regulatees from regulatory fees unless they are expressly exempted under the statute. As CTIA observes, pursuant to section 9 of the Act, regulatory fees are based on the level of Commission staffing or staff activity undertaken by the relevant core bureaus; neither Commission policy objectives nor regulatee success in the marketplace are relevant factors in calculating regulatory fees and fulfilling the statutory charge of section 9 of the Act.²²⁶ Thus, we cannot reduce FY 2022 fees across-the-board for one category of fee payor; we cannot re-apportion the fees among

²¹⁹ In the *FY 2021 Report and Order*, the Commission found that broadcasters do not in their capacity as broadcast licensees offer broadband Internet access service; however, the Commission did not conclude that broadcasters do not benefit from broadband related Commission activities. *FY 2021 Report and Order*, 36 FCC Rcd at 12998-99, para. 16.

²²⁰ See, e.g., State Broadcasters Associations Comments at 5-10; NAB Comments at 2, 6-7; NRB Reply at 1-2; Joint Broadcasters Reply at 1.

²²¹ See *supra* para. 7.

²²² NJBA Comments at 1. *But see* CTIA Reply at 4 (disagreeing that broadcasters should receive a reduction in fees because they have a "different mission" than other regulatees and have a "special place in the fabric of American society).

²²³ NJBA Comments at 2.

²²⁴ NJBA Comments at 2-3; Joint Broadcasters Reply at 1.

²²⁵ NAB Comments at 29; NRB Reply at 1.

²²⁶ CTIA Reply at 2-4.

categories based on, for example, relative ability to pay, and we cannot exempt regulatees based on their financial circumstances.²²⁷ As we indicated above, regulatory fees are a zero-sum situation.²²⁸ If the Commission freezes one set of regulatees' fees, it will need to increase another set of regulatees' fees to make up for any resulting shortfall, and in doing so, the Commission would be failing to base regulatory fees on FTEs as statutorily required.²²⁹ We therefore decline to make such changes, requested by NAB and others, based on policy considerations inconsistent with section 9 of the Act.

56. *UHF/VHF Stations.* We decline to adjust the Commission's treatment of VHF stations for purposes of assessing regulatory fees. NJBA observes that, while the Commission in 2014 determined that VHF TV stations had become "less desirable" than UHF stations, the proposed regulatory fee structure provides no acknowledgement of this nor any discount to VHF stations.²³⁰ NJBA contends that many UHF stations are paying less than VHF stations and that UHF stations can offer a variety of services that traditional VHF stations cannot offer (especially low band VHF stations).²³¹ Therefore, NJBA states that it is more logical that with the ability to offer a wider array of services and thereby obtain greater revenues, UHF stations should be assessed greater regulatory fees commensurate with these additional avenues of revenue attainment that VHF stations that cannot secure.²³²

57. The Commission previously discussed the treatment of VHF stations.²³³ Specifically, the Commission observed that, in the *FY 2020 NPRM*, it declined to categorically lower regulatory fees for VHF stations to account for signal limitations.²³⁴ The Commission concluded that there is nothing inherent in VHF transmission that creates signal deficiencies but that environmental noise issues can affect reception in certain areas and situations.²³⁵ As such, the Commission recognized that the Media Bureau had granted waivers to allow VHF stations that demonstrate signal disruptions to exceed the maximum power level specified for channels 2-6 in 73.622(f)(6) and for channels 7-13 in 73.622(f)(7)—and that it would not penalize such stations by assessing them at their higher power levels needed to overcome such interference but instead at the power levels authorized by our rules.²³⁶ As the Commission determined at that time, such an approach more narrowly targets the issue that NJBA complains about by ensuring that VHF broadcasters that actually experience increased interference can get the relief they need to reach consumers without sweeping other broadcasters into the mix.²³⁷

58. *Methodology for Full Service TV Regulatory Fees.* We will continue to use the population-based methodology for full-service television broadcasters as proposed for FY 2022. In FY 2020, the Commission completed the transition to a population-based full-power broadcast television

²²⁷ *FY 2020 NPRM*, 35 FCC Rcd at 5004, para. 74 (explaining the statutory limits that would constrain any potential relief the FCC might offer during the COVID-19 Pandemic based on economic considerations).

²²⁸ *See supra* para. 16.

²²⁹ *Id.*

²³⁰ NJBA Comments at 3-4.

²³¹ *Id.*

²³² *Id.*

²³³ *Assessment and Collection of Regulatory Fees for Fiscal Year 2020*, MD Docket No. 20-205, Report and Order and Further Notice of Proposed Rulemaking, 36 FCC Rcd 1731, 1739, para. 22 (2020) (*FY 2020 Report and Order*); *FY 2020 NPRM*, 35 FCC Rcd at 4997, para. 52.

²³⁴ *FY 2020 NPRM*, 35 FCC Rcd at 4997, para. 52.

²³⁵ *Id.*

²³⁶ *Id.*

²³⁷ *FY 2020 Report and Order*, 36 FCC Rcd at 1739, para. 22.

regulatory fee, finding it to be more equitable.²³⁸ As we stated in the *FY 2022 NPRM*, we do not reopen that decision relating to these regulatory fees being based on population at this time.²³⁹ In the *FY 2022 NPRM*, we sought comment on the use of population-based fees for full-power broadcast television stations based on the station's terrain-limited contour.²⁴⁰ We now adopt a factor of .84 of one cent (\$.008430) per population served for FY 2022 full-power broadcast television station fees.²⁴¹ The population data for each licensee and the population-based fee (population multiplied by the factor of \$.008430) for each full-power broadcast television station, including each satellite station, is listed in Appendix G. For those VHF stations whose power had to be increased to obtain a clearer signal, the Commission will continue to use a population count based on that station's lower VHF power level rather than at the increased power level.²⁴²

59. NJBA disagrees with this methodology and contends that a population-based fee approach to assign regulatory fees is incongruent with how a station should be assessed fees in correlation to the revenue it achieves from its Nielsen DMA revenue share.²⁴³ NJBA argues that the DMA approach is a more accurate approach to assessing fees correlating with how stations derive revenue.²⁴⁴ NJBA's argument is that its members had relatively low revenues compared to major network stations in New York City.²⁴⁵ Essentially, NJBA appears to seek a waiver for its members of a portion of the regulatory fee based on its individual financial circumstances, i.e., advertising revenue, and we decline to grant this blanket request. Under our rules, parties can seek a waiver, reduction, or deferment on a case-by-case basis of the fee, interest charge, or penalty "in any specific instance for good cause shown, where such action would promote the public interest."²⁴⁶

60. NJBA also notes that the term Noise Limited Contour (NLSC) implies that it is the contour within which a perfect picture would appear at each television receiver.²⁴⁷ NJBA contends that this approach does not consider the effects on a signal that may result from the distance it may travel; the effects of terrain; building blockages which often occur in major city settings; and interference levels

²³⁸ *Id.* 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). See *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, MD Docket 18-175, Report and Order and Notice of Proposed Rulemaking, 33 FCC Rcd 5091, 5101-102, at para. 27 (2018) (*FY 2018 NPRM*). 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. *Id.* at 5102, para. 28. 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, 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.

²³⁹ *FY 2022 NPRM* at *16, para. 48.

²⁴⁰ *Id.*

²⁴¹ *Id.* We multiply the population served by the factor to reach the population-based fee. *Id.*

²⁴² 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.

²⁴³ NJBA Comments at 4.

²⁴⁴ *Id.*

²⁴⁵ NJBA Comments at 4.

²⁴⁶ 47 U.S.C. § 159A(d). Where financial hardship is the asserted basis for a waiver, the Commission has consistently interpreted that to require a showing that the requesting party "lacks sufficient funds to pay the regulatory fees and to maintain its service to the public." *FY 2019 Report and Order*, 34 FCC Rcd at 8207, para. 50.

²⁴⁷ NJBA Comments at 4.

from co-channel and adjacent channel signals.²⁴⁸ NJBA’s argument is that certain stations experience a high degree of interference from environmental noise and signal blockage from tall buildings near its transmitter.²⁴⁹ We recognize that in various parts of the country, broadcasters may face such interference or signal blockage issues; however, as we discussed in the *FY 2020 Report and Order*,²⁵⁰ adjudicating the circumstances of every station in the context of a cross-industrywide rulemaking would be administratively impractical, and the Commission’s rule already provides a more appropriate venue for relief. We recognize that the population-based methodology increases fees for some licensees and reduces fees for others, but in the end the population-based metric better conforms with the actual service authorized here—broadcasting television to the American people.²⁵¹ NJBA members can seek a waiver, reduction, or deferment on a case-by-case basis of the fee, interest charge, or penalty “in any specific instance for good cause shown, where such action would promote the public interest.”²⁵²

D. De Minimis Threshold

61. We decline to increase the de minimis threshold amount above \$1,000. Section 9(e)(2) of the Act permits the Commission to exempt a party from paying regulatory fees if “in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party.”²⁵³ A regulatee’s de minimis status is not a permanent exemption from regulatory fees. Rather, each regulatee will need to reevaluate annually to determine whether its total liability for annual regulatory fees falls at or below the de minimis threshold given any changes that the Commission may make in its regulatory fees each fiscal year. As we explained in the *FY 2022 NPRM*, the Commission’s process for collecting delinquent regulatory fee debt involves a number of steps, including data compilation, preparation, and validation; invoicing; debt transfer for third party collection; responding to debtor questions and disputes; and processing payments.²⁵⁴ The Commission periodically calculates its collection costs for purposes of determining the de minimis threshold by estimating the number of FTE hours spent on each collection task times the value of FTE time expended on the task, to arrive at the estimated total cost of each task. The totals for each task are then added together to determine the total estimated cost of collection. The total estimated cost of collection divided by the estimated number of delinquent regulatory fee debts for that fiscal year yields the average cost of collecting an unpaid regulatory fee.

62. For FY 2019, the last year the Commission reviewed the de minimis threshold, the Commission concluded that its average cost of collection did not exceed \$1,000 and, therefore, the \$1,000 de minimis threshold was still appropriate.²⁵⁵ In the *FY 2022 NPRM*, we sought comment on NAB’s proposal to increase the annual \$1,000 de minimis threshold.²⁵⁶ We asked commenters advocating for a higher de minimis threshold to discuss how we should calculate our collection costs and the steps in the Commission’s regulatory fee process that should be included in the calculation.²⁵⁷ For example, we asked

²⁴⁸ *Id.*

²⁴⁹ *Id.*

²⁵⁰ *FY 2020 Report and Order*, 36 FCC Rcd at 1739-40, para. 23.

²⁵¹ *Id.* at 1738, para. 19.

²⁵² 47 U.S.C. § 159A(d). Where financial hardship is the asserted basis for a waiver, the Commission has consistently interpreted that to require a showing that the requesting party “lacks sufficient funds to pay the regulatory fees and to maintain its service to the public.” *FY 2019 Report and Order*, 34 FCC Rcd at 8207, para. 50.

²⁵³ 47 U.S.C. § 159(e)(2).

²⁵⁴ *FY 2022 NPRM* at *17, para. 50.

²⁵⁵ *FY 2019 Report and Order*, 34 FCC Rcd at 8206-07, para. 47.

²⁵⁶ *FY 2022 NPRM* at *17, paras. 49-51.

²⁵⁷ *Id.*

whether the calculation should begin when the Commission collects data on a payor's regulatory fee status, prior to the regulatory fee due date, rather than when the regulatory fee becomes delinquent, as is our current practice, and whether the calculation should include the Commission's cost of processing waiver and installment payment requests.²⁵⁸

63. NAB, SIA, and the State Broadcasters Associations support a review of the \$1,000 de minimis threshold.²⁵⁹ SIA suggests that, in light of inflation and other economic changes since 2019 when the Commission last addressed the de minimis threshold,²⁶⁰ the Commission's cost of collecting regulatory fees may have increased.²⁶¹ NAB and the State Broadcasters Associations support expanding the Commission's calculation of its regulatory fee collection costs to include the cost of collecting payor fee data, costs incurred prior to the regulatory fee due date and the cost of processing and resolving waiver and installment payment requests.²⁶² Specifically, NAB, SIA, and Richards each suggest that an appropriate factor in setting the de minimis threshold is to provide a higher threshold of relief to smaller broadcasters. To that end, NAB proposes that the de minimis threshold be increased to \$1,200 to ensure that radio broadcasters that were below the de minimis threshold last year, but facing higher FY 2022 regulatory fees, will still be exempt in FY 2022.²⁶³ Richards suggests increasing the de minimis threshold to \$3,000 in order to exempt most AM and FM stations serving populations under 500,000, which are the stations Richards believes will be hardest hit by the increase in FY 2022 regulatory fees.²⁶⁴

64. We acknowledge that the de minimis threshold has the collateral effect of providing financial relief to some regulatees. However, it does not follow from the wording of section 9(e)(2) of the Act that providing relief for financially strapped regulatees is a factor that can be considered in setting this threshold. Moreover, raising the threshold on such a basis would result in exempting classes or categories of fee payors in a manner contrary to the limited waiver provisions for regulatory fees.²⁶⁵ Nothing in the text of the statute supports using policy factors outside of the cost of collection in establishing the de minimis threshold. Thus, in response to commenters' request for a review of the de minimis threshold, we calculated the average cost of collecting FY 2021 regulatory fees and included the cost of collecting payor fee data and the cost of processing waiver and installment plan requests, as both NAB and the State Broadcasters Associations suggest.²⁶⁶ Even including the additional costs (without determining whether they are appropriately included in this calculation), the Commission's average cost of collection has not increased above the \$1,000 de minimis threshold. Thus, we conclude that the cost of collecting regulatory fees, including the costs of collecting payor fee data and processing waiver and installment requests, does not justify an increase to the existing \$1,000 de minimis threshold.

65. Both NAB and the State Broadcasters Associations suggest that the Commission define the "cost of collection" to encompass all annual costs of administering the regulatory fee program.²⁶⁷ While we agree with NAB that section 9(e)(2) of the Act²⁶⁸ does not provide a definition of costs of collection, we do not agree that the cost of collecting a regulatory fee should be expanded to include all of

²⁵⁸ *Id.*

²⁵⁹ NAB Comments at 31-33; SIA Comments at 6-7; State Broadcasters Associations Comments at 18-19.

²⁶⁰ *FY 2019 Report and Order*, 34 FCC Rcd at 8206-07, paras. 46-48.

²⁶¹ NAB Comments at 32 & Reply at 15; SIA Comments at 6.

²⁶² NAB Comments at 32-33; State Broadcasters Associations Comments at 18-19.

²⁶³ NAB Comments at 33.

²⁶⁴ Richards Comments at 2.

²⁶⁵ 47 U.S.C. § 159A(d).

²⁶⁶ NAB Comments at 33; State Broadcasters Associations Comments at 18-19.

²⁶⁷ NAB Comments at 33; State Broadcasters Associations Comments at 18.

²⁶⁸ 47 U.S.C. § 159(e)(2).

the Commission's costs of administering the regulatory fee program each year.²⁶⁹ We believe that a common sense interpretation of the language of section 9(e)(2) of the Act includes only those costs incurred by the Commission once the Commission has established that the annual fees are owed, which occurs when the Commission's regulatory fee Report and Order is released. In making this determination, we rely in part on the Debt Collection Improvement Act of 1996, as amended, 31 U.S.C. § 3701 *et seq.* (DCIA), which governs the federal administrative debt collection process for most federal agencies, including the Commission. Under the DCIA, collection of debt begins after an agency has determined that the debt is due.²⁷⁰ Thus, we would here include costs once the regulatory fee becomes a debt, which occurs when the annual regulatory fee report and order is released.²⁷¹ We therefore hold that the Commission's cost of collection for the purpose of establishing a de minimis threshold under section 9(e)(2) of the Act means collection costs incurred by the Commission after the Commission's regulatory fee Report and Order is released, including the costs the Commission incurs collecting payor fee data and processing waiver and installment plan requests.

E. Reclassification of FTEs

66. *Universal Service Fund Activities.* We decline, at this time, to reclassify certain indirect FTEs as direct FTEs for regulatory fee purposes.²⁷² Nevertheless, we correct the manner in which we apportion the 38 previously reallocated core bureau FTEs in order to advance the overall implementation of our proportional methodology. In 2017, the Commission allocated as indirect, for regulatory fee purposes, 38 FTEs in the Wireline Competition Bureau who work on non-high cost programs of the Universal Service Fund.²⁷³ The Commission determined that changes in the Universal Service Fund regulatory landscape required it to reexamine whether the FTEs working on universal service issues as Wireline Competition Bureau direct FTEs should be reallocated as indirect.²⁷⁴ The FTE count was based on an analysis by the Office of Managing Director and Wireline Competition Bureau staff of the number of FTE hours dedicated to working on each of the Universal Service Fund programs.²⁷⁵ In the *FY 2022 NPRM*, we sought comment generally on whether prior reclassifications of FTEs from direct to indirect produce a more accurate regulatory fee assessment.²⁷⁶

67. Initially, Universal Service Fund programs were focused on wireline services; however, as the Commission observed, by 2017, wireless carriers and broadband providers were also involved in the E-Rate, Lifeline, and Rural Healthcare programs.²⁷⁷ In addition, the E-Rate, Lifeline, and Rural

²⁶⁹ NAB Comments at 33. In support of its expansive definition of collection costs, NAB cites to a statutory provision defining the cost of the collection of a fee assessed by the U.S. Coast Guard to include "the reasonable administrative, accounting, personnel, contract, equipment, supply, training and travel expenses of calculation, assessing, collection, enforcing, reviewing, adjusting, and reporting" the fee. NAB Comments at 33 & n.98 (citing 14 U.S.C. § 946(h)). We think NAB's reliance on 14 U.S.C. § 946(h) is misplaced, for the simple reason that had Congress intended to define cost of collection in section 9 of the Act as expansively as it did in 14 U.S.C. § 946(h), it would have done so.

²⁷⁰ See 31 U.S.C. § 3701(b)(1) (defining "debt" or "claim" to mean an amount of funds or property, including a fee, that an appropriate agency official has determined is owed) and 31 U.S.C. § 3711(a) (directing agencies to collect debts owed to them).

²⁷¹ *Id.*

²⁷² We note that we seek further comment below, in the attached Notice of Inquiry, on the Commission's regulatory fee methodology for allocating indirect FTEs. See *infra* Section IV.

²⁷³ *FY 2017 Report and Order*, 32 FCC Rcd at 7061-64, paras. 10-15.

²⁷⁴ *Id.* at 7061, para. 10.

²⁷⁵ *Id.*

²⁷⁶ *FY 2022 NPRM* at *18, para. 52.

²⁷⁷ *Id.*

Healthcare programs tie funding eligibility to the beneficiary, i.e., a school, a library, a low-income individual or family, or a rural health care provider, and not to Commission regulatees.²⁷⁸ The Commission observed that wireless carriers serve a substantial, if not majority, of Lifeline subscribers.²⁷⁹ Also, satellite operators, Wi-Fi network installers, and fiber builders can all receive funding through the E-Rate and Rural Health Care universal service programs.²⁸⁰ Similarly, Multichannel Video Programming Distributors (MVPDs) that also provide supported services, receive universal service funding because they provide telecommunications and broadband Internet access services that are eligible for support in those programs.²⁸¹ The Commission further noted that contributions to the Universal Service Fund are required from service providers using any technology that has end-user interstate telecommunications.²⁸² Moreover, applicants in these programs are not regulatees, they are schools and libraries and health care providers; the bulk of the Commission's oversight and regulation of these programs (i.e., the Commission's FTE costs) are not generated by regulatees.²⁸³ The Commission therefore concluded that ITSPs were no longer the sole or even majority contributors or beneficiaries of these three programs.²⁸⁴ For these reasons, the Commission concluded that reallocating these Wireline Competition Bureau FTEs as indirect FTEs would also be more consistent with how FTEs working on Universal Service Fund issues were treated elsewhere in the Commission.²⁸⁵

68. NAB contends that this reclassification of 38 FTEs is a wholesale abandonment of the statutory requirement that fees be adjusted to reflect benefits received by the payor by the Commission's activities.²⁸⁶ According to NAB, broadcasters have been unfairly forced to pay for a portion of the 38 FTEs in the Wireline Competition Bureau that the Commission determined were working on Universal Service Fund programs.²⁸⁷ NAB claims that, at a minimum, the Commission must ensure that broadcasters bear no responsibility for the 38 FTEs working on non-high cost USF programs in the Wireline Competition Bureau.²⁸⁸ NAB further argues that over the last five years broadcasters have likely paid more than \$25 million in regulatory fees to support the activities of FTEs that, according to NAB, the Commission agrees do not benefit or regulate broadcasters.²⁸⁹

69. We disagree that this example of 38 indirect FTEs who work on non-high cost Universal Service Fund issues was an improper assignment of FTEs under section 9 of the Act. Indirect FTEs work on issues that may include more than one regulated service or work on matters that are not related to services regulated by the Commission. All costs that are not directly related to regulation and oversight by the core bureaus must also be recovered by regulatory fees.²⁹⁰ This includes salaries and expenses,

²⁷⁸ *Id.*

²⁷⁹ *Id.*

²⁸⁰ *Id.*

²⁸¹ *Id.*

²⁸² *Id.*; 47 CFR § 54.706(a).

²⁸³ *FY 2017 Report and Order*, 32 FCC Rcd at 7061, para. 10.

²⁸⁴ *Id.*

²⁸⁵ *Id.*

²⁸⁶ NAB Comments at 12-13; Letter from the National Association of Broadcasters to Marlene H. Dortch, Secretary, FCC, MD Docket No. 22-223 (filed July 27, 2022).

²⁸⁷ NAB Comments at 11. The Joint Broadcasters contend that broadcasters will subsidize Commission functions that have no connection whatsoever to the broadcast industry or the Media Bureau that oversees it. Joint Broadcasters Reply at 2.

²⁸⁸ NAB Reply at 7-10.

²⁸⁹ NAB Reply at 9.

²⁹⁰ This does not include auctions-related costs; auctions expenses are recovered from auctions proceeds.

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, support costs such as rent, utilities, and equipment, and 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),²⁹¹ entities with total annual assessed fees below the de minimis threshold,²⁹² and entities whose regulatory fees are waived.²⁹³ Indirect FTEs in the Commission devote their time to a large variety of issues, some of which may not directly affect every Commission regulatee, including broadcasters.

70. With that said, while we continue to find that the Commission was supported in its decision in 2017 to reassign the 38 FTEs in the Wireline Competition Bureau who work on non-high cost programs of the Universal Service Fund as indirect, we agree with broadcast commenters that the method for calculating the fees associated with these indirect FTEs should be corrected given the record in this proceeding, as well as the Commission's prior findings. The Commission has previously acknowledged, in 2016, that broadcasters receive no oversight, regulation, or other benefits of the nature we typically consider relevant for our regulatory fee analysis when looking at the activity of these indirect Universal Service Fund FTEs.²⁹⁴ Indeed, when the Commission reassigned these 38 non-high-cost Universal Service Fund FTEs in 2017, it dismissed the burden on broadcasters based on the general difficulty in precisely allocating *every* FTE without revisiting its 2016 acknowledgment.²⁹⁵ In short, despite these acknowledgments that broadcasters did not benefit from Universal Service Fund activities, the Commission failed to take appropriate measures to ensure that the proportional fee allocation methodology was not adversely impacted by the reassignment of the 38 non-high-cost FTEs. We remedy that today. While we adhere to the principle that our analysis here does not require scientific precision and need only be reasonable, in this instance, the record,²⁹⁶ the Commission's own prior findings, and our own review clearly substantiate the view that broadcasters do not benefit from these Universal Service Fund-related activities. Furthermore, we have prior experience implementing this type of change given our decision last year to exclude broadcasters from paying regulatory fees associated with the implementation of the Broadband DATA Act.²⁹⁷ We also note that Commission decisions to reallocate

²⁹¹ 47 U.S.C. § 159(e)(1).

²⁹² 47 U.S.C. § 159(e)(2).

²⁹³ 47 U.S.C. § 159(d); 47 CFR § 1.1166. As the Commission explained in the *FY 2019 Report and Order*, Media Bureau regulatory fee payors are not alone in having to pay for exempt licensees; there are exempt licensees in most of the fee categories, such as ITSPs and earth stations. *FY 2019 Report and Order*, 34 FCC Rcd at 8196-97, para. 19.

²⁹⁴ *Assessment and Collection of Regulatory Fees for Fiscal Year 2016*, Report and Order, 31 FCC Rcd 10339, 10347, para. 24 (2016) (*FY 2016 Report and Order*) (“Further, ITTA’s proposal to reassign some or all of the Wireline Competition Bureau FTEs working on universal service as indirect FTEs ignores licensees not involved in high-cost and Lifeline universal service issues, such as radio and television broadcasters, that would be responsible for contributing to the cost of those Wireline Competition Bureau FTEs.”)

²⁹⁵ *FY 2017 Report and Order* 32 FCC Rcd at 7063, para. 11. (“CenturyLink also agrees with this proposal and observes that the concern that the reallocation would impose a burden on broadcasters which do not participate in the universal service program is misplaced ‘as there is no completely pure way to precisely allocate every Commission FTE.’”)

²⁹⁶ See, e.g., NAB Comments at 12-13 (arguing that the proportional allocation of the 38 indirect FTEs should not have included broadcasters); Joint Broadcaster Comments at 14-15; NAB Reply at 8-9; NAB August 15 Ex Parte; State Broadcasters Association August 15 Ex Parte at 2.

²⁹⁷ *FY 2021 Report and Order*, 36 FCC Rcd at 12995-99, paras. 11-17. In contrast, when FTEs are reassigned to a non-core bureau or office (as discussed below in the Office of Economics and Analytics context, for example), it is often difficult to precisely track workflows and tasks that were previously attributed to a specific core bureau. Indeed, the scopes of work will often change and staff that previously worked on tasks within a single core bureau

(continued...)

direct FTEs to indirect FTEs without also moving the FTEs into a non-core bureau or office are rare and are only warranted when unique circumstances support refinement of the Commission's general methodology for calculating regulatory fees. As such, we are not routinely faced with circumstances in which updates to our general methodology should be considered. While we acknowledge that other commenters in this proceeding have raised arguments about the Commission's allocation of indirect FTEs more generally,²⁹⁸ we find that the record currently before us is not sufficiently developed to support affording similar relief to other regulatory fee payors based upon indirect FTE areas of work at this time. However, we believe that these issues would benefit from additional comment, as set forth in the accompanying Notice of Inquiry.

71. Therefore, we will exclude "Media Services" licensees from recovery of the funds associated with the 38 indirect FTEs who work on non-high cost Universal Service Fund issues. We find that this correction to the manner in which we apportion the 38 previously reallocated core bureau FTEs is supported given the nature of this FTE reassignment; the weight of the record with respect to this issue; and the unusual position of broadcasters vis-à-vis other Commission regulatees in this instance. Furthermore, once implemented, this correction is easily repeatable each year, so long as the FTE reassignment remains warranted. In excluding "Media Services" licensees from the recovery of the funds associated with the 38 indirect FTEs who work on non-high cost Universal Service Fund issues, 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.

72. *Office of Economics and Analytics.* In FY 2019, the Commission reassigned staff from other bureaus and offices to establish the Office of Economics and Analytics (OEA), effective December 11, 2018.²⁹⁹ This resulted in the reassignment of 95 FTEs (of which 64 were not auctions-funded) as indirect FTEs. SIA contends that in any given year the rulemaking proceedings reviewed by OEA are not distributed across bureaus proportionally based on the number of direct FTEs and thus, the benefits from

will now be working on issues across the industry. In such circumstances, we see no practicable way, at present, to update the Commission's proportional allocation methodology. The accompanying Notice of Inquiry will examine these issues in more detail.

²⁹⁸ See, e.g., Submarine Cable Coalition Comments at 2; SIA Comments at 5-6 ("However, reclassification of direct FTEs as indirect and then distributing them proportionately based on core bureau does not fully address the inequities created by the current indirect FTE fee division"); SIA Reply (commenters broadly support the Commission reviewing its process to apportion indirect FTEs to more accurately reflect the parties benefitted by the regulatory activities of those FTEs); OneWeb/SES/Telesat, August 8 Ex Parte at 1-2 ("The Commission must more fairly assign the 75% of its costs classified as indirect. The evidence shows that using direct cost proportions as a proxy for assigning indirect costs is inaccurate – the Commission should instead review the work done by indirect FTEs to assess whether the costs can be directly assigned to specific payor categories. In particular, costs for FTEs in the Office of Economics and Analytics that work on auction items and for FTEs in the Enforcement and Consumer and Governmental Affairs Bureaus should be reviewed and assigned on a more tailored basis"); Satellite Coalition Reply at 6 ("A number of commenters observe that the Commission's practice of assuming that all FTEs outside the core licensing bureaus should be assigned based on the proportional number of direct FTEs in each bureau is a vast oversimplification that distorts the regulatory fee burden.... The Commission has demonstrated its ability to perform the additional analysis needed to assign currently indirect FTEs more accurately. For instance, the Commission in 2014 determined that Enforcement Bureau regional and field office investigations 'were almost evenly split between wireless and broadcast-related cases' and that the Enforcement Bureau 'as a whole... is primarily focused on enforcement activity in the wireline, wireless, and broadcast or media industries, and only occasionally addresses Act and rule violations by International Bureau licensees.'")

²⁹⁹ See *Establishment of the Office of Economics and Analytics*, Order, 33 FCC Rcd 1539 (2018); FCC Opens Office of Economics And Analytics, Federal Communications Commission News Release, December 11, 2018, <https://www.fcc.gov/document/fcc-opens-office-economics-and-analytics>.

the work of OEA do not necessarily accrue proportionally to all payors.³⁰⁰ We note that all Commission-level drafts from core and non-core bureaus are reviewed by OEA, and OEA is also responsible for other economic-related activities that benefit the Commission. This function, assisting all bureaus and offices in the Commission with economic analysis, is appropriately considered indirect. CTIA observes that SIA's suggestion, that the Commission allocate OEA FTEs among certain core bureaus based on the type of rulemakings and other matters during a given year, would not proffer accurate FTE time allocations, and it would fail to reflect the wide variety of issues OEA reviews from non-core bureaus.³⁰¹

73. SIA also contends that a large portion of the FTE time in OEA involves auctions and is therefore outside the scope of International Bureau payors and International Bureau regulatees should not be responsible for this portion of indirect FTEs.³⁰² As we have previously stated, all auctions expenses are separately funded and are not part of the Commission's annual S&E appropriation supported by regulatory fees.³⁰³ Pursuant to statute, the Commission recovers the costs of developing, implementing, and maintaining its section 309(j) spectrum auctions program as an offsetting collection against auction proceeds and subject to an annual cap which is articulated in the annual S&E appropriation.³⁰⁴ Thus, time devoted to developing and implementing auctions is tracked separately from other non-auctions work performed by FTEs, and is offset by the auction proceeds that the Commission is permitted to retain pursuant to section 309(j)(8) of the Act and the Commission's annual appropriation statute.³⁰⁵ For this reason, auctions FTEs are not included in the calculation of regulatory fees, and the Commission's methodology excludes all auctions-related FTEs and their overhead from the regulatory fee calculations. To the extent that FTE time within core bureaus is spent on auctions issues and on non-auctions issues, only the non-auctions portion is reflected in the core bureau's FTE count.³⁰⁶ Thus, only direct non-auctions FTE time is used in the calculation of the regulatory fee rate and consequently impact the overall regulatory fee calculations.

74. Further, SIA suggests that the Commission allocate the indirect FTEs in OEA's Auction Division to regulatory fee payors who benefit from auctions; and classify OEA's Associate Chief, Wireline, and Associate Chief, Media as direct FTEs allocated to Media and Wireline, respectively, and then divide the Associate Chief, Wireless and Spectrum indirect FTEs among the remaining core licensing bureaus.³⁰⁷ We reject this proposal. As an initial matter, we note that an FTE is a full-time equivalent, not an employee, and is based on the hours of work devoted to the regulation and oversight of the fee categories and not a particular job title.³⁰⁸ Further, the FTE time working on auctions issues is not included in our regulatory fee calculations and is funded separately. The OEA FTEs numbers attributed to non-auctions work derive from FTE levels in the Data Division, Economic Analysis Division, and Industry Analysis Division, as well as in OEA's Front Office. Staff in OEA review all Commission-level

³⁰⁰ SIA Comments at 5.

³⁰¹ CTIA Reply at 6.

³⁰² SIA Comments at 5.

³⁰³ See *supra* n.25; *FY 2021 Report and Order* at paras 18-20; *FY 2015 Report and Order*, 30 FCC Rcd at 10276, para 18; see also *FY 2019 NPRM*, 34 FCC Rcd at 3272, para 10 (reminding commenters that FTE time devoted to developing and implementing the Commission's spectrum auctions is not included in the calculation of regulatory fees and is not offset by the collection of regulatory fees).

³⁰⁴ 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 a more detailed discussion of auctions funding, see n.25, *supra*.

³⁰⁵ *FY 2015 Report and Order*, 30 FCC Rcd at 10276, para. 18.

³⁰⁶ *FY 2021 Report and Order*, 36 FCC Rcd at 12999-13000, para. 20.

³⁰⁷ SIA Comments at 5.

³⁰⁸ See *supra* para. 7.

items, from all the Commission's bureaus and offices, including the International Bureau, as well as providing economic analysis to the Commission and drafting white papers. The FTEs in OEA provide economic and data analysis to the entire Commission and are appropriately allocated as indirect FTEs.³⁰⁹

F. Commenters' Proposals for New Regulatory Fee Categories

75. In the Notice of Proposed Rulemaking attached to the *FY 2021 Report and Order*, the Commission sought comment on adopting new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service.³¹⁰ The Commission asked commenters supporting such new fees how to define any new fee category and how to calculate and assess such fees on an annual basis.³¹¹ In the *FY 2022 NPRM*, we sought additional comment on these issues.³¹² Commenters supporting new regulatory fee categories advocate such fees for holders of experimental licenses;³¹³ broadband Internet access service;³¹⁴ holders of equipment authorizations;³¹⁵ database administrators that charge fees to enable unlicensed operations;³¹⁶ and entities using spectrum on an unlicensed basis, including large technology companies.³¹⁷ As we discuss below, we reject these proposals to create these new regulatory fee categories. Given the record developed in response to the Notice of Proposed Rulemaking attached to the *FY 2021 Report and Order* and in response to the *FY 2022 NPRM*, we find that there is an insufficient basis for adding these new regulatory fee categories at this time.

1. Holders of Experimental Licenses

76. The Satellite Coalition and SIA propose that the Commission adopt a regulatory fee category for holders of experimental licenses and state that this would involve the same process used for other licensed entities: the Commission would calculate the number of FTEs engaged in experimental licensing activities to determine the percentage of the total regulatory fee revenue requirement associated with experimental licensees (including direct and indirect costs) and then divide that amount among experimental license holders.³¹⁸ CTIA disagrees and observes that the FTEs in the Office of Engineering and Technology (OET) that work on experimental licenses are appropriately classified as indirect because their duties affect multiple core bureaus and their regulatees, including satellite regulatees authorized by the International Bureau.³¹⁹ We are not convinced that an experimental license is the same as other Commission licenses and that it should be subject to a regulatory fee.

77. OET typically grants over 2,000 experimental licenses each year, including Special

³⁰⁹ Moreover, SIA's suggestion that we allocate the indirect OEA FTEs into thirds, to the Media, Wireline, and the remaining core licensing bureaus, i.e., one-sixth of the FTEs to the International Bureau, would likely assign more indirect FTEs to the International Bureau than we do under our current methodology. Currently, 8.56% of the total FTE allocation is from International Bureau regulatees; 21.40% of the total FTE allocation is from Wireless Telecommunications Bureau regulatees; 33.94% of the total FTE allocation is from Wireline Competition Bureau regulatees; and 36.10% of the total FTE allocation is from Media Bureau regulatees.

³¹⁰ *FY 2021 Report and Order*, 36 FCC Rcd at 13026, paras. 73-74

³¹¹ *Id.* at 13026, para. 73.

³¹² *FY 2022 NPRM* at *18, para. 53.

³¹³ Satellite Coalition Comments at 3.

³¹⁴ *Id.* at 3-6.

³¹⁵ *Id.* at 4.

³¹⁶ *Id.*

³¹⁷ NAB Reply at 10-15.

³¹⁸ Satellite Coalition Comments at 3; SIA Comments at 3 & Reply at 3-4.

³¹⁹ CTIA Reply at 7-8.

Temporary Authority (STA). Many commercial services and technologies deployed today were first tested under the experimental licensing program. Where such technologies result in new licensing frameworks or services, the resultant services usually are subject to regulatory fees.³²⁰ The experimental radio service permits broad experimentation, including assessing equipment intended to operate in existing Commission services, proof of concept testing and evaluation of new radio technologies, equipment designs, radio wave propagation characteristics, and service concepts related to the use of the radio spectrum.³²¹ Thus, many experimental licenses are filed by universities, research and development companies, technology manufacturers, and medical institutions which often are non-profit entities.

78. The Commission issues a variety of experimental licenses that range in duration from a few days to six months for STAs, generally two years for conventional experimental licenses,³²² five years for experimental program licenses, and 10 years for experimental licenses in spectrum bands above 95 GHz.³²³ There is no renewal process for STAs. Further, applicants seeking extension of conventional experimental licenses must include sufficient justification for continued experimentation;³²⁴ otherwise, such applicants are referred to the appropriate service bureau to seek a service license. If service rules for the applicable spectrum are needed, applicants may petition the Commission for rulemaking to modify allocations or service rules in such a way as to permit the tested technology to obtain a license to operate. Experimental licenses (except for above 95 GHz licenses) are not permitted to be used to offer commercial service. However, market trials are permitted under certain circumstances to allow applicants to evaluate product performance and customer acceptability prior to the production stage.³²⁵ Further, experimental licenses are issued on a limited, non-harmful interference basis for operation within a band in which (typically) regulatory fee payors enjoy primary or secondary use. Additionally, experimental licenses do not provide the holder with any vested spectrum use rights and the Commission can require licensees to discontinue experimental operations at any time without undertaking any further administrative process, such as an adjudication.³²⁶

79. OET's experimental authorization processes thus are distinct from authorization processes applicable to other types of licenses and the regulated entities holding them, and essentially fall under OET's functions of evaluating evolving technology for interference potential, facilitating the introduction of nascent technologies, and maintaining the U.S. Table of Frequency Allocations.³²⁷ As such, in reviewing those applications, OET ensures that experimental uses will not interfere with the primary and secondary users in the relevant bands, who, unlike experimental license holders, do have spectrum rights associated with a license in an authorized service. Where the core bureaus regulate the regulatory fee payors, they also provide the benefit of protecting such primary and secondary uses of the

³²⁰ For example, some small satellite operators initially sought to operate commercial systems under the experimental licensing program rather than seeking licensing under part 25 of the Commission's rules before the streamlined small satellite rules were adopted. When adopting the streamlined small satellite licensing rules, the Commission also adopted a separate regulatory fee category for small satellites. *See Small Satellite Report and Order*, 34 FCC Rcd at 13080-81, 13118-19, paras. 11-13, 105; *see also Streamlining Licensing Procedures for Small Satellites*, Notice of Proposed Rulemaking, 33 FCC Rcd 4152, 4154, para. 3 (2018).

³²¹ The experimental radio service rules prescribe flexible rules to encourage manufacturers, inventors, entrepreneurs, and students to experiment across a wide range of frequencies, power, emissions, and applications. (*See* 47 CFR part 5, *et seq.*).

³²² Up to five years is permitted by rule with sufficient justification. 47 CFR § 5.71.

³²³ In a typical year, the Commission generally issues only a few five-year licenses and no 10-year licenses.

³²⁴ 47 CFR § 5.71(a).

³²⁵ Under a market trial, the experimental licensee retains ownership of all equipment and must collect all such equipment at the end of the trial or render such equipment inoperable. 47 CFR § 5.602(e).

³²⁶ 47 CFR § 5.83.

³²⁷ 47 CFR § 0.31.

spectrum. Thus, while Commission resources are expended on processing experimental applications, these licenses are approved for a proposed experiment or range of experiments, and not for an actual operational service under established service rules providing some level of interference protection. Experimental licensing is often an important option for academic researchers on restricted budgets who are developing new technological solutions. Therefore, imposing regulatory fees on these licensees potentially could stifle a Commission function and policy objective of promoting new, efficient technology by precluding some academic researchers or small start-up technology developers from developing and testing new technologies and systems. Moreover, experimental authorizations present challenges in determining a fair, administrable, and sustainable regulatory fee system. As a starting point, many experimental license applicants are exempt from regulatory fees under the statute.³²⁸ Additionally, given the transient nature of such authorizations, determining what operational period is sufficient to merit assessment of regulatory fees would require significant analysis.³²⁹ Given the varying types of experimental authorizations, and the limited authority granted, it is likely we would have to consider multiple regulatory fee categories and multiple ways of allocating proportional fees to such categories. Commenters have not provided any analysis of the experimental authorizations in the record to allow us to make such determinations here. Moreover, in addition to the exempt status of many applicants, it is likely we would find that many experimental authorizations, if subject to regulatory fees, do not result in any collection because the payor's total assessment falls under the de minimis threshold.³³⁰ Thus, we find that the record here is not sufficient for the Commission to establish a fair and administrable system for assessing regulatory fees for such experimental licenses.

80. Further, as we stated previously, OET provides engineering and technical expertise to the Commission as a whole and supports each of the agency's four core bureaus.³³¹ FTEs within OET are appropriately classified as indirect because the FTE time devoted to OET work affects multiple core bureaus within the Commission and its regulatees.³³² Because the experimental license typically is not used for a commercial service, and OET oversight helps to ensure that experimental licensees do not interfere with other (non-experimental) licensees, "it is consistent with the principles of section 9 of the Communications Act for other (non-experimental) licensees to pay the costs of OET's work on experimental licenses. OET's FTE work on experimental licenses already is captured under the Commission's current regulatory fee framework. Moreover, we find that the Satellite Coalition's and SIA's proposals for such a new fee category could discourage communications industry innovation, and thus undermine the rationale for the Experimental Radio Service.³³³ We therefore decline to adopt a new regulatory fee category for holders of experimental licenses.

2. Broadband Internet Access Service

81. We also decline to create a new regulatory fee category for broadband Internet access services at this time. There is no specific bureau or office in the Commission with oversight of all broadband services, because these oversight activities are spread out among all core bureaus, and broadband issues are a part of a variety of Commission initiatives and proceedings. NAB and Satellite Coalition argue that the Commission should expand the base of regulatory fee categories to include a broadband Internet access service fee category to which the Commission should allocate all broadband-

³²⁸ 47 U.S.C. § 159(e)(1); 47 CFR § 1.1162.

³²⁹ Experimental licenses can be discontinued at any time and are issued for varying time periods based on the unique needs of the applicant.

³³⁰ The Commission increased the de minimis threshold to \$1,000 in 2017. *FY 2017 Report and Order*, 32 FCC Rcd at 7073, para. 40.

³³¹ *FY 2021 Report and Order*, 36 FCC Rcd at 13001, para. 23.

³³² *Id.* at 13001-3002, paras. 23-24.

³³³ *See* Satellite Coalition Comments.

related costs.³³⁴

82. Specifically, NAB contends that the Commission should revise its methodology to reallocate broadband costs among only those fee payors that benefit from the Commission's broadband activities.³³⁵ NAB argues that requiring broadcasters to pay for these costs is unfair since broadcasters do not benefit from the Commission's broadband activities.³³⁶ NAB suggests that the Commission modify its existing information collection systems to obtain the data necessary to assess regulatory fees on either a subscription or revenue basis.³³⁷ NAB contends that broadband Internet access service providers began submitting data, including subscription counts, in the annual Broadband Data Collection and that the Commission could use this information to assess fees on a per-subscriber basis.³³⁸ NAB further proposes that we place this regulatory fee category within the Wireline Competition Bureau and reallocate FTEs that work primarily on broadband related issues in the other core and noncore bureaus and offices of the Commission to this fee category, to the extent necessary.³³⁹

83. In the *FY 2021 Report and Order*, in addressing the assessment of regulatory fees to cover the costs of implementation of the Broadband DATA Act as part of the Commission's FY 2021 appropriation, we specifically stated that we do not have sufficient information to form the basis of designating a new broadband regulatory fee category.³⁴⁰ We indicated the information that we do not presently possess but that would be important in designating a new regulatory fee category and determining the unit measure within a fee category would include the amount of broadband Internet access services offered by entities that also provide services subject to existing regulatory fees and by entities that provide broadband Internet access services that are not currently subject to regulatory fees.³⁴¹ Commenters still have not provided us with this information or identified Commission regulatory efforts involving FTEs specific to this industry segment to support a separate regulatory fee category for this service.

84. Further, we are unconvinced that a broadband Internet access service regulatory fee category is necessary or that such a category appropriately belongs in the Wireline Competition Bureau. Broadband Internet access services are offered through various technical means and by widely differing entities and to distinct user groups, e.g., wireless service providers, wireline service providers (including VoIP), cable operators, and satellite operators, to consumers and businesses, on both a retail and a wholesale basis. This service is not only offered by different types of providers, but is also delivered to end users in different ways. Commenters have not shown that a particular group of FTEs within the Commission is providing oversight and regulation for broadband Internet access services and that other parties (besides these broadband Internet access service providers) are responsible for all of the regulatory fees associated with those FTEs. It appears that the contrary is true: broadband Internet access services are involved in many Commission initiatives and proceedings and such services are offered by service

³³⁴ NAB Comments at 15-23; Satellite Coalition Comments at 3-4. *But see* WISPA Reply at 1-2 (contending that the Commission has provided no notice that it may consider adopting a new regulatory fee category for broadband Internet service providers so that broadcasters can recover their costs, or for any other purported reason, and that, due to this lack of notice, the Commission lacks legal authority to add such a new regulatory fee category). Although we disagree with WISPA regarding a lack of notice, as we discuss below, we are not adopting a new regulatory fee category for broadband Internet access service at this time.

³³⁵ NAB Comments at 15-23.

³³⁶ *Id.* at 16, 22-23.

³³⁷ *Id.* at 24.

³³⁸ *Id.*

³³⁹ *Id.*

³⁴⁰ *FY 2021 Report and Order*, 36 FCC Rcd at 12999, para. 17.

³⁴¹ *Id.*

providers regulated by all the core bureaus and already responsible for regulatory fees.³⁴² Therefore, to include this proposed regulatory fee category under the Wireline Competition Bureau, as suggested by NAB, would increase the Wireline Competition Bureau's regulatory fee contribution based on time spent not only by staff in the Wireline Competition Bureau on broadband matters, but by staff in the other offices and bureaus within the Commission.

85. The Satellite Coalition, in arguing that the Commission adopt a broadband Internet access service regulatory fee category, contends that the Commission has already calculated that 550 FTEs across a wide variety of offices and bureaus work on the Commission's broadband policy as part of its Strategic Goal to bring affordable, high-speed broadband to 100% of the country.³⁴³ We do not agree with Satellite Coalition's contention that the 2022 Strategic Goals apply to assessing regulatory fees. The Commission's Strategic Goals do not pertain to any specific regulatory fee category, but rather are developed and used as part of planning exercises mandated by a wholly unrelated statutory scheme.³⁴⁴ As we indicated above, such strategic goals are intended to align with higher level priority goals of the overall federal government.³⁴⁵ Thus, staff support of a specific strategic goal is not a sound rationale for adopting a new regulatory fee category.³⁴⁶

86. Additionally, NAB argues that broadening the base of regulatory fee payors to include broadband Internet access service providers would ensure a more fair and sustainable regulatory fee system.³⁴⁷ However, NAB's proposal does not establish a sufficient basis for the creation of such a category and that a broadband Internet access services regulatory fee category, if adopted, would be fair, administrable, or sustainable for the reasons elaborated above.³⁴⁸ As NCTA notes, the Commission has taken historic actions to discount broadband Internet access service for those who cannot afford it and

³⁴² Such a regulatory fee category, if adopted, would likely not change broadcasters' regulatory fees, except for those broadcasters offering broadband services. *See Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Second Further Notice of Proposed Rulemaking, FCC 21-116 (2021); Public Notice, *Media Bureau Announces Effective Date Of New Broadcast Internet Rules*, 36 FCC Rcd 5765 (MB 2021) (announcing effective date of new rules to encourage the provision of new Broadcast Internet services enabled by ATSC 3.0, the "Next Generation" broadcast television standard referred to as Next Generation or NextGen TV, that can complement the nation's 5G wireless networks and update the regulatory landscape in order to foster the efficient and robust use of broadcast spectrum capacity for the provision of Broadcast Internet services.). At least one large broadcaster has announced that it provides broadband services. Sinclair Broadcast Group's One Media 3.0 and its D.C. station WIAV-CD deliver EduCast, a broadcast Internet product for K-12 and college learners without broadband Internet services at home. Jon Lafayette, Broadcasting and Cable, "NextGen TV Being Used To Deliver Remote Learning in Washington, D.C.," (Aug. 16, 2021), <https://www.nexttv.com/news/nextgen-tv-being-used-to-deliver-remote-learning-in-washington-dc> (explaining that a receiver connects to a TV antenna that receives the broadcast signal digital content it carries and establishes a Wi-Fi hotspot in the home that students connect to with their tablet, laptop, or smartphone).

³⁴³ Satellite Coalition Comments at 3-4. The Strategic Goals that the Satellite Coalition refers to are Pursue a "100 Percent" Broadband Policy; Promote Diversity, Equity, Inclusion, and Accessibility; Empower Consumers; Enhance Public Safety and National Security; Advance America's Global Competitiveness; and Foster Operational Excellence. *See FCC 2022 Budget Estimates to Congress* at 15.

³⁴⁴ Under section 9(d) of the Act, 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." 47 U.S.C. § 159(d). The Strategic Goals do not specifically pertain to regulation or oversight of services, but instead are more general goals developed as part of long term planning exercises required of all federal agencies as explained above.

³⁴⁵ *See supra* para. 19. Such goals should also "contribute to the Federal Government priority goals" required by section 1120(a) of title 31. 5 U.S.C. § 306(a)(3).

³⁴⁶ *See supra* para. 19.

³⁴⁷ NAB Comments at 24.

³⁴⁸ *See supra* para. 4; NCTA Reply at 9-14.

now would not be the time to unravel that work by adopting a new set of regulatory fees that would increase the cost-burden of these services.³⁴⁹ We also are not persuaded that such a new regulatory fee category, if adopted, would reduce broadcasters' regulatory fees. Given the various uncertainties, we find it unlikely that adding a new fee category for broadband Internet access service would make a significant difference in the broadcasters' regulatory fees. The total amount we collect from each core bureau is based on the number of non-auctions FTEs in each bureau, and adding a new broadband Internet access fee category or categories would not change the number of Media Bureau FTEs working on broadcast issues. Moreover, as indicated above, broadband Internet access services are a part of many Commission initiatives and proceedings and such services are offered by service providers regulated by all the core bureaus (and these providers already pay regulatory fees on their regulated services).³⁵⁰ For these reasons, particularly due to the lack of information in the record to support the need for adoption of such a new regulatory fee category, we are not creating a new fee category for broadband Internet access services at this time. Specifically, we find that section 9 of the Act does not require creation of this category and commenters have not shown, on the basis of the record in this proceeding, that such a category would satisfy the factors that the Commission has relied on when it has found a basis to create a new regulatory fee category.³⁵¹

3. Holders of Equipment Authorizations

87. We decline to adopt the Satellite Coalition's proposal that the Commission adopt a regulatory fee category for holders of equipment authorizations.³⁵² Satellite Coalition argues that the costs associated with equipment authorizations can be assessed on equipment manufacturers that benefit from Commission staff who implement policies designed to ensure compliance with relevant regulatory standards.³⁵³ We find, however, that OET FTE time on equipment authorizations is appropriately classified as indirect because such work affects multiple core bureaus and their regulatees, including satellite regulatees authorized by the International Bureau.³⁵⁴ OET provides engineering and technical expertise to the Commission as a whole and supports each of the 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.³⁵⁵ 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.³⁵⁶ 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.³⁵⁷

³⁴⁹ NCTA Reply at 17.

³⁵⁰ See *supra* para. 84.

³⁵¹ See *supra* para. 4.

³⁵² Satellite Coalition Comments at 4.

³⁵³ *Id.*

³⁵⁴ See CTIA Reply at 7-8.

³⁵⁵ 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, 0.241.

³⁵⁶ See FCC, Engineering & Technology, <https://www.fcc.gov/engineering-technology> (last visited August 4, 2022). For a longer description of OET's functions and delegation, see also 47 CFR §§ 0.31, 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>.

³⁵⁷ Much of OET's work in making spectrum available on an unlicensed basis and overseeing the equipment authorization program indirectly benefits multiple industry sectors. For example, there is no separate process for
(continued....)

88. The equipment authorization program is one of the principal ways the Commission ensures that radio frequency devices operate effectively without causing harmful interference and otherwise comply with the Commission's rules. The Commission's equipment authorization program promotes efficient use of the radio spectrum and addresses various responsibilities associated with certain treaties and international regulations,³⁵⁸ while ensuring that radio frequency (RF) devices in the United States comply with the Commission's technical requirements before they can be marketed in or imported to the United States.³⁵⁹ As a general matter, for an RF device to be marketed or operated in the United States, it must have been authorized for use by the Commission, although a limited number of categories of RF equipment are exempt from this requirement.³⁶⁰ The Commission's equipment authorization program provides for two pathways: certification and supplier's declaration of conformity (SDoC). Applicants for equipment certification are required to file their applications, which must include certain specified information, with an FCC-recognized Telecommunications Certification Body (TCB).³⁶¹ The Commission, through its Office of Engineering and Technology (OET),³⁶² oversees the certification process, and provides guidance to applicants, TCBs, and test labs with regard to required testing and other information associated with certification procedures and processes, including guidance provided via correspondence or found in pre-approval guidance or OET's knowledge database system (KDB).³⁶³ The SDoC procedures, which are available for specific equipment generally considered to have reduced potential to cause RF interference, provide for equipment to be authorized based on the responsible party's self-declaration that the equipment complies with the pertinent Commission requirements.³⁶⁴

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 operations on an unlicensed basis.

³⁵⁸ 47 CFR § 2.901.

³⁵⁹ See 47 CFR part 2 subpart I, §§ 2.801 *et seq.* (Marketing of Radio Frequency Devices); part 2 subpart J, §§ 2.901 *et seq.* (Equipment Authorization Procedures); part 2 subpart K, §§ 2.1201 *et seq.* (Importation of Devices Capable of Causing Harmful Interference). The Office of Engineering and Technology (OET) administers day-to-day operation of the equipment authorization program. See 47 CFR § 0.241(b). OET's Laboratory Division maintains a webpage devoted to the equipment authorization program. See the FCC, Engineering & Technology, Laboratory Division, Equipment Authorization Approval Guide, <https://www.fcc.gov/engineering-technology/laboratory-division/general/equipment-authorization> (last visited Aug. 12, 2022).

³⁶⁰ See, e.g., 47 CFR § 15.103. For background on exempt equipment, see *NPRM*, 36 FCC Rcd at 10593-94, para. 31.

³⁶¹ 47 CFR §§ 2.907; 2.911; see *NPRM*, 36 FCC Rcd at 10598-99, para. 44. See also 47 CFR § 2.960 ("Recognition of Telecommunication Certification Bodies").

³⁶² OET provides engineering and technical expertise to the Commission and supports each of the four core bureaus, including 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.

³⁶³ See, e.g., §§ 2.947(a)(3) and 2.1093(d)(2) which state that advisory information regarding measurement procedures can be found in the KDB. See also FCC, Office of Engineering and Technology, Office of Engineering and Technology Laboratory Division Knowledge Database, <https://apps.fcc.gov/oetcf/kdb> (last visited Aug. 12, 2022). Applications that involve new technology or for which there are no FCC-recognized test procedures require a TCB to obtain pre-approval guidance from the Commission before the application may be approved. 47 CFR § 2.964.

³⁶⁴ Certification requires three components that SDoC does not: First, certification requires use of a third-party FCC-recognized Telecommunication Certification Body (TCB), based on an evaluation of supporting documentation and test data contained in an application submitted by the responsible party (e.g., the manufacturer or importer) to the TCB. Second, compliance testing for certification must be performed by an FCC-recognized accredited testing laboratory. Third, technical parameters and descriptive information for all certified equipment are posted on a Commission-maintained public database (<https://www.fcc.gov/oet/ea/fccid>). See 47 CFR §§ 2.907 *et seq.*

Because the SDoC process is based on self-declaration, there is no direct oversight of that process by OET staff. As we noted in the *FY 2021 Report and Order*, OET FTE resources for equipment authorizations are typically limited to overseeing the equipment authorization program.

89. Because there are multiple categories of equipment authorization procedures, including exemption and self-authorization, the implementation of regulatory fees assessed to holders of equipment authorizations presents challenges in determining a fair, administrable, and sustainable fee system. Additionally, equipment authorization generally applies to the functionality of a particular device, not the production of each unit (i.e., an entity needs to complete the equipment authorization process only once for a device regardless of how many units of such devices are produced). Thus, unlike licenses, equipment authorizations are obtained once and are not subject to validity for a defined time period. Further, the equipment authorization procedures that are applicable to RF devices permitted to be imported or marketed into the U.S. do not require the Commission to collect information from or communicate directly with the manufacturer of every device. Commenters have not provided sufficient analysis in the record to allow us to determine a fair, administrable, and sustainable regulatory fee system for the holders of equipment authorization. For these reasons, we find that the OET FTEs are appropriately categorized as indirect and we reject the proposal to adopt a new fee category for holders of equipment authorizations.

4. Operators of Databases of Spectrum Used on an Unlicensed Basis

90. We also decline to adopt the Satellite Coalition's proposal that the Commission adopt a new regulatory fee category for database operators that charge fees to enable unlicensed use of certain frequency bands.³⁶⁵ The Satellite Coalition asserts that these operators benefit from Commission rulemakings that enable them to administer unlicensed use of spectrum, and thus, that they should contribute their share to the Commission's budget.³⁶⁶ It argues that pursuant to the RAY BAUM'S Act we are no longer limited to looking at FTEs in core bureaus when determining regulatory fees.³⁶⁷ The Wi-Fi Alliance disagrees and contends that the proposal to impose fees on operators of databases would impede use of 6 GHz spectrum, which in many cases will require access to an automated frequency coordination operator and its database.³⁶⁸

91. As we have previously discussed, pursuant to section 9 of the Act, regulatory fees are to be derived by determining "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."³⁶⁹ Specifically, section 9 of the Act 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."³⁷⁰ The Commission's FTE activities for these database operators includes the establishment of database rules and ensuring that database administrators have the technical expertise to develop and operate the relevant databases. After a database is set up, Commission involvement with the operator is generally sporadic. The function of the databases is to prevent harmful interference from occurring to incumbent licensed operations by unlicensed use of certain frequency bands thereby enabling the more efficient use of radio spectrum. The services provided by operators of databases are essentially available to any user of the relevant frequency bands on an unlicensed basis. We note that users of those databases pay operators to access the databases, and are required to use such

³⁶⁵ Satellite Coalition Comments at 4.

³⁶⁶ *Id.*

³⁶⁷ *Id.*

³⁶⁸ Wi-Fi Alliance Reply at 8-9.

³⁶⁹ *See supra* para. 4; 47 U.S.C. § 159(d).

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

databases to prevent harmful interference to other users.³⁷¹ The Commission often recognizes multiple database administrators. In those cases, users can patronize any database administrator and there is no guarantee how much, if any, coordination a particular database administrator will undertake and, thus, no guarantee that a database administrator will even receive benefits from its relationship with the Commission.

92. Moreover, the suggestion that we create a regulatory fee category for only these database administrators ignores the fact that, under the Commission's rules, there are a variety of database administrators and spectrum coordinators (e.g., television white space devices, 6 GHz devices, and fixed, personal/portable, and mobile devices). Thus, focusing only on database administrators enabling the use of spectrum on an unlicensed basis would result in indirectly assessed regulatory fees on certain users of spectrum on an unlicensed basis. As explained below, we decline to create a regulatory fee category for users of spectrum on an unlicensed basis, either directly or indirectly.

93. Further, the Commission's FTE activities related to operators of databases of spectrum on an unlicensed basis benefit a wide variety of industry segments, both licensed and unlicensed, and is consistent with the treatment of these FTEs, which work primarily in the Office of Engineering and Technology, as indirect. Thus, we do not find that there are sufficient benefits (i.e., FTE work in oversight or regulation) provided each fiscal year to these database operators by the Commission's activities of such a magnitude that it warrants creation of a regulatory fee category for database operators at this time. We acknowledge that in establishing the regime that allows for such database operators to support Commission licensees, FTE time is devoted to adopting a regulatory regime that allows for the database operators to perform a such functions. This is, however, generally a one-time effort and it would be arbitrary to assess fees year after year based on such one-time efforts. We therefore decline to adopt a new regulatory fee category for operators of these databases.

5. Users of Spectrum on an Unlicensed Basis

94. We decline to adopt NAB's proposal to adopt a new regulatory fee category for users of spectrum on an unlicensed basis, including large technology companies.³⁷² Commenters generally oppose NAB's proposal.³⁷³ The Wi-Fi Alliance states that there is no basis for creating a new fee category to include, directly or indirectly, users of spectrum on an unlicensed basis, and doing so would not be fair, administrable, or sustainable.³⁷⁴ Other commenters also oppose the proposal to adopt a regulatory fee category for the use of spectrum on an unlicensed basis.³⁷⁵ NCTA observes that no commenter has even clarified who they think falls into the fee category, let alone presented any type of proposal or detailed explanation of how the Commission might assess such fees.³⁷⁶

95. NAB has not provided a sufficient basis, consistent with section 9 of the Act, for the adoption of a new regulatory fee category for users of spectrum on an unlicensed basis. The Commission has adopted new fee categories based in part on the benefits to the payor, i.e., FTE work in oversight and regulation, on several occasions. In those instances, the Commission determined that significant FTE resources of a core bureau were being spent on oversight and regulatory activities with respect to a specific service necessitating a new regulatory fee category.³⁷⁷ Those circumstances are not present here.

³⁷¹ See 47 CFR §§ 15.711(a), (c)(2), (d)(2), (k)(5), 15.70(k)(1).

³⁷² NAB Reply at 10-15.

³⁷³ See, e.g., INCOMPAS, CCIA, and DiMA Comments; Joint Manufacturers Comments.

³⁷⁴ Wi-Fi Alliance Reply at 4.

³⁷⁵ INCOMPAS, CCIA, and DiMA Comments at 1-6; Joint Manufacturers Reply at 1-3.

³⁷⁶ NCTA Reply at 14.

³⁷⁷ The most recent addition of a new fee category to the regulatory fee schedule was in 2020, in the Report and Order attached to the *FY 2020 NPRM*, where the Commission added non-U.S. licensed space stations with U.S.

(continued....)

As noted above, FTEs in OET, which is responsible for oversight and regulation of spectrum used on an unlicensed basis, have historically been classified as “indirect” FTEs because OET’s work benefits the Commission and the industry as a whole and is not specifically focused on the regulatees and licensees of a core bureau.³⁷⁸ Even when we consider only FTE time working on oversight and regulation of spectrum used on an unlicensed basis and devices capable of operating wholly or in part on such spectrum, the treatment of such costs as indirect is appropriate. Many devices, including those operating wholly or in part on an unlicensed basis, 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.³⁷⁹ As such, OET’s oversight requires only a portion of FTE resources, thus supporting our continued treatment of such costs as part of overall OET indirect costs, as opposed to segregable direct costs, and 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.³⁸⁰

96. In interpreting and applying section 9 of the Act, the Commission has developed a framework to ensure that the resulting fee category fee schedules are fair, administrable, and sustainable. Thus, in evaluating new regulatory fee categories, we consider if assertion of our authority would be fair, administrable, and sustainable while examining any “benefit” provided to the payor by the Commission’s FTE activities in oversight and regulation. On the basis of the record developed here, we find that NAB’s proposal for a new fee category for users of spectrum on an unlicensed basis does not satisfy these factors.

97. The Commission has explained that a regulatory fee category is unfair if it combines

market access grants to the regulatory fee schedule. *FY 2020 NPRM*, 35 FCC Rcd at 4979-91, paras. 7-34. In 2017, the Commission added non-common carrier terrestrial IBCs to the regulatory fee schedule, in order to include both common carrier and non-common carrier terrestrial IBCs in the schedule. *FY 2017 Report and Order*, 32 FCC Rcd at 7071-72, paras 34-35. In 2015, the Commission added a new fee category for DBS as a subcategory of the cable television and IPTV fee category, based on the oversight and regulation of this industry by the same group of Media Bureau FTEs. *FY 2015 Report and Order*, 30 FCC Rcd at 10276-77, paras. 19-20. Subsequently, in the *FY 2021 Report and Order*, the Commission placed all DBS, cable television, and IPTV providers in the same fee category at the same per subscriber regulatory fee. *FY 2021 Report and Order* at para. 28. In 2014, the Commission adopted a new regulatory fee category for toll-free numbers because FTEs, primarily in the Wireline Competition Bureau, are devoted to toll-free number oversight and regulation. *FY 2014 Report and Order*, 29 FCC Rcd at 10778, paras. 26-27 (summarizing the legal rationale for adoption of a fee on toll-free numbers and the FTEs involved in toll-free issues). In 2013, the Commission broadened the cable television category to include IPTV providers. *FY 2013 Report and Order*, 28 FCC Rcd at 12362-63, paras. 32-33.

³⁷⁸ See *supra* para. 87.

³⁷⁹ 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, 25.129, 90.203. Even with respect to devices that require certification, such certifications are granted by outside third parties (Telecommunications Certification Bodies (TCBs)), under Commission oversight. See generally 47 CFR § 2.901 *et seq.* Direct costs of device testing and applicant certifications necessary to demonstrate compliance with our technical and equipment authorization rules are paid directly by manufacturers to FCC-recognized labs and TCBs. Those costs are not borne by the Commission and are not recovered through regulatory fees. 47 CFR § 2.962 – (f)(3) states that TCBs may establish and assess fees for processing certification applications and other Commission-required tasks. See *Amendment of Parts 0, 1, 2, and 15 of the Commission’s Rules regarding Authorization of Radiofrequency Equipment, Amendment of Part 68 regarding Approval of Terminal Equipment by Telecommunications Certification Bodies*, ET Docket No. 13-44, Report and Order, 29 FCC Rcd 16335 (2014).

³⁸⁰ Devices often operate on spectrum that is used on an unlicensed basis and spectrum that is used on a licensed basis, and the Commission’s Equipment Authorization process does not currently permit us to easily identify a separate set of devices that operate on spectrum used on an unlicensed (as opposed to licensed) basis.

either uses or users that are too different from one another.³⁸¹ The Commission bases regulatory fee categories on services or facilities used. Use of spectrum on an unlicensed basis is nearly ubiquitous in modern-day society, and confers widespread benefits. Because of the large variety of uses of spectrum on an unlicensed basis, including for non-communications purposes, there is no specific user, service, or facility using this spectrum that could form the basis for a regulatory fee category of similar services.³⁸² Entities use spectrum on an unlicensed basis in a variety of ways, including healthcare, security systems, thermostats, alarm systems, baby monitors, fitness trackers, home appliances, garage door openers, cordless phones, in-vehicle rear seat passenger detection systems, wireless power transfer, law enforcement radars, microwave ovens, Wi-Fi networks, Bluetooth speakers, Internet of Things (IoT) industrial networks, and other consumer devices. Chip makers, component makers, device makers, device users, internet providers, content providers, mobile network operators, vendors, enterprise users, and consumers all use spectrum on an unlicensed basis³⁸³ in various ways and such users include individuals, state and local governments, corporations, non-profit organizations, schools, libraries, and other groups. The variety of users and spectrum bands used on an unlicensed basis creates a broad group of potential payors. Moreover, the Commission itself does not distinguish between these numerous and expanding uses of spectrum on an unlicensed basis in its regulations. Thus, grouping all users of spectrum on an unlicensed basis together, including devices such as baby monitors, garage door openers, field disturbance sensors, medical imaging systems, cordless phones, Wi-Fi networks, Bluetooth speakers, Internet of Things (IoT) industrial networks, and consumer devices would not result in a fair or rational way to assess regulatory fees.

98. Second, we find that such a fee for users of spectrum on an unlicensed basis would be virtually impossible to define or administer, based on the record developed in this proceeding.³⁸⁴ To adopt a fee on the use of spectrum on an unlicensed basis would be imposing a fee on billions of devices related to a wide variety of applications and industries, a base which continually grows and evolves over time. As commenters observe, because of the large variety of uses of spectrum on an unlicensed basis, it is difficult to determine who would be responsible for paying such regulatory fees as the Commission has no way of identifying the owner and user of the unlicensed devices using this spectrum, and there is no specific service with which to form a regulatory fee category of similar services.³⁸⁵ We find that the

³⁸¹ See *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8464, para. 14. See also, *Electronic Industries Ass'n v. FCC*, 554 F.2d 1109, 1116 (D.C. Cir. 1976) (when discussing IOAA, explain that each recipient class should be “the smallest unit that is practical.”)

³⁸² INCOMPAS, CCIA, and DiMA Comments at 3-4 (noting that “unlicensed spectrum users” could include an unworkably broad range of manufacturers of Internet of Things (IoT) and Bluetooth devices, such as thermostats, baby monitors, refrigerators, wireless earbuds, and smart speakers, as well as internet services that consumers and small businesses utilize via local Wi-Fi devices, including online banking, news websites, social media, and music streaming).

³⁸³ Under authorization from the Commission, many spectrum bands can be used for unlicensed purposes on a non-interference basis to licensed users. However, the heaviest use on an unlicensed basis occurs in the 902-928 MHz, 2400-2483.5 MHz, and 5150-7125 MHz bands, and is predominantly in Wi-Fi networks. The latter band encompasses eight spectrum ranges and comprises the Unlicensed National Information Infrastructure (U-NII). U-NII spectrum at 5850-7125 MHz has recently been allocated, and development of that band for Wi-Fi use is ongoing.

³⁸⁴ The request here is analogous to seeking to set a fee on a generalized public benefit of Commission action. While the terminology of “public” versus “private” benefit is not always a beneficial distinction in the discussion of fees, it is nevertheless helpful to understand that the request here is to find a way to fee an activity – use of spectrum on an unlicensed basis – that greatly benefits the public. Our fee scheme, however, is not set up to fee public benefits. Principles of Federal Appropriations Law, Third Edition, Volume 3, Chapter 12 - Acquisition of Goods and Services, Part D - User Charges, 3. The Independent Offices Appropriation Act, 12 GAO-RB pt. D, s. 3 (2015).

³⁸⁵ See INCOMPAS, CCIA, and DiMA Comments at 3-4; WISPA Reply at 3 (contending that there would be no rational way to design and implement a regulatory fee program for unlicensed spectrum users without sweeping in

(continued...)

variety of uses of spectrum on an unlicensed basis creates such a broad group of potential payors as to render it virtually meaningless to attempt to identify them because it would be hard to find a consumer or a business that does not use spectrum on an unlicensed basis nearly every day. As the Wi-Fi Alliance observes, imposing new regulatory fees on users of spectrum on an unlicensed basis could affect an unreasonably wide range of entities and individuals, including consumers.³⁸⁶

99. With such a large group of users of spectrum on an unlicensed basis, adopting a new regulatory fee category for these users would be the equivalent of asking every industry and consumer to pay this fee, resulting in a regulatory fee scheme far more extensive than our current regulatory fee system and would reach all households and businesses. Such a fee would be logistically infeasible to collect, at least on the basis of this record.³⁸⁷

100. NAB argues that users of spectrum on an unlicensed basis place a significant ongoing burden on Commission resources in furtherance of their businesses because the Commission will be involved in amending and monitoring the spectrum use process, responding to requests from the innovation economy to use spectrum in new ways and for new technologies, and enforcing its rules, not only to prevent interference to licensed users, but to ensure the end user can actually use the devices and products.³⁸⁸ We are not convinced that the mere fact that FTE time involved in oversight and regulation of such spectrum use is a sufficient reason to adopt a new regulatory fee category. As discussed above, there is no particular service, industry, or other discrete group of potential regulatory fee payors for the use of spectrum on an unlicensed basis, because essentially all consumers and manufacturers have devices that use spectrum on an unlicensed basis.³⁸⁹ Moreover, the Commission previously has observed that regulatees rely on consistency of treatment in regulatory fees from year to year and thus the Commission has hesitated to make changes which would result in rapid shifts in regulatory fees.³⁹⁰ We therefore find that, in this instance, creating such categories does not serve the Commission's goal of having an administrable framework.³⁹¹

101. Additionally, a regulatory fee category related to use of spectrum on an unlicensed basis, assessed on devices, if adopted, would not be sustainable for the same reasons elaborated above. Ever-changing technology results in increased use of spectrum on an unlicensed basis over time and the

nearly every sector of the economy and that it would be impossible to narrow the scope in any predictable or non-arbitrary manner).

³⁸⁶ Wi-Fi Alliance Reply at 7.

³⁸⁷ If we would adopt such a category, the fee would most likely be de minimis if imposed on such a large number of entities. Section 9(e)(2) of the Communications Act permits the Commission to exempt a party from paying regulatory fees if “in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party. . . .” The de minimis threshold is currently \$1,000, and applies to a payor's total annual regulatory fees.

³⁸⁸ NAB Reply at 12 (citing State Broadcasters FY 2021 Reply at 10).

³⁸⁹ NAB has concerns regarding Microsoft's use of spectrum on an unlicensed basis. See NAB, Advocacy, “Congress Should Prevent Any Microsoft Spectrum Grab,” available at <https://www.nab.org/advocacy/issue.asp?id=4206&issueid=1087> (last visited Aug. 4, 2022).

³⁹⁰ See, e.g., *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8464-65, para. 15 (“A fee system that strictly aligned FTEs with these activities and Bureaus on an ongoing basis would require a complex time and accounting system like the one the Commission tried in 1997 and 1998 and abandoned in 1999 due in part to the unpredictability and rapid shifts in fee rates that it created for fee payors. Keeping the fee schedule up to date could result in large shifts in fees from year to year, as the Commission's priorities and areas of focus change.”); *FY 2020 NPRM*, 35 FCC Rcd at 4980, para. 8, n.25 (citing the *FY 2012 Regulatory Fee Reform NPRM* and noting a need to avoid such shifts).

³⁹¹ For the most part, the users of such devices, consumers and manufacturers, do not have contact with the Commission. Further, even if we could ascertain such users at one point in time, this information would have to be updated continually.

Commission would have to continually re-assess this regulatory fee category to ensure that it is being implemented in a fair and equitable manner among all regulatory fee payors. With respect to the logistics of imposing an annual regulatory fee on users of devices capable of using spectrum on an unlicensed basis, it is unclear whether and how device manufacturers or distributors would be responsible for paying such a fee. The Commission establishes rules for and administers the equipment authorization program to ensure that RF devices used in the United States operate effectively without causing harmful interference and otherwise comply with the Commission's rules. However, under the current equipment authorization regime, the Commission does not collect information from or communicate with all device manufacturers because, many devices only require SDoC s or are exempt from authorization because they pose a limited potential of causing harmful interference. Further, the Commission has no reasonable means by which to comprehensively identify each and every individual user of RF devices on an unlicensed basis.³⁹² Thus, it would be nearly impossible for the Commission to annually assess and collect the regulatory fees each year in a fair and sustainable manner consistent with section 9 of the Communications Act.³⁹³

102. Finally, NAB contends that the Commission cannot continue to place the burden of paying for use of spectrum on an unlicensed basis on broadcasters who are forced to compete with some of the world's largest technology companies unencumbered by regulatory fee burdens in the name of administrative simplicity.³⁹⁴ Some "Big Tech" companies are a subset of the users of spectrum on an unlicensed basis. Thus, our above reasons for declining to adopt a regulatory fee category for users of spectrum on an unlicensed basis apply equally to any such "Big Tech" companies on the sole basis of being users of spectrum on an unlicensed basis, as proposed by commenters.³⁹⁵

103. Further, we decline to create a new regulatory fee category for the use of spectrum on an unlicensed basis premised on competitive considerations in the advertising industry.³⁹⁶ We have described above the record evidence demonstrating the broad and varied universe of users of spectrum on an unlicensed basis. There is no evidence in the record of any discernable and practicable overlap between the universe of users of spectrum on an unlicensed basis and the advertising industry, and

³⁹² Individual users of RF devices using spectrum on an unlicensed basis include millions of owners of commonly used devices, such as cordless telephones, garage door openers, baby monitors, microwave ovens, wireless headphones, personal medical devices, smart TVs, and even cellphones and smart phones, among other countless examples of consumer devices.

³⁹³ 47 U.S.C. § 159.

³⁹⁴ NAB Reply at 15; *see also* Comments from the National Association of Broadcasters to the Federal Communications Commission for FY 2021, MD Docket No. 21-190, at 12-15 (filed Oct. 21, 2021); Reply Comments from the Television Affiliates Association to the Federal Communications Commission for FY 2021, MD Docket No. 21-190 (Nov. 5, 2021). Contrary to NAB's implication, the "Big Tech" companies, such as Amazon, Google, Facebook, and Microsoft, referenced by NAB in its previous proposal in response to the Commission's Notice of Proposed Rulemaking appended to the *FY 2021 Report and Order*, pay regulatory fees for their services that are on the regulatory fee schedule, such as submarine cables. For some articles discussing their submarine cables, *see, e.g.*, Google Cloud, Infrastructure, "All about cables: A guide to posts on our infrastructure under the sea," (June 11, 2021), <https://cloud.google.com/blog/products/infrastructure/learn-about-googles-subsea-cables>; Microsoft, Stories, "Marica: The future of subsea cable," <https://news.microsoft.com/marica/> (last visited Aug. 4, 2022); and Reuters, Technology, "Facebook, Amazon seek U.S. approval to operate undersea data cable," (Aug. 13, 2021), <https://www.reuters.com/technology/facebook-amazon-seek-us-approval-operate-undersea-data-cable-2021-08-13/>(last visited Aug. 4, 2022).

³⁹⁵ The Commission previously sought comment on whether to assess regulatory fees on large technology companies on alternative grounds, "such as any advantages they receive because of the Commission's universal service or other activities[.]" *FY 2021 Report and Order*, 36 FCC Rcd at 13206, para. 73. We do not make any findings in this regard at this time.

³⁹⁶ *See* NAB, "Is Big Tech a Threat to Local Media?" available at <https://www.nab.org/bigTech/default.asp> (last visited Aug. 4, 2022) (explaining that when local news is online, "Big Tech" controls what is presented and the share of advertising revenue that the broadcasters who supply the news receive).

commenters do not explain how the Commission separately regulates or expends FTE resources on those that might be competing with broadcasters for advertising revenues. Thus, competition for advertising revenues is not a sufficient basis for creating a new regulatory fee category under section 9 of the Act. Accordingly, as we discussed above, we find that a new regulatory fee category for users of spectrum on an unlicensed basis, on the basis of the instant record, is not statutorily required and would be inconsistent with section 9 of the Act and the Commission's precedent thereunder, and we decline to adopt such regulatory fee categories at this time. We recognize the value in encouraging the development and innovation of technologies and decline to take such unprecedented action without a sufficient basis for making this change to the regulatory fee schedule.³⁹⁷

G. Advancing Diversity, Equity, Inclusion, and Accessibility

104. In the *FY 2022 NPRM*, we sought comment on how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility, as well the scope of the Commission's relevant legal authority.³⁹⁸ NCTA raises some concerns that establishing new regulatory fee categories for users of spectrum on an unlicensed basis or on broadband Internet access services could interfere with the Commission's efforts to advance diversity, equity, inclusivity, and accessibility.³⁹⁹ NCTA also asserts that establishing these new regulatory fee categories will frustrate the Commission's efforts to encourage the creation of innovative technologies and foster diversity in ownership of communications facilities and services.⁴⁰⁰ While we recognize the concerns raised by NCTA, we emphasize that such diversity and equity considerations do not impact our methodology for establishing regulatory fee rates. Such considerations do not allow the Commission to shift fees from one party of fee payors to another nor to raise fees for any purpose other than as an offsetting collection in the amount of our annual S&E appropriation, consistent with the requirements of section 9 of the Act. Moreover, because we decline to adopt these new regulatory fee categories proposed by commenters in this item, for reasons previously discussed in prior sections, we need not address the concerns raised by NCTA in this proceeding.

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

105. In 2020 and 2021, we provided relief to regulatees experiencing financial hardship caused or exacerbated by the COVID-19 pandemic.⁴⁰¹ In light of the ongoing pandemic and the likely continuing economic effect on certain Commission regulatees,⁴⁰² we find good cause exists to provide again the following temporary relief measures for FY 2022.⁴⁰³ We anticipate that many regulatees will avail themselves of these measures, as they did in FY 2020 and FY 2021, and that implementing the

³⁹⁷ Commenters observe that a regulatory fee on the use of spectrum on an unlicensed basis could discourage innovation. *See, e.g.*, INCOMPAS, CCIA, and DiMA Comments at 3; Coalition of Trade Associations and Public Interest Organizations Comments at 1-2 (stating that the Commission's decision "to permit unlicensed operations in the 6 GHz band, for example, will empower innovations such as AR/VR, drones, connected vehicles, telehealth, precision agriculture, and AI.>").

³⁹⁸ *FY 2022 NPRM* at *18, para 54.

³⁹⁹ NCTA Reply at 18-19 (noting that that establishing new regulatory fee categories for users of spectrum on an unlicensed basis and on broadband Internet access services would have a disproportionately negative impact on promoting greater broadband equity and inclusivity for low-income, communities of color, and on individuals living with disabilities who typically rely on wireless data and devices for everyday tasks).

⁴⁰⁰ NCTA Reply at 18-19.

⁴⁰¹ *FY 2020 Report and Order*, 36 FCC Rcd at 1760-61, paras. 80-84; *FY 2021 Report and Order*, 36 FCC Rcd at 13024-25, paras. 69-71.

⁴⁰² ⁴⁰² *See e.g.*, Goldman Sachs, Survey: Small Businesses on the Brink. *Omicron Hurting Main Street, Leading Small Business Owners to Overwhelmingly Support Congress Passing Additional Aid* (January 24, 2022), <https://www.goldmansachs.com/citizenship/10000-small-businesses/US/infographics/small-businesses-on-the-brink/index.html> (last visited Aug. 4, 2022).

⁴⁰³ *See* 47 CFR § 1.3.

measures will provide needed relief to those regulatees. First, we waive the requirement under section 1.1166 of the Commission's rules that regulatees seeking waiver (or reduction) and deferral of their regulatory fees on financial grounds related to the pandemic file separate pleadings for each form of relief sought.⁴⁰⁴ Instead, regulatees may combine their requests for relief in a single pleading. Second, we waive the paper filing requirement under section 1.1166⁴⁰⁵ and instruct regulatees to instead file their requests electronically, to regfeerelief@fcc.gov. Third, parties seeking to pay their regulatory fees over time may submit their installment payment requests to regfeerelief@fcc.gov, and combine their installment payment requests with requests for waiver, reduction and deferral, in a single pleading. Fourth, OMD will continue to exercise its delegated authority to partially waive section 1.1910 of the Commission's rules (i.e., the red-light rule)⁴⁰⁶ to allow regulatees on red light and experiencing financial hardship to nonetheless request waiver, reduction, deferral, and/or installment payment of their FY 2022 regulatory fees. In doing so, we maintain the requirement that such regulatees resolve all delinquent debt they owe to the Commission in advance of the Commission's decision on their relief requests.⁴⁰⁷ Fifth, OMD will continue to use its existing authority⁴⁰⁸ to reduce the interest rate normally charged on installment payment of regulatory fee debt owed to the Commission to a nominal rate and forgo the down payment normally required to grant installment payment requests. Finally, we partially waive the requirement that fee payors submit all documentation supporting a request for waiver, deferral or reduction of regulatory fees at the same time the underlying request is submitted.⁴⁰⁹ This allows fee payors to provide supplemental documents if requested by OMD as necessary to render decisions on regulatees' requests for relief.⁴¹⁰ We direct the Managing Director to release one or more public notices describing in more detail the relief we have described herein.

106. 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.⁴¹¹ Under the statute, the Commission may only waive a regulatory fee, penalty, or interest charge if it finds

⁴⁰⁴ 47 CFR § 1.1166(a), (c), (d).

⁴⁰⁵ 47 CFR § 1.1166(a).

⁴⁰⁶ 47 CFR § 1.1940.

⁴⁰⁷ The Commission implemented the red light rule in 2004 as an administrative debt collection tool pursuant to its authority under the Communications Act and the Debt Collection Improvement Act of 1996, as amended, 31 U.S.C. § 3701, *et seq.* (DCIA), *Implementation of the Debt Collection Improvement Act of 1996 and Adoption of Rules Governing Applications and Requests for Benefits by Delinquent Debtors*, MD Docket No. 02-339, Report and Order, 19 FCC Rcd 6540, 6541, paras. 3, 4 (2004) (*Red Light Order*). The Commission also amended section 0.231 of its rules to delegate to OMD and the Office of General Counsel the authority to determine and collect debt owed to the Commission, utilizing all available debt collection tools. *Red Light Order*, 19 FCC Rcd at 6545, para. 16; 47 CFR § 0.231; *see also* 47 CFR § 0.11(a)(10) (delegating authority to OMD to interpret rules and regulations pertaining to fees).

⁴⁰⁸ OMD's delegated authority under section 0.231 of the Commission's rules includes utilizing installment payment agreements to collect debt owed to the Commission. 47 CFR § 0.231(f); *see id.* § 1.1914. The Commission has the discretion to determine the rate of interest it will charge for installment payment and debt, 31 CFR § 901.9(b)(2); 47 CFR § 1.1940(b)(2), and to require a down payment. *See* 31 CFR § 901.8; 47 CFR § 1.1914 (in which the Federal Claims Collection Standards and the Commission's rules implementing the DCIA permit agencies to grant and shape the terms of installment payment of debt).

⁴⁰⁹ 47 CFR § 1.1166(c), (d).

⁴¹⁰ *FY 2019 Report and Order*, 34 FCC Rcd at 8208, para. 53 (eliminating any obligation by the Commission to consult its records for data pertinent to a waiver request and instead, required that a "party seeking regulator fee relief on any basis include with its request all documents and information the requestor believes to be relevant to prove its case"). OMD has delegated authority under section 0.231 of the Commission's rules to determine requests to waive, reduce and defer regulatory fees and thus, to waive the requirement that all supporting documentation be submitted with the request. 47 CFR § 0.231(f).

⁴¹¹ 47 U.S.C. § 159A(d).

there is good cause for the waiver and that the waiver is in the public interest.⁴¹² 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.”⁴¹³ Other statutory limitations include that the Commission must act on waiver requests individually,⁴¹⁴ and cannot extend the deadline we set for payment of fees beyond September 30.⁴¹⁵

IV. NOTICE OF INQUIRY

107. In this Notice of Inquiry, the Commission seeks further comment on its methodology for allocating indirect FTEs, as raised in the *FY 2022 NPRM*.⁴¹⁶ While we found above that the record supported a limited correction to the method used for calculating the fees associated with certain indirect FTEs in the Universal Service Fund context, we seek to more broadly explore these issues outside of the short timeframe necessitated by the annual regulatory fee proceeding. The responses we receive will help us determine if there are lines of inquiry worth exploring in order to further revise our methodology. Finally, we hope that the comments and replies will allow interested parties to gain a better understanding of the regulatory fee process and the issues of importance to the various groups affected by our regulatory fee policies.

108. Historically, the Commission assesses the allocation of FTEs by first determining the number of non-auctions 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 non-auctions Commission FTEs as indirect.⁴¹⁷ The direct FTEs within each core bureau are then attributed to regulatory fee categories based on the nature of the FTE work.⁴¹⁸ We expect that the work of the non-auctions direct FTEs in the four core bureaus will remain focused on the industry segment regulated by each of those bureaus.⁴¹⁹ For this reason, the Commission starts with direct FTE counts in the core bureaus and then potentially adjusts fees to reflect other factors related to the payor’s benefits.⁴²⁰

109. We initially seek comment on whether we should expand the definition of “core bureau” to include other bureaus and offices within the Commission. Commenters should discuss the additional

⁴¹² *Id.* 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 8207-08, paras 49-53.

⁴¹³ *FY 2020 Report and Order*, 36 FCC Rcd at 1762, para. 87.

⁴¹⁴ Section 9 of the Act does not permit the Commission to exempt any group of regulatees, other than those expressly exempted under the statute. 47 U.S.C. § 159(e). Instead, the statute requires a case-by-case determination to waive regulatory fees or related charges. *See id.* § 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.

⁴¹⁵ 47 U.S.C. § 159(b). September 30 marks the end of the Commission’s fiscal year. The Commission is required to collect the full amount of its appropriation in the offsetting regulatory fee collection for any given fiscal year by the fiscal year end. 47 U.S.C. § 159(b) (“The Commission shall assess and collect regulatory fees at such rates as the Commission shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the amounts described in subsection (a) with respect to such fiscal year.”).

⁴¹⁶ *FY 2022 NPRM* at *18, para. 53.

⁴¹⁷ *See FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8460, para. 5 & n.5; *FY 2012 Report and Order*, 27 FCC Rcd at 8392, paras. 3-5.

⁴¹⁸ Our methodology for implementing our regulatory fee authority essentially remains unchanged by the RAY BAUM’S Act. *See FY 2019 Report and Order*, 34 FCC Rcd at 8192-93, para. 7.

⁴¹⁹ *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8465-66, paras. 19-20.

⁴²⁰ *FY 2019 Report and Order*, 34 FCC Rcd at 8195, para. 16.

offices or bureaus we should consider “core” for regulatory fee purposes and why. We encourage commenters to review both the function and delegations of each office when considering this question.⁴²¹ Is the work of the office or bureau focused on a specific industry segment regulated by that office or bureau? If so, what is the industry segment? Is the office or bureau responsible for regulating other work not related to a specific industry segment? Commenters should address whether expanding the Commission’s definition of “core bureau” is feasible, administrable, sustainable, and consistent with section 9 of the Act.

110. Unlike the work of direct FTEs, the work of 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.⁴²² Thus, indirect FTEs generally work on a wide variety of issues which may include services that are not specifically correlated with one core bureau, let alone one specific category of regulatees.⁴²³ Further, much of the work that could be assigned to a single category of regulatees is likely to be interspersed with the work that indirect FTEs perform on behalf of many entities that do not pay regulatory fees, e.g., governmental entities, non-profit organizations, and regulatees that have an exemption.⁴²⁴ In addition to the fact that indirect FTEs work on matters that are not specific to any regulatory fee category, many Commission attorneys, engineers, analysts, and other staff work on a variety of issues even during a single fiscal year. Due to the variety of issues handled by many indirect FTEs, analyzing the work of such indirect FTEs for regulatory fee purposes and basing regulatory fees on specific assignments during any snapshot or incremental period of time, such as a year or two, would result in significant unplanned shifts in regulatory fees as assignments change.⁴²⁵

111. In calculating regulatory fees, the Commission allocates indirect FTEs proportionally based on the allocation percentage of direct FTEs of each core bureau. In essence, if a core bureau’s contribution to the regulatory fee burden is calculated to be 40%, then it is also responsible for 40% of the indirect costs. Commenters argue that this results in regulatory fee payors paying being unfairly burdened by costs of FTEs that do not directly provide oversight and regulation to such fee payors.⁴²⁶ We seek comment on whether the Commission should change its current methodology for calculating regulatory fees to minimize burdens on certain regulatory fee payors, while still collecting the entire appropriation, as required by section 9 of the Act. To the extent that commenters support amending the methodology, the proposals made must allow for the full collection of our annual appropriation. In other words, a proposed system that only provides that regulatees pay fees for the direct time of staff in the core bureaus would be per se contrary to our statutory mandate. Comments filed in the Notice of Inquiry docket proposing such amendments should provide full scale examples of the potential changes to the current methodology and explain how those changes would be consistent with section 9 of the Act.

112. As discussed above, we find that broadcasters should not be required to pay for a portion

⁴²¹ See 47 CFR § 0.231 (delegated authority of the Office of Managing Director); 47 CFR § 0.251 (delegated authority of the General Counsel); 47 CFR § 0.241 (delegated authority of the Chief of the Office of Engineering and Technology); 47 CFR § 0.271 (delegated authority of the Office of Economic and Analytics); 47 CFR § 0.311 (delegated authority of the Enforcement Bureau).

⁴²² See *FY 2021 Report and Order*, 36 FCC Rcd at 13001, para. 22.

⁴²³ *FY 2019 Report and Order*, 34 FCC Rcd at 8196, para. 18; *FY 2015 Report and Order*, 30 FCC Rcd at 10275, para. 17.

⁴²⁴ See, e.g., 47 U.S.C. § 159(e)

⁴²⁵ *FY 2019 Report and Order*, 34 FCC Rcd at 8196, para. 18. As the Commission observed in the *FY 2012 Regulatory Fee Reform NPRM*, with respect to the administrability of trying to allocate indirect FTEs to core bureaus, “if in one year the Public Safety and Homeland Security Bureau handles rulemakings related to broadcasting, but in the following year focuses on wireless services, the resulting shift in FTE allocations could have a substantial impact on the size of regulatory fees, which could then shift significantly again the very next year.” *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8465, para. 15.

⁴²⁶ See, e.g., State Broadcasters Associations Comments at 16-18; NAB Comments at 7-10.

of the 38 indirect FTEs working on Universal Service Fund issues that are in the Wireline Competition Bureau but are designated as indirect FTEs.⁴²⁷ Although we affirmed the Commission's previous finding in 2017 that these 38 FTEs were properly allocated as indirect FTEs for regulatory fee purposes, are there indirect FTEs that commenters believe should be considered direct FTEs for regulatory fee purposes? For example, in FY 2019, the Commission reassigned staff from other bureaus and offices to the Office of Economics and Analytics, effective December 11, 2018.⁴²⁸ This resulted in the reassignment of 95 FTEs (of which 64 were not auctions-funded) as indirect FTEs. The Commission also reassigned Equal Employment Opportunity enforcement staff from the Media Bureau to the Enforcement Bureau, effective March 15, 2019, resulting in a reduction of seven direct FTEs in the Media Bureau.⁴²⁹ These reassignments resulted in a reduction in direct FTEs in the Wireline Competition Bureau (from 123 FTEs to 100.8 FTEs), Wireless Telecommunications Bureau (from 89 FTEs to 80.5 FTEs), and Media Bureau (from 131 FTEs to 115.1 FTEs). In 2013, the Commission allocated all International Bureau FTEs except for 28 as indirect.⁴³⁰ Should we reconsider these assignments and now consider these FTEs direct FTEs in a core bureau instead of indirect? Commenters should discuss whether this allocation is still reasonable. Should we re-evaluate the number of direct and indirect FTEs in the International Bureau? For each category of FTE a commenter proposes to be reassigned, the commenter should explain how such reassignment is appropriate under both the Act and also the body of precedent relating to federal agency fee setting.⁴³¹ If these reassignments are still appropriate, should we consider other corrections to our fee calculation methodology, as we did in the Universal Service Fund context?

113. As indicated in the *FY 2022 NPRM*, early in each fiscal year, the Commission receives FTE data from its Human Resources Office, and identifies FTE data at the core bureau level (i.e., direct FTEs), which are then used to determine the FTE allocations for the four core bureaus.⁴³² These FTE data are then filtered down to the various fee categories within each core bureau based on the fee category percentages for each bureau.⁴³³ We encourage commenters in looking at the question to consider how indirect FTE time devoted to work on one or more regulated services could be considered direct FTE time. How should time be calculated for purposes of regulatory fees if FTE time is devoted to issues involving different regulated services at the same time (e.g., voice services)?

114. Commenters should also consider that indirect FTEs may be difficult to disaggregate in a manner that is easy to administer and transparent with respect to how it applies to certain regulated services. For example, a complex enforcement investigation involving a space station operator could result in many Enforcement Bureau indirect FTEs working on space station issues on a temporary basis instead of on other issues. Would allocating those indirect FTEs as direct FTEs for the International Bureau unfairly increase the regulatory fees for all space station licensees or all International Bureau regulatees for that fiscal year? Is there a way to disaggregate the time indirect FTEs may spend on issues associated with core bureaus in a way that would not result in significant regulatory fee increases from year to year? Taking into consideration practical limits on what the Commission may accomplish using existing systems and also limited staff time, how frequently should FTE time be analyzed for reassessments of the work done by indirect FTEs?

⁴²⁷ NAB Comments at 12-13.

⁴²⁸ See *Establishment of the Office of Economics and Analytics*, MD Docket No. 18-3, Order, 33 FCC Rcd 1539 (2018); FCC Opens Office of Economics And Analytics, Federal Communications Commission News Release, December 11, 2018, <https://www.fcc.gov/document/fcc-opens-office-economics-and-analytics>.

⁴²⁹ See *Transfer of EEO Audit and Enforcement Responsibilities to Enforcement Bureau*, DA 19-186, Public Notice, 34 FCC Rcd 1370 (EB 2019).

⁴³⁰ See *FY 2013 Report and Order*, 28 FCC Rcd at 12355-56, para. 14.

⁴³¹ 47 U.S.C. § 159(d); *supra* note 23.

⁴³² *FY 2022 NPRM* at *3, para. 6.

⁴³³ *Id.*

115. Other indirect FTEs may not be able to disaggregate the issues that they handle or may work on matters that do not correlate with any particular regulated service. Commenters who advocate analyzing the indirect FTE time to determine if their time can be allocated to specific regulated services should explain how to address indirect FTE time that cannot be specifically disaggregated into work performed for certain regulated services. SIA observes that the current indirect FTE allocation method is appropriate for certain non-core bureaus and offices, such as the Office of the General Counsel.⁴³⁴ Are there other bureaus and offices that commenters consider to be more appropriately designated as indirect? State Broadcasters Associations suggest that the Commission adopt a third classification of intersectional FTEs to avoid unfair burdens on broadcasters.⁴³⁵ SIA suggests an alternative allocation mechanism for indirect FTEs in cases where the work is not always proportional.⁴³⁶ Commenters should also specifically address these alternatives to the Commission's current methodology. Commenters should explain how we could implement these alternative suggestions, consistent with section 9 of the Act. Moreover, commenters should consider if such changes might result in a more complicated fee system that nevertheless results in the setting similar fee amounts but requires more time and Commission resources to manage.

116. One commenter, the State Broadcasters Associations, suggest that the Commission adopt a third classification of intersectional FTEs.⁴³⁷ SIA suggests an alternative allocation mechanism for indirect FTEs in cases where the work is not always proportional.⁴³⁸ Commenters should also specifically address these alternatives to the Commission's current regulatory fee methodology. Commenters should explain how we could implement these alternative suggestions, consistent with section 9 of the Act. Moreover, commenters should consider if such changes might result in a more complicated fee system that nevertheless results in the setting similar fee amounts but requires more time and Commission resources to manage.

117. Commenters advocating allocating indirect FTEs as direct for regulatory fee purposes should explain how we should assess FTE time in order to make the reallocation. Commenters are encouraged to consider practical aspects of FTE time. For example, how should FTEs devoted to administrative matters, such as releasing and posting Commission and Bureau level items, be categorized? Should such FTE time be considered indirect, or should each released item be analyzed to determine to which core bureau it is associated? How should FTE time devoted to matters encompassing voice issues (i.e., wireless and wireline, including VoIP) be characterized? Is there a fair way to allocate such FTE time among or between bureaus or should that FTE time be considered indirect? We note that our regulatory fee methodology must be consistent with the requirements of section 9 of the Communications Act that "fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission."⁴³⁹ Commenters should recognize that cherry picking certain groups of FTEs from indirect bureaus and offices and reassigning them as direct FTEs for regulatory fee purposes could result in a less equitable methodology overall and achieve a result inconsistent with their intention of reducing their regulatory fees. Finally, commenters should recognize that any new methodology they propose must be consistent with section 9 of the Act, fair, administrable, and sustainable.

V. PROCEDURAL MATTERS

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

⁴³⁴ SIA Comments at 6.

⁴³⁵ State Broadcasters Associations Comments at 16-18.

⁴³⁶ SIA Comments at 5.

⁴³⁷ State Broadcasters Associations Comments at 16-18.

⁴³⁸ SIA Comments at 5.

⁴³⁹ 47 U.S.C. § 159(d).

119. *Credit Card Transaction Levels.* In accordance with *Treasury Financial Manual*, Volume I, Part 5, Chapter 7000, Section 7055.20—*Transaction Maximums*, the highest amount that can be charged on a credit card for transactions with federal agencies is \$24,999.99.⁴⁴⁰ 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 the CORES system. Further details will be provided regarding payment methods and procedures at the time of FY 2022 regulatory fee collection in Fact Sheets, <https://www.fcc.gov/regfees>.

120. *Payment Methods.* During the fee season for collecting regulatory fees, regulatees can pay their fees by credit card through Pay.gov,⁴⁴¹ ACH, debit card,⁴⁴² 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, an FCC 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 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 <http://transition.fcc.gov/fees/wiretran.html>.

121. *De Minimis Regulatory Fees, Section 9(e)(2) Exemption.* Under the de minimis rule, and pursuant to our analysis under section 9(e)(2) of the Act, a regulatee is exempt from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities is \$1,000 or less for the fiscal year.⁴⁴³ 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.

122. *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, 2021 for AM/FM radio stations and VHF/UHF broadcast television stations. Regulatory fees must be paid for all broadcast facility licenses granted on or before

⁴⁴⁰ 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. *Treasury Financial Manual*, Volume I, part 5, Chapter 7000, Section 7055.30, *Prohibition on Splitting Transactions*. Note that the *Treasury Financial Manual*, Volume I, Part 5, Chapter 7000, *Credit and Debit Card Collection Transactions* was updated on June 23, 2022, effective October 1, 2022, reducing the credit card limit of intra-governmental transactions (government-to-government) from \$24,999.99 to \$10,000.00.

⁴⁴¹ *Treasury Financial Manual*, Volume I, Part 5, Chapter 7000, Section 7055—*Transaction Maximums*.

⁴⁴² *Id.*

⁴⁴³ *FY 2019 Report and Order*, 34 FCC Rcd at 8206-8207, paras. 46-48; 47 U.S.C. § 159(e)(2).

October 1, 2021.

- *Wireline (Common Carrier) Services*: Regulatory fees must be paid for authorizations that were granted on or before October 1, 2021. In instances where a permit or license is transferred or assigned after October 1, 2021, 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.⁴⁴⁴ 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.⁴⁴⁵ The unit count should be based on toll free numbers managed by RespOrgs on or about December 31, 2021.
- *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, 2021. The number of subscribers, units, or telephone numbers on December 31, 2021 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, 2021, 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."⁴⁴⁶ 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 2022.
- *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, 2021.⁴⁴⁷ Regulatory fees also must be paid for CARS licenses that were granted on or before October 1, 2021. In instances where a permit or license is transferred or assigned after October 1, 2021, 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, 2021. In instances where a permit or license is transferred or assigned after October 1, 2021, 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, (2) geostationary orbit space stations and non-geostationary orbit satellite systems, and (3) small satellite space stations that were licensed and operational on or before October 1, 2021. In instances where a permit or license is transferred or assigned after October 1, 2021, responsibility for payment rests with the holder of the permit or license as of the fee due date.

⁴⁴⁴ Audio bridging services are toll teleconferencing services.

⁴⁴⁵ 47 CFR § 52.103.

⁴⁴⁶ These multiyear licenses are for PLMRS (exclusive), PLMRS (shared), Microwave, Marine (ship), Aviation (aircraft), Marine (coast), and Aviation (ground).

⁴⁴⁷ Cable television system operators should compute their number of basic subscribers as follows: Number of single family dwellings + number of individual households in multiple dwelling unit (apartments, condominiums, mobile home parks, etc.) paying at the basic subscriber rate + bulk rate customers + courtesy and free service. Note: Bulk-Rate Customers = Total annual bulk-rate charge divided by basic annual subscription rate for individual households. Operators may base their count on "a typical day in the last full week" of December 2021, rather than on a count as of December 31, 2021.

- *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, 2021. Regulatory fees for terrestrial and satellite IBCs are to be paid based on active (used or leased) international bearer circuits as of December 31, 2021 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, 2021. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits.⁴⁴⁸ In instances where a permit or license is transferred or assigned after October 1, 2021, responsibility for payment rests with the holder of the permit or license as of the fee due date.

123. *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”).⁴⁴⁹ 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. 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).

124. 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.⁴⁵⁰ The Commission will then review the revised count and supporting documentation and either approve or disapprove the submission in Fee Filer. If the submission is disapproved, the Commission will contact the provider to afford the provider an opportunity to discuss its revised subscriber count and/or provide additional supporting documentation. If we receive no response from the provider, or we do not reverse our initial disapproval of the provider’s revised count submission, the fee payment must be based on the number of subscribers listed initially in Fee Filer. Once the timeframe for revision has passed, the telephone number counts are final and are the basis upon which CMRS regulatory fees are to be paid. Providers can view their final telephone counts online in Fee Filer. A final CMRS assessment letter will not be mailed out.

125. 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.

⁴⁴⁸ 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.

⁴⁴⁹ 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).

⁴⁵⁰ 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.

126. *Effective Date.* Providing a 30-day period after Federal Register publication before this Report and Order becomes effective as normally required by 5 U.S.C. § 553(d) will not allow sufficient time to collect the FY 2022 fees before FY 2022 ends on September 30, 2022. 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 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.

127. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),⁴⁵¹ requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.”⁴⁵² The Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of this Report and Order on small entities. The FRFA is set forth in Appendix I.

128. *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).

129. *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 this rule is non-major under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

130. *Ex Parte Rules.* This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁴⁵³ 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 rule 1.1206(b).⁴⁵⁴ In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic

⁴⁵¹ See 5 U.S.C. §§ 601–612. The RFA, 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).

⁴⁵² See 5 U.S.C. § 605(b).

⁴⁵³ 47 CFR § 1.1200 *et seq.* Although the Commission’s rules do not generally require *ex parte* presentations to be treated as “permit but disclose” in Notice of Inquiry proceedings, *see id.* § 1.1204(b)(1), we exercise our discretion in this instance and find that the public interest is served by making *ex parte* presentations available to the public in order to encourage a robust record. *See id.* § 1.1200(a).

⁴⁵⁴ 47 CFR § 1.1206(b).

comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf).⁴⁵⁵ Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

131. *Comment Filing Procedures.* Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments in response to the Notice of Inquiry on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) and must be filed under **MD Docket No. 22-301**. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
 - 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, DC 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-19.⁴⁵⁶

132. *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be publicly available online via ECFS. These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, when FCC Headquarters reopen to the public.

133. *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).

VI. ORDERING CLAUSES

134. 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 and Notice of Inquiry **IS HEREBY ADOPTED**.

135. **IT IS FURTHER ORDERED** that the FY 2022 section 9 regulatory fees assessment requirements and the rules set forth in Appendix J **ARE ADOPTED** as specified herein.

136. **IT IS FURTHER ORDERED** that the Report and Order **SHALL BE EFFECTIVE** upon publication in the Federal Register.

137. **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, including

⁴⁵⁵ 47 CFR § 1.49(f).

⁴⁵⁶ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, DA 20-304, Public Notice, 35 FCC Rcd 2788 (2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

the Final Regulatory Flexibility Analysis in Appendix I, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX A

List of Commenters

Name of Commenter	Abbreviated Name	Date Filed
Alabama Broadcasters Association, Alaska Broadcasters Association, Arizona Broadcasters Association, Arkansas Broadcasters Association, California Broadcasters Association, Colorado Broadcasters Association, Connecticut Broadcasters Association, Florida Association of Broadcasters, Georgia Association of Broadcasters, Hawaii Association of Broadcasters, Idaho State Broadcasters Association, Illinois Broadcasters Association, Indiana Broadcasters Association, Iowa Broadcasters Association, Kansas Association of Broadcasters, Kentucky Broadcasters Association, Louisiana Association of Broadcasters, Maine Association of Broadcasters, MD/DC/DE Broadcasters Association, Massachusetts Broadcasters Association, Michigan Association of Broadcasters, Minnesota Broadcasters Association, Mississippi Association of Broadcasters, Missouri Broadcasters Association, Montana Broadcasters Association, Nebraska Broadcasters Association, Nevada Broadcasters Association, New Hampshire Association of Broadcasters, New Jersey Broadcasters Association, New Mexico Broadcasters Association, The New York State Broadcasters Association, Inc., North Carolina Association of Broadcasters, North Dakota Broadcasters Association, Ohio Association of Broadcasters, Oklahoma Association of Broadcasters, Oregon Association of Broadcasters, Pennsylvania Association of Broadcasters, Radio Broadcasters Association of Puerto Rico, Rhode Island Broadcasters Association, South Carolina Broadcasters Association, South Dakota Broadcasters Association, Tennessee Association of Broadcasters, Texas Association of Broadcasters, Utah Broadcasters Association, Vermont Association of Broadcasters, Virginia Association of Broadcasters, Washington State Association of Broadcasters, West Virginia Broadcasters Association, Wisconsin Broadcasters Association, and Wyoming Association of Broadcasters	State Broadcasters Associations	7/5/22
Cable & Wireless Networks; GlobeNet Cabos Submarinos Americas, Inc.; GU Holdings, Inc.	Submarine Cable Coalition	7/5/22

(wholly-owned subsidiary of Google LLC); Hawaiki Submarine Cable USA LLC; SETAR; Tata Communications (Americas), Inc.		
Computer & Communications Industry Association (CCIA); Digital Media Association (DiMA), INCOMPAS, and Internet Association	INCOMPAS, CCIA, and DiMA	7/5/22
K. M. Richards	Richards	6/6/22
National Association of Broadcasters	NAB	7/5/22
New Jersey Broadcasters Association	NJBA	7/5/22
Orbital Sidekick, Inc.	OSK	7/5/22
O3b Limited; SES Americom, Inc.; Telesat Canada; and WorldVu Satellites Limited d/b/a OneWeb	Satellite Coalition	7/5/22
Satellite Industry Association	SIA	7/5/22
Spaceflight, Inc.	Spaceflight	7/5/22

Reply Comments

Name of Commenter	Abbreviated Name	Date Filed
AGM California, Inc.; AGM Nevada, LLC; Alabama Media, LLC; Brayden Madison Broadcasting, L.L.C.; Coxswain Media, LLC; Davis Broadcasting Inc. of Columbus; Equity Communications, LP; Florida Keys Media, LLC; Galaxy Syracuse Licensee LLC; Galaxy Utica Licensee LLC; Golden Isles Broadcasting; Gulf South Radio, Inc.; Heh Communications, LLC; Holladay Broadcasting of Louisiana, LLC; Inland Empire Broadcasting Corp.; Jam Communications, Inc.; Kensington Digital Media, L.L.C.; Kensington Digital Media Of Indiana, L.L.C.; KLAX Licensing, Inc.; KLOS Radio Holdings, LLC; KPWR Radio Holdings, LLC; KRZZ Licensing, Inc.; KWHY-22 Broadcasting, LLC; KXOL Licensing, Inc.; KXOS Radio Holdings, LLC; L.M. Communications, Inc.; L.M. Communications of Kentucky, LLC; L.M. Communications of South Carolina, Inc.; Meridian Media Group, LLC; Meruelo Radio Holdings, LLC; Mississippi Broadcasters, LLC; New South Radio, Inc.; Partnership Radio, L.L.C.; Pathfinder Communications Corporation; QBS Broadcasting, LLC; Sarkes Tarzian, Inc.; SBR Broadcasting Corporation; Serge Martin Enterprises, Inc.; Spanish Broadcasting System Holding Company, Inc.; Talking Stick Communications, L.L.C.; WCMQ Licensing, Inc.;	Joint Broadcasters	7/18/22

Winton Road Broadcasting Co., LLC; WKLC, Inc.; WLEY Licensing, Inc.; WMEG Licensing, Inc.; WPAT Licensing, Inc.; WPYO Licensing, Inc.; WRMA Licensing, Inc.; WRXD Licensing, Inc.; WSBS Licensing, Inc.; WSKQ Licensing, Inc.; WSUN Licensing, Inc.; WXDJ Licensing, Inc.		
American Lighting Association, Association of Equipment Manufacturers, Association of Home Appliance Manufacturers, National Electrical Manufacturers Association, North American Association of Food Equipment Manufacturers, Outdoor Power Equipment Institute, Plumbing Manufacturers International, Power Tool Institute, and Wi-SUN Alliance	Joint Manufacturers	7/18/22
Astroscale U.S.	Astroscale	7/18/22
CTIA—The Wireless Association®	CTIA	7/18/22
Lumen	Lumen	7/18/22
Maxar Technologies Inc.; Amazon Web Services, Inc.; Planet Labs PBC; BlackSky Global LLC; Care Weather Technologies, Inc.; Hedron Space Inc.; HawkEye 360, Inc.; Spire Global Inc.; Astro Digital US, Inc.; Umbra Lab, Inc.; and Loft Orbital Solutions Inc.	EESS Coalition	7/18/22
National Association of Broadcasters	NAB	7/18/22
National Religious Broadcasters	NRB	7/13/22
NCTA—The Internet & Television Association	NCTA	7/18/22
O3b Limited; SES Americom, Inc.; Telesat Canada; and WorldVu Satellites Limited d/b/a OneWeb	Satellite Coalition	7/18/22
Satellite Industry Association	SIA	7/18/22
Spaceflight, Inc.	Spaceflight	7/18/22
TechFreedom	TechFreedom	7/18/22
Turion Space Corp.	Turion	7/18/22
Wi-Fi Alliance®	Wi-Fi Alliance	7/18/22
WISPA – Broadband Without Boundaries	WISPA	7/18/22

Ex Partes

Name or abbreviated name of Filer	Ex Parte Filing	Date Filed
NAB	Letter from Rick Kaplan, Chief Legal Officer and Executive Vice President, NAB, to Marlene H. Dortch, Secretary, FCC	7/27/22
NAB	Letter from Rick Kaplan, Chief Legal Officer and Executive Vice President, NAB, to Marlene H. Dortch, Secretary, FCC	7/28/22
OneWeb, SES, and Telesat	Letter from Karis A. Hastings, SatCom Law, LLC, to Marlene H. Dortch, Secretary, FCC	8/5/22
OneWeb, SES, and Telesat	Letter from Karis A. Hastings, SatCom Law, LLC, to Marlene H. Dortch, Secretary, FCC	8/8/22
NAB	Letter from Rick Kaplan, Chief Legal Officer and Executive Vice President, NAB, to Marlene H. Dortch, Secretary, FCC	8/9/22
Telesat	Letter from Elisabeth Neasmith, Director, Telesat, to Marlene H. Dortch, Secretary, FCC	8/12/22
East Arkansas Broadcasters	Letter from Bobby Caldwell, CEO, East Arkansas Broadcasters, to Marlene H. Dortch, Secretary, FCC	8/12/22
WNRP (AM)	Letter from David E. Hoxeng, Owner, WNRP (AM), to Marlene H. Dortch, Secretary, FCC	8/12/22
State Broadcasters Associations	Letter from Lauren Lynch Flick, attorney for the State Broadcasters Associations, to Marlene H. Dortch, Secretary, FCC	8/12/22
Wheeler Broadcasting	Letter from Leonard Wheeler, President, Wheeler Broadcasting, to Marlene H. Dortch, Secretary, FCC	8/15/22

South Seas Broadcasting and Delta Radio	Letter from Larry Fuss, owner, South Seas Broadcasting and Delta Radio, to Marlene H. Dortch, Secretary, FCC	8/15/22
State Broadcasters Associations	Letter from Lauren Lynch Flick, attorney for the State Broadcasters Associations, to Marlene H. Dortch, Secretary, FCC	8/15/22
State Broadcasters Associations	Letter from Lauren Lynch Flick, attorney for the State Broadcasters Associations, to Marlene H. Dortch, Secretary, FCC	8/15/22
NAB	Letter from Rick Kaplan, Chief Legal Officer and Executive Vice President, NAB, to Marlene H. Dortch, Secretary, FCC	8/15/22
Bryan Broadcasting	Letter from Ben Downs, Vice President and General Manager, Bryan Broadcasting, to Marlene H. Dortch, Secretary, FCC	8/15/22
Bustos Media	Letter from Amador S. Bustos, President, Bustos Media Holdings, LLC, to Marlene H. Dortch, Secretary, FCC	8/18/22
Kaspar Broadcasting	Letter from Russ Kaspar, President, Kaspar Broadcasting Co., Inc. to Marlene H. Dortch, Secretary, FCC	8/18/22
State Broadcasters Associations	Letter from Lauren Lynch Flick, attorney for the State Broadcasters Associations, to Marlene H. Dortch, Secretary, FCC	8/19/22
Cromwell Radio	Letter from Bayard H. Walters, President, Cromwell Group, Inc., to Jessica Rosenworcel, Chairwoman, FCC	8/22/22
Mountain Top Media	Letter from Cindy May Johnson, President, Mountain Top Media, LLC, to Marlene	8/22/22

	H. Dortch, Secretary, FCC	
NAB	Letter from Rick Kaplan, Chief Legal Officer and Executive Vice President, NAB, to Marlene H. Dortch, Secretary, FCC	8/31/22

APPENDIX B

Calculation of FY 2022 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 2022 Payment Units	Yrs	FY 2021 Revenue Estimate	Pro-Rated FY 2022 Revenue Requirement	Computed FY 2022 Regulatory Fee	Rounded FY 2022 Reg. Fee	Expected FY 2022 Revenue
PLMRS (Exclusive Use)	750	10	75,000	187,500	25.00	25	187,500
PLMRS (Shared use)	12,500	10	990,000	1,250,000	10.00	10	1,250,000
Microwave	18,000	10	4,750,000	4,500,000	25.00	25	4,500,000
Marine (Ship)	6,900	10	922,500	1,035,000	15.00	15	1,035,000
Aviation (Aircraft)	4,200	10	390,000	420,000	10.00	10	420,000
Marine (Coast)	210	10	16,000	84,000	40.00	40	84,000
Aviation (Ground)	350	10	110,000	70,000	20.00	20	70,000
AM Class A ¹	62	1	290,745	316,755	5,109	5,110	316,820
AM Class B ¹	1,443	1	3,610,880	3,930,011	2,724	2,725	3,932,175
AM Class C ¹	825	1	1,291,125	1,407,030	1,706	1,705	1,406,625
AM Class D ¹	1,421	1	4,267,835	4,648,721	3,271	3,270	4,646,670
FM Classes A, B1 & C3 ¹	3,125	1	8,886,395	9,804,141	3,137	3,135	9,796,875
FM Classes B, C, C0, C1 & C2 ¹	3,137	1	11,100,080	12,005,143	3,827	3,825	11,999,025
AM Construction Permits ²	5	1	3,660	3,275	655	655	3,275
FM Construction Permits ²	16	1	58,850	18,320	1,145	1,145	18,320
Digital Television ⁵ (including Satellite TV)	3.283 billion population	1	25,416,380	27,674,061	.0084303	.008430	27,673,145
Digital TV Construction Permits ²	4	1	20,400	20,800	5,199	5,200	20,800
LPTV/Class A/Translators FM Trans/Boosters	5,466	1	1,649,920	1,799,713	329.3	330	1,803,780
CARS Stations	135	1	233,250	231,341	1,714	1,715	231,525
Cable TV Systems, including IPTV & DBS	66,500,000	1	76,244,000	76,851,478	1.1557	1.16	77,140,000
Interstate Telecommunication Service Providers	\$27,700,000,000	1	120,400,000	125,327,520	0.004524	0.00452	125,204,000
Toll Free Numbers	34,700,000	1	4,020,000	4,306,310	0.12410	0.12	4,164,000
CMRS Mobile Services (Cellular/Public Mobile)	535,000,000	1	75,600,000	73,140,629	0.1367	0.14	74,900,000
CMRS Messaging Services	1,500,000	1	136,000	120,000	0.0800	0.080	120,000
BRS/ ³	1,225	1	756,250	722,750	590	590	722,750

Fee Category	FY 2022 Payment Units	Yrs	FY 2021 Revenue Estimate	Pro-Rated FY 2022 Revenue Require- ment	Computed FY 2022 Regulatory Fee	Rounded FY 2022 Reg. Fee	Expected FY 2022 Revenue
LMDS	350	1	206,910	206,500	590	590	206,500
Per Gbps circuit Int'l Bearer Circuits Terrestrial (Common & Non-Common) & Satellite (Common & Non- Common)	12,000	1	468,700	467,047	38.92	39	468,000
Submarine Cable Providers (See chart at bottom of Appendix C) ⁴	64.438	1	8,839,554	8,873,891	137,713	137,715	8,874,010
Earth Stations	2,900	1	1,785,000	1,798,221	620.1	620	1,798,000
Space Stations (Geostationary)	139	1	17,177,685	17,244,609	124,062	124,060	17,244,340
Space Stations (Non- Geostationary, Other)	10	1	3,435,550	3,400,062	340,006	340,005	3,400,050
Space Stations (Non- Geostationary, Less Complex)	6	1	858,865	850,015	141,669	141,670	850,020
Space Stations (Non- Geostationary, Small Satellite)	5	1	0	61,075	12,215	12,215	61,075
***** Total Estimated Revenue to be Collected			373,920,077	384,066,626			384,549,196
***** Total Revenue Requirement			374,000,000	381,950,000			381,950,000
Difference			(79,923)	2,116,626			2,599,196

Notes on Appendix B

¹ The fee amounts listed in the column entitled “Rounded New FY 2022 Regulatory Fee” constitute a weighted average broadcast regulatory fee by class of service. The actual FY 2022 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 2022 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)	.14
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)	590
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	590
AM Radio Construction Permits	655
FM Radio Construction Permits	1,145
AM and FM Broadcast Radio Station Fees	See Table Below
Digital TV (47 CFR part 73) VHF and UHF Commercial Fee Factor	\$.008430 See Appendix G for fee amounts due, also available at https://www.fcc.gov/licensing-databases/fees/regulatory-fees
Digital TV Construction Permits	5,200
Low Power TV, Class A TV, TV/FM Translators & FM Boosters (47 CFR	330

Fee Category	Annual Regulatory Fee (U.S. \$s)
part 74)	
CARS (47 CFR part 78)	1,715
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV and Direct Broadcast Satellite (DBS)	1.16
Interstate Telecommunication Service Providers (per revenue dollar)	.00452
Toll Free (per toll free subscriber) (47 CFR section 52.101 (f) of the rules)	.12
Earth Stations (47 CFR part 25)	620
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	124,060
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other)	340,005
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex)	141,670
Space Stations (per license/call sign in non-geostationary orbit) (47 CFR part 25) (Small Satellite)	12,215
International Bearer Circuits - Terrestrial/Satellites (per Gbps circuit)	\$39
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

FY 2022 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	\$1,050	\$755	\$655	\$720	\$1,145	\$1,310
25,001 – 75,000	\$1,575	\$1,135	\$985	\$1,080	\$1,720	\$1,965
75,001 – 150,000	\$2,365	\$1,700	\$1,475	\$1,620	\$2,575	\$2,950
150,001 – 500,000	\$3,550	\$2,550	\$2,215	\$2,435	\$3,870	\$4,430
500,001 – 1,200,000	\$5,315	\$3,820	\$3,315	\$3,645	\$5,795	\$6,630
1,200,001 – 3,000,000	\$7,980	\$5,740	\$4,980	\$5,470	\$8,700	\$9,955
3,000,001 – 6,000,000	\$11,960	\$8,600	\$7,460	\$8,200	\$13,040	\$14,920
>6,000,000	\$17,945	\$12,905	\$11,195	\$12,305	\$19,570	\$22,390

FY 2022 International Bearer Circuits - Submarine Cable Systems

Submarine Cable Systems (capacity as of December 31, 2021)	Fee Ratio	FY 2022 Regulatory Fees
Less than 50 Gbps	.0625 Units	\$8,610
50 Gbps or greater, but less than 250 Gbps	.125 Units	\$17,215
250 Gbps or greater, but less than 1,500 Gbps	.25 Units	\$34,430
1,500 Gbps or greater, but less than 3,500 Gbps	.5 Units	\$68,860
3,500 Gbps or greater, but less than 6,500 Gbps	1.0 Unit	\$137,715
6,500 Gbps or greater	2.0 Units	\$275,430

APPENDIX D

Sources of Payment Unit Estimates for FY 2022

In order to calculate individual service fees for FY 2022, we adjusted FY 2021 payment units for each service to more accurately reflect expected FY 2022 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, where 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. As more current data is received after the *Notice of Proposed Rulemaking (NPRM)* is released, the Commission sometimes adjusts the NPRM fee rates to reflect the new information in the *Report and Order*. This is intended to make sure that the fee rates in the *Report and Order* reflect more recent and accurate information.

We sought verification for these estimates from multiple sources and, in all cases, we compared FY 2022 estimates with actual FY 2021 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 2022 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 2022 payment units are based on FY 2021 actual payment units, it does not necessarily mean that our FY 2022 projection is exactly the same number as in FY 2021. We have either rounded the FY 2022 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 2021 payment data.
CMRS Messaging Services	Based on WTB reports, and FY 2021 payment data.
AM/FM Radio Stations	Based on CDBS data, adjusted for exemptions, and actual FY 2021 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 2021 payment units.

LPTV, Translators and Boosters, Class A Television	Based on LMS data, adjusted for exemptions, and actual FY 2021 payment units.
BRS (formerly MDS/MMDS)LMDS	Based on WTB reports and actual FY 2021 payment units. Based on WTB reports and actual FY 2021 payment units.
Cable Television Relay Service (CARS) Stations	Based on data from Media Bureau's COALS database and actual FY 2021 payment units.
Cable Television System Subscribers, Including IPTV Subscribers	Based on publicly available data sources for estimated subscriber counts, trend information from past payment data, and actual FY 2021 payment units.
Interstate Telecommunication Service Providers	Based on FCC Form 499-A worksheets due in April 2022, and any data assistance provided by the Wireline Competition Bureau.
Earth Stations	Based on International Bureau licensing data and actual FY 2021 payment units.
Space Stations (GSOs & NGSOs)	Based on International Bureau data reports and actual FY 2021 payment units.
International Bearer Circuits	Based on assistance provided by the International Bureau, any data submissions by licensees, adjusted as necessary, and actual FY 2021 payment units.
Submarine Cable Licenses	Based on International Bureau license information, and actual FY 2021 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 2022 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	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 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	INELSAT 905	GSO
Intelsat License LLC, Debtor-in-Possession	S2405	INTELSAT 901	GSO
Intelsat License LLC, Debtor-in-Possession	S2408	INTELSAT 904	GSO
Intelsat License LLC, Debtor-in-Possession	S2804	INTELSAT 25	GSO
Intelsat License LLC, Debtor-in-Possession	S2959	INTELSAT 35e	GSO
Intelsat License LLC, Debtor-in-Possession	S2237	INTELSAT 11	GSO
Intelsat License LLC, Debtor-in-Possession	S2785	INTELSAT 14	GSO

Intelsat License LLC, Debtor-in-Possession	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.	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.	S2713	AMC-18	GSO
SES Americom, Inc.	S2433	AMC-11	GSO
SES Americom, Inc./Alascom, Inc.	S2379	AMC-8	GSO
Sirius XM Radio Inc.	S2710	FM-5	GSO
Sirius XM Radio Inc.	S3033	XM-7	GSO
Sirius XM Radio Inc.	S3034	XM-8	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

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	S3031	EUTELSAT 133 WEST A	GSO
Eutelsat S. A.	S3056	EUTELSAT 8 WEST B	GSO
Gamma Acquisition L.L.C.	S2633	TerreStar 1	GSO
Hispamar Satélites, S.A.	S2793	AMAZONAS-2	GSO
Hispamar Satélites, S.A.	S2886	AMAZONAS-3	GSO
Hispasat, S.A.	S2969	HISPASAT 30W-6	GSO
Inmarsat PLC	S2932	Inmarsat-4 F3	GSO
Inmarsat PLC	S2949	Inmarsat-3 F5	GSO
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 VI	APSTAR 6	M292090	GSO
AUSSAT B 152E	OPTUS D2	M221170	GSO
CAN-BSS3 and CAN-BSS	ECHOSTAR 23	SM1987/SM2975	GSO
Ciel Satellite Group	Ciel-2	E050029	GSO
Eutelsat 65 West A	Eutelsat 65 West A	E160081	GSO
INMARSAT 4F1	INMARSAT 4F1	KA25	GSO
INMARSAT 5F2	INMARSAT 5F2	E120072	GSO
INMARSAT 5F3	INMARSAT 5F3	E150028	GSO
JCSAT-2B	JCSAT-2B	M174163	GSO
NIMIQ 5	NIMIQ 5	E080107	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	SPACEX Ku/Ka-Band	S2983/S3018	Other
Swarm Technologies	SWARM	S3041	Other
Planet Labs	Flock/Skysats	S2912	Less Complex
Maxar License	WorldView 1,2 & 3, GeoEye-1	S2129/S2348	Less Complex
BlackSky Global	Global	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
Myriota Pty. Ltd	MYRIOTA	S3047	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

NGSO Systems Licensed Under the Streamlined Small Satellite Rules

<u>ITU Name (if available)</u>	<u>Common Name</u>	<u>Call Sign</u>	<u>NGSO</u>
Capella Space Corp.	Capella-2, Capella-3, Capella-4	S3073	Small Satellite
Capella Space Corp.	Capella-5, Capella-6	S3080	Small Satellite
Loft Orbital Solutions Inc.	YAM-2	S3052	Small Satellite
Loft Orbital Solutions Inc.	YAM-3	S3072	Small Satellite
R2 Space, Inc.	XR-1	S3067	Small Satellite

APPENDIX G

FY 2022 Full-Service Broadcast Television Stations by Call Sign

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
3246	KA AH-TV	955,391	879,906	\$ 7,418
18285	KAAL	589,502	568,169	\$ 4,790
11912	KAAS-TV	220,262	219,922	\$ 1,854
56528	KABB	2,474,296	2,456,689	\$ 20,710
282	KABC-TV	17,540,791	16,957,292	\$ 142,950
1236	KACV-TV	372,627	372,330	\$ 3,139
33261	KADN-TV	877,965	877,965	\$ 7,401
8263	KA EF-TV	138,085	122,808	\$ 1,035
2728	KAET	4,217,217	4,184,386	\$ 35,274
2767	KAFT	1,204,376	1,122,928	\$ 9,466
62442	KAID	711,035	702,721	\$ 5,924
4145	KA II-TV	188,810	165,396	\$ 1,394
67494	KAIL	1,947,635	1,914,765	\$ 16,141
13988	KAIT	861,149	845,812	\$ 7,130
40517	KAJB	383,886	383,195	\$ 3,230
65522	KAKE	803,937	799,254	\$ 6,738
804	KAKM	380,240	379,105	\$ 3,196
148	KAKW-DT	2,615,956	2,531,813	\$ 21,343
51598	KALB-TV	943,307	942,043	\$ 7,941
51241	KALO	954,557	910,409	\$ 7,675
40820	KAMC	391,526	391,502	\$ 3,300
8523	KAMR-TV	366,476	366,335	\$ 3,088
65301	KAMU-TV	346,892	342,455	\$ 2,887
2506	KAPP	319,797	283,944	\$ 2,394
3658	KARD	703,234	700,887	\$ 5,908
23079	KARE	3,924,944	3,907,483	\$ 32,940
33440	KARK-TV	1,212,038	1,196,196	\$ 10,084
37005	KARZ-TV	1,113,486	1,095,224	\$ 9,233
32311	KASA-TV	1,161,837	1,119,457	\$ 9,437

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
41212	KASN	1,175,627	1,159,721	\$ 9,776
7143	KASW	4,174,437	4,160,497	\$ 35,073
55049	KASY-TV	1,145,133	1,100,391	\$ 9,276
33471	KATC	1,348,897	1,348,897	\$ 11,371
13813	KATN	97,466	97,128	\$ 819
21649	KATU	3,030,547	2,881,993	\$ 24,295
33543	KATV	1,257,777	1,234,933	\$ 10,410
50182	KAUT-TV	1,637,333	1,636,330	\$ 13,794
21488	KAUU	381,413	380,355	\$ 3,206
6864	KAUZ-TV	381,671	379,435	\$ 3,199
73101	KAVU-TV	319,618	319,484	\$ 2,693
49579	KAWB	186,919	186,845	\$ 1,575
49578	Kawe	136,033	133,937	\$ 1,129
58684	KAYU-TV	809,464	750,766	\$ 6,329
29234	KAZA-TV	14,973,535	13,810,130	\$ 116,419
17433	KAZD	6,776,778	6,774,172	\$ 57,106
1151	KAZQ	1,097,010	1,084,327	\$ 9,141
35811	KAZT-TV	436,925	359,273	\$ 3,029
4148	KBAK-TV	1,510,400	1,263,910	\$ 10,655
16940	KBCA	479,260	479,219	\$ 4,040
53586	KBCB	1,256,193	1,223,883	\$ 10,317
69619	KBCW	8,227,562	7,375,199	\$ 62,173
22685	KBDI-TV	4,042,177	3,683,394	\$ 31,051
56384	KBEH	17,736,497	17,695,306	\$ 149,171
65395	KBFD-DT	953,207	834,341	\$ 7,033
169030	KBGS-TV	159,269	156,802	\$ 1,322
61068	KBHE-TV	140,860	133,082	\$ 1,122
48556	KBIM-TV	205,701	205,647	\$ 1,734
29108	KBIN-TV	912,921	911,725	\$ 7,686
33658	KBJR-TV	275,585	271,298	\$ 2,287
83306	KBLN-TV	297,384	134,927	\$ 1,137

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
63768	KBLR	1,964,979	1,915,861	\$ 16,151
53324	KBME-TV	123,571	123,485	\$ 1,041
10150	KBMT	743,009	742,369	\$ 6,258
22121	KBMY	119,993	119,908	\$ 1,011
49760	KBOI-TV	715,191	708,374	\$ 5,972
55370	KBRR	149,869	149,868	\$ 1,263
66414	KBSD-DT	155,012	154,891	\$ 1,306
66415	KBSH-DT	102,781	100,433	\$ 847
19593	KBSI	756,501	754,722	\$ 6,362
66416	KBSL-DT	49,814	48,483	\$ 409
4939	KBSV	1,352,166	1,262,708	\$ 10,645
62469	KBTC-TV	3,697,981	3,621,965	\$ 30,533
61214	KBTW-TV	734,008	734,008	\$ 6,188
6669	KBTX-TV	4,404,648	4,401,048	\$ 37,101
35909	KBVO	1,498,015	1,312,360	\$ 11,063
58618	KBVU	135,249	120,827	\$ 1,019
6823	KBYU-TV	2,389,548	2,209,060	\$ 18,622
33756	KBZK	123,523	109,131	\$ 920
21422	KCAL-TV	17,499,483	16,889,157	\$ 142,376
11265	KCAU-TV	714,315	706,224	\$ 5,953
14867	KCBA	3,088,394	2,369,803	\$ 19,977
27507	KCBD	414,804	414,091	\$ 3,491
9628	KCBS-TV	17,853,152	16,656,778	\$ 140,417
49750	KCBY-TV	89,156	73,211	\$ 617
33710	KCCI	1,109,952	1,102,514	\$ 9,294
9640	KCCW-TV	284,280	276,935	\$ 2,335
63158	KCDO-TV	2,798,103	2,650,225	\$ 22,341
62424	KCDT	698,389	657,101	\$ 5,539
83913	KCEB	417,491	417,156	\$ 3,517
57219	KCEC	3,831,192	3,613,287	\$ 30,460
10245	KCEN-TV	1,795,767	1,757,018	\$ 14,812

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
13058	KCET	16,875,019	15,402,588	\$ 129,844
18079	KCFW-TV	177,697	140,192	\$ 1,182
132606	KCGE-DT	123,930	123,930	\$ 1,045
60793	KCHF	1,118,671	1,085,205	\$ 9,148
33722	KCIT	382,477	381,818	\$ 3,219
62468	KCKA	953,680	804,362	\$ 6,781
41969	KCLO-TV	138,413	132,157	\$ 1,114
47903	KCNC-TV	3,794,400	3,541,089	\$ 29,851
71586	KCNS	8,270,858	7,381,656	\$ 62,227
33742	KCOP-TV	17,386,133	16,647,708	\$ 140,340
19117	KCOS	1,014,396	1,014,205	\$ 8,550
63165	KCOY-TV	664,655	459,468	\$ 3,873
33894	KCPQ	4,439,875	4,312,133	\$ 36,351
53843	KCPT	2,507,879	2,506,224	\$ 21,127
33875	KCRA-TV	10,612,483	6,500,774	\$ 54,802
9719	KCRG-TV	1,136,762	1,107,130	\$ 9,333
60728	KCSD-TV	273,553	273,447	\$ 2,305
59494	KCSG	174,814	164,765	\$ 1,389
33749	KCTS-TV	4,177,824	4,115,603	\$ 34,695
41230	KCTV	2,547,456	2,545,645	\$ 21,460
58605	KCVU	684,900	674,585	\$ 5,687
10036	KCWC-DT	44,216	39,439	\$ 332
64444	KCWE	2,459,924	2,458,302	\$ 20,723
51502	KCWI-TV	1,043,811	1,042,642	\$ 8,789
42008	KCWO-TV	50,707	50,685	\$ 427
166511	KCWV	207,398	207,370	\$ 1,748
24316	KCWX	3,961,268	3,954,787	\$ 33,339
68713	KCWY-DT	80,904	80,479	\$ 678
22201	KDAF	6,648,507	6,645,226	\$ 56,019
33764	KDBC-TV	1,015,564	1,015,162	\$ 8,558
79258	KDCK	43,088	43,067	\$ 363

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
166332	KDCU-DT	753,204	753,190	\$ 6,349
38375	KDEN-TV	3,376,799	3,351,182	\$ 28,250
17037	KDFI	6,684,439	6,682,487	\$ 56,333
33770	KDFW	6,659,312	6,657,023	\$ 56,119
29102	KDIN-TV	1,088,376	1,083,845	\$ 9,137
25454	KDKA-TV	3,611,796	3,450,690	\$ 29,089
60740	KDKF	71,413	64,567	\$ 544
4691	KDLH	263,422	260,394	\$ 2,195
41975	KDLO-TV	208,354	208,118	\$ 1,754
55379	KDLT-TV	639,284	628,281	\$ 5,296
55375	KDLV-TV	96,873	96,620	\$ 815
25221	KDMD	375,328	373,408	\$ 3,148
78915	KDMI	1,141,990	1,140,939	\$ 9,618
56524	KDNL-TV	2,987,219	2,982,311	\$ 25,141
24518	KDOC-TV	17,503,793	16,701,233	\$ 140,791
1005	KDOR-TV	1,112,060	1,108,556	\$ 9,345
60736	KDRV	519,706	440,002	\$ 3,709
61064	KDSD-TV	64,314	59,635	\$ 503
53329	KDSE	42,896	41,432	\$ 349
56527	KDSM-TV	1,096,220	1,095,478	\$ 9,235
49326	KDTN	6,602,327	6,600,186	\$ 55,640
83491	KDTP	26,564	24,469	\$ 206
33778	KDTV-DT	7,959,349	7,129,638	\$ 60,103
67910	KDTX-TV	6,680,738	6,679,424	\$ 56,308
126	KDVR	3,644,912	3,521,884	\$ 29,689
18084	KECI-TV	211,745	193,803	\$ 1,634
51208	KECY-TV	399,372	394,379	\$ 3,325
58408	KEDT	513,683	513,683	\$ 4,330
55435	KEET	177,313	159,960	\$ 1,348
37103	KEKE	97,959	94,560	\$ 797
41983	KELO-TV	705,364	646,126	\$ 5,447

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
34440	KEMO-TV	8,270,858	7,381,656	\$ 62,227
2777	KEMV	619,889	559,135	\$ 4,714
26304	KENS	2,544,094	2,529,382	\$ 21,323
63845	KENV-DT	47,220	40,677	\$ 343
18338	KENW	87,017	87,017	\$ 734
50591	KEPB-TV	576,964	523,655	\$ 4,414
56029	KEPR-TV	453,259	433,260	\$ 3,652
49324	KERA-TV	6,681,083	6,677,852	\$ 56,294
40878	KERO-TV	1,285,357	1,164,979	\$ 9,821
61067	KESD-TV	166,018	159,195	\$ 1,342
25577	KESQ-TV	1,334,172	572,057	\$ 4,822
50205	KETA-TV	1,702,441	1,688,227	\$ 14,232
62182	KETC	2,913,924	2,911,313	\$ 24,542
37101	KETD	3,323,570	3,285,231	\$ 27,694
2768	KETG	426,883	409,511	\$ 3,452
12895	KETH-TV	6,088,821	6,088,677	\$ 51,328
55643	KETK-TV	1,031,567	1,030,122	\$ 8,684
2770	KETS	1,185,111	1,166,796	\$ 9,836
53903	KETV	1,355,714	1,350,740	\$ 11,387
92872	KETZ	526,890	523,877	\$ 4,416
68853	KEYC-TV	544,900	531,079	\$ 4,477
33691	KEYE-TV	2,732,257	2,652,529	\$ 22,361
60637	KEYT-TV	1,419,564	1,239,577	\$ 10,450
83715	KEYU	339,348	339,302	\$ 2,860
34406	KEZI	1,113,171	1,065,880	\$ 8,985
34412	KFBB-TV	93,519	91,964	\$ 775
125	KFCT	795,114	788,747	\$ 6,649
51466	KFDA-TV	385,064	383,977	\$ 3,237
22589	KFDM	732,665	732,588	\$ 6,176
65370	KFDX-TV	381,703	381,318	\$ 3,215
49264	KFFV	4,020,926	3,987,153	\$ 33,612

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
12729	KFFX-TV	409,952	403,692	\$ 3,403
83992	KFJX	515,708	505,647	\$ 4,263
42122	KFMB-TV	3,947,735	3,699,981	\$ 31,191
53321	KFME	393,045	392,472	\$ 3,309
74256	KFNB	80,382	79,842	\$ 673
21613	KFNE	54,988	54,420	\$ 459
21612	KFNR	10,988	10,965	\$ 92
66222	KFOR-TV	1,616,459	1,615,614	\$ 13,620
33716	KFOX-TV	1,023,999	1,018,549	\$ 8,586
41517	KFPH-DT	347,579	282,838	\$ 2,384
81509	KFPX-TV	963,969	963,846	\$ 8,125
31597	KFQX	186,473	163,637	\$ 1,379
59013	KFRE-TV	1,721,275	1,705,484	\$ 14,377
51429	KFSF-DT	7,348,828	6,528,430	\$ 55,035
66469	KFSM-TV	906,728	884,919	\$ 7,460
8620	KFSN-TV	1,836,607	1,819,585	\$ 15,339
29560	KFTA-TV	818,859	809,173	\$ 6,821
83714	KFTC	61,990	61,953	\$ 522
60537	KFTH-DT	6,080,688	6,080,373	\$ 51,258
60549	KFTR-DT	17,560,679	16,305,726	\$ 137,457
61335	KFTS	74,936	65,126	\$ 549
81441	KFTU-DT	113,876	109,731	\$ 925
34439	KFTV-DT	1,794,984	1,779,917	\$ 15,005
664	KFVE	82,902	73,553	\$ 620
592	KFVS-TV	895,871	873,777	\$ 7,366
29015	KFWD	6,666,428	6,660,565	\$ 56,149
35336	KFXA	875,538	874,070	\$ 7,368
17625	KFXB-TV	373,280	368,466	\$ 3,106
70917	KFXK-TV	934,043	931,791	\$ 7,855
84453	KFXL-TV	862,531	854,678	\$ 7,205
56079	KFXV	1,225,732	1,225,732	\$ 10,333

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
41427	KFYR-TV	130,881	128,301	\$ 1,082
25685	KGAN	1,083,213	1,057,597	\$ 8,916
34457	KGBT-TV	1,239,001	1,238,870	\$ 10,444
7841	KGCW	949,575	945,476	\$ 7,970
24485	KGEB	1,186,225	1,150,201	\$ 9,696
34459	KGET-TV	917,927	874,332	\$ 7,371
53320	KGFE	114,564	114,564	\$ 966
7894	KGIN	230,535	228,338	\$ 1,925
83945	KGLA-DT	1,645,641	1,645,641	\$ 13,873
34445	KGMB	953,398	851,088	\$ 7,175
58608	KGMC	1,936,675	1,914,168	\$ 16,136
36914	KGMD-TV	94,323	93,879	\$ 791
36920	KGMV	193,564	162,230	\$ 1,368
10061	KGNS-TV	267,236	259,548	\$ 2,188
34470	KGO-TV	8,637,074	7,929,294	\$ 66,844
56034	KGPE	1,699,131	1,682,082	\$ 14,180
81694	KGPX-TV	685,626	624,955	\$ 5,268
25511	KGTF	161,885	160,568	\$ 1,354
40876	KGTV	3,960,667	3,682,219	\$ 31,041
36918	KGUN-TV	1,398,527	1,212,484	\$ 10,221
34874	KGW	3,026,617	2,878,510	\$ 24,266
63177	KGWC-TV	80,475	80,009	\$ 674
63162	KGWL-TV	38,125	38,028	\$ 321
63166	KGWN-TV	469,467	440,388	\$ 3,712
63170	KGWR-TV	51,315	50,957	\$ 430
4146	KHAW-TV	95,204	94,851	\$ 800
60353	KHBS	631,770	608,052	\$ 5,126
27300	KHCE-TV	2,353,883	2,348,391	\$ 19,797
26431	KHET	959,060	944,568	\$ 7,963
21160	KHGI-TV	233,973	229,173	\$ 1,932
36917	KHII-TV	953,895	851,585	\$ 7,179

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
29085	KHIN	1,041,244	1,039,383	\$ 8,762
17688	KHME	181,345	179,706	\$ 1,515
47670	KHMT	175,601	170,957	\$ 1,441
47987	KHNE-TV	203,931	202,944	\$ 1,711
34867	KHNL	953,398	851,088	\$ 7,175
60354	KHOG-TV	765,360	702,984	\$ 5,926
4144	KHON-TV	953,207	886,431	\$ 7,473
34529	KHOU	6,083,336	6,081,785	\$ 51,269
4690	KHQA-TV	318,469	316,134	\$ 2,665
34537	KHQ-TV	822,371	774,821	\$ 6,532
30601	KHRR	1,227,847	1,166,890	\$ 9,837
34348	KHSD-TV	188,735	185,202	\$ 1,561
24508	KHSL-TV	625,904	608,850	\$ 5,133
69677	KHSV	2,059,794	2,020,045	\$ 17,029
64544	KHVO	94,226	93,657	\$ 790
23394	KIAH	6,099,694	6,099,297	\$ 51,417
34564	KICU-TV	8,233,041	7,174,316	\$ 60,479
56028	KIDK	305,509	302,535	\$ 2,550
58560	KIDY	116,614	116,596	\$ 983
53382	KIEM-TV	174,390	160,801	\$ 1,356
66258	KIFI-TV	324,422	320,118	\$ 2,699
16950	KIFR	2,180,045	2,160,460	\$ 18,213
10188	KIII	569,864	566,796	\$ 4,778
29095	KIIN	1,365,215	1,335,707	\$ 11,260
34527	KIKU	953,896	850,963	\$ 7,174
63865	KILM	17,256,205	15,804,489	\$ 133,232
56033	KIMA-TV	308,604	260,593	\$ 2,197
66402	KIMT	654,083	643,384	\$ 5,424
67089	KINC	2,002,066	1,920,903	\$ 16,193
34847	KING-TV	4,074,288	4,036,926	\$ 34,031
51708	KINT-TV	1,015,582	1,015,274	\$ 8,559

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
26249	KION-TV	2,400,317	855,808	\$ 7,214
62427	KIPT	171,405	170,455	\$ 1,437
66781	KIRO-TV	4,058,101	4,030,968	\$ 33,981
62430	KISU-TV	311,827	307,651	\$ 2,593
12896	KITU-TV	712,362	712,362	\$ 6,005
64548	KITV	953,207	839,906	\$ 7,080
59255	KIVI-TV	710,819	702,619	\$ 5,923
47285	KIXE-TV	467,518	428,118	\$ 3,609
13792	KJJC-TV	82,749	81,865	\$ 690
14000	KJLA	17,929,100	16,794,896	\$ 141,581
20015	KJNP-TV	98,403	98,097	\$ 827
53315	KJRE	16,187	16,170	\$ 136
59439	KJRH-TV	1,416,108	1,397,311	\$ 11,779
55364	KJRR	45,515	44,098	\$ 372
7675	KJTL	379,594	379,263	\$ 3,197
55031	KJTV-TV	406,283	406,260	\$ 3,425
13814	KJUD	31,229	30,106	\$ 254
36607	KJZZ-TV	2,388,965	2,209,183	\$ 18,623
83180	KKAI	953,400	919,742	\$ 7,753
58267	KKAP	957,786	923,172	\$ 7,782
24766	KKCO	206,018	172,628	\$ 1,455
35097	KKJB	629,939	624,784	\$ 5,267
22644	KKPX-TV	7,588,288	6,758,490	\$ 56,974
35037	KKTV	2,892,126	2,478,864	\$ 20,897
35042	KLAS-TV	2,094,297	1,940,030	\$ 16,354
52907	KLAX-TV	367,212	366,839	\$ 3,092
3660	KLBK-TV	387,783	387,743	\$ 3,269
65523	KLBY	31,102	31,096	\$ 262
38430	KLCS	16,875,019	15,402,588	\$ 129,844
77719	KLCW-TV	381,889	381,816	\$ 3,219
51479	KLDO-TV	250,832	250,832	\$ 2,115

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
37105	KLEI	175,045	138,087	\$ 1,164
56032	KLEW-TV	164,908	148,256	\$ 1,250
35059	KLFY-TV	1,355,890	1,355,409	\$ 11,426
54011	KLJB	1,027,104	1,012,309	\$ 8,534
11264	KLKN	1,161,979	1,122,111	\$ 9,459
52593	KLML	270,089	218,544	\$ 1,842
47975	KLNE-TV	123,324	123,246	\$ 1,039
38590	KLPA-TV	414,699	414,447	\$ 3,494
38588	KLPB-TV	749,053	749,053	\$ 6,315
749	KLRN	2,374,472	2,353,440	\$ 19,839
11951	KLRT-TV	1,171,678	1,152,541	\$ 9,716
8564	KLRU	2,614,658	2,575,518	\$ 21,712
8322	KLSR-TV	564,415	508,157	\$ 4,284
31114	KLST	199,067	169,551	\$ 1,429
24436	KLTJ	6,034,131	6,033,867	\$ 50,865
38587	KLTL-TV	423,574	423,574	\$ 3,571
38589	KLTM-TV	694,280	688,915	\$ 5,808
38591	KLTS-TV	947,141	944,257	\$ 7,960
68540	KLTV	1,069,690	1,051,361	\$ 8,863
12913	KLUJ-TV	1,195,751	1,195,751	\$ 10,080
57220	KLUZ-TV	1,079,718	1,019,302	\$ 8,593
11683	KLVX	2,044,150	1,936,083	\$ 16,321
82476	KLWB	1,065,748	1,065,748	\$ 8,984
40250	KLWY	541,043	538,231	\$ 4,537
64551	KMAU	213,060	188,953	\$ 1,593
51499	KMAX-TV	10,767,605	7,132,240	\$ 60,125
65686	KMBC-TV	2,506,035	2,504,622	\$ 21,114
35183	KMCB	69,357	66,203	\$ 558
41237	KMCC	2,064,592	2,010,262	\$ 16,947
42636	KMCI-TV	2,429,392	2,428,626	\$ 20,473
38584	KMCT-TV	267,004	266,880	\$ 2,250

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Facility Id.	Call Sign	Population	Population	Fee Amount
22127	KMCY	71,797	71,793	\$ 605
162016	KMDE	35,409	35,401	\$ 298
26428	KMEB	221,810	203,470	\$ 1,715
39665	KMEG	708,748	704,130	\$ 5,936
35123	KMEX-DT	17,628,354	16,318,720	\$ 137,567
40875	KMGH-TV	3,815,224	3,574,344	\$ 30,132
35131	KMID	383,449	383,439	\$ 3,232
16749	KMIR-TV	2,760,914	730,764	\$ 6,160
63164	KMIZ	532,025	530,008	\$ 4,468
53541	KMLM-DT	293,290	293,290	\$ 2,472
52046	KMLU	711,951	708,107	\$ 5,969
47981	KMNE-TV	47,232	44,189	\$ 373
24753	KMOH-TV	199,885	184,283	\$ 1,554
4326	KMOS-TV	804,745	803,129	\$ 6,770
41425	KMOT	81,517	79,504	\$ 670
70034	KMOV	3,035,077	3,029,405	\$ 25,538
51488	KMPH-TV	1,725,397	1,697,871	\$ 14,313
73701	KMPX	6,678,829	6,674,706	\$ 56,268
44052	KMSB	1,321,614	1,039,442	\$ 8,762
68883	KMSP-TV	3,832,040	3,805,141	\$ 32,077
12525	KMSS-TV	1,068,120	1,066,388	\$ 8,990
43095	KMTP-TV	5,252,062	4,457,617	\$ 37,578
35189	KMTR	589,948	520,666	\$ 4,389
35190	KMTV-TV	1,346,549	1,344,796	\$ 11,337
77063	KMTW	761,521	761,516	\$ 6,420
35200	KMVT	184,647	176,351	\$ 1,487
32958	KMVU-DT	308,150	231,506	\$ 1,952
86534	KMYA-DT	200,764	200,719	\$ 1,692
51518	KMYS	2,273,888	2,267,913	\$ 19,119
54420	KMYT-TV	1,314,197	1,302,378	\$ 10,979
35822	KMYU	133,563	130,198	\$ 1,098

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Facility Id.	Call Sign	Population	Population	Fee Amount
993	KNAT-TV	1,157,630	1,124,619	\$ 9,481
24749	KNAZ-TV	332,321	227,658	\$ 1,919
47906	KNBC	17,859,647	16,555,232	\$ 139,561
81464	KNBN	145,493	136,995	\$ 1,155
9754	KNCT	1,751,838	1,726,148	\$ 14,551
82611	KNDB	118,154	118,122	\$ 996
82615	KNDM	72,216	72,209	\$ 609
12395	KNDO	314,875	270,892	\$ 2,284
12427	KNDU	475,612	462,556	\$ 3,899
17683	KNEP	101,389	95,890	\$ 808
48003	KNHL	277,777	277,308	\$ 2,338
125710	KNIC-DT	2,398,296	2,383,294	\$ 20,091
59363	KNIN-TV	708,289	703,838	\$ 5,933
48525	KNLC	2,981,508	2,978,979	\$ 25,113
48521	KNLJ	655,000	642,705	\$ 5,418
84215	KNMD-TV	1,135,642	1,108,358	\$ 9,343
55528	KNME-TV	1,148,741	1,105,095	\$ 9,316
47707	KNMT	2,887,142	2,794,995	\$ 23,562
48975	KNOE-TV	733,097	729,703	\$ 6,151
49273	KNOP-TV	87,904	85,423	\$ 720
10228	KNPB	604,614	462,732	\$ 3,901
55362	KNRR	25,957	25,931	\$ 219
35277	KNSD	3,861,660	3,618,321	\$ 30,502
19191	KNSN-TV	611,981	459,485	\$ 3,873
23302	KNSO	1,824,786	1,803,796	\$ 15,206
35280	KNTV	8,525,818	8,027,505	\$ 67,672
144	KNVA	2,550,225	2,529,184	\$ 21,321
33745	KNVN	495,902	470,252	\$ 3,964
69692	KNVO	1,247,014	1,247,014	\$ 10,512
29557	KNWA-TV	822,906	804,682	\$ 6,783
59440	KNXV-TV	4,183,943	4,173,022	\$ 35,179

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Facility Id.	Call Sign	Population	Population	Fee Amount
59014	KOAA-TV	1,608,528	1,203,731	\$ 10,147
50588	KOAB-TV	207,070	203,371	\$ 1,714
50590	KOAC-TV	1,957,282	1,543,401	\$ 13,011
58552	KOAM-TV	595,307	584,921	\$ 4,931
53928	KOAT-TV	1,132,372	1,105,116	\$ 9,316
35313	KOB	1,152,841	1,113,162	\$ 9,384
35321	KOBF	201,911	166,177	\$ 1,401
8260	KOBI	562,463	519,063	\$ 4,376
62272	KOBR	211,709	211,551	\$ 1,783
50170	KOCB	1,629,783	1,629,152	\$ 13,734
4328	KOCE-TV	17,446,133	16,461,581	\$ 138,771
84225	KOCM	1,434,325	1,433,605	\$ 12,085
12508	KOCO-TV	1,716,569	1,708,085	\$ 14,399
83181	KOCW	83,807	83,789	\$ 706
18283	KODE-TV	740,156	731,512	\$ 6,167
66195	KOED-TV	1,497,297	1,459,833	\$ 12,306
50198	KOET	658,606	637,640	\$ 5,375
51189	KOFY-TV	5,252,062	4,457,617	\$ 37,578
34859	KOGG	190,829	161,310	\$ 1,360
166534	KOHD	201,310	197,662	\$ 1,666
35380	KOIN	3,028,482	2,881,460	\$ 24,291
35388	KOKH-TV	1,627,116	1,625,246	\$ 13,701
11910	KOKI-TV	1,366,220	1,352,227	\$ 11,399
48663	KOLD-TV	1,216,228	887,754	\$ 7,484
7890	KOLN	1,225,400	1,190,178	\$ 10,033
63331	KOLO-TV	959,178	826,985	\$ 6,971
28496	KOLR	1,076,144	1,038,613	\$ 8,756
21656	KOMO-TV	4,132,260	4,087,435	\$ 34,457
65583	KOMU-TV	551,658	542,544	\$ 4,574
35396	KONG	4,006,008	3,985,271	\$ 33,596
60675	KOOD	113,416	113,285	\$ 955

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Facility Id.	Call Sign	Population	Population	Fee Amount
50589	KOPB-TV	3,059,231	2,875,815	\$ 24,243
2566	KOPX-TV	1,501,110	1,500,883	\$ 12,652
64877	KORO	560,983	560,983	\$ 4,729
6865	KOSA-TV	340,978	338,070	\$ 2,850
34347	KOTA-TV	174,876	152,861	\$ 1,289
8284	KOTI	298,175	97,132	\$ 819
35434	KOTV-DT	1,417,753	1,403,838	\$ 11,834
56550	KOVR	10,784,477	7,162,989	\$ 60,384
51101	KOZJ	429,982	427,991	\$ 3,608
51102	KOZK	839,841	834,308	\$ 7,033
3659	KOZL-TV	992,495	963,281	\$ 8,120
35455	KPAX-TV	206,895	193,201	\$ 1,629
67868	KPAZ-TV	4,190,080	4,176,323	\$ 35,206
6124	KPBS	3,584,237	3,463,189	\$ 29,195
50044	KPBT-TV	340,080	340,080	\$ 2,867
77452	KPCB-DT	30,861	30,835	\$ 260
35460	KPDX	2,970,703	2,848,423	\$ 24,012
12524	KPEJ-TV	368,212	368,208	\$ 3,104
41223	KPHO-TV	4,195,073	4,175,139	\$ 35,196
61551	KPIC	156,687	105,807	\$ 892
86205	KPIF	265,080	258,174	\$ 2,176
25452	KPIX-TV	8,226,463	7,360,625	\$ 62,050
58912	KPJK	7,884,411	6,955,179	\$ 58,632
166510	KPJR-TV	3,402,088	3,372,831	\$ 28,433
13994	KPLC	1,406,085	1,403,853	\$ 11,834
41964	KPLO-TV	55,827	52,765	\$ 445
35417	KPLR-TV	2,991,598	2,988,106	\$ 25,190
12144	KPMR	1,731,370	1,473,251	\$ 12,420
47973	KPNE-TV	92,675	89,021	\$ 750
35486	KPNX	4,180,982	4,176,442	\$ 35,207
77512	KPNZ	2,394,311	2,208,707	\$ 18,619

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Facility Id.	Call Sign	Population	Population	Fee Amount
73998	KPOB-TV	144,525	143,656	\$ 1,211
26655	KPPX-TV	4,186,998	4,171,450	\$ 35,165
53117	KPRC-TV	6,099,422	6,099,076	\$ 51,415
48660	KPRY-TV	42,521	42,426	\$ 358
61071	KPSD-TV	19,886	18,799	\$ 158
53544	KPTB-DT	322,780	320,646	\$ 2,703
81445	KPTF-DT	84,512	84,512	\$ 712
77451	KPTH	660,556	655,373	\$ 5,525
51491	KPTM	1,414,998	1,414,014	\$ 11,920
33345	KPTS	832,000	827,866	\$ 6,979
50633	KPTV	2,998,460	2,847,263	\$ 24,002
82575	KPTW	80,374	80,012	\$ 675
1270	KPVI-DT	271,379	264,204	\$ 2,227
58835	KPXB-TV	6,062,458	6,062,238	\$ 51,105
68695	KPXC-TV	3,362,518	3,341,951	\$ 28,173
68834	KPXD-TV	6,555,157	6,553,373	\$ 55,245
33337	KPXE-TV	2,437,178	2,436,024	\$ 20,536
5801	KPXG-TV	3,026,219	2,882,598	\$ 24,300
81507	KPXJ	1,138,632	1,135,626	\$ 9,573
61173	KPXL-TV	2,257,007	2,243,520	\$ 18,913
35907	KPXM-TV	3,507,312	3,506,503	\$ 29,560
58978	KPXN-TV	17,256,205	15,804,489	\$ 133,232
77483	KPXO-TV	953,329	913,341	\$ 7,699
21156	KPXR-TV	828,915	821,250	\$ 6,923
10242	KQCA	10,077,891	6,276,197	\$ 52,908
41430	KQCD-TV	35,623	33,415	\$ 282
18287	KQCK	3,220,160	3,162,711	\$ 26,662
78322	KQCW-DT	1,128,198	1,123,324	\$ 9,470
35525	KQDS-TV	304,935	301,439	\$ 2,541
35500	KQED	8,195,398	7,283,828	\$ 61,403
35663	KQEH	8,195,398	7,283,828	\$ 61,403

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Facility Id.	Call Sign	Population	Population	Fee Amount
8214	KQET	2,981,040	2,076,157	\$ 17,502
5471	KQIN	596,371	596,277	\$ 5,027
17686	KQME	188,783	184,719	\$ 1,557
61063	KQSD-TV	32,526	31,328	\$ 264
8378	KQSL	196,316	139,439	\$ 1,175
20427	KQTV	1,494,987	1,401,160	\$ 11,812
78921	KQUP	697,016	551,824	\$ 4,652
306	KRBC-TV	229,395	229,277	\$ 1,933
166319	KRBK	983,888	966,187	\$ 8,145
22161	KRCA	17,540,791	16,957,292	\$ 142,950
57945	KRCB	8,783,441	8,503,802	\$ 71,687
41110	KRCG	684,989	662,418	\$ 5,584
8291	KRCR-TV	423,000	402,594	\$ 3,394
10192	KRCW-TV	2,966,912	2,842,523	\$ 23,962
49134	KRDK-TV	349,941	349,929	\$ 2,950
52579	KRDO-TV	2,622,603	2,272,383	\$ 19,156
70578	KREG-TV	149,306	95,141	\$ 802
34868	KREM	817,619	752,113	\$ 6,340
51493	KREN-TV	810,039	681,212	\$ 5,743
70596	KREX-TV	145,700	145,606	\$ 1,227
70579	KREY-TV	74,963	65,700	\$ 554
48589	KREZ-TV	148,079	105,121	\$ 886
43328	KRGV-TV	1,247,057	1,247,029	\$ 10,512
82698	KRII	133,840	132,912	\$ 1,120
29114	KRIN	949,313	923,735	\$ 7,787
25559	KRIS-TV	565,052	563,805	\$ 4,753
22204	KRIV	6,078,936	6,078,846	\$ 51,245
14040	KRMA-TV	3,722,512	3,564,949	\$ 30,053
14042	KRMJ	174,094	159,511	\$ 1,345
20476	KRMT	2,956,144	2,864,236	\$ 24,146
84224	KRMU	85,274	72,499	\$ 611

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
20373	KRMZ	36,293	33,620	\$ 283
47971	KRNE-TV	47,473	38,273	\$ 323
60307	KRNV-DT	955,490	792,543	\$ 6,681
65526	KRON-TV	8,573,167	8,028,256	\$ 67,678
53539	KRPV-DT	65,943	65,943	\$ 556
48575	KRQE	1,135,461	1,105,093	\$ 9,316
57431	KRSU-TV	1,000,289	998,310	\$ 8,416
82613	KRTN-TV	84,231	68,550	\$ 578
35567	KRTV	92,645	90,849	\$ 766
84157	KRWB-TV	111,538	110,979	\$ 936
35585	KRWF	85,596	85,596	\$ 722
55516	KRWG-TV	894,492	661,703	\$ 5,578
48360	KRXI-TV	725,391	548,865	\$ 4,627
307	KSAN-TV	135,063	135,051	\$ 1,138
11911	KSAS-TV	752,513	752,504	\$ 6,344
53118	KSAT-TV	2,539,658	2,502,246	\$ 21,094
35584	KSAX	365,209	365,209	\$ 3,079
35587	KSAZ-TV	4,203,126	4,178,448	\$ 35,224
38214	KSBI	1,577,231	1,575,865	\$ 13,285
19653	KSBW	5,083,461	4,429,165	\$ 37,338
19654	KSBY	535,029	495,562	\$ 4,178
82910	KSCC	517,740	517,740	\$ 4,365
10202	KSCE	1,015,148	1,010,581	\$ 8,519
35608	KSCI	17,446,133	16,461,581	\$ 138,771
72348	KSCW-DT	915,691	910,511	\$ 7,676
46981	KSDK	2,986,776	2,979,047	\$ 25,113
35594	KSEE	1,761,193	1,746,282	\$ 14,721
48658	KSFY-TV	670,536	607,844	\$ 5,124
17680	KSGW-TV	62,178	57,629	\$ 486
59444	KSHB-TV	2,432,205	2,431,273	\$ 20,496
73706	KSHV-TV	943,947	942,978	\$ 7,949

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
29096	KSIN-TV	340,143	338,811	\$ 2,856
34846	KSIX-TV	74,884	74,884	\$ 631
35606	KSKN	731,818	643,590	\$ 5,425
70482	KSLA	1,017,556	1,016,667	\$ 8,571
6359	KSL-TV	2,390,742	2,206,920	\$ 18,604
71558	KSMN	320,813	320,808	\$ 2,704
33336	KSMO-TV	2,401,201	2,398,686	\$ 20,221
28510	KSMQ-TV	524,391	507,983	\$ 4,282
35611	KSMS-TV	1,589,263	882,948	\$ 7,443
21161	KSNB-TV	658,560	656,650	\$ 5,536
72359	KSNC	174,135	173,744	\$ 1,465
67766	KSNF	621,919	617,868	\$ 5,209
72361	KSNG	145,058	144,822	\$ 1,221
72362	KSNK	48,715	45,414	\$ 383
67335	KSNT	622,818	594,604	\$ 5,013
10179	KSNV	1,967,781	1,919,296	\$ 16,180
72358	KSNW	791,403	791,127	\$ 6,669
61956	KSPS-TV	819,101	769,852	\$ 6,490
52953	KSPX-TV	7,078,228	5,275,946	\$ 44,476
166546	KSQA	382,328	374,290	\$ 3,155
53313	KSRE	75,181	75,181	\$ 634
35843	KSTC-TV	3,843,788	3,835,674	\$ 32,335
63182	KSTF	51,317	51,122	\$ 431
28010	KSTP-TV	3,788,898	3,782,053	\$ 31,883
60534	KSTR-DT	6,632,577	6,629,296	\$ 55,885
64987	KSTS	8,363,473	7,264,852	\$ 61,243
22215	KSTU	2,384,996	2,201,716	\$ 18,560
23428	KSTW	4,265,956	4,186,266	\$ 35,290
5243	KSVI	175,390	173,667	\$ 1,464
58827	KSWB-TV	3,677,190	3,488,655	\$ 29,409
60683	KSWK	79,012	78,784	\$ 664

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
35645	KSWO-TV	483,132	458,057	\$ 3,861
61350	KSYS	519,209	443,204	\$ 3,736
59988	KTAB-TV	274,707	274,536	\$ 2,314
999	KTAJ-TV	2,343,843	2,343,227	\$ 19,753
35648	KTAL-TV	1,094,332	1,092,958	\$ 9,214
12930	KTAS	471,882	464,149	\$ 3,913
81458	KTAZ	4,182,503	4,160,481	\$ 35,073
35649	KTBC	3,242,215	2,956,614	\$ 24,924
67884	KTBN-TV	17,795,677	16,510,302	\$ 139,182
67999	KTBO-TV	1,585,283	1,583,664	\$ 13,350
35652	KTBS-TV	1,163,228	1,159,665	\$ 9,776
28324	KTBU	6,035,927	6,035,725	\$ 50,881
67950	KTBW-TV	4,202,104	4,108,031	\$ 34,631
35655	KTBY	348,080	346,562	\$ 2,922
68594	KTCA-TV	3,693,877	3,684,081	\$ 31,057
68597	KTCT-TV	3,606,606	3,597,183	\$ 30,324
35187	KTCW	103,341	89,207	\$ 752
36916	KTDO	1,015,336	1,010,771	\$ 8,521
2769	KTEJ	419,750	417,368	\$ 3,518
83707	KTEL-TV	52,878	52,875	\$ 446
35666	KTEN	602,788	599,778	\$ 5,056
24514	KTFD-TV	3,210,669	3,172,543	\$ 26,745
35512	KTFF-DT	2,225,169	2,203,398	\$ 18,575
20871	KTFK-DT	6,969,307	5,211,719	\$ 43,935
68753	KTFN	1,017,335	1,013,157	\$ 8,541
35084	KTFQ-TV	1,151,433	1,117,061	\$ 9,417
29232	KTGM	159,358	159,091	\$ 1,341
2787	KTHV	1,275,053	1,246,348	\$ 10,507
29100	KTIN	281,096	279,385	\$ 2,355
66170	KTIV	751,089	746,274	\$ 6,291
49397	KTKA-TV	759,369	746,370	\$ 6,292

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
35670	KTLA	18,156,910	16,870,262	\$ 142,216
62354	KTLM	1,044,526	1,044,509	\$ 8,805
49153	KTLN-TV	5,381,955	4,740,894	\$ 39,966
64984	KTMD	6,095,741	6,095,606	\$ 51,386
14675	KTMF	187,251	168,526	\$ 1,421
10177	KTMW	2,261,671	2,144,791	\$ 18,081
21533	KTNC-TV	8,270,858	7,381,656	\$ 62,227
47996	KTNE-TV	100,341	95,324	\$ 804
60519	KTNL-TV	8,642	8,642	\$ 73
74100	KTNV-TV	2,094,506	1,936,752	\$ 16,327
71023	KTNW	450,926	432,398	\$ 3,645
8651	KTOO-TV	31,269	31,176	\$ 263
7078	KTPX-TV	1,066,196	1,063,754	\$ 8,967
68541	KTRE	441,879	421,406	\$ 3,552
35675	KTRK-TV	6,114,259	6,112,870	\$ 51,531
28230	KTRV-TV	714,833	707,557	\$ 5,965
69170	KTSC	3,124,536	2,949,795	\$ 24,867
61066	KTSD-TV	83,645	82,828	\$ 698
37511	KTSF	7,959,349	7,129,638	\$ 60,103
67760	KTSM-TV	1,015,348	1,011,264	\$ 8,525
35678	KTTC	815,213	731,919	\$ 6,170
28501	KTTM	76,133	73,664	\$ 621
11908	KTTU	1,324,801	1,060,613	\$ 8,941
22208	KTTV	17,380,551	16,693,085	\$ 140,723
28521	KTTW	329,633	326,405	\$ 2,752
65355	KTTZ-TV	380,240	380,225	\$ 3,205
35685	KTUL	1,416,959	1,388,183	\$ 11,702
10173	KTUU-TV	380,240	379,047	\$ 3,195
77480	KTUZ-TV	1,668,531	1,666,026	\$ 14,045
49632	KTVA	342,517	342,300	\$ 2,886
34858	KTVB	714,865	707,882	\$ 5,967

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
31437	KTVC	137,239	100,204	\$ 845
68581	KTVD	3,800,970	3,547,607	\$ 29,906
35692	KTVE	641,139	640,201	\$ 5,397
49621	KTVE	98,068	97,929	\$ 826
5290	KTVH-DT	228,832	184,264	\$ 1,553
35693	KTVI	2,995,764	2,991,513	\$ 25,218
40993	KTVK	4,184,825	4,173,028	\$ 35,179
22570	KTVL	419,849	369,469	\$ 3,115
18066	KTVM-TV	260,105	217,694	\$ 1,835
59139	KTVN	955,490	800,420	\$ 6,748
21251	KTVO	227,128	226,616	\$ 1,910
35694	KTVQ	179,797	173,271	\$ 1,461
50592	KTVR	147,808	54,480	\$ 459
23422	KTVT	6,912,366	6,908,715	\$ 58,240
35703	KTVU	8,297,634	7,406,751	\$ 62,439
35705	KTVW-DT	4,174,310	4,160,877	\$ 35,076
68889	KTVX	2,389,392	2,200,520	\$ 18,550
55907	KTVZ	201,828	198,558	\$ 1,674
18286	KTWO-TV	80,426	79,905	\$ 674
70938	KTWU	1,703,798	1,562,305	\$ 13,170
51517	KTXA	6,915,461	6,911,822	\$ 58,267
42359	KTXD-TV	6,706,651	6,704,781	\$ 56,521
51569	KTXH	6,092,710	6,092,525	\$ 51,360
10205	KTXL	8,306,449	5,896,320	\$ 49,706
308	KTXS-TV	247,603	246,760	\$ 2,080
69315	KUAC-TV	98,717	98,189	\$ 828
51233	KUAM-TV	159,358	159,358	\$ 1,343
2722	KUAS-TV	994,802	977,391	\$ 8,239
2731	KUAT-TV	1,485,024	1,253,342	\$ 10,566
60520	KUBD	14,817	13,363	\$ 113
70492	KUBE-TV	6,090,970	6,090,817	\$ 51,346

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
1136	KUCW	2,388,889	2,199,787	\$ 18,544
69396	KUED	2,388,995	2,203,093	\$ 18,572
69582	KUEN	2,364,481	2,184,483	\$ 18,415
82576	KUES	30,925	25,978	\$ 219
82585	KUEW	132,168	120,411	\$ 1,015
66611	KUFM-TV	187,680	166,697	\$ 1,405
169028	KUGF-TV	86,622	85,986	\$ 725
68717	KUHM-TV	154,836	145,241	\$ 1,224
69269	KUHT	6,080,222	6,078,866	\$ 51,245
62382	KUID-TV	432,855	284,023	\$ 2,394
169027	KUKL-TV	124,505	115,844	\$ 977
35724	KULR-TV	177,242	170,142	\$ 1,434
41429	KUMV-TV	41,607	41,224	\$ 348
81447	KUNP	130,559	43,472	\$ 366
4624	KUNS-TV	4,027,849	4,015,626	\$ 33,852
86532	KUOK	28,974	28,945	\$ 244
66589	KUON-TV	1,375,257	1,360,005	\$ 11,465
86263	KUPB	318,914	318,914	\$ 2,688
65535	KUPK	149,642	148,180	\$ 1,249
27431	KUPT	87,602	87,602	\$ 738
89714	KUPU	956,178	948,005	\$ 7,992
57884	KUPX-TV	2,374,672	2,191,229	\$ 18,472
23074	KUSA	3,802,407	3,560,546	\$ 30,015
61072	KUSD-TV	460,480	460,277	\$ 3,880
10238	KUSI-TV	3,572,818	3,435,670	\$ 28,963
43567	KUSM-TV	122,678	109,830	\$ 926
69694	KUTF	1,210,774	1,031,870	\$ 8,699
81451	KUTH-DT	2,219,788	2,027,174	\$ 17,089
68886	KUTP	4,191,015	4,176,014	\$ 35,204
35823	KUTV	2,388,625	2,199,731	\$ 18,544
63927	KUVE-DT	1,294,971	964,396	\$ 8,130

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
7700	KUVI-DT	1,204,490	1,009,943	\$ 8,514
35841	KUVN-DT	6,680,126	6,678,157	\$ 56,297
58609	KUVS-DT	4,043,413	4,005,657	\$ 33,768
49766	KVAL-TV	1,016,673	866,173	\$ 7,302
32621	KVAW	76,153	76,153	\$ 642
58795	KVCR-DT	18,215,524	17,467,140	\$ 147,248
35846	KVCT	288,221	287,446	\$ 2,423
10195	KVCW	1,967,550	1,918,809	\$ 16,176
64969	KVDA	2,566,563	2,548,720	\$ 21,486
19783	KVEA	17,538,249	16,335,335	\$ 137,707
12523	KVEO-TV	1,244,504	1,244,504	\$ 10,491
2495	KVEW	476,720	464,347	\$ 3,914
35852	KVHP	747,917	747,837	\$ 6,304
49832	KVIA-TV	1,015,350	1,011,266	\$ 8,525
35855	KVIE	10,759,440	7,467,369	\$ 62,950
40450	KVIH-TV	91,912	91,564	\$ 772
40446	KVII-TV	379,042	378,218	\$ 3,188
61961	KVLY-TV	350,732	350,449	\$ 2,954
16729	KVMD	15,274,297	14,512,400	\$ 122,340
83825	KVME-TV	26,711	22,802	\$ 192
25735	KVOA	1,317,956	1,030,404	\$ 8,686
35862	KVOS-TV	2,202,674	2,131,652	\$ 17,970
69733	KVPT	1,744,349	1,719,318	\$ 14,494
55372	KVRR	356,645	356,645	\$ 3,007
166331	KVSN-DT	2,706,244	2,283,409	\$ 19,249
608	KVTH-DT	303,755	299,230	\$ 2,523
2784	KVTJ-DT	1,466,426	1,465,802	\$ 12,357
607	KVTN-DT	936,328	925,884	\$ 7,805
35867	KVUE	2,661,290	2,611,314	\$ 22,013
78910	KVUI	257,964	251,872	\$ 2,123
35870	KVVU-TV	2,045,255	1,935,583	\$ 16,317

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
36170	KVYE	396,495	392,498	\$ 3,309
35095	KWBA-TV	1,129,524	1,073,029	\$ 9,046
78314	KWBM	657,822	639,560	\$ 5,391
27425	KWBN	953,207	840,455	\$ 7,085
76268	KWBQ	1,149,598	1,107,211	\$ 9,334
66413	KWCH-DT	883,647	881,674	\$ 7,433
71549	KWCM-TV	252,284	244,033	\$ 2,057
35419	KWDK	4,194,152	4,117,852	\$ 34,713
42007	KWES-TV	424,862	423,544	\$ 3,570
50194	KWET	127,976	112,750	\$ 950
35881	KWEX-DT	2,376,463	2,370,469	\$ 19,983
35883	KWGN-TV	3,706,455	3,513,537	\$ 29,619
37099	KWHB	979,393	978,719	\$ 8,251
36846	KWHE	952,966	834,341	\$ 7,033
26231	KWHY-TV	17,736,497	17,695,306	\$ 149,171
35096	KWKB	1,121,676	1,111,629	\$ 9,371
162115	KWKS	39,708	39,323	\$ 331
12522	KWKT-TV	1,299,675	1,298,478	\$ 10,946
21162	KWNB-TV	91,093	89,332	\$ 753
67347	KWOG	512,412	505,049	\$ 4,258
56852	KWPX-TV	4,220,008	4,148,577	\$ 34,973
6885	KWQC-TV	1,063,507	1,054,618	\$ 8,890
29121	KWSD	280,675	280,672	\$ 2,366
53318	KWSE	54,471	53,400	\$ 450
71024	KWSU-TV	725,554	468,295	\$ 3,948
25382	KWTV-DT	1,628,106	1,627,198	\$ 13,717
35903	KWTV-TV	2,071,023	1,972,365	\$ 16,627
593	KWWL	1,089,498	1,078,458	\$ 9,091
84410	KWWT	293,291	293,291	\$ 2,472
14674	KWYB	86,495	69,598	\$ 587
10032	KWYP-DT	128,874	126,992	\$ 1,071

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
35920	KXAN-TV	2,678,666	2,624,648	\$ 22,126
49330	KXAS-TV	6,774,295	6,771,827	\$ 57,087
24287	KXGN-TV	14,217	13,883	\$ 117
35954	KXII	2,323,974	2,264,951	\$ 19,094
55083	KXLA	17,929,100	16,794,896	\$ 141,581
35959	KXLF-TV	258,100	217,808	\$ 1,836
53847	KXLN-DT	6,085,891	6,085,712	\$ 51,303
35906	KXLT-TV	348,025	347,296	\$ 2,928
61978	KXLY-TV	772,116	740,960	\$ 6,246
55684	KXMA-TV	32,005	31,909	\$ 269
55686	KXMB-TV	142,755	138,506	\$ 1,168
55685	KXMC-TV	97,569	89,483	\$ 754
55683	KXMD-TV	37,962	37,917	\$ 320
47995	KXNE-TV	305,839	304,682	\$ 2,568
81593	KXNW	602,168	597,747	\$ 5,039
35991	KXRM-TV	1,843,363	1,500,689	\$ 12,651
1255	KXTF	140,746	140,312	\$ 1,183
25048	KXTV	10,759,864	7,477,140	\$ 63,032
35994	KXTX-TV	6,721,578	6,718,616	\$ 56,638
62293	KXVA	185,478	185,276	\$ 1,562
23277	KXVO	1,404,703	1,403,380	\$ 11,830
9781	KXXV	1,771,620	1,748,287	\$ 14,738
31870	KYAZ	6,038,257	6,038,071	\$ 50,901
29086	KYIN	581,748	574,691	\$ 4,845
60384	KYLE-TV	323,330	323,225	\$ 2,725
33639	KYMA-DT	396,278	391,619	\$ 3,301
47974	KYNE-TV	980,094	979,887	\$ 8,260
53820	KYOU-TV	651,334	640,935	\$ 5,403
36003	KYTV	1,095,904	1,083,524	\$ 9,134
55644	KYTX	927,327	925,550	\$ 7,802
13815	KYUR	379,943	379,027	\$ 3,195

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
5237	KYUS-TV	12,496	12,356	\$ 104
33752	KYVE	301,951	259,559	\$ 2,188
55762	KYVV-TV	67,201	67,201	\$ 567
25453	KYW-TV	11,212,189	11,008,413	\$ 92,801
69531	KZJL	6,037,458	6,037,272	\$ 50,894
69571	KZJO	4,147,016	4,097,776	\$ 34,544
61062	KZSD-TV	41,207	35,825	\$ 302
33079	KZTV	567,635	564,464	\$ 4,758
57292	WAAY-TV	1,498,006	1,428,197	\$ 12,040
1328	WABC-TV	20,948,273	20,560,001	\$ 173,321
4190	WABE-TV	5,308,575	5,291,523	\$ 44,608
43203	WABG-TV	393,020	392,348	\$ 3,307
17005	WABI-TV	530,773	510,729	\$ 4,305
16820	WABM	1,772,367	1,742,240	\$ 14,687
23917	WABW-TV	1,097,560	1,096,376	\$ 9,242
19199	WACH	1,403,222	1,400,385	\$ 11,805
189358	WACP	9,415,263	9,301,049	\$ 78,408
23930	WACS-TV	786,536	783,207	\$ 6,602
60018	WACX	4,292,829	4,288,149	\$ 36,149
361	WACY-TV	946,580	946,071	\$ 7,975
455	WADL	4,610,065	4,606,521	\$ 38,833
589	WAFB	1,857,882	1,857,418	\$ 15,658
591	WAFF	1,527,517	1,456,436	\$ 12,278
70689	WAGA-TV	6,000,355	5,923,191	\$ 49,933
48305	WAGM-TV	64,721	63,331	\$ 534
37809	WAGV	1,313,257	1,159,076	\$ 9,771
706	WAIQ	611,733	609,794	\$ 5,141
701	WAKA	799,637	793,645	\$ 6,690
4143	WALA-TV	1,320,419	1,318,127	\$ 11,112
70713	WALB	773,899	772,467	\$ 6,512
60536	WAMI-DT	5,449,193	5,449,193	\$ 45,937

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
70852	WAND	1,388,118	1,386,074	\$ 11,685
39270	WANE-TV	1,146,442	1,146,442	\$ 9,665
52280	WAOE	2,963,253	2,907,224	\$ 24,508
64546	WAOW	636,957	629,068	\$ 5,303
52073	WAPA-TV ^{2,7}	3,764,742	2,794,738	\$ 23,560
49712	WAPT	793,621	791,620	\$ 6,673
67792	WAQP	2,135,670	2,131,399	\$ 17,968
13206	WATC-DT	5,732,204	5,705,819	\$ 48,100
71082	WATE-TV	1,874,433	1,638,059	\$ 13,809
22819	WATL	5,882,837	5,819,099	\$ 49,055
20287	WATM-TV	893,989	749,183	\$ 6,316
11907	WATN-TV	1,787,595	1,784,560	\$ 15,044
13989	WAVE	1,891,797	1,880,563	\$ 15,853
71127	WAVY-TV	2,080,708	2,080,691	\$ 17,540
54938	WAWD	579,079	579,023	\$ 4,881
65247	WAWV-TV	705,790	700,361	\$ 5,904
12793	WAXN-TV	2,677,951	2,669,224	\$ 22,502
65696	WBAL-TV	9,743,335	9,344,875	\$ 78,777
74417	WBAY-TV	1,225,928	1,225,335	\$ 10,330
71085	WBBH-TV	2,017,267	2,017,267	\$ 17,006
65204	WBBJ-TV	662,148	658,839	\$ 5,554
9617	WBBM-TV	9,914,233	9,907,806	\$ 83,523
9088	WBBZ-TV	1,269,256	1,260,686	\$ 10,628
70138	WBDB	3,831,757	3,819,550	\$ 32,199
51349	WBEC-TV	5,421,355	5,421,355	\$ 45,702
10758	WBFF	8,523,983	8,381,042	\$ 70,652
12497	WBFS-TV	5,349,613	5,349,613	\$ 45,097
6568	WBGU-TV	1,343,816	1,343,816	\$ 11,328
81594	WBIF	309,707	309,707	\$ 2,611
84802	WBIH	718,439	706,994	\$ 5,960
717	WBIQ	1,563,080	1,532,266	\$ 12,917

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
46984	WBIR-TV	1,978,347	1,701,857	\$ 14,347
67048	WBKB-TV	136,823	130,625	\$ 1,101
34167	WBKI	2,104,090	2,085,393	\$ 17,580
4692	WBKO	963,413	862,651	\$ 7,272
76001	WBKP	55,655	55,305	\$ 466
68427	WBMM	562,284	562,123	\$ 4,739
73692	WBNA	1,699,683	1,666,248	\$ 14,046
23337	WBNG-TV	1,435,634	1,051,932	\$ 8,868
71217	WBNS-TV	2,847,721	2,784,795	\$ 23,476
72958	WBNX-TV	3,639,256	3,630,531	\$ 30,605
71218	WBOC-TV	813,888	813,888	\$ 6,861
71220	WBOY-TV	711,302	621,367	\$ 5,238
60850	WBPH-TV	10,613,847	9,474,797	\$ 79,873
7692	WPX-TV	6,833,712	6,761,949	\$ 57,003
5981	WBRA-TV	1,726,408	1,677,204	\$ 14,139
71221	WBRC	1,884,007	1,849,135	\$ 15,588
71225	WBRE-TV	2,879,196	2,244,735	\$ 18,923
38616	WBRZ-TV	2,223,336	2,222,309	\$ 18,734
82627	WBSF	1,836,543	1,832,446	\$ 15,448
30826	WBTW	4,433,795	4,296,893	\$ 36,223
66407	WBTW	1,975,457	1,959,172	\$ 16,516
16363	WBUI	981,884	981,868	\$ 8,277
59281	WBUP	126,472	112,603	\$ 949
60830	WBUY-TV	1,569,254	1,567,815	\$ 13,217
72971	WBXX-TV	2,142,759	1,984,544	\$ 16,730
25456	WBZ-TV	7,960,556	7,730,847	\$ 65,171
63153	WCAU	11,269,831	11,098,540	\$ 93,561
363	WCAV	1,032,270	874,886	\$ 7,375
46728	WCAX-TV	784,748	665,685	\$ 5,612
39659	WCBB	964,079	910,222	\$ 7,673
10587	WCBD-TV	1,149,489	1,149,489	\$ 9,690

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
12477	WCBI-TV	680,511	678,424	\$ 5,719
9610	WCBS-TV	22,087,789	21,511,236	\$ 181,340
49157	WCCB	3,642,232	3,574,928	\$ 30,137
9629	WCCO-TV	3,837,442	3,829,714	\$ 32,284
14050	WCCT-TV	5,818,471	5,307,612	\$ 44,743
69544	WCCU	694,550	693,317	\$ 5,845
3001	WCCV-TV	3,391,703	2,062,994	\$ 17,391
23937	WCES-TV	1,098,868	1,097,706	\$ 9,254
65666	WCET	3,123,290	3,110,519	\$ 26,222
46755	WCFE-TV	459,417	419,756	\$ 3,539
71280	WCHS-TV	1,352,824	1,274,766	\$ 10,746
42124	WCIA	834,084	833,547	\$ 7,027
711	WCIQ	3,186,320	3,016,907	\$ 25,433
71428	WCIU-TV	10,052,136	10,049,244	\$ 84,715
9015	WCIV	1,152,800	1,152,800	\$ 9,718
42116	WCIX	554,002	549,911	\$ 4,636
16993	WCJB-TV	977,492	977,492	\$ 8,240
11125	WCLF	4,097,389	4,096,624	\$ 34,535
68007	WCLJ-TV	2,305,723	2,303,534	\$ 19,419
50781	WCMH-TV	2,756,260	2,712,989	\$ 22,870
9917	WCML	233,439	224,255	\$ 1,890
9908	WCMU-TV	707,702	699,551	\$ 5,897
9922	WCMV	425,499	411,288	\$ 3,467
9913	WCMW	106,975	104,859	\$ 884
32326	WCNC-TV	3,883,049	3,809,706	\$ 32,116
53734	WCNY-TV	1,342,821	1,279,429	\$ 10,786
73642	WCOV-TV	889,102	884,417	\$ 7,456
40618	WCPB	560,426	560,426	\$ 4,724
59438	WCPO-TV	3,330,885	3,313,654	\$ 27,934
10981	WCPX-TV	9,753,235	9,751,916	\$ 82,209
71297	WCSC-TV	1,028,018	1,028,018	\$ 8,666

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
39664	WCSH	1,755,325	1,548,824	\$ 13,057
69479	WCTE	612,760	541,314	\$ 4,563
18334	WCTI-TV	1,688,065	1,685,638	\$ 14,210
31590	WCTV	1,065,524	1,065,464	\$ 8,982
33081	WCTX	7,844,936	7,332,431	\$ 61,812
65684	WCVB-TV	7,780,868	7,618,496	\$ 64,224
9987	WCVE-TV	1,721,004	1,712,249	\$ 14,434
83304	WCVI-TV	50,601	50,495	\$ 426
34204	WCVN-TV	2,129,816	2,120,349	\$ 17,875
9989	WCVW	1,505,484	1,505,330	\$ 12,690
73042	WCWF	1,077,314	1,077,194	\$ 9,081
35385	WCWG	3,630,551	3,299,114	\$ 27,812
29712	WCWJ	1,661,270	1,661,132	\$ 14,003
73264	WCWN	1,909,223	1,621,751	\$ 13,671
2455	WCYB-TV	2,363,002	2,057,404	\$ 17,344
11291	WDAF-TV	2,539,581	2,537,411	\$ 21,390
21250	WDAM-TV	512,594	500,343	\$ 4,218
22129	WDAY-TV	339,239	338,856	\$ 2,857
22124	WDAZ-TV	151,720	151,659	\$ 1,278
71325	WDBB	1,792,728	1,762,643	\$ 14,859
71326	WDBD	940,665	939,489	\$ 7,920
71329	WDBJ	1,626,017	1,435,762	\$ 12,103
51567	WDCA	8,101,358	8,049,329	\$ 67,856
16530	WDCQ-TV	1,269,199	1,269,199	\$ 10,699
30576	WDCW	8,155,998	8,114,847	\$ 68,408
54385	WDEF-TV	1,730,762	1,530,403	\$ 12,901
32851	WDFX-TV	271,499	270,942	\$ 2,284
43846	WDHN	452,377	451,978	\$ 3,810
71338	WDIO-DT	341,506	327,469	\$ 2,761
714	WDIQ	663,062	620,124	\$ 5,228
53114	WDIV-TV	5,450,318	5,450,174	\$ 45,945

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
71427	WDJT-TV	3,267,652	3,256,507	\$ 27,452
39561	WDKA	658,699	658,277	\$ 5,549
64017	WDKY-TV	1,204,817	1,173,579	\$ 9,893
67893	WDLI-TV	4,147,298	4,114,920	\$ 34,689
72335	WDPB	596,888	596,888	\$ 5,032
83740	WDPM-DT	1,365,977	1,364,744	\$ 11,505
1283	WDPN-TV	11,594,463	11,467,616	\$ 96,672
6476	WDPX-TV	6,833,712	6,761,949	\$ 57,003
28476	WDRB	2,054,813	2,037,086	\$ 17,173
12171	WDSC-TV	3,389,559	3,389,559	\$ 28,574
17726	WDSE	330,994	316,643	\$ 2,669
71353	WDSI-TV	1,100,302	1,042,191	\$ 8,786
71357	WDSU	1,649,083	1,649,083	\$ 13,902
7908	WDTI	2,092,242	2,091,941	\$ 17,635
65690	WDTN	3,831,757	3,819,550	\$ 32,199
70592	WDTV	962,532	850,394	\$ 7,169
25045	WDVM-TV	3,074,837	2,646,508	\$ 22,310
4110	WDWL	2,638,361	1,977,410	\$ 16,670
49421	WEAO	3,960,217	3,945,408	\$ 33,260
71363	WEAR-TV	1,520,973	1,520,386	\$ 12,817
7893	WEAU	1,006,393	971,050	\$ 8,186
61003	WEBA-TV	641,354	632,282	\$ 5,330
19561	WECN	2,886,669	2,157,288	\$ 18,186
48666	WECT	1,156,807	1,156,807	\$ 9,752
13602	WEDH	5,328,800	4,724,167	\$ 39,825
13607	WEDN	3,451,170	2,643,344	\$ 22,283
69338	WEDQ	5,379,887	5,365,612	\$ 45,232
21808	WEDU	5,379,887	5,365,612	\$ 45,232
13594	WEDW	5,996,408	5,544,708	\$ 46,742
13595	WEDY	5,328,800	4,724,167	\$ 39,825
24801	WEEK-TV	752,596	752,539	\$ 6,344

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
6744	WEFS	3,380,743	3,380,743	\$ 28,500
24215	WEHT	857,558	844,070	\$ 7,116
721	WEIQ	1,055,632	1,055,193	\$ 8,895
18301	WEIU-TV	458,480	458,416	\$ 3,864
69271	WEKW-TV	1,263,049	773,108	\$ 6,517
60825	WELF-TV	1,477,691	1,387,044	\$ 11,693
26602	WELU	2,248,146	1,678,682	\$ 14,151
40761	WEMT	1,726,085	1,186,706	\$ 10,004
69237	WENH-TV	4,500,498	4,328,222	\$ 36,487
71508	WENY-TV	656,240	517,754	\$ 4,365
83946	WEPH	604,105	602,833	\$ 5,082
81508	WEPX-TV	950,012	950,012	\$ 8,009
25738	WESH	4,063,973	4,053,252	\$ 34,169
65670	WETA-TV	8,315,499	8,258,807	\$ 69,622
69944	WETK	670,087	558,842	\$ 4,711
60653	WETM-TV	870,206	770,731	\$ 6,497
18252	WETP-TV	2,167,383	1,888,574	\$ 15,921
2709	WEUX	380,569	373,680	\$ 3,150
72041	WEVV-TV	752,417	751,094	\$ 6,332
59441	WEWS-TV	4,112,984	4,078,299	\$ 34,380
72052	WEYI-TV	3,715,686	3,652,991	\$ 30,795
72054	WFAA	6,917,502	6,907,616	\$ 58,231
81669	WFBD	817,914	817,389	\$ 6,891
69532	WFDC-DT	8,155,998	8,114,847	\$ 68,408
10132	WFFF-TV	633,649	552,182	\$ 4,655
25040	WFFT-TV	1,095,429	1,095,411	\$ 9,234
11123	WFGC	3,018,351	3,018,351	\$ 25,445
6554	WFGX	1,493,866	1,493,319	\$ 12,589
13991	WFIE	743,079	740,909	\$ 6,246
715	WFIQ	546,563	544,258	\$ 4,588
64592	WFLA-TV	5,583,544	5,576,649	\$ 47,011

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Facility Id.	Call Sign	Population	Population	Fee Amount
22211	WFLD	9,957,301	9,954,828	\$ 83,919
72060	WFLI-TV	1,294,209	1,189,897	\$ 10,031
39736	WFLX	5,740,086	5,740,086	\$ 48,389
72062	WFMJ-TV	4,328,477	3,822,691	\$ 32,225
72064	WFMY-TV	4,772,783	4,746,167	\$ 40,010
39884	WFMZ-TV	10,613,847	9,474,797	\$ 79,873
83943	WFNA	1,391,519	1,390,447	\$ 11,721
47902	WFOR-TV	5,398,266	5,398,266	\$ 45,507
11909	WFOX-TV	1,603,324	1,603,324	\$ 13,516
40626	WFPT	5,829,153	5,442,279	\$ 45,878
21245	WFPX-TV	2,637,949	2,634,141	\$ 22,206
25396	WFQX-TV	537,340	534,314	\$ 4,504
9635	WFRV-TV	1,263,353	1,256,376	\$ 10,591
53115	WFSB	4,752,788	4,370,519	\$ 36,843
6093	WFSG	364,961	364,796	\$ 3,075
21801	WFSU-TV	576,105	576,093	\$ 4,856
11913	WFTC	3,787,177	3,770,207	\$ 31,783
64588	WFTS-TV	5,236,379	5,236,287	\$ 44,142
16788	WFTT-TV	4,523,828	4,521,879	\$ 38,119
72076	WFTV	3,882,888	3,882,888	\$ 32,733
70649	WFTX-TV	1,758,172	1,758,172	\$ 14,821
60553	WFTY-DT	5,678,755	5,560,460	\$ 46,875
25395	WFUP	234,863	234,436	\$ 1,976
60555	WFUT-DT	20,362,721	19,974,644	\$ 168,386
22108	WFWA	1,035,114	1,034,862	\$ 8,724
9054	WFXB	1,393,865	1,393,510	\$ 11,747
3228	WFXG	1,070,032	1,057,760	\$ 8,917
70815	WFXL	793,637	785,106	\$ 6,618
19707	WFXP	583,315	562,500	\$ 4,742
24813	WFXR	1,426,061	1,286,450	\$ 10,845
6463	WFXT	7,494,070	7,400,830	\$ 62,389

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
22245	WFXU	218,273	218,273	\$ 1,840
43424	WFXV	702,682	612,494	\$ 5,163
25236	WFXW	274,078	270,967	\$ 2,284
41397	WFYI	2,389,627	2,388,970	\$ 20,139
53930	WGAL	6,287,688	5,610,833	\$ 47,299
2708	WGBA-TV	1,170,375	1,170,127	\$ 9,864
24314	WGBC	249,415	249,235	\$ 2,101
72099	WGBH-TV	7,711,842	7,601,732	\$ 64,083
12498	WGBO-DT	9,828,737	9,826,530	\$ 82,838
11113	WGBP-TV	1,820,589	1,812,232	\$ 15,277
72098	WGBX-TV	7,803,280	7,636,641	\$ 64,377
72096	WGBY-TV	4,470,009	3,739,675	\$ 31,525
72120	WGCL-TV	6,027,276	5,961,471	\$ 50,255
62388	WGPU	1,510,671	1,510,671	\$ 12,735
54275	WGEM-TV	361,598	356,682	\$ 3,007
27387	WGEN-TV	43,037	43,037	\$ 363
7727	WGFL	877,163	877,163	\$ 7,394
25682	WGGB-TV	3,443,386	3,053,436	\$ 25,740
11027	WGGN-TV	4,002,841	3,981,382	\$ 33,563
9064	WGGT-TV	2,759,326	2,705,067	\$ 22,804
72106	WGHP	4,174,964	4,123,106	\$ 34,758
710	WGIQ	363,849	363,806	\$ 3,067
12520	WGMB-TV	1,742,708	1,742,659	\$ 14,691
25683	WGME-TV	1,495,724	1,325,465	\$ 11,174
24618	WGNM	742,458	741,502	\$ 6,251
72119	WGNO	1,641,765	1,641,765	\$ 13,840
9762	WGNT	2,128,079	2,127,891	\$ 17,938
72115	WGN-TV	9,942,959	9,941,552	\$ 83,807
40619	WGPT	578,294	344,300	\$ 2,902
65074	WGPX-TV	2,765,350	2,754,743	\$ 23,222
64547	WGRZ	1,878,725	1,812,309	\$ 15,278

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Facility Id.	Call Sign	Population	Population	Fee Amount
63329	WGTA	1,061,654	1,030,538	\$ 8,687
66285	WGTE-TV	2,210,496	2,208,927	\$ 18,621
59279	WGTQ	95,618	92,019	\$ 776
59280	WGTU	358,543	353,477	\$ 2,980
23948	WGTV	5,989,342	5,917,966	\$ 49,888
7623	WGTW-TV	807,797	807,797	\$ 6,810
24783	WGVK	2,439,225	2,437,526	\$ 20,548
24784	WGVU-TV	1,825,744	1,784,264	\$ 15,041
21536	WGWG	986,963	986,963	\$ 8,320
56642	WGWW	1,677,166	1,647,976	\$ 13,892
58262	WGXA	779,955	779,087	\$ 6,568
73371	WHAM-TV	1,381,564	1,334,653	\$ 11,251
32327	WHAS-TV	1,955,983	1,925,901	\$ 16,235
6096	WHA-TV	1,635,777	1,628,950	\$ 13,732
13950	WHBF-TV	1,712,339	1,704,072	\$ 14,365
12521	WHBQ-TV	1,736,335	1,708,345	\$ 14,401
10894	WHBR	1,302,764	1,302,041	\$ 10,976
65128	WHDF	1,553,469	1,502,852	\$ 12,669
72145	WHDH	7,441,208	7,343,735	\$ 61,908
83929	WHDT	5,768,239	5,768,239	\$ 48,626
70041	WHEC-TV	1,322,243	1,279,606	\$ 10,787
67971	WHFT-TV	5,417,409	5,417,409	\$ 45,669
41458	WHIO-TV	3,877,520	3,868,597	\$ 32,612
713	WHIQ	1,278,174	1,225,940	\$ 10,335
61216	WHIZ-TV	911,245	840,696	\$ 7,087
65919	WHKY-TV	3,358,493	3,294,261	\$ 27,771
18780	WHLA-TV	554,446	515,561	\$ 4,346
48668	WHLT	484,432	483,532	\$ 4,076
24582	WHLV-TV	3,906,201	3,906,201	\$ 32,929
37102	WHMB-TV	2,959,585	2,889,145	\$ 24,355
61004	WHMC	774,921	774,921	\$ 6,533

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Facility Id.	Call Sign	Population	Population	Fee Amount
36117	WHME-TV	1,455,358	1,455,110	\$ 12,267
37106	WHNO	1,499,653	1,499,653	\$ 12,642
72300	WHNS	2,549,610	2,270,868	\$ 19,143
48693	WHNT-TV	1,569,885	1,487,578	\$ 12,540
66221	WHO-DT	1,120,480	1,099,818	\$ 9,271
6866	WHOI	736,125	736,047	\$ 6,205
72313	WHP-TV	4,030,693	3,538,096	\$ 29,826
51980	WHPX-TV	5,579,464	5,114,336	\$ 43,114
73036	WHRM-TV	535,778	532,820	\$ 4,492
25932	WHRO-TV	2,169,238	2,169,237	\$ 18,287
68058	WHSB-TV	5,870,314	5,808,605	\$ 48,967
4688	WHSV-TV	845,013	711,912	\$ 6,001
9990	WHTJ	807,960	690,381	\$ 5,820
72326	WHTM-TV	2,829,585	2,367,000	\$ 19,954
11117	WHTN	1,914,755	1,905,733	\$ 16,065
27772	WHUT-TV	7,649,763	7,617,337	\$ 64,214
18793	WHWC-TV	1,123,941	1,091,281	\$ 9,199
72338	WHYY-TV	10,448,829	10,049,700	\$ 84,719
5360	WIAT	1,837,072	1,802,810	\$ 15,198
63160	WIBW-TV	1,234,347	1,181,009	\$ 9,956
25684	WICD	1,238,332	1,237,046	\$ 10,428
25686	WICS	1,149,358	1,147,264	\$ 9,671
24970	WICU-TV	740,115	683,435	\$ 5,761
62210	WICZ-TV	1,249,974	965,416	\$ 8,138
18410	WIDP	2,559,306	1,899,768	\$ 16,015
26025	WIFS	1,583,693	1,578,870	\$ 13,310
720	WIIQ	353,241	347,685	\$ 2,931
68939	WILL-TV	1,178,545	1,158,147	\$ 9,763
6863	WILX-TV	3,378,644	3,218,221	\$ 27,130
22093	WINK-TV	1,851,105	1,851,105	\$ 15,605
67787	WINM	1,001,485	971,031	\$ 8,186

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
41314	WINP-TV	2,935,057	2,883,944	\$ 24,312
3646	WIPB	1,965,353	1,965,174	\$ 16,566
48408	WIPL	850,656	799,165	\$ 6,737
53863	WIPM-TV ¹	2,196,157	1,554,017	\$ 2,435
53859	WIPR-TV ¹	3,596,802	2,811,148	\$ 23,698
10253	WIPX-TV	2,305,723	2,303,534	\$ 19,419
39887	WIRS ¹²	1,091,825	757,978	\$ 5,056
71336	WIRT-DT	127,001	126,300	\$ 1,065
13990	WIS	2,644,715	2,600,887	\$ 21,925
65143	WISC-TV	1,734,112	1,697,537	\$ 14,310
13960	WISE-TV	1,070,155	1,070,155	\$ 9,021
39269	WISH-TV	2,912,963	2,855,253	\$ 24,070
65680	WISN-TV	3,003,636	2,997,695	\$ 25,271
73083	WITF-TV	2,412,561	2,191,501	\$ 18,474
73107	WITI	3,111,641	3,102,097	\$ 26,151
594	WITN-TV	1,861,458	1,836,905	\$ 15,485
61005	WITV	871,783	871,783	\$ 7,349
7780	WIVB-TV	1,900,503	1,820,106	\$ 15,343
11260	WIVT	855,138	613,934	\$ 5,175
60571	WIWN	3,338,845	3,323,941	\$ 28,021
62207	WIYC	639,641	637,499	\$ 5,374
73120	WJAC-TV	2,219,529	1,897,986	\$ 16,000
10259	WJAL	8,750,706	8,446,074	\$ 71,200
50780	WJAR	7,108,180	6,976,099	\$ 58,809
35576	WJAX-TV	1,630,782	1,630,782	\$ 13,747
27140	WJBF	1,601,088	1,588,444	\$ 13,391
73123	WJBK	5,748,623	5,711,224	\$ 48,146
37174	WJCL	938,086	938,086	\$ 7,908
73130	WJCT	1,618,817	1,617,292	\$ 13,634
29719	WJEB-TV	1,607,603	1,607,603	\$ 13,552
65749	WJET-TV	747,431	717,721	\$ 6,050

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
7651	WJFB	2,310,517	2,302,217	\$ 19,408
49699	WJFW-TV	277,530	268,295	\$ 2,262
73136	WJHG-TV	864,121	859,823	\$ 7,248
57826	WJHL-TV	2,034,663	1,462,129	\$ 12,326
68519	WJKT	655,780	655,373	\$ 5,525
1051	WJLA-TV	8,750,706	8,447,643	\$ 71,214
86537	WJLP	21,384,863	21,119,366	\$ 178,036
9630	WJMN-TV	160,991	154,424	\$ 1,302
61008	WJPM-TV	623,939	623,787	\$ 5,259
58340	WJPX ^{6,10,12}	3,254,481	2,500,195	\$ 21,077
21735	WJRT-TV	2,788,684	2,543,446	\$ 21,441
23918	WJSP-TV	4,225,860	4,188,428	\$ 35,308
41210	WJTC	1,381,529	1,379,283	\$ 11,627
48667	WJTV	987,206	980,717	\$ 8,267
73150	WJW	3,977,148	3,905,325	\$ 32,922
61007	WJWJ-TV	1,034,555	1,034,555	\$ 8,721
58342	WJWN-TV ⁶	2,063,156	1,461,497	\$ 5,056
53116	WJXT	1,622,616	1,622,616	\$ 13,679
11893	WJXX	1,618,191	1,617,272	\$ 13,634
32334	WJYS	9,667,341	9,667,317	\$ 81,495
25455	WJZ-TV	9,743,335	9,350,346	\$ 78,823
73152	WJZY	4,432,745	4,301,117	\$ 36,258
64983	WKAQ-TV ³	3,697,088	2,731,588	\$ 2,843
6104	WKAR-TV	1,693,373	1,689,830	\$ 14,245
34171	WKAS	542,308	512,994	\$ 4,325
51570	WKBD-TV	5,065,617	5,065,350	\$ 42,701
73153	WKBN-TV	4,898,622	4,535,576	\$ 38,235
13929	WKBS-TV	1,082,894	937,847	\$ 7,906
74424	WKBT-DT	866,325	824,795	\$ 6,953
54176	WKBW-TV	2,247,191	2,161,366	\$ 18,220
53465	WKCF	4,241,181	4,240,354	\$ 35,746

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
73155	WKEF	3,730,595	3,716,127	\$ 31,327
34177	WKGB-TV	413,268	411,587	\$ 3,470
34196	WKHA	511,281	400,721	\$ 3,378
34207	WKLE	856,237	846,630	\$ 7,137
34212	WKMA-TV	524,617	524,035	\$ 4,418
71293	WKMG-TV	3,817,673	3,817,673	\$ 32,183
34195	WKMJ-TV	1,477,906	1,470,645	\$ 12,398
34202	WKMR	463,316	428,462	\$ 3,612
34174	WKMU	344,430	344,050	\$ 2,900
42061	WKNO	1,645,867	1,642,092	\$ 13,843
83931	WKNX-TV	1,684,178	1,459,493	\$ 12,304
34205	WKOH	584,645	579,258	\$ 4,883
67869	WKOI-TV	3,831,757	3,819,550	\$ 32,199
34211	WKON	1,080,274	1,072,320	\$ 9,040
18267	WKOP-TV	1,555,654	1,382,098	\$ 11,651
64545	WKOW	1,918,224	1,899,746	\$ 16,015
21432	WKPC-TV	1,525,919	1,517,701	\$ 12,794
65758	WKPD	283,454	282,250	\$ 2,379
34200	WKPI-TV	606,666	481,220	\$ 4,057
27504	WKPT-TV	1,131,213	887,806	\$ 7,484
58341	WKPV ¹⁰	1,132,932	731,199	\$ 5,056
11289	WKRC-TV	3,281,914	3,229,223	\$ 27,222
73187	WKRK-TV	1,526,600	1,526,075	\$ 12,865
73188	WKRN-TV	2,409,767	2,388,588	\$ 20,136
34222	WKSO-TV	658,441	642,090	\$ 5,413
40902	WKTC	1,387,229	1,386,779	\$ 11,691
60654	WKTV	1,573,503	1,342,387	\$ 11,316
73195	WKYC	4,180,327	4,124,135	\$ 34,766
24914	WKYT-TV	1,174,615	1,156,978	\$ 9,753
71861	WKYU-TV	411,448	409,310	\$ 3,450
34181	WKZT-TV	1,044,532	1,020,878	\$ 8,606

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
18819	WLAE-TV	1,397,967	1,397,967	\$ 11,785
36533	WLAJ	4,100,475	4,063,963	\$ 34,259
2710	WLAX	469,017	447,381	\$ 3,771
68542	WLBT	948,671	947,857	\$ 7,990
39644	WLBZ	373,129	364,346	\$ 3,071
69328	WLED-TV	332,718	174,998	\$ 1,475
63046	WLEF-TV	200,517	199,188	\$ 1,679
73203	WLEX-TV	969,481	964,735	\$ 8,133
37806	WLFB	798,916	688,519	\$ 5,804
37808	WLFG	1,614,321	1,282,063	\$ 10,808
73204	WLFI-TV	2,243,009	2,221,313	\$ 18,726
73205	WLFL	3,747,583	3,743,960	\$ 31,562
19777	WLII-DT ^{4,8}	2,801,102	2,153,564	\$ 18,155
37503	WLIO	1,067,232	1,050,170	\$ 8,853
38336	WLIW	20,027,920	19,717,729	\$ 166,220
27696	WLJC-TV	1,401,072	1,281,256	\$ 10,801
71645	WLJT-DT	385,493	385,380	\$ 3,249
53939	WLKY	1,927,997	1,919,810	\$ 16,184
11033	WLLA	2,081,693	2,081,436	\$ 17,547
17076	WLMB	2,754,484	2,747,490	\$ 23,161
68518	WLMT	1,736,552	1,733,496	\$ 14,613
22591	WLNE-TV	6,429,522	6,381,825	\$ 53,799
74420	WLNS-TV	4,100,475	4,063,963	\$ 34,259
73206	WLNY-TV	7,501,199	7,415,578	\$ 62,513
84253	WLOO	913,960	912,674	\$ 7,694
56537	WLOS	3,086,751	2,544,360	\$ 21,449
37732	WLOV-TV	609,526	607,780	\$ 5,124
13995	WLOX	1,182,149	1,170,659	\$ 9,869
38586	WLPB-TV	1,219,624	1,219,407	\$ 10,280
73189	WLPX-TV	1,066,912	1,022,543	\$ 8,620
66358	WLRN-TV	5,447,399	5,447,399	\$ 45,922

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
73226	WLS-TV	10,174,464	10,170,757	\$ 85,739
73230	WLTV-DT	5,427,398	5,427,398	\$ 45,753
37176	WLTX	1,580,677	1,578,645	\$ 13,308
37179	WLTZ	689,521	685,358	\$ 5,778
21259	WLUC-TV	92,246	85,393	\$ 720
4150	WLUK-TV	1,251,563	1,247,414	\$ 10,516
73238	WLVI	7,441,208	7,343,735	\$ 61,908
36989	WLVT-TV	10,613,847	9,474,797	\$ 79,873
3978	WLWC	3,281,532	3,150,875	\$ 26,562
46979	WLWT	3,367,381	3,355,009	\$ 28,283
54452	WLXI	4,184,851	4,166,318	\$ 35,122
55350	WLYH	2,829,585	2,367,000	\$ 19,954
43192	WMAB-TV	405,483	399,560	\$ 3,368
43170	WMAE-TV	686,076	653,173	\$ 5,506
43197	WMAH-TV	1,257,393	1,256,995	\$ 10,596
43176	WMAO-TV	369,696	369,343	\$ 3,114
47905	WMAQ-TV	9,914,395	9,913,272	\$ 83,569
59442	WMAR-TV	9,198,495	9,072,076	\$ 76,478
43184	WMAU-TV	642,328	636,504	\$ 5,366
43193	WMAV-TV	1,008,339	1,008,208	\$ 8,499
43169	WMAW-TV	726,173	715,450	\$ 6,031
46991	WMAZ-TV	1,185,678	1,136,616	\$ 9,582
66398	WMBB	935,027	914,607	\$ 7,710
43952	WMBC-TV	18,706,132	18,458,331	\$ 155,604
42121	WMBD-TV	742,729	742,660	\$ 6,261
83969	WMBF-TV	445,363	445,363	\$ 3,754
60829	WMCF-TV	612,942	609,635	\$ 5,139
9739	WMCN-TV	10,448,829	10,049,700	\$ 84,719
19184	WMC-TV	2,047,403	2,043,125	\$ 17,224
189357	WMDE	6,384,827	6,257,910	\$ 52,754
73255	WMDN	278,227	278,018	\$ 2,344

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Facility Id.	Call Sign	Population	Population	Fee Amount
16455	WMDT	731,868	731,868	\$ 6,170
39656	WMEA-TV	902,755	853,857	\$ 7,198
39648	WMEB-TV	511,761	494,574	\$ 4,169
70537	WMEC	218,027	217,839	\$ 1,836
39649	WMED-TV	30,488	29,577	\$ 249
39662	WMEM-TV	71,700	69,981	\$ 590
41893	WMFD-TV	1,561,367	1,324,244	\$ 11,163
41436	WMFP	5,792,048	5,564,295	\$ 46,907
61111	WMGM-TV	807,797	807,797	\$ 6,810
43847	WMGT-TV	601,894	601,309	\$ 5,069
73263	WMHT	1,719,949	1,550,977	\$ 13,075
68545	WMLW-TV	1,843,933	1,843,663	\$ 15,542
53819	WMOR-TV	5,394,541	5,394,541	\$ 45,476
81503	WMOW	121,150	105,957	\$ 893
65944	WMPB	7,279,563	7,190,696	\$ 60,618
43168	WMPN-TV	856,237	854,089	\$ 7,200
65942	WMPT	8,637,742	8,584,398	\$ 72,366
60827	WMPV-TV	1,423,052	1,422,411	\$ 11,991
10221	WMSN-TV	1,947,942	1,927,158	\$ 16,246
2174	WMTJ ¹¹	3,143,148	2,365,308	\$ 19,940
6870	WMTV	1,548,616	1,545,459	\$ 13,028
73288	WMTW	1,940,292	1,658,816	\$ 13,984
23935	WMUM-TV	925,814	920,835	\$ 7,763
73292	WMUR-TV	5,242,334	5,057,770	\$ 42,637
42663	WMVS	3,172,534	3,112,231	\$ 26,236
42665	WMVT	3,172,534	3,112,231	\$ 26,236
81946	WMWC-TV	946,858	916,989	\$ 7,730
56548	WMYA-TV	1,650,798	1,571,594	\$ 13,249
74211	WMYD	5,750,989	5,750,873	\$ 48,480
20624	WMYT-TV	4,432,745	4,301,117	\$ 36,258
25544	WMYV	3,901,915	3,875,210	\$ 32,668

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Facility Id.	Call Sign	Population	Population	Fee Amount
73310	WNAB	2,176,984	2,166,809	\$ 18,266
73311	WNAC-TV	7,310,183	6,959,064	\$ 58,665
47535	WNBC	21,952,082	21,399,204	\$ 180,395
83965	WNBW-DT	1,400,631	1,396,012	\$ 11,768
72307	WNCF	667,683	665,950	\$ 5,614
50782	WNCN	3,795,494	3,783,131	\$ 31,892
57838	WNCT-TV	1,935,414	1,887,929	\$ 15,915
41674	WNDU-TV	1,863,764	1,835,398	\$ 15,472
28462	WNDY-TV	2,912,963	2,855,253	\$ 24,070
71928	WNED-TV	1,387,961	1,370,480	\$ 11,553
60931	WNEH	1,261,482	1,255,218	\$ 10,581
41221	WNEM-TV	1,475,094	1,471,908	\$ 12,408
49439	WNEO	3,353,869	3,271,369	\$ 27,578
73318	WNEP-TV	3,429,213	2,838,000	\$ 23,924
18795	WNET	21,113,760	20,615,190	\$ 173,786
51864	WNEU	7,135,190	7,067,520	\$ 59,579
23942	WNGH-TV	5,744,856	5,595,366	\$ 47,169
67802	WNIN	908,275	891,946	\$ 7,519
41671	WNIT	1,305,447	1,305,447	\$ 11,005
48457	WNJB	20,787,272	20,036,393	\$ 168,907
48477	WNJN	20,787,272	20,036,393	\$ 168,907
48481	WNJS	7,383,483	7,343,269	\$ 61,904
48465	WNJT	7,383,483	7,343,269	\$ 61,904
73333	WNJU	21,952,082	21,399,204	\$ 180,395
73336	WNJX-TV ²	1,628,732	1,170,083	\$ 2,573
61217	WNKY	379,002	377,357	\$ 3,181
71905	WNLO	1,900,503	1,820,106	\$ 15,343
4318	WNMU	181,736	179,662	\$ 1,515
73344	WNNE	792,551	676,539	\$ 5,703
54280	WNOL-TV	1,632,389	1,632,389	\$ 13,761
71676	WNPB-TV	2,130,047	1,941,707	\$ 16,369

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Facility Id.	Call Sign	Population	Population	Fee Amount
62137	WNPI-DT	167,931	161,748	\$ 1,364
41398	WNPT	2,266,543	2,235,316	\$ 18,844
28468	WNPX-TV	2,084,890	2,071,017	\$ 17,459
61009	WNCS-TV	2,431,154	2,425,044	\$ 20,443
61010	WNTV	2,419,841	2,211,019	\$ 18,639
16539	WNTZ-TV	344,704	343,849	\$ 2,899
7933	WNUV	9,098,694	8,906,508	\$ 75,082
9999	WNVC	807,960	690,381	\$ 5,820
10019	WNVT	1,721,004	1,712,249	\$ 14,434
73354	WNWO-TV	2,872,428	2,872,250	\$ 24,213
136751	WNYA	1,923,118	1,651,777	\$ 13,924
30303	WNYB	1,785,269	1,756,096	\$ 14,804
6048	WNYE-TV	19,414,613	19,180,858	\$ 161,695
34329	WNYI	1,627,542	1,338,811	\$ 11,286
67784	WNYO-TV	1,430,491	1,409,756	\$ 11,884
73363	WNYT	1,679,494	1,516,775	\$ 12,786
22206	WNYW	20,075,874	19,753,060	\$ 166,518
69618	WOAI-TV	2,525,811	2,513,887	\$ 21,192
66804	WOAY-TV	581,486	443,210	\$ 3,736
41225	WOFL	4,048,104	4,043,672	\$ 34,088
70651	WOGX	1,112,408	1,112,408	\$ 9,378
8661	WOI-DT	1,173,757	1,170,432	\$ 9,867
39746	WOIO	3,821,233	3,745,335	\$ 31,573
71725	WOLE-DT ⁴	1,784,094	1,312,984	\$ 7,978
73375	WOLF-TV	2,990,646	2,522,858	\$ 21,268
60963	WOLO-TV	2,635,715	2,594,980	\$ 21,876
36838	WOOD-TV	2,507,053	2,501,084	\$ 21,084
67602	WOPX-TV	3,877,863	3,877,805	\$ 32,690
64865	WORA-TV ^{3,13}	3,594,115	2,762,755	\$ 23,290
73901	WORO-DT	3,243,301	2,511,742	\$ 21,174
60357	WOST	1,193,381	853,762	\$ 7,197

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Facility Id.	Call Sign	Population	Population	Fee Amount
66185	WOSU-TV	2,843,651	2,776,901	\$ 23,409
131	WOTF-TV	3,451,383	3,451,383	\$ 29,095
10212	WOTV	2,368,797	2,368,397	\$ 19,966
50147	WOUB-TV	756,762	734,988	\$ 6,196
50141	WOUC-TV	1,713,515	1,649,853	\$ 13,908
23342	WOWK-TV	1,159,175	1,083,663	\$ 9,135
65528	WOWT	1,380,979	1,377,287	\$ 11,611
31570	WPAN	1,254,821	1,254,636	\$ 10,577
51988	WPBF	3,190,307	3,186,405	\$ 26,861
21253	WPBN-TV	442,005	430,953	\$ 3,633
62136	WPBS-TV	338,448	301,692	\$ 2,543
13456	WPBT	5,416,604	5,416,604	\$ 45,662
13924	WPCB-TV	2,934,614	2,800,516	\$ 23,608
64033	WPCH-TV	5,948,778	5,874,163	\$ 49,519
4354	WPCT	195,270	194,869	\$ 1,643
69880	WPCW	3,393,365	3,188,441	\$ 26,879
17012	WPDE-TV	1,772,233	1,769,553	\$ 14,917
52527	WPEC	5,764,571	5,764,571	\$ 48,595
84088	WPFO	1,329,690	1,209,873	\$ 10,199
54728	WPGA-TV	559,495	559,025	\$ 4,713
60820	WPGD-TV	2,355,629	2,343,715	\$ 19,758
73875	WPGH-TV	3,236,098	3,121,767	\$ 26,316
2942	WPGX	425,098	422,872	\$ 3,565
73879	WPHL-TV	10,421,216	10,246,856	\$ 86,381
73881	WPIX	20,638,932	20,213,158	\$ 170,397
53113	WPLG	5,587,129	5,587,129	\$ 47,099
11906	WPMI-TV	1,468,001	1,467,594	\$ 12,372
10213	WPMT	2,412,561	2,191,501	\$ 18,474
18798	WPNE-TV	1,161,295	1,160,631	\$ 9,784
73907	WPNT	3,172,170	3,064,423	\$ 25,833
28480	WPPT	10,613,847	9,474,797	\$ 79,873

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
51984	WPPX-TV	8,206,117	7,995,941	\$ 67,406
47404	WPRI-TV	7,254,721	6,990,606	\$ 58,931
51991	WPSD-TV	883,814	879,213	\$ 7,412
12499	WPSG	10,798,264	10,529,460	\$ 88,763
66219	WPSU-TV	1,055,133	868,013	\$ 7,317
73905	WPTA	1,099,180	1,099,180	\$ 9,266
25067	WPTD	3,423,417	3,411,727	\$ 28,761
25065	WPTO	2,961,254	2,951,883	\$ 24,884
59443	WPTV-TV	5,840,102	5,840,102	\$ 49,232
57476	WPTZ	792,551	676,539	\$ 5,703
8616	WPVI-TV	11,491,587	11,302,701	\$ 95,282
48772	WPWR-TV	9,957,301	9,954,828	\$ 83,919
51969	WPXA-TV	6,587,205	6,458,510	\$ 54,445
71236	WPXC-TV	1,561,014	1,561,014	\$ 13,159
5800	WPXD-TV	5,249,447	5,249,447	\$ 44,253
37104	WPXE-TV	3,067,071	3,057,388	\$ 25,774
48406	WPXG-TV	2,577,848	2,512,150	\$ 21,177
73312	WPXH-TV	1,471,601	1,451,634	\$ 12,237
73910	WPXI	3,300,896	3,197,864	\$ 26,958
2325	WPXJ-TV	2,357,870	2,289,706	\$ 19,302
52628	WPXK-TV	1,801,997	1,577,806	\$ 13,301
21729	WPXL-TV	1,639,180	1,639,180	\$ 13,818
48608	WPXM-TV	5,153,621	5,153,621	\$ 43,445
73356	WPXN-TV	20,878,066	20,454,468	\$ 172,431
27290	WPXP-TV	5,565,072	5,565,072	\$ 46,914
50063	WPXQ-TV	3,281,532	3,150,875	\$ 26,562
70251	WPXR-TV	1,375,640	1,200,331	\$ 10,119
40861	WPXS	2,339,305	2,251,498	\$ 18,980
53065	WPXT	1,002,128	952,535	\$ 8,030
37971	WPXU-TV	700,488	700,488	\$ 5,905
67077	WPXV-TV	1,919,794	1,919,794	\$ 16,184

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Facility Id.	Call Sign	Population	Population	Fee Amount
74091	WPXW-TV	8,075,268	8,024,342	\$ 67,645
21726	WPXX-TV	1,562,675	1,560,834	\$ 13,158
73319	WQAD-TV	1,101,012	1,089,523	\$ 9,185
65130	WQCW	1,307,345	1,236,020	\$ 10,420
71561	WQEC	183,969	183,690	\$ 1,549
41315	WQED	3,529,305	3,426,684	\$ 28,887
3255	WQHA	3,229,803	1,875,347	\$ 15,809
60556	WQHS-DT	3,996,567	3,952,672	\$ 33,321
53716	WQLN	602,232	577,633	\$ 4,869
52075	WQMY	410,269	254,586	\$ 2,146
64550	WQOW	369,066	358,576	\$ 3,023
5468	WQPT-TV	941,381	933,107	\$ 7,866
64690	WQPX-TV	1,644,283	1,212,587	\$ 10,222
52408	WQRF-TV	1,375,774	1,354,979	\$ 11,422
2175	WQTO ¹¹	2,864,201	1,598,365	\$ 6,193
8688	WRAL-TV	3,852,675	3,848,801	\$ 32,445
10133	WRAY-TV	4,184,851	4,166,318	\$ 35,122
64611	WRAZ	3,800,594	3,797,515	\$ 32,013
136749	WRBJ-TV	1,030,831	1,028,010	\$ 8,666
3359	WRBL	1,493,140	1,461,459	\$ 12,320
57221	WRBU	2,933,497	2,929,776	\$ 24,698
54940	WRBW	4,080,267	4,077,341	\$ 34,372
59137	WRCB	1,587,742	1,363,582	\$ 11,495
47904	WRC-TV	8,188,601	8,146,696	\$ 68,677
54963	WRDC	3,972,477	3,966,864	\$ 33,441
55454	WRDQ	3,930,315	3,930,315	\$ 33,133
73937	WRDW-TV	1,564,584	1,533,682	\$ 12,929
66174	WREG-TV	1,642,307	1,638,585	\$ 13,813
61011	WRET-TV	2,419,841	2,211,019	\$ 18,639
73940	WREX	2,303,027	2,047,951	\$ 17,264
54443	WRFB ¹³	2,674,527	1,975,375	\$ 2,843

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
73942	WRGB	1,757,575	1,645,483	\$ 13,871
411	WRGT-TV	3,451,036	3,416,078	\$ 28,798
74416	WRIC-TV	2,059,152	1,996,075	\$ 16,827
61012	WRJA-TV	1,204,291	1,201,900	\$ 10,132
412	WRLH-TV	2,017,508	1,959,111	\$ 16,515
61013	WRLK-TV	1,229,094	1,228,616	\$ 10,357
43870	WRLM	3,960,217	3,945,408	\$ 33,260
74156	WRNN-TV	19,853,836	19,615,370	\$ 165,358
73964	WROC-TV	1,203,412	1,185,203	\$ 9,991
159007	WRPT	110,009	109,937	\$ 927
20590	WRPX-TV	2,637,949	2,634,141	\$ 22,206
62009	WRSP-TV	1,156,134	1,154,040	\$ 9,729
40877	WRTV	2,919,683	2,895,164	\$ 24,406
15320	WRUA	2,905,193	2,121,362	\$ 17,883
71580	WRXY-TV	1,784,000	1,784,000	\$ 15,039
48662	WSAV-TV	1,000,315	1,000,309	\$ 8,433
6867	WSAW-TV	652,442	646,386	\$ 5,449
36912	WSAZ-TV	1,239,187	1,168,954	\$ 9,854
56092	WSBE-TV	7,535,710	7,266,304	\$ 61,255
73982	WSBK-TV	7,290,901	7,225,463	\$ 60,911
72053	WSBS-TV	42,952	42,952	\$ 362
73983	WSBT-TV	1,763,215	1,752,698	\$ 14,775
23960	WSB-TV	5,897,425	5,828,269	\$ 49,132
69446	WSCG	867,516	867,490	\$ 7,313
64971	WSCV	5,465,435	5,465,435	\$ 46,074
70536	WSEC	538,090	536,891	\$ 4,526
49711	WSEE-TV	613,176	595,476	\$ 5,020
21258	WSES	1,829,499	1,796,561	\$ 15,145
73988	WSET-TV	1,575,886	1,340,273	\$ 11,299
13993	WSFA	1,166,744	1,132,826	\$ 9,550
11118	WSFJ-TV	1,675,987	1,667,150	\$ 14,054

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
10203	WSFL-TV	5,344,129	5,344,129	\$ 45,051
72871	WSFX-TV	970,833	970,833	\$ 8,184
73999	WSIL-TV	672,560	669,176	\$ 5,641
4297	WSIU-TV	1,019,939	937,070	\$ 7,900
74007	WSJV	1,651,178	1,644,683	\$ 13,865
78908	WSKA	546,588	431,354	\$ 3,636
74034	WSKG-TV	892,402	633,163	\$ 5,338
76324	WSKY-TV	1,934,585	1,934,519	\$ 16,308
57840	WSLS-TV	1,447,286	1,277,753	\$ 10,771
21737	WSMH	2,339,224	2,327,660	\$ 19,622
41232	WSMV-TV	2,447,769	2,404,766	\$ 20,272
70119	WSNS-TV	9,914,395	9,913,272	\$ 83,569
74070	WSOC-TV	3,706,808	3,638,832	\$ 30,675
66391	WSPA-TV	3,388,945	3,227,025	\$ 27,204
64352	WSPX-TV	1,298,295	1,174,763	\$ 9,903
17611	WSRE	1,354,495	1,353,634	\$ 11,411
63867	WSST-TV	331,907	331,601	\$ 2,795
60341	WSTE-DT	3,723,967	3,033,272	\$ 25,570
21252	WSTM-TV	1,455,586	1,379,393	\$ 11,628
11204	WSTR-TV	3,297,280	3,286,795	\$ 27,708
19776	WSUR-DT ⁸	3,714,790	3,015,529	\$ 7,978
2370	WSVI	50,601	50,601	\$ 427
63840	WSVN	5,588,748	5,588,748	\$ 47,113
73374	WSWB	1,530,002	1,102,316	\$ 9,293
28155	WSWG	381,004	380,910	\$ 3,211
71680	WSWP-TV	902,592	694,697	\$ 5,856
74094	WSYM-TV	1,498,905	1,498,671	\$ 12,634
73113	WSYR-TV	1,329,977	1,243,098	\$ 10,479
40758	WSYT	1,970,721	1,739,071	\$ 14,660
56549	WSYX	2,635,937	2,592,420	\$ 21,854
65681	WTAE-TV	2,995,755	2,860,979	\$ 24,118

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
23341	WTAJ-TV	1,187,718	948,598	\$ 7,997
4685	WTAP-TV	512,358	494,914	\$ 4,172
416	WTAT-TV	1,111,476	1,111,476	\$ 9,370
67993	WTBY-TV	15,858,470	15,766,438	\$ 132,911
29715	WTCE-TV	2,620,599	2,620,599	\$ 22,092
65667	WTCI	1,216,209	1,104,698	\$ 9,313
67786	WTCT	608,457	607,620	\$ 5,122
28954	WTCV ^{5,9}	3,254,481	2,500,195	\$ 21,077
74422	WTEN	1,902,431	1,613,747	\$ 13,604
9881	WTGL	3,707,507	3,707,507	\$ 31,254
27245	WTGS	966,519	966,357	\$ 8,146
70655	WTHI-TV	928,934	886,846	\$ 7,476
70162	WTHR	2,949,339	2,901,633	\$ 24,461
147	WTIC-TV	5,318,753	4,707,697	\$ 39,686
26681	WTIN-TV ⁷	3,714,547	2,898,224	\$ 2,573
66536	WTIU	1,570,257	1,569,135	\$ 13,228
1002	WTJP-TV	1,947,743	1,907,300	\$ 16,079
4593	WTJR	334,527	334,221	\$ 2,817
70287	WTJX-TV	135,017	121,498	\$ 1,024
47401	WTKR	2,149,376	2,149,375	\$ 18,119
82735	WTLF	349,696	349,691	\$ 2,948
23486	WTLH	1,065,127	1,065,105	\$ 8,979
67781	WTLJ	1,622,365	1,621,227	\$ 13,667
65046	WTLV	1,757,600	1,739,021	\$ 14,660
1222	WTLW	1,646,714	1,644,206	\$ 13,861
74098	WTMJ-TV	3,096,406	3,085,983	\$ 26,015
74109	WTNH	7,845,782	7,332,431	\$ 61,812
19200	WTNZ	1,699,427	1,513,754	\$ 12,761
590	WTOC-TV	993,098	992,658	\$ 8,368
74112	WTOG	5,268,364	5,267,177	\$ 44,402
4686	WTOK-TV	417,919	412,276	\$ 3,475

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
13992	WTOL	4,184,020	4,174,198	\$ 35,188
21254	WTOM-TV	120,369	117,121	\$ 987
74122	WTOV-TV	3,892,886	3,619,899	\$ 30,516
82574	WTPC-TV	2,049,246	2,042,851	\$ 17,221
86496	WTPX-TV	255,972	255,791	\$ 2,156
6869	WTRF-TV	2,941,511	2,565,375	\$ 21,626
67798	WTSF	922,441	851,465	\$ 7,178
11290	WTSP	5,506,869	5,489,954	\$ 46,280
4108	WTTA	5,583,544	5,576,649	\$ 47,011
74137	WTTE	2,690,341	2,650,354	\$ 22,342
22207	WTTG	8,101,358	8,049,329	\$ 67,856
56526	WTTK	2,844,384	2,825,807	\$ 23,822
74138	WTTO	1,877,570	1,844,214	\$ 15,547
56523	WTTV	2,522,077	2,518,133	\$ 21,228
10802	WTTW	9,729,982	9,729,634	\$ 82,021
74148	WTVA	823,492	810,123	\$ 6,829
22590	WTVC	1,579,628	1,366,976	\$ 11,524
8617	WTVD	3,790,354	3,775,757	\$ 31,830
55305	WTVE	5,156,905	5,152,997	\$ 43,440
36504	WTVF	2,384,622	2,367,601	\$ 19,959
74150	WTVG	4,405,350	4,397,113	\$ 37,068
74151	WTVH	1,390,502	1,327,319	\$ 11,189
10645	WTVI	2,856,703	2,829,960	\$ 23,857
63154	WTVJ	5,458,451	5,458,451	\$ 46,015
595	WTVM	1,498,667	1,405,957	\$ 11,852
72945	WTVO	1,409,708	1,398,825	\$ 11,792
28311	WTVP	678,884	678,539	\$ 5,720
51597	WTVQ-DT	989,786	983,552	\$ 8,291
57832	WTVR-TV	1,816,197	1,809,035	\$ 15,250
16817	WTVS	5,511,091	5,510,837	\$ 46,456
68569	WTVT	5,473,148	5,460,179	\$ 46,029

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
3661	WTVW	839,003	834,187	\$ 7,032
35575	WTVX	3,157,609	3,157,609	\$ 26,619
4152	WTVY	974,532	971,173	\$ 8,187
40759	WTVZ-TV	2,156,534	2,156,346	\$ 18,178
66908	WTWC-TV	1,061,101	1,061,079	\$ 8,945
20426	WTWO	737,341	731,294	\$ 6,165
81692	WTWV	1,527,511	1,526,625	\$ 12,869
51568	WTFX-TV	10,784,256	10,492,549	\$ 88,452
41065	WTXL-TV	1,054,514	1,054,322	\$ 8,888
8532	WUAB	3,821,233	3,745,335	\$ 31,573
12855	WUCF-TV	3,707,507	3,707,507	\$ 31,254
36395	WUCW	3,664,480	3,657,236	\$ 30,830
69440	WUFT	1,372,142	1,372,142	\$ 11,567
413	WUHF	1,152,580	1,147,972	\$ 9,677
8156	WUJA	2,638,361	1,977,410	\$ 16,670
69080	WUNC-TV	4,184,851	4,166,318	\$ 35,122
69292	WUND-TV	1,504,532	1,504,532	\$ 12,683
69114	WUNE-TV	3,146,865	2,625,942	\$ 22,137
69300	WUNF-TV	2,625,583	2,331,723	\$ 19,656
69124	WUNG-TV	3,605,143	3,588,220	\$ 30,249
60551	WUNI	7,209,571	7,084,349	\$ 59,721
69332	WUNJ-TV	1,116,458	1,116,458	\$ 9,412
69149	WUNK-TV	1,991,039	1,985,696	\$ 16,739
69360	WUNL-TV	3,055,263	2,834,274	\$ 23,893
69444	WUNM-TV	1,357,346	1,357,346	\$ 11,442
69397	WUNP-TV	1,402,186	1,393,524	\$ 11,747
69416	WUNU	1,202,495	1,201,481	\$ 10,128
83822	WUNW	1,109,237	570,072	\$ 4,806
6900	WUPA	5,966,454	5,888,379	\$ 49,639
13938	WUPL	1,721,320	1,721,320	\$ 14,511
10897	WUPV	1,933,664	1,914,643	\$ 16,140

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
19190	WUPW	2,100,914	2,099,572	\$ 17,699
23128	WUPX-TV	1,102,435	1,089,118	\$ 9,181
65593	WUSA	8,750,706	8,446,074	\$ 71,200
4301	WUSI-TV	339,507	339,507	\$ 2,862
60552	WUTB	8,523,983	8,381,042	\$ 70,652
30577	WUTF-TV	7,918,927	7,709,189	\$ 64,988
57837	WUTR	526,114	481,957	\$ 4,063
415	WUTV	1,589,376	1,557,474	\$ 13,130
16517	WUVC-DT	3,768,817	3,748,841	\$ 31,603
48813	WUVG-DT	6,029,495	5,965,975	\$ 50,293
3072	WUVN	1,233,568	1,157,140	\$ 9,755
60560	WUVP-DT	10,421,216	10,246,856	\$ 86,381
9971	WUXP-TV	2,316,872	2,305,293	\$ 19,434
417	WVAH-TV	1,373,555	1,295,383	\$ 10,920
23947	WVAN-TV	1,026,862	1,025,950	\$ 8,649
65387	WVBT	1,885,169	1,885,169	\$ 15,892
72342	WVCY-TV	3,111,641	3,102,097	\$ 26,151
60559	WVEA-TV	4,553,004	4,552,113	\$ 38,374
74167	WVEC	2,098,679	2,092,868	\$ 17,643
5802	WVEN-TV	3,921,016	3,919,361	\$ 33,040
61573	WVEO ⁵	1,091,825	757,978	\$ 5,056
69946	WVER	888,756	758,441	\$ 6,394
10976	WVFX	731,193	609,763	\$ 5,140
47929	WVIA-TV	3,429,213	2,838,000	\$ 23,924
3667	WVII-TV	368,022	346,874	\$ 2,924
70309	WVIR-TV	1,945,637	1,908,395	\$ 16,088
74170	WVIT	5,846,093	5,357,639	\$ 45,165
18753	WVIZ	3,695,223	3,689,173	\$ 31,100
70021	WVLA-TV	1,897,179	1,897,007	\$ 15,992
81750	WVLR	1,412,728	1,300,554	\$ 10,964
35908	WVLT-TV	1,888,607	1,633,633	\$ 13,772

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
74169	WVNS-TV	916,451	588,963	\$ 4,965
11259	WVNY	742,579	659,270	\$ 5,558
29000	WVOZ-TV ⁹	1,132,932	731,199	\$ 5,056
71657	WVPB-TV	992,798	959,526	\$ 8,089
60111	WVPT	767,268	642,173	\$ 5,414
70491	WVPX-TV	4,147,298	4,114,920	\$ 34,689
66378	WVPY	756,696	632,649	\$ 5,333
67190	WVSN	2,948,832	2,137,333	\$ 18,018
69943	WVTA	888,756	758,441	\$ 6,394
69940	WVTB	455,880	257,445	\$ 2,170
74173	WVTM-TV	2,009,346	1,940,153	\$ 16,355
74174	WVTV	3,091,132	3,083,108	\$ 25,991
77496	WVUA	2,209,921	2,160,101	\$ 18,210
4149	WVUE-DT	1,658,125	1,658,125	\$ 13,978
4329	WVUT	273,293	273,215	\$ 2,303
74176	WVVA	1,037,632	722,666	\$ 6,092
3113	WVXF	85,191	78,556	\$ 662
12033	WWAY	1,208,625	1,208,625	\$ 10,189
30833	WWBT	1,924,502	1,892,842	\$ 15,957
20295	WWCP-TV	2,811,278	2,548,691	\$ 21,485
24812	WWCW	1,390,985	1,212,308	\$ 10,220
23671	WWDP	5,792,048	5,564,295	\$ 46,907
21158	WWHO	2,762,344	2,721,504	\$ 22,942
14682	WWJE-DT	7,209,571	7,084,349	\$ 59,721
72123	WWJ-TV	5,562,031	5,561,777	\$ 46,886
166512	WWJX	518,866	518,846	\$ 4,374
6868	WWLP	3,838,272	3,077,800	\$ 25,946
74192	WWL-TV	1,788,624	1,788,624	\$ 15,078
3133	WWMB	1,547,974	1,544,778	\$ 13,022
74195	WWMT	2,538,485	2,531,309	\$ 21,339
68851	WWNY-TV	375,600	346,623	\$ 2,922

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
74197	WWOR-TV	19,853,836	19,615,370	\$ 165,358
65943	WWPB	3,197,858	2,775,966	\$ 23,401
23264	WWPX-TV	2,299,441	2,231,612	\$ 18,812
68547	WWRB-TV	2,324,155	2,321,066	\$ 19,567
61251	WWSB	3,340,133	3,340,133	\$ 28,157
23142	WWSI	11,269,831	11,098,540	\$ 93,561
16747	WWTI	196,531	190,097	\$ 1,603
998	WWTO-TV	5,613,737	5,613,737	\$ 47,324
26994	WWTW	1,034,174	1,022,322	\$ 8,618
84214	WWTW	1,527,511	1,526,625	\$ 12,869
26993	WWUP-TV	116,638	110,592	\$ 932
23338	WXBU	4,030,693	3,538,096	\$ 29,826
61504	WXCW	1,749,847	1,749,847	\$ 14,751
61084	WXEL-TV	5,416,604	5,416,604	\$ 45,662
60539	WXFT-DT	10,174,464	10,170,757	\$ 85,739
23929	WXGA-TV	608,494	606,849	\$ 5,116
51163	WXIA-TV	6,179,680	6,035,625	\$ 50,880
53921	WXII-TV	3,630,551	3,299,114	\$ 27,812
146	WXIN	2,836,532	2,814,815	\$ 23,729
39738	WXIX-TV	2,911,054	2,900,875	\$ 24,454
414	WXLV-TV	4,364,244	4,334,365	\$ 36,539
68433	WXMI	1,988,970	1,988,589	\$ 16,764
64549	WXOW	425,378	413,264	\$ 3,484
6601	WXPX-TV	4,594,588	4,592,639	\$ 38,716
74215	WXTV-DT	20,362,721	19,974,644	\$ 168,386
12472	WXTX	699,095	694,837	\$ 5,857
11970	WXXA-TV	1,680,670	1,537,868	\$ 12,964
57274	WXXI-TV	1,184,860	1,168,696	\$ 9,852
53517	WXXV-TV	1,191,123	1,189,584	\$ 10,028
10267	WXYZ-TV	5,622,543	5,622,140	\$ 47,395
12279	WYCC	9,729,982	9,729,634	\$ 82,021

		Service Area	Terrain Limited	Terrain Limited
Facility Id.	Call Sign	Population	Population	Fee Amount
77515	WYCI	35,873	26,508	\$ 223
70149	WYCW	3,388,945	3,227,025	\$ 27,204
62219	WYDC	560,266	449,486	\$ 3,789
18783	WYDN	2,577,848	2,512,150	\$ 21,177
35582	WYDO	1,330,728	1,330,728	\$ 11,218
25090	WYES-TV	1,872,245	1,872,059	\$ 15,781
53905	WYFF	2,626,363	2,416,551	\$ 20,372
49803	WYIN	6,956,141	6,956,141	\$ 58,640
24915	WYMT-TV	1,180,276	863,881	\$ 7,283
17010	WYOU	2,879,196	2,226,883	\$ 18,773
77789	WYOW	91,839	91,311	\$ 770
13933	WYPX-TV	1,529,500	1,413,583	\$ 11,917
4693	WYTV	4,898,622	4,535,576	\$ 38,235
5875	WYZZ-TV	1,042,140	1,036,721	\$ 8,740
15507	WZBJ	1,626,017	1,435,762	\$ 12,103
28119	WZDX	1,596,771	1,514,654	\$ 12,769
70493	WZME	5,996,408	5,544,708	\$ 46,742
81448	WZMQ	73,423	72,945	\$ 615
71871	WZPX-TV	2,039,157	2,039,157	\$ 17,190
136750	WZRB	952,279	951,693	\$ 8,023
418	WZTV	2,312,658	2,301,187	\$ 19,399
83270	WZVI	76,992	75,863	\$ 640
19183	WZVN-TV	1,981,488	1,981,488	\$ 16,704
49713	WZZM	1,574,546	1,548,835	\$ 13,057

¹ Call signs WIPM and WIPR are stations in Puerto Rico that are linked together with a total fee of \$26,133.

² Call signs WNJX and WAPA are stations in Puerto Rico that are linked together with a total fee of \$26,133.

³ Call signs WKAQ and WORA are stations in Puerto Rico that are linked together with a total fee of

\$26,133.

⁴ Call signs WOLE and WLII are stations in Puerto Rico that are linked together with a total fee of \$26,133.

⁵ Call signs WVEO and WTCV are stations in Puerto Rico that are linked together with a total fee of \$26,133.

⁶ Call signs WJPX and WJWN are stations in Puerto Rico that are linked together with a total fee of \$26,133.

⁷ Call signs WAPA and WTIN are stations in Puerto Rico that are linked together with a total fee of \$26,133.

⁸ Call signs WSUR and WLII are stations in Puerto Rico that are linked together with a total fee of \$26,133.

⁹ Call signs WVOZ and WTCV are stations in Puerto Rico that are linked together with a total fee of \$26,133.

¹⁰ Call signs WJPX and WKPV are stations in Puerto Rico that are linked together with a total fee of \$26,133.

¹¹ Call signs WMTJ and WQTO are stations in Puerto Rico that are linked together with a total fee of \$26,133.

¹² Call signs WIRS and WJPX are stations in Puerto Rico that are linked together with a total fee of \$26,133.

¹³ Call signs WRFB and WORA are stations in Puerto Rico that are linked together with a total fee of \$26,133.

APPENDIX H

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

Fee Category	Annual Regulatory Fee (U.S. \$s)
	databases/fees/regulatory-fees
Digital TV Construction Permits	5,100
Low Power TV, Class A TV, TV/FM Translators & FM Boosters (47 CFR part 74)	320
CARS (47 CFR part 78)	1,555
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV (per subscriber) and Direct Broadcast Satellite (DBS) (per subscriber)	.98
Interstate Telecommunication Service Providers (per revenue dollar)	.00400
Toll Free (per toll free subscriber) (47 CFR section 52.101 (f) of the rules)	.12
Earth Stations (47 CFR part 25)	595
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	116,855
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other)	343,555
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex)	122,695
International Bearer Circuits - Terrestrial/Satellites (per Gbps circuit)	\$43
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

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

FY 2021 International Bearer Circuits - Submarine Cable Systems

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

APPENDIX 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* for fiscal year (FY) 2022 (*FY 2022 NPRM*) released in June 2022.² The Commission sought written public comment on the proposals in the *FY 2022 NPRM*, including comment on the IRFA. No comments were filed addressing the IRFA. This present Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.³

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

2. In the *Report and Order*, we adopt a regulatory fee schedule to collect \$381,950,000 in congressionally mandated regulatory fees for FY 2022.⁴ Under section 9 of the Communications Act of 1934, as amended, (Act or Communications Act),⁵ regulatory fees are mandated by Congress and collected to recover the regulatory costs associated with the Commission's oversight and regulatory activities in an amount that can be reasonably expected to equal the amount of the Commission's annual appropriation.⁶ The objective in 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 and/or regulation, with a fair, administrable and sustainable fee framework based on the number of full-time equivalents (FTEs) involved in such oversight and regulation in the licensing bureaus.

3. In the *FY 2022 NPRM*,⁷ we sought comment on the methodology for assessing regulatory fees and the FY 2022 regulatory fee schedule, as well as on other issues related to the collection of regulatory fees including: (i) space station regulatory fees, including new regulatory fees for small satellites; (ii) continuing to use our methodology for calculating television broadcaster regulatory fees based on population; (iii) calculating the cost of collection of regulatory fees in establishing the annual de minimis threshold; (iv) reclassification of certain FTEs; (v) adopting new regulatory fee categories and (vi) how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility. For FY 2022, we adopt the regulatory fee schedule set forth in Appendices B and C to the *Report and Order*.⁸

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

4. None.

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 2022, Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, MD Docket Nos. 21-190, 22-223, Report and Order and Notice of Proposed Rulemaking, 2022 WL 2045858 (June 2, 2022) (*FY 2022 NPRM*).

³ 5 U.S.C. § 604.

⁴ Consolidated Appropriations Act, 2022, Public Law No. 117-103 (Mar. 15, 2022) (FY 2022 Consolidated Appropriations Act).

⁵ 47 U.S.C. § 159.

⁶ 47 U.S.C. § 159(a).

⁷ See *FY 2022 NPRM*, generally.

⁸ *Id.*, Appendices B and C.

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

5. 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

6. 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 rules adopted herein.⁹ The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹⁰ In addition, the term “small business” has the same meaning as the term “small-business concern” under the Small Business Act.¹¹ 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.¹²

7. *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.¹³ First, there are industry-specific size standards for small businesses that are used in the regulatory context. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 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.¹⁴ There are 32.5 million such businesses.¹⁵

8. 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.”¹⁶ 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.¹⁷ Nationwide, for tax year 2020, there

⁹ See 5 U.S.C. § 603(b)(3).

¹⁰ See *id.* § 601(6).

¹¹ See *id.* § 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.”

¹² See 15 U.S.C. § 632.

¹³ See 5 U.S.C. § 601(3)-(6).

¹⁴ See SBA, Office of Advocacy, Frequently Asked Questions, “What is a small business?,” <https://cdn.advocacy.sba.gov/wp-content/uploads/2021/11/03093005/Small-Business-FAQ-2021.pdf>. (Nov 2021).

¹⁵ *Id.*

¹⁶ 5 U.S.C. § 601(4).

¹⁷ 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 of 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.

were approximately 447,689 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.¹⁸

9. 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.”¹⁹ U.S. Census Bureau data from the 2017 Census of Governments²⁰ indicate that there were 90,075 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.²¹ Of this number there were 36,931 general purpose governments (county,²² municipal, and town or township²³) with populations of less than 50,000 and 12,040 special purpose governments - independent school districts²⁴ with enrollment populations of less than 50,000.²⁵ Accordingly, based on the 2017 U.S. Census of Governments data, we estimate that at least 48,971 entities fall into the category of “small governmental jurisdictions.”²⁶

10. *Incumbent Local Exchange Carriers (Incumbent LECs)*. Neither the Commission nor the

¹⁸ 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-ao-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 businesses for the tax year 2020 with revenue less than or equal to \$50,000, for Region 1-Northeast Area (58,577), Region 2-Mid-Atlantic and Great Lakes Areas (175,272), and Region 3-Gulf Coast and Pacific Coast Areas (213,840) which includes the continental U.S., Alaska, and Hawaii. This data does not include information for Puerto Rico.

¹⁹ 5 U.S.C. § 601(5).

²⁰ See 13 U.S.C. § 161. The Census of Governments survey is conducted every five years, compiling data for years ending with “2” and “7.” See also Census of Governments, <https://www.census.gov/programs-surveys/cog/about.html>.

²¹ 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.

²² 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.

²³ 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.

²⁴ 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.

²⁵ While the special purpose governments category also includes local special district governments, the 2017 Census of Governments data does not provide data aggregated based on population size for the special purpose governments category. Therefore, only data from independent school districts is included in the special purpose governments category.

²⁶ 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.

SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers²⁷ is the closest industry with a SBA small business size standard.²⁸ The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.²⁹ U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year.³⁰ Of this number, 2,964 firms operated with fewer than 250 employees.³¹ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 1,227 providers that reported they were incumbent local exchange service providers.³² Of these providers, the Commission estimates that 929 providers have 1,500 or fewer employees.³³ Consequently, using the SBA's small business size standard, the Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

11. *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.³⁴ 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.³⁵ By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.³⁶ Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.³⁷

12. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.³⁸ U.S. Census Bureau data for 2017 show that there

²⁷ See U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

²⁸ See 13 CFR § 121.201, NAICS Code 517311.

²⁹ *Id.*

³⁰ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFI, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFI&hidePreview=false>.

³¹ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

³² Federal-State Joint Board on Universal Service, *Universal Service Monitoring Report at 26, Table 1.12 (2021)*, <https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf>.

³³ *Id.*

³⁴ See U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

³⁵ *Id.*

³⁶ *Id.*

³⁷ Fixed Local Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, and Other Local Service Providers. Local Resellers fall into another U.S. Census Bureau industry group and therefore data for these providers is not included in this industry.

³⁸ See 13 CFR § 121.201, NAICS Code 517311.

were 3,054 firms that operated in this industry for the entire year.³⁹ Of this number, 2,964 firms operated with fewer than 250 employees.⁴⁰ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 5,183 providers that reported they were engaged in the provision of fixed local services.⁴¹ Of these providers, the Commission estimates that 4,737 providers have 1,500 or fewer employees.⁴² Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

13. *Competitive Local Exchange Carriers (LECs)*. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers.⁴³ Wired Telecommunications Carriers⁴⁴ is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.⁴⁵ U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.⁴⁶ Of this number, 2,964 firms operated with fewer than 250 employees.⁴⁷ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 3,956 providers that reported they were competitive local exchange service providers.⁴⁸ Of these providers, the Commission estimates that 3,808 providers have 1,500 or fewer employees.⁴⁹ Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

14. *Interexchange Carriers (IXCs)*. Neither the Commission nor the SBA have developed a small business size standard specifically for Interexchange Carriers. Wired Telecommunications

³⁹ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

⁴⁰ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁴¹ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/d.lic/attachments/DOC-379181A1.pdf>.

⁴² *Id.*

⁴³ Competitive Local Exchange Service Providers include the following types of providers: Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

⁴⁴ See U.S. Census Bureau, *2017 NAICS Definition*, "517311 Wired Telecommunications Carriers," <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

⁴⁵ See 13 CFR § 121.201, NAICS Code 517311.

⁴⁶ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

⁴⁷ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁴⁸ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/d.lic/attachments/DOC-379181A1.pdf>.

⁴⁹ *Id.*

Carriers⁵⁰ is the closest industry with a SBA small business size standard.⁵¹ The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.⁵² U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.⁵³ Of this number, 2,964 firms operated with fewer than 250 employees.⁵⁴ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 151 providers that reported they were engaged in the provision of interexchange services. Of these providers, the Commission estimates that 131 providers have 1,500 or fewer employees.⁵⁵ Consequently, using the SBA's small business size standard, the Commission estimates that the majority of providers in this industry can be considered small entities.

15. *Operator Service Providers ("OSPs")*. Neither the Commission nor the SBA has developed a small business size standard specifically for operator service providers. The closest applicable industry with a SBA small business size standard is Wired Telecommunications Carriers.⁵⁶ The SBA small business size standard classifies a business as small if it has 1,500 or fewer employees.⁵⁷ U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year.⁵⁸ Of this number, 2,964 firms operated with fewer than 250 employees.⁵⁹ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 32 providers that reported they were engaged in the provision of operator services.⁶⁰ Of these providers, the Commission estimates that all 32 providers have 1,500 or fewer employees.⁶¹ Consequently, using the SBA's small business size standard, all of these providers can be considered small entities.

16. *Local Resellers*. Neither the Commission nor the SBA have developed a small business size standard specifically for Local Resellers. Telecommunications Resellers is the closest industry with

⁵⁰ See U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

⁵¹ See 13 CFR § 121.201, NAICS Code 517311.

⁵² *Id.*

⁵³ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

⁵⁴ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁵⁵ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf>.

⁵⁶ See U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

⁵⁷ See 13 CFR § 121.201, NAICS Code 517311.

⁵⁸ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

⁵⁹ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁶⁰ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/d.lic/attachments/DOC-379181A1.pdf>.

⁶¹ *Id.*

a SBA small business size standard.⁶² 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.⁶³ Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure.⁶⁴ Mobile virtual network operators (MVNOs) are included in this industry.⁶⁵ The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.⁶⁶ U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.⁶⁷ Of that number, 1,375 firms operated with fewer than 250 employees.⁶⁸ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 293 providers that reported they were engaged in the provision of local resale services.⁶⁹ Of these providers, the Commission estimates that 289 providers have 1,500 or fewer employees.⁷⁰ Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

17. *Toll Resellers.* Neither the Commission nor the SBA have developed a small business size standard specifically for Toll Resellers. Telecommunications Resellers⁷¹ is the closest industry with a SBA small business size standard. 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.⁷² Mobile virtual network operators (MVNOs) are included in this industry.⁷³ The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.⁷⁴ U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.⁷⁵ Of that number, 1,375

⁶² See U.S. Census Bureau, *2017 NAICS Definition*, “517911 Telecommunications Resellers,” <https://www.census.gov/naics/?input=517911&year=2017&details=517911>.

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ See 13 CFR § 121.201, NAICS Code 517911.

⁶⁷ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517911, <https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

⁶⁸ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁶⁹ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/Id.lic/attachments/DOC-379181A1.pdf>.

⁷⁰ *Id.*

⁷¹ See U.S. Census Bureau, *2017 NAICS Definition*, “517911 Telecommunications Resellers,” <https://www.census.gov/naics/?input=517911&year=2017&details=517911>.

⁷² *Id.*

⁷³ *Id.*

⁷⁴ See 13 CFR § 121.201, NAICS Code 517911.

⁷⁵ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517911,

(continued....)

firms operated with fewer than 250 employees.⁷⁶ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 518 providers that reported they were engaged in the provision of toll services.⁷⁷ Of these providers, the Commission estimates that 495 providers have 1,500 or fewer employees.⁷⁸ Consequently, using the SBA's small business size standard, most of these providers can be considered 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.⁷⁹ 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.⁸⁰ The SBA size standard for this industry classifies a business as small if it has 1,500 or fewer employees.⁸¹ U.S. Census Bureau data for 2017 show that there were 2,893 firms in this industry that operated for the entire year.⁸² Of that number, 2,837 firms employed fewer than 250 employees.⁸³ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 797 providers that reported they were engaged in the provision of wireless services.⁸⁴ Of these providers, the Commission estimates that 715 providers have 1,500 or fewer employees.⁸⁵ Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

19. *Satellite Telecommunications*. This industry comprises firms "primarily engaged in providing telecommunications services to other establishments in the telecommunications and broadcasting industries by forwarding and receiving communications signals via a system of satellites or reselling satellite telecommunications."⁸⁶ Satellite telecommunications service providers include satellite and earth station operators. The SBA small business size standard for this industry classifies a business with \$35 million or less in annual receipts as small.⁸⁷ U.S. Census Bureau data for 2017 show that 275

<https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPfirm&hidePreview=false>.

⁷⁶ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁷⁷ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/ld/lic/attachments/DOC-379181A1.pdf>.

⁷⁸ *Id.*

⁷⁹ See U.S. Census Bureau, *2017 NAICS Definition*, "517312 Wireless Telecommunications Carriers (except Satellite)," <https://www.census.gov/naics/?input=517312&year=2017&details=517312>.

⁸⁰ *Id.*

⁸¹ See 13 CFR § 121.201, NAICS Code 517312.

⁸² See U.S. Census Bureau, *2017 Economic Census of the United States, Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPfirm, NAICS Code 517312, <https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPfirm&hidePreview=false>.

⁸³ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁸⁴ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/ld/lic/attachments/DOC-379181A1.pdf>.

⁸⁵ *Id.*

⁸⁶ See U.S. Census Bureau, *2017 NAICS Definition*, "517410 Satellite Telecommunications," <https://www.census.gov/naics/?input=517410&year=2017&details=517410>.

⁸⁷ See 13 CFR § 121.201, NAICS Code 517410.

firms in this industry operated for the entire year.⁸⁸ Of this number, 242 firms had revenue of less than \$25 million.⁸⁹ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 71 providers that reported they were engaged in the provision of satellite telecommunications services.⁹⁰ Of these providers, the Commission estimates that approximately 48 providers have 1,500 or fewer employees.⁹¹ Consequently using the SBA's small business size standard, a little more than of these providers can be considered small entities.

20. *All Other Telecommunications.* This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.⁹² 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.⁹³ Providers of Internet services (e.g. dial-up ISPs) or voice over Internet protocol (VoIP) services, via client-supplied telecommunications connections are also included in this industry.⁹⁴ The SBA small business size standard for this industry classifies firms with annual receipts of \$35 million or less as small.⁹⁵ U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year.⁹⁶ Of those firms, 1,039 had revenue of less than \$25 million.⁹⁷ Based on this data, the Commission estimates that the majority of "All Other Telecommunications" firms can be considered small.

21. *Television Broadcasting.* This industry is comprised of "establishments primarily engaged in broadcasting images together with sound."⁹⁸ These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public.⁹⁹ These

⁸⁸ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 517410, <https://data.census.gov/cedsci/table?y=2017&n=517410&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

⁸⁹ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

⁹⁰ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), <https://docs.fcc.gov/pub/Id.lic/attachments/DOC-379181A1.pdf>.

⁹¹ *Id.*

⁹² See U.S. Census Bureau, *2017 NAICS Definition*, "517919 All Other Telecommunications," <https://www.census.gov/naics/?input=517919&year=2017&details=517919>.

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ See 13 CFR § 121.201, NAICS Code 517919.

⁹⁶ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 517919, <https://data.census.gov/cedsci/table?y=2017&n=517919&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

⁹⁷ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

⁹⁸ See U.S. Census Bureau, *2017 NAICS Definition*, "515120 Television Broadcasting," <https://www.census.gov/naics/?input=515120&year=2017&details=515120>.

⁹⁹ *Id.*

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 small business size standard for this industry classifies businesses having \$41.5 million or less in annual receipts as small.¹⁰⁰ 2017 U.S. Census Bureau data indicate that 744 firms in this industry operated for the entire year.¹⁰¹ Of that number, 657 firms had revenue of less than \$25,000,000.¹⁰² Based on this data we estimate that the majority of television broadcasters are small entities under the SBA small business size standard.

22. The Commission estimates that as of March 31, 2022, there were 1,373 licensed commercial television stations.¹⁰³ Of this total, 1,280 stations (or 93.2%) had revenues of \$41.5 million or less in 2021, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Television Database (BIA) on June 1, 2022, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates as of March 31, 2022, there were 384 licensed noncommercial educational (NCE) television stations, 383 Class A TV stations, 1,840 LPTV stations and 3,231 TV translator stations.¹⁰⁴ The Commission however does not compile, and otherwise does not have access to financial information for these television broadcast stations that would permit it to determine how many of these stations qualify as small entities under the SBA small business size standard. Nevertheless, given the SBA's large annual receipts threshold for this industry and the nature of these television station licensees, we presume that all of these entities qualify as small entities under the above SBA small business size standard.

23. *Radio Stations.* This industry is comprised of “establishments primarily engaged in broadcasting aural programs by radio to the public.”¹⁰⁵ Programming may originate in their own studio, from an affiliated network, or from external sources.¹⁰⁶ The SBA small business size standard for this industry classifies firms having \$41.5 million or less in annual receipts as small.¹⁰⁷ U.S. Census Bureau data for 2017 show that 2,963 firms operated in this industry during that year.¹⁰⁸ Of this number, 1,879

¹⁰⁰ See 13 CFR § 121.201, NAICS Code 515120.

¹⁰¹ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 515120, <https://data.census.gov/cedsci/table?y=2017&n=515120&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

¹⁰² *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

¹⁰³ Broadcast Station Totals as of March 31, 2022, Public Notice, DA 22-365 (rel. April 5, 2022) (*March 2022 Broadcast Station Totals PN*), <https://www.fcc.gov/document/broadcast-station-totals-march-31-2022>.

¹⁰⁴ *Id.*

¹⁰⁵ See U.S. Census Bureau, *2017 NAICS Definition, “515112 Radio Stations,”* <https://www.census.gov/naics/?input=515112&year=2017&details=515112>.

¹⁰⁶ *Id.*

¹⁰⁷ See 13 CFR § 121.201, NAICS Code 515112.

¹⁰⁸ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 515112, <https://data.census.gov/cedsci/table?y=2017&n=515112&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>. We note that the US Census Bureau withheld publication of the number of firms that operated for the entire year.

firms operated with revenue of less than \$25 million per year.¹⁰⁹ Based on this data and the SBA's small business size standard, we estimate a majority of such entities are small entities.

24. The Commission estimates that as of March 2022, there were 4,508 licensed commercial AM radio stations and 6,763 licensed commercial FM radio stations, for a combined total of 11,271 commercial radio stations.¹¹⁰ Of this total, 11,269 stations (or 99.98 %) had revenues of \$41.5 million or less in 2021, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Database (BIA) on June 1, 2022, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates that as of March 31, 2022, there were 4,119 licensed noncommercial (NCE) FM radio stations, 2,049 low power FM (LPFM) stations, and 8,919 FM translators and boosters.¹¹¹ The Commission however does not compile, and otherwise does not have access to financial information for these radio stations that would permit it to determine how many of these stations qualify as small entities under the SBA small business size standard. Nevertheless, given the SBA's large annual receipts threshold for this industry and the nature of these radio station licensees, we presume that all of these entities qualify as small entities under the above SBA small business size standard.

25. *Cable Companies and Systems (Rate Regulation)*. The Commission has developed its own small business size standard 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.¹¹² Based on industry data, there are about 420 cable companies in the U.S.¹¹³ Of these, only five have more than 400,000 subscribers.¹¹⁴ In addition, under the Commission's rules, a "small system" is a cable system serving 15,000 or fewer subscribers.¹¹⁵ Based on industry data, there are about 4,139 cable systems (headends) in the U.S.¹¹⁶ Of these, about 639 have more than 15,000 subscribers.¹¹⁷ Accordingly, the Commission estimates that the majority of cable companies and cable systems are small.

26. *Cable System Operators (Telecom Act Standard)*. The Communications Act of 1934, as amended, contains a size standard for a "small cable operator," 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

¹⁰⁹ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We note that the U.S. Census Bureau withheld publication of the number of firms that operated with sales/value of shipments/revenue in the individual categories for less than \$100,000, and \$100,000 to \$249,999 to avoid disclosing data for individual companies (see Cell Notes for the sales/value of shipments/revenue in these categories). Therefore, the number of firms with revenue that meet the SBA size standard would be higher than noted herein. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

¹¹⁰ *Broadcast Station Totals as of March 31, 2022*, Public Notice, DA 22-365 (rel. April 5, 2022) (*March 2022 Broadcast Station Totals PN*), <https://www.fcc.gov/document/broadcast-station-totals-march-31-2022>.

¹¹¹ *Id.*

¹¹² 47 CFR § 76.901(d).

¹¹³ S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensus, *Operator Subscribers by Geography* (last visited May 26, 2022).

¹¹⁴ S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 12/21Q* (last visited May 26, 2022); S&P Global Market Intelligence, *Multichannel Video Subscriptions, Top 10* (April 2022).

¹¹⁵ 47 CFR § 76.901(e).

¹¹⁶ S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensus, *Operator Subscribers by Geography* (last visited May 26, 2022).

¹¹⁷ S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 12/21Q* (last visited May 26, 2022); S&P Global Market Intelligence, *Multichannel Video Subscriptions, Top 10* (April 2022).

\$250,000,000.”¹¹⁸ For purposes of the Telecom Act Standard, the Commission determined that a cable system operator that serves fewer than 677,000 subscribers, either directly or through affiliates, will meet the definition of a small cable operator based on the cable subscriber count established in a 2001 Public Notice.¹¹⁹ Based on industry data, only four cable system operators have more than 677,000 subscribers.¹²⁰ Accordingly, the Commission estimates that the majority of cable system operators are small under this size standard. We note however, that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed \$250 million.¹²¹ 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.

27. *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 the Wired Telecommunications Carriers industry which 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.¹²² Transmission facilities may be based on a single technology or combination of technologies.¹²³ 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.¹²⁴ By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.¹²⁵

28. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.¹²⁶ U.S. Census Bureau data for 2017 show that 3,054

¹¹⁸ 47 U.S.C. § 543(m)(2).

¹¹⁹ *FCC Announces New Subscriber Count for the Definition of Small Cable Operator*, Public Notice, 16 FCC Rcd 2225 (CSB 2001) (*2001 Subscriber Count PN*). In this Public Notice, the Commission determined that there were approximately 67.7 million cable subscribers in the United States at that time using the most reliable source publicly available. *Id.* We recognize that the number of cable subscribers changed since then and that the Commission has recently estimated the number of cable subscribers to be approximately 48.6 million. *See Communications Marketplace Report*, GN Docket No. 20-60, 2020 Communications Marketplace Report, 36 FCC Rcd 2945, 3049, para. 156 (2020) (*2020 Communications Marketplace Report*). However, because the Commission has not issued a public notice subsequent to the *2001 Subscriber Count PN*, the Commission still relies on the subscriber count threshold established by the *2001 Subscriber Count PN* for purposes of this rule. *See* 47 CFR § 76.901(e)(1).

¹²⁰ S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 12/21Q* (last visited May 26, 2022).

¹²¹ 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).

¹²² *See* U.S. Census Bureau, *2017 NAICS Definition, “517311 Wired Telecommunications Carriers,”* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

¹²³ *Id.*

¹²⁴ *See id.* Included in this industry are: broadband Internet service providers (e.g., cable, DSL); local telephone carriers (wired); cable television distribution services; long-distance telephone carriers (wired); closed-circuit television (CCTV) services; VoIP service providers, using own operated wired telecommunications infrastructure; direct-to-home satellite system (DTH) services; telecommunications carriers (wired); satellite television distribution systems; and multichannel multipoint distribution services (MMDS).

¹²⁵ *Id.*

¹²⁶ *See* 13 CFR § 121.201, NAICS Code 517311.

firms operated in this industry for the entire year.¹²⁷ Of this number, 2,964 firms operated with fewer than 250 employees.¹²⁸ Based on this data, the majority of firms in this industry can be considered small under the SBA small business size standard. According to Commission data however, only two entities provide DBS service - DIRECTV (owned by AT&T) and DISH Network, which require a great deal of capital for operation.¹²⁹ DIRECTV and DISH Network both exceed the SBA size standard for classification as a small business. Therefore, we must conclude based on internally developed Commission data, in general DBS service is provided only by large firms.

29. *All Other Telecommunications.* This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.¹³⁰ 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.¹³¹ Providers of Internet services (e.g. dial-up ISPs) or voice over Internet protocol (VoIP) services, via client-supplied telecommunications connections are also included in this industry.¹³² The SBA small business size standard for this industry classifies firms with annual receipts of \$35 million or less as small.¹³³ U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year.¹³⁴ Of those firms, 1,039 had revenue of less than \$25 million.¹³⁵ Based on this data, the Commission estimates that the majority of “All Other Telecommunications” firms can be considered small.

30. *RespOrgs.* Responsible Organizations, or RespOrgs (also referred to as Toll-Free Number (TFN) providers), 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.¹³⁶ Based on information on the website of SOMOS, the entity that maintains a registry of Toll-Free Number providers (SMS/800 TFN Registry) for the more than 42 million Toll-Free numbers in North America, and the TSS Registry, a centralized registry for the use of Toll-Free Numbers in text messaging and multimedia

¹²⁷ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false>.

¹²⁸ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹²⁹ 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 (Jan. 17, 2017).

¹³⁰ See U.S. Census Bureau, *2017 NAICS Definition, “517919 All Other Telecommunications,”* <https://www.census.gov/naics/?input=517919&year=2017&details=517919>.

¹³¹ *Id.*

¹³² *Id.*

¹³³ See 13 CFR § 121.201, NAICS Code 517919.

¹³⁴ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 517919, <https://data.census.gov/cedsci/table?y=2017&n=517919&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

¹³⁵ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

¹³⁶ See 47 CFR § 52.101(b).

services, there were approximately 446 registered RespOrgs/Toll-Free Number providers in July 2021.¹³⁷ RespOrgs are often wireline carriers, however they can include non-carrier entities. Accordingly, the description below for RespOrgs include both Carrier RespOrgs and Non-Carrier RespOrgs.

31. **Carrier RespOrgs.** Neither the Commission nor the SBA have developed a small business size standard for Carrier RespOrgs. *Wired Telecommunications Carriers*,¹³⁸ and *Wireless Telecommunications Carriers (except Satellite)*¹³⁹ are the closest industries with a SBA small business size applicable to Carrier RespOrgs.¹⁴⁰

32. *Wired Telecommunications Carriers* are 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.¹⁴¹ The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees.¹⁴² U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated for the entire year.¹⁴³ Of this number, 2,964 firms operated with fewer than 250 employees.¹⁴⁴ Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.

33. *Wireless Telecommunications Carriers (except Satellite)* engage 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. The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees.¹⁴⁵ For this industry, U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated for the

¹³⁷ See www.somos.com, “Find a Toll-Free Service Provider,” <https://www.somos.com/find-toll-free-number?searchType=provider&alpha=true&certified=false&services=&serviceName=&keyword=&page=1>. SOMOS serves as the North American Numbering Plan Administrator (NANPA) for more than 800 million local and wireless telephone numbers and as the Reassigned Number Database Administrator. See also 2020 NANPA Annual Report at 97. https://nationalnanpa.com/reports/2020_NANPA_Annual_Report.pdf.

¹³⁸ See U.S. Census Bureau, 2017 NAICS Definition, “517311 Wired Telecommunications Carriers,” <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

¹³⁹ See U.S. Census Bureau, 2017 NAICS Definition, “517312 Wireless Telecommunications Carriers (except Satellite),” <https://www.census.gov/naics/?input=517312&year=2017&details=517312>.

¹⁴⁰ The industry descriptions selected for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs.

¹⁴¹ *Id.*

¹⁴² See 13 CFR § 121.201, NAICS Code 517311.

¹⁴³ See U.S. Census Bureau, 2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

¹⁴⁴ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹⁴⁵ See 13 CFR § 121.201, NAICS Code 517312.

entire year.¹⁴⁶ Of this number, 2,837 firms employed fewer than 250 employees.¹⁴⁷ Based on this data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

34. Non-Carrier RespOrgs. Neither the Commission, nor the SBA have developed a small business size standard Non-Carrier RespOrgs. *Other Services Related to Advertising*¹⁴⁸ and *Other Management Consulting Services*¹⁴⁹ are the closest industries with a SBA small business size applicable to Non-Carrier RespOrgs.¹⁵⁰

35. The *Other Services Related to Advertising* industry contains 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).¹⁵¹ The SBA small business size standard for this industry classifies a business as small that has annual receipts of \$16.5 million or less.¹⁵² U.S. Census Bureau data for 2017 show that 5,650 firms operated in this industry for the entire year.¹⁵³ Of that number, 3,693 firms operated with revenue of less than \$10 million.¹⁵⁴ Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.

36. *Other Management Consulting Services*. This industry comprises establishments primarily engaged in providing operating advice and assistance to businesses and other organizations on marketing issues, such as developing marketing objectives and policies, sales forecasting, new product

¹⁴⁶ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPFIEM, NAICS Code 517312, <https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIEM&hidePreview=false>.

¹⁴⁷ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹⁴⁸ See U.S. Census Bureau, *2017 NAICS Definition, "541890 Other Services Related to Advertising,"* <https://www.census.gov/naics/?input=541890&year=2017&details=541890>.

¹⁴⁹ See U.S. Census Bureau, *2017 NAICS Definition, "541618 Other Management Consulting Services,"* <https://www.census.gov/naics/?input=541618&year=2017&details=541618>.

¹⁵⁰ The industry descriptions selected for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs.

¹⁵¹ See *supra* n.148.

¹⁵² See 13 CFR § 121.201, NAICS Code 541890.

¹⁵³ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 541890, <https://data.census.gov/cedsci/table?y=2017&n=541890&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

¹⁵⁴ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We note that the U.S. Census Bureau withheld publication of the number of firms that operated with sales/value of shipments/revenue in the individual categories for less than \$100,000, and \$100,000 to \$249,999, to avoid disclosing data for individual companies (see Cell Notes for the sales/value of shipments/revenue in these categories). Therefore, the number of firms with revenue that meet the SBA size standard would be higher than noted herein. We further note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

developing and pricing, licensing and franchise planning, and marketing planning and strategy.¹⁵⁵ The SBA small business size standard for this industry classifies firms with annual receipts of \$16.5 million or less as small.¹⁵⁶ U.S. Census Bureau data for 2017 show that 4,696 firms operated in this industry for the entire year.¹⁵⁷ Of this number, 3,700 firms had revenue of less than \$10 million.¹⁵⁸ Based on this data, we conclude that a majority of firms that operate in this industry are small.

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

37. The *Report and Order* does not adopt any new reporting, recordkeeping, or other compliance requirements. Small and other regulated entities are required to pay regulatory fees on an annual basis. The cost of compliance with the annual regulatory fee assessment for small entities is the amount assessed for their the regulatory fee category and should not require small entities to hire professionals in order to comply. Small entities that qualify can take advantage of the exemption from payment of regulatory fees allowed under the de minimis threshold discussed below in Section F. Small entities can also reduce their cost of compliance by availing themselves of the flexibility options for regulatory payees that the Commission made available in FYs 2020 and 2021 as a result of the COVID-19 pandemic. Pursuant to those options, small entities may request a waiver, reduction, deferral and/or installment payment of their FY 2022 regulatory fees.

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

38. The RFA requires an agency to provide, “a description of the steps the agency has taken to minimize the significant economic impact on small entities...including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.”¹⁵⁹

39. The *Report and Order* for FY 2022 maintains several approaches from the FY 2021 regulatory fee framework which will minimize the significant economic impact for some small entities. Specifically, the FY 2022 regulatory fee framework maintains: (1) the methodology adopted using the population-based calculations for TV broadcasters that was initially adopted because it is a fairer methodology for smaller broadcasters; and (2) the flexibility for regulatory payees to request a waiver, reduction, deferral and/or installment payments of their regulatory fees adopted for FYs 2020 and 2021 as a result of the financial hardships produced by the COVID-19 pandemic. The waiver process is an easier

¹⁵⁵ See U.S. Census Bureau, *2017 NAICS Definition, “541618 Other Management Consulting Services,”* <https://www.census.gov/naics/?input=541618&year=2017&details=541618>.

¹⁵⁶ See 13 CFR § 121.201, NAICS Code 541618.

¹⁵⁷ See U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVFIRM, NAICS Code 541618, <https://data.census.gov/cedsci/table?y=2017&n=541618&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false>.

¹⁵⁸ *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We note that the U.S. Census Bureau withheld publication of the number of firms that operated with sales/value of shipments/revenue less than \$100,000, to avoid disclosing data for individual companies (see Cell Notes for the sales/value of shipments/revenue for this category). Therefore, the number of firms with revenue that meet the SBA size standard would be higher than noted herein. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

¹⁵⁹ 5 U.S.C. §604(a)(6).

filing process for smaller entities that may not be familiar with our procedural filing rules and (3) the application of the Commission's de minimis threshold rule adopted pursuant to section 9(e)(2) of the Act,¹⁶⁰ which exempts a regulatee 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 and provides relief to small and other entities with lower annual regulatory fees.

40. There were alternative proposals on various elements of the methodology for assessing regulatory fees and the FY 2022 regulatory fee schedule that the Commission proposed in the *FY 2022 NPRM*, as well as other issues related to the collection of regulatory fees. Below we discuss a number of these proposals and why they were not adopted.

41. Allocating Full-time Equivalents. Several commenters questioned the Commission's allocation methodology,¹⁶¹ including proposing that we create an additional allocation category for the apportionment of regulatory fees.¹⁶² In the *Report and Order*, we decline to modify the allocation methodology explaining that the Commission's regulatory fees must cover the entire appropriation, including those FTEs who may work on issues for which we do not have regulatory fee categories. As a result, we continue to find that, consistent with section 9 of the Act, regulatory fees are not based on a precise allocation of specific employees with certain work assignments each fiscal year and instead are based on a higher-level approach.

42. Space Station and Submarine Cable Regulatory Fees. Fee modification alternatives involved three areas for this category - Non-Geostationary Orbit System (NGSO) Regulatory Fees, Spacecraft Performing On-Orbit Servicing (OOS) and Rendezvous and Proximity Operations (RPO) and Submarine Cable Regulatory Fees. We decline to make any fee modifications or to create additional regulatory fee categories for FY 2022 and adopt fee rates for NGSO space stations for FY 2022 for the reasons discussed below.

43. NGSO Space Station Regulatory Fees. We adopt the fee rates for NGSO space stations for FY 2022. We decline to change the methodology for calculating the regulatory fee for small satellites and small spacecraft (together, small satellites) that we adopted in the *Report and Order* attached to the *FY 2022 NPRM*. We also decline to create additional regulatory fee categories for FY 2022. The NGSO fee allocation maintained was adopted to ensure that regulatory fees more closely reflected the FTE oversight and regulation for each space station category, and no new arguments have been raised to warrant changes to the NSGO fee categories.¹⁶³ We further decline to modify the definition of "small satellites" for the purposes of regulatory fee assessment.¹⁶⁴ Only space stations licensed pursuant to the streamlined small satellite licensing process under sections 25.122 and 25.123 of our rules are eligible to be assessed the small satellite regulatory fee. As the Commission noted in the *FY 2022 NPRM*, the streamlined small satellite rules are designed to lower the regulatory burden and reduce staff resources required for licensing, but the rules also restrict the benefits received by these licensees.¹⁶⁵

44. OOS and RPO. In the *FY 2022 NPRM*, we sought comment on adopting regulatory fee

¹⁶⁰ 47 U.S.C. § 159(e)(2). Section 9(e)(2) of the Act permits the Commission to exempt a party from paying regulatory fees if "in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party."

¹⁶¹ NAB Comments at 8; Joint Broadcasters Reply at 3; Satellite Coalition Reply at 7.

¹⁶² State Broadcasters Associations Comments at 15-16.

¹⁶³ Satellite Coalition Comments at 8-10.

¹⁶⁴ OSK Comments at 1-4.

¹⁶⁵ *FY 2022 NPRM* at *8, para. 24.

categories for spacecraft performing OOS and RPO.¹⁶⁶ Proposals from commenters included creating a new fee category and how to define services in the new category,¹⁶⁷ and having an interim regulatory fee that is the same amount as the small satellite fee.¹⁶⁸ Commenters recognize, however, that in-space servicing is a relatively new industry.¹⁶⁹ We decline to adopt a new regulatory fee for both OOS and RPO, and more generally for in-space servicing operations for FY 2022, because the Commission is required to notify Congress at least 90 days prior to creating such a change to the regulatory fee schedule.¹⁷⁰ Further, even absent the notice requirement, we find that the record does not support such action at this time. We do not currently have the experience or the robust record needed to establish definitions and methodologies for a new fee category for these operations that would fairly recover any costs that might be associated with such services.¹⁷¹ Similarly, in light of the Commission's lack of experience and information, we decline to adopt an interim regulatory fee. We will gain a better understanding how to recover any regulatory costs and benefits that might be associated with these operations as we gain more experience in oversight and regulation of this industry. In addition, the Commission expects to gain more insight into this industry through the record associated with its Notice of Inquiry regarding commercial and other non-governmental In-space Servicing, Assembly, and Manufacturing (ISAM) activities.¹⁷²

45. Submarine Cable Regulatory Fees. We reject a request to revise its regulatory fee methodology for submarine cable operators. The request contended that the “regulatory fee structure based upon cable system capacity is contrary to the mandate of the Communications Act, is overly burdensome, and is disconnected from the Commission’s responsibilities for regulatory oversight of the submarine cable industry” and our methodology “fails to take into consideration that the size of a system is not tied to the number of customers, nor the amount of revenue that it will generate.”¹⁷³ We are not persuaded that our assessment of these regulatory fees based on capacity is contrary to the Act and is not

¹⁶⁶ *FY 2022 NPRM* at *15-*16, paras. 45-46.

¹⁶⁷ Spaceflight Comments at 3,7; Spaceflight Reply at 2; Turion Reply at 6.; Astroscale Reply at 1-2.

¹⁶⁸ Spaceflight Comments at 3-4; Turion Reply at 3-4.

¹⁶⁹ SIA Comments at 6; Spaceflight Comments at 6; Spaceflight Reply at 2; Astroscale Reply at 3.

¹⁷⁰ Section 9(c)(1)(B) of the Communications Act 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). Changes under section 9(c) of the Communications Act fall under the section 9A(b)(1) Congressional notification requirements. 47 U.S.C. §§159A(b)(1), 159(c).

¹⁷¹ See *FY 2022 NPRM*, at *16, para. 46, n.137. A review of the licensing and regulatory fee history of small satellites shows that adopting a fair, sustainable and administrable fee system is generally only possible after the service is established and well defined with operational rules. In that instance, the first service rule took effect on August 19, 2020, and we are only in the position to assess fees on such systems for FY 2021. See Federal Communications Commission, Streamlining Licensing Procedures for Small Satellites, 85 Fed. Reg. 43711 (July 20, 2020).

¹⁷² See generally *Space Innovation; Facilitating Capabilities for In-space Servicing, Assembly, and Manufacturing*, IB Docket No. 22-271, IB Docket No. 22-272, Notice of Inquiry, FCC-CIRC2208-03.

¹⁷³ Submarine Cable Coalition Comments at 3 (citing Submarine Cable Coalition Comments, MD Docket 20-105, at 3-8 (filed June 12, 2020); Submarine Cable Coalition Comments, MD Docket 21-190, at 3-4 (filed June 3, 2021)).

reasonably related to the benefits provided.¹⁷⁴ Additionally, the arguments proffered in this proceeding were the same arguments rejected by the Commission in the FY 2020 and FY 2021 proceedings.¹⁷⁵

46. Broadcaster Regulatory Fees for FY 2022. The Commission received proposals to reduce broadcasters regulatory fees associated with the Broadband DATA Act, UHF/VHF Stations and the Methodology for Full-Service TV Regulatory Fees. We decline to adopt any of the alternative proposals for the reasons discussed below.

47. *Broadband DATA Act*. In the *FY 2022 NPRM*, broadcasters' regulatory fees are not exempt from the costs associated with work done by the Commission relating to broadband as they had been in FY 2021. Commenters contended that they should continue to be exempt from Commission work associated with broadband.¹⁷⁶ We disagree. In FY 2021, the Commission adjusted its regulatory fees assessment approach for broadcasters¹⁷⁷ to account for the unusual circumstances associated with the Broadband DATA Act.¹⁷⁸ Broadcasters or "Media Services" licensees were excluded from part of their share of indirect costs as a result of the one-time nature and magnitude of the earmark, the statutory text, the legislative history, and the record in the proceeding.¹⁷⁹ In doing so, all other regulatory fee payors within the core bureaus, including cable, direct broadcast satellite (DBS), and Internet Protocol television (IPTV) providers regulated by the Media Bureau, had to absorb these indirect costs to ensure that the Commission collected the full annual appropriation as required by law.¹⁸⁰ We decline to continue to exempt broadcasters because the Congressional mandate which was the impetus for the methodology change in FY 2021 is not present for FY 2022.¹⁸¹

¹⁷⁴ Submarine Cable Coalition Comments at 3-5. 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. *Id.* at 1-2.

¹⁷⁵ Submarine Cable Coalition at 3-5; *see, e.g., FY 2020 Report and Order*, 36 FCC Rcd at 1754, para. 58; *FY 2021 Report and Order*, 36 FCC Rcd at 13011-12, paras. 43-45.

¹⁷⁶ NAB Reply at 7.

¹⁷⁷ *FY 2021 Report and Order*, 36 FCC Rcd 12995-999, paras. 11-16.

¹⁷⁸ Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Div. E, Title V, Federal Communications Commission, 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 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 Technological 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> (last visited Aug. 12, 2022). Separately, Congress 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, § 906.

¹⁷⁹ *FY 2021 Report and Order*, 36 FCC Rcd at 12998-999, para. 16.

¹⁸⁰ *Id.* (The Commission stated: "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.")

¹⁸¹ *See* FY 2022 Consolidated Appropriations Act. In FY 2022, Congress did not provide an earmark for a particular purpose, and the accompanying direction regarding use of staff resources.

48. *UHF/VHF Stations.* Modification of the FY 2022 regulatory fees for VHF stations was proposed based on the contention that UHF stations should be assessed greater regulatory fees than VHF stations because of the ability of UHF stations to offer a wider array of services and thereby obtain greater revenues while VHF stations that cannot.¹⁸² As the Commission did in FY 2020, we decline to categorically lower FY 2022 regulatory fees for VHF stations to account for signal limitations.¹⁸³

49. *Methodology for Full-Service TV Regulatory Fees.* In the *FY 2022 NPRM*, the Commission rejected a request to revise the population-based methodology used for regulatory fee assessments for full-service television broadcasters proposed.¹⁸⁴ Finding a population-based methodology to be more equitable, the Commission completed the transition to a population-based full-power broadcast television regulatory fee in FY 2020.¹⁸⁵ In the *FY 2022 NPRM*, we addressed this specific issue stating that it we are not reopening the FY 2020 decision to use the population-based methodology to determine these regulatory fees.¹⁸⁶ We recognize that the population-based methodology increases fees for some licensees and reduces fees for others, but in the end the population-based metric better conforms with the actual service authorized here—broadcasting television to the American people.¹⁸⁷ Small and other entities can seek a waiver, reduction, or deferment of the fee, interest charge, or penalty on a case-by-case basis, “in any specific instance for good cause shown, where such action would promote the public interest.”¹⁸⁸

50. *De Minimis Threshold.* The Commission previously retained the de minimis threshold amount of \$1,000 for determining whether a party is exempt from paying regulatory fees because the average cost for the Commission to collect regulatory fees did not exceed \$1,000. In the *Report and Order*, we decline to increase this threshold or redefine the “cost of collection” to provide relief to small broadcasters, as proposed by some commenters.¹⁸⁹ We acknowledge that the de minimis threshold has the collateral effect of providing financial relief to some regulatory fee payors, however, we do not interpret the language of section 9(e)(2) of the Act to allow providing relief for financial hardship as a factor that can be considered in setting this threshold. Moreover, nothing in the text of the statute supports using

¹⁸² NJBA Comments at 3-4.

¹⁸³ *Assessment and Collection of Regulatory Fees for Fiscal Year 2020*, MD Docket No. 20-205, Report and Order and Further Notice of Proposed Rulemaking, 36 FCC Rcd 1731, 1739, para. 22 (2020) (*FY 2020 Report and Order*); *FY 2020 NPRM*, 35 FCC Rcd at 4997, para. 52.

¹⁸⁴ NJAB Comments at 4.

¹⁸⁵ *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). See *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, MD Docket 18-175, Report and Order and Notice of Proposed Rulemaking, 33 FCC Rcd 5091, 5101-102, at para. 27 (2018) (*FY 2018 NPRM*). 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. *FY 2018 NPRM*, 33 FCC Rcd at 5102, para. 28. 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, 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.

¹⁸⁶ *FY 2022 NPRM* at *16, para. 48.

¹⁸⁷ *FY 2020 Report and Order*, 36 FCC Rcd at 1738, para. 19.

¹⁸⁸ 47 U.S.C. § 159A(d). Where financial hardship is the asserted basis for a waiver, the Commission has consistently interpreted that to require a showing that the requesting party “lacks sufficient funds to pay the regulatory fees and to maintain its service to the public.” *FY 2019 Report and Order*, 34 FCC Rcd at 8207, para. 50.

¹⁸⁹ NAB Comments at 32-33; SIA Comments at 6-7; State Broadcasters Associations Comments at 18-19; Richards at 2.

policy factors outside of the cost of collection in establishing the de minimis threshold. Further, we determine that raising the threshold on such a basis would result in exempting classes or categories of fee payors in a manner contrary to the limited waiver provisions for regulatory fees.¹⁹⁰

51. Nevertheless, we conducted a review of the de minimis threshold and calculated the average cost of collecting FY 2021 regulatory fees and included the cost of collecting payor fee data and the cost of processing waiver and installment plan requests, as suggested by some commenters.¹⁹¹ In the final analysis, the inclusion of these costs did not increase the Commission's average cost of collection above the \$1,000 de minimis threshold. Therefore, we determined that the current costs for the Commission to collect regulatory fees including the costs of collecting payor fee data and processing waiver and installment requests, does not justify an increase to the existing \$1,000 de minimis threshold.

52. Regarding the definition of the "cost of collection," we do not agree that the cost of collecting a regulatory fee should be expanded to include all of the Commission's costs to administer the regulatory fee program each year.¹⁹² Rather, we believe a sensible interpretation of the language of section 9(e)(2) of the Act includes only those costs incurred by the Commission once the Commission has established the annual fees. This occurs when the Commission's regulatory fee report and order is released. Our belief in part, relies on the Debt Collection Improvement Act of 1996, as amended, 31 U.S.C. § 3701 *et seq.* (DCIA), which governs the federal administrative debt collection process for most federal agencies, including the Commission, and indicates that the collection of debt begins after an agency has determined that the debt is due.¹⁹³

53. *Reclassification of FTEs from Direct to Indirect.* In the *FY 2022 NPRM*, the Commission sought comment generally on whether prior reclassifications of FTEs from direct to indirect produce a more accurate regulatory fee assessment.¹⁹⁴ Comments relating to the 38 FTEs in the Wireline Competition Bureau who work on non-high-cost programs of the Universal Service Fund that were allocated as indirect FTEs for regulatory fee purposes by the Commission in 2017,¹⁹⁵ and the Commission's 2019 reassignment of 95 FTEs (of which 64 were not auctions-funded) as indirect FTEs when the Commission created the Office of Economics and Analytics (OEA), contended that such allocations severely departed from the statutory requirement that regulatory fees be adjusted to reflect the benefits received by the payor by the Commission's activities,¹⁹⁶ and should not be apportioned to

¹⁹⁰ 47 U.S.C. § 159A(d).

¹⁹¹ NAB Comments at 33; State Broadcasters Associations Comments at 18-19.

¹⁹² State Broadcasters Associations Comments at 18; NAB Comments at 33. In support of its expansive definition of collection costs, NAB cites to a statutory provision defining the cost of the collection of a fee assessed by the U.S. Coast Guard to include "the reasonable administrative, accounting, personnel, contract, equipment, supply, training and travel expenses of calculation, assessing, collection, enforcing, reviewing, adjusting, and reporting" the fee. NAB Comments at 33 & n.98 (citing 14 U.S.C. § 946(h)). We think NAB's reliance on 14 U.S.C. § 946(h) is misplaced, for the simple reason that had Congress intended to define cost of collection in section 9 of the Act as expansively as it did in 14 U.S.C. § 946(h), it would have done so.

¹⁹³ See 31 U.S.C. § 3701(b)(1) (defining "debt" or "claim" to mean an amount of funds or property, including a fee, that an appropriate agency official has determined is owed) and 31 U.S.C. § 3711(a) (directing agencies to collect debts owed to them).

¹⁹⁴ *FY 2022 NPRM* at *14, para. 52.

¹⁹⁵ *FY 2017 Report and Order*, 32 FCC Rcd at 7061-64, paras. 10-15.

¹⁹⁶ NAB Comments at 12-13; Letter from the National Association of Broadcasters to Marlene H. Dortch, Secretary, FCC, MD Docket No. 22-223 (filed July 27, 2022); NAB Reply at 5.

regulatory payees that do not benefit from work by the FTEs.¹⁹⁷ Based on these contentions, commenters request that Commission make changes associated with these allocations.

54. As we explain in the *Report and Order*, indirect FTEs work on a variety of issues and their time in many instances does not directly address oversight and regulation of a particular regulated entity or regulatory fee category. Moreover, pursuant to section 9 of the Act, 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.”¹⁹⁸ However, while we continue to find that the Commission was supported in its decision in 2017 to reassign the 38 FTEs in the Wireline Competition Bureau who work on non-high cost programs of the Universal Service Fund as indirect, we agree with broadcast commenters that the method for calculating the fees associated with these indirect FTEs should be corrected given the record in this proceeding, as well as the Commission’s prior findings. Therefore, we exclude “Media Services” licensees from recovery of the funds associated with the 38 indirect FTEs who work on non-high cost Universal Service Fund issues. While we acknowledge that other commenters have raised arguments about the Commission’s allocation of indirect FTEs more generally, we find that the record currently before us is not sufficiently developed to support affording similar relief to other regulatory fee payors based upon indirect FTE areas of work at this time. We believe that these issues would benefit from additional comment, as set forth in the accompanying Notice of Inquiry.

55. We are not persuaded that changes are required for the OEA FTE allocation, at this time, and expressly rejected the changes proposed in comments.¹⁹⁹ First, an FTE is a full-time equivalent, not an employee, and is based on the hours of work devoted to the regulation and oversight of the fee categories and not a particular job title.²⁰⁰ Second, FTE time working on auctions issues is not included in the Commission’s regulatory fee calculations and is funded separately. Also, OEA FTE numbers attributed to non-auction work stem from FTE levels in OEA’s Data Division, Economic Analysis Division, Industry Analysis Division, and its Front Office. The OEA staff participates in the review of all Commission-level items, from all of the Commission’s bureaus and offices, and provides economic and other data analysis to the Commission.

56. *Proposals for New Regulatory Fee Categories.* The Commission previously requested comments in the FY 2021 proceeding on adopting new regulatory fee categories and on ways to improve its regulatory fee process for any and all categories of service.²⁰¹ In response to our request for additional comments on these issues in the *FY 2022 NPRM*, we received new regulatory fee category proposals for: Holders of Experimental Licenses,²⁰² Broadband Internet Access Service,²⁰³ Holders of Equipment

¹⁹⁷ SIA Comments at 5.

¹⁹⁸ 47 U.S.C. § 159(d).

¹⁹⁹ SIA Comments at 5.

²⁰⁰ 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 Regulatory Fee Reform 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) (*FY 2012 Report and Order*). The Commission, typically assesses the allocation of FTEs by first determining the number of direct FTEs, those non-auctions²⁰⁰ FTEs whose work is focused on the industry segment in each 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 non-auction FTEs as indirect.

²⁰¹ *FY 2021 Report and Order*, 36 FCC Rcd at 13026, paras. 73-74

²⁰² Satellite Coalition Comments at 3; SIA Comments at 3; SIA Reply at 3-4.

²⁰³ NAB Comments at 15-23.

Authorizations,²⁰⁴ Operators of Databases of Spectrum Used on an Unlicensed Basis,²⁰⁵ and Users of Spectrum on an Unlicensed Basis.²⁰⁶ We decline to adopt any new regulatory fee categories in the *Report and Order* because, at this time, there is not a sufficient basis to warrant adding the new proposed regulatory fees. Further, there is a lack of evidence and information in the record which would allow us to create these new fee categories and establish a fair, administrable and sustainable system for assessing the fees.

G. Report to Congress

57. The Commission will send a copy of the *Report and Order and Notice of Inquiry*, including this FRFA, in a report to Congress pursuant to the Congressional Review Act.²⁰⁷ In addition, the Commission will send a copy of the *Report and Order and Notice of Inquiry*, including this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the *Report and Order and Notice of Inquiry*, and FRFA (or summaries thereof) will also be published in the *Federal Register*.²⁰⁸

²⁰⁴ Satellite Coalition Comments at 4.

²⁰⁵ *Id.*

²⁰⁶ NAB Reply at 10-15; Satellite Coalition Comments at 3-4.

²⁰⁷ *See* 5 U.S.C. § 801(a)(1)(A).

²⁰⁸ *See* 5 U.S.C. § 604(b).

APPENDIX J

Rule Changes

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

PART 1 – PRACTICE AND PROCEDURE

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

Authority: [TO BE INSERTED PRIOR FEDERAL REGISTER PUBLICATION]

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

§1.1151 Authority to prescribe and collect regulatory fees.

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

2. Section 1.1152 is revised to read as follows:

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

Exclusive use services (per license)	Fee Amount ²⁰⁹
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 (Electronic Filing) (FCC 601 & 159)	\$25.00

²⁰⁹ 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 a 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.

220 MHz Nationwide	\$25.00
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,	\$10.00

Major Renew/Mod (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)	\$.14 ²¹⁰
5. CMRS Messaging Services (per unit) (FCC 159)	\$.08 ²¹¹
6. Broadband Radio Service (formerly MMDS and MDS)	\$ 590
7. Local Multipoint Distribution Service	\$ 590

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	\$1,050
25,001-75,000 population	\$1,575
75,001-150,000 population	\$2,365
150,001-500,000 population	\$3,550
500,001-1,200,000 population	\$5,315
1,200,001-3,000,000 population	\$7,980
3,000,001-6,000,000 population	\$11,960
>6,000,000 population	\$17,945

²¹⁰ These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

²¹¹ These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

2.	<u>AM Class B</u>	
	<=25,000 population	\$755
	25,001-75,000 population	\$1,135
	75,001-150,000 population	\$1,700
	150,001-500,000 population	\$2,550
	500,001-1,200,000 population	\$3,820
	1,200,001-3,000,000 population	\$5,740
	3,000,001-6,000,000 population	\$8,600
	>6,000,000 population	\$12,905
3.	<u>AM Class C</u>	
	<=25,000 population	\$655
	25,001-75,000 population	\$985
	75,001-150,000 population	\$1,475
	150,001-500,000 population	\$2,215
	500,001-1,200,000 population	\$3,315
	1,200,001-3,000,000 population	\$4,980
	3,000,001-6,000,000 population	\$7,460
	>6,000,000 population	\$11,195
4.	<u>AM Class D</u>	
	<=25,000 population	\$720
	25,001-75,000 population	\$1,080
	75,001-150,000 population	\$1,620
	150,001-500,000 population	\$2,435
	500,001-1,200,000 population	\$3,645
	1,200,001-3,000,000 population	\$5,470
	3,000,001-6,000,000 population	\$8,200
	>6,000,000 population	\$12,305
5.	AM Construction Permit	\$655
6.	<u>FM Classes A, B1 and C3</u>	
	<=25,000 population	\$1,145
	25,001-75,000 population	\$1,720
	75,001-150,000 population	\$2,575
	150,001-500,000 population	\$3,870
	500,001-1,200,000 population	\$5,795
	1,200,001-3,000,000 population	\$8,700
	3,000,001-6,000,000 population	\$13,040
	>6,000,000 population	\$19,570
7.	<u>FM Classes B, C, C0, C1 and C2</u>	
	<=25,000 population	\$1,310
	25,001-75,000 population	\$1,965
	75,001-150,000 population	\$2,950
	150,001-500,000 population	\$4,430
	500,001-1,200,000 population	\$6,630
	1,200,001-3,000,000 population	\$9,955
	3,000,001-6,000,000 population	\$14,920
	>6,000,000 population	\$22,390

8. FM Construction Permits \$1,145

TV (47 CFR, part 73)

Digital TV (UHF and VHF Commercial Stations)

1. Digital TV Construction Permits \$5,200
2. Television Fee Factor \$.008430 per population count

**Low Power TV, Class A TV, TV/FM
Translator, & FM Booster
(47 CFR part 74)** \$ 330

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 \$.00452
(per interstate and international end-user
revenues (see FCC Form 499-A))
2. Toll Free Number Fee \$.12 per Toll Free Number

5. Section 1.1155 is revised to read as follows:

§ 1.1155 Schedule of regulatory fees for cable television services.

	Fee Amount
1. Cable Television Relay Service	\$1,715
2. Cable TV System, Including IPTV and DBS (per subscriber)	\$ 1.16 per subscriber
3. Direct Broadcast Satellite (DBS)	\$1.16 per subscriber

6. Section 1.1156 is revised to read as follows:

§ 1.1156 Schedule of regulatory fees for international services.

- a. The following schedule applies for the listed services:

Fee Category	Fee Amount
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	\$124,060
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other)	\$340,005
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex)	\$141,670
Space Stations (per license/call sign in non-geostationary orbit) (47 CFR part 25) (Small Satellite)	\$12,215
Earth Stations: Transmit/Receive & Transmit only (per authorization or registration)	\$620

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, 2021)	Fee Amount
Terrestrial Common Carrier and Non Common Carrier Satellite Common Carrier and Non-Common Carrier	\$39 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 2022 International Bearer Circuits - Submarine Cable Systems

Submarine Cable Systems (capacity as of December 31, 2021)	Fee Ratio	FY 2021 Regulatory Fees
Less than 50 Gbps	.0625 Units	\$8,610
50 Gbps or greater, but less than 250 Gbps	.125 Units	\$17,215
250 Gbps or greater, but less than 1,500 Gbps	.25 Units	\$34,430

1,500 Gbps or greater, but less than 3,500 Gbps	.5 Units	\$68,860
3,500 Gbps or greater, but less than 6,500 Gbps	1.0 Unit	\$137,715
6,500 Gbps or greater	2.0 Units	\$275,430