

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

In the Matter of)
Assessment and Collection of Regulatory Fees for) MD Docket No. 23-159
Fiscal Year 2023)
Review of the Commission’s Assessment and) MD Docket No. 22-301
Collection of Regulatory Fees)

REPORT AND ORDER

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By the Commission

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I. INTRODUCTION

1. Today we take action to address longstanding concerns to better ensure that our assessment and collection of our annual regulatory fees is more closely aligned with the burden of the work being performed by Commission employees for each regulatory fee category. Specifically, we adopt the proposals in our Fiscal Year (FY) 2023 Regulatory Fee Notice of Proposed Rulemaking¹ and reallocate almost nineteen percent of our indirect full time equivalents (FTEs)² as direct to one of the Commission’s four core licensing bureaus,³ following a high-level, comprehensive staff analysis of the time utilized in the oversight and regulation of certain segments of the telecommunications industry. Our decisions in this Report and Order reflect our conclusion that we can determine, with reasonable accuracy

¹ *Review of the Commission’s Assessment and Collection of Regulatory Fees, Assessment and Collection of Regulatory Fees for Fiscal Year 2023*, Report and Order and Notice of Proposed Rulemaking, FCC 23-34 (rel. May 15, 2023) (*FY 2023 NPRM*).

² One FTE, a “Full Time Equivalent” or “Full Time Employee,” is a unit of measure equal to the work performed annually by a full-time person (working a 40-hour workweek for a full year) assigned to the particular job, and subject to agency personnel staffing limitations established by the U.S. Office of Management and Budget. See generally Executive Office of the President, Office of Management and Budget, Circular No. A-11, Preparation, Submission, and Execution of the Budget (August 2022), <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. In this proceeding when we state that 1.5 FTEs work on a particular subject matter, that might mean three individuals spend 50% of their time on that area. Moreover, any change in FTE allocation described here is solely for regulatory fee purposes and does not reflect any change of personnel in the various organizational work units.

³ 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) of the Communications Act, the Commission was instructed to calculate the regulatory fees by determining the FTEs performing the activities enumerated in section 9(a)(1) of the Communications Act within the Private Radio Bureau, Mass Media Bureau, Common Carrier Bureau, and other offices of the Commission; those bureaus subsequently were renamed the Wireless Telecommunications Bureau, Media Bureau, Wireline Competition Bureau, and a new International Bureau. See *Procedures for Assessment and Collection of Regulatory Fees for Fiscal Year 2012*, MD Docket No. 12-20, Notice of Proposed Rulemaking, 27 FCC Rcd 8460, para. 5 & n.5 (2012) (*FY 2012 Regulatory Fee Reform NPRM*). The Commission explained that “[f]or simplicity and ease of reference, in this Notice we will refer to these four bureaus as the ‘core’ bureaus or the ‘core licensing’ bureaus.” *Id.* See also *Assessment and Collection of Regulatory Fees for Fiscal Year 2019*, Report and Order and Further Notice of Proposed Rulemaking, 34 FCC Rcd 8189, 8193-94, paras. 9-10 (2019) (*FY 2019 Report and Order*). Effective April 10, 2023, we have a new Space Bureau and an Office of International Affairs replacing the International Bureau. See *Establishment of the Space Bureau and the Office of International Affairs and Reorganization of the Consumer and Governmental Affairs Bureau and the Office of the Managing Director*, MD Docket No. 23-12, Order, FCC 23-1 (rel. Jan. 9, 2023) (*Space Bureau Order*). Because the International Bureau existed for most of FY 2023, we are using that term in this proceeding, instead of Space Bureau and/or Office of International Affairs.

for this fiscal year, that certain FTEs from the Office of General Counsel, the Office of Economics and Analytics, and the Public Safety and Homeland Security Bureau that were previously considered to be indirect are devoted to work that is sufficiently linked to the oversight and regulation of regulatory fee payors in a core bureau such that the FTE burden of that work should be allocated as direct to that bureau for regulatory fee purposes. Consistent with our long-standing regulatory fee methodology, we implement these reallocations and we adopt a schedule of regulatory fees, as set forth in Appendices B and C, in order to collect \$390,192,000 in congressionally required regulatory fees for FY 2023 by the end of September.⁴

2. Additionally, in this Report and Order, we (i) adopt our proposal regarding the calculation of television and radio broadcaster regulatory fees, including the modification of the existing grid by adding a new tier for AM and FM radio stations; (ii) continue to consider operations for on-orbit servicing (OOS) and rendezvous and proximity operations (RPO) on a mission-by-mission basis for regulatory fee purposes, and apply the regulatory fee for “Space Stations (Geostationary Orbit)” to OOS and RPO spacecraft operating near the GSO arc, unless it is determined that the OOS or RPO spacecraft is operating as part of an existing GSO system and therefore should not be assessed a separate regulatory fee; (iii) confirm that orbital transfer vehicles (OTVs) are responsible for regulatory fees under the current regulatory fee scheme; (iv) continue two of the temporary measures that were implemented in FYs 2020 through 2022 to assist regulatory fee payors that were experiencing financial hardship related to the COVID-19 pandemic to request waiver, reduction, deferral and/or installment payment of regulatory fees, and continue a third such measure in modified form;⁵ and (v) decline to permit regulatory fee payors to prepay their regulatory fees in installments before the annual regulatory fee payment deadline.

II. BACKGROUND

3. Congress requires the Commission to assess regulatory fees each year in an amount that can reasonably be expected to equal the amount of our annual S&E appropriation.⁶ Pursuant to sections 9 and 9A of the Communications Act of 1934, as amended (Act or Communications Act),⁷ and the Commission’s FY 2023 Appropriations Act, we are required to collect \$390,192,000 in regulatory fees.⁸ Regulatory fees recover all of the Commission’s non-auctions costs, including 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 regulatory fee payor but instead benefit the Commission and the industry as a whole; and support costs, such as rent, utilities, and equipment.⁹ 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 do not pay regulatory fees, such as those that are statutorily exempt from paying regulatory fees (i.e., governmental and nonprofit entities,

⁴ 47 U.S.C. §§ 156, 159. The regulatory fee collection is guided by both the statutory authority in sections 6 and 9 of the Communications Act of 1934, as amended (Act or Communications Act) and the explicit language of each fiscal year’s salaries and expenses (S&E) appropriation directing the amount to be collected as an offsetting collection.

⁵ A resolution terminating the National Emergency concerning COVID-19 based on the powers granted in the National Emergencies Act was signed by President Biden on April 10, 2023. H.J. Res. 7, 118th Congress (2023-2024) [Public Law No: 118-3](https://www.congress.gov/bills/118/congress-house-joint-resolution/7), (Apr. 10, 2023), available at <https://www.congress.gov/bill/118th-congress/house-joint-resolution/7>.

⁶ 47 U.S.C. § 159(a), (b).

⁷ 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).

⁸ Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, Division E—Financial Services and General Government Appropriations Act, 2023 (FY 2023 Consolidated Appropriations Act). The total offsetting collection for FY 2023 has increased by \$8,242,000, or 2.16%, from the FY 2022 appropriated level.

⁹ 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),¹⁰ entities that are exempt from payment of FY 2023 regulatory fees because their total assessed annual regulatory fees fall below the annual de minimis threshold,¹¹ and entities whose regulatory fees are waived.¹²

4. Pursuant to section 9(d) of the Communications Act, 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.”¹³ In section 9 of the Communications Act, Congress prescribed a method of collecting an amount equal to the full S&E appropriation by keying the regulatory fee assessment to our FTE burden.¹⁴ As a result, the fee assigned to each regulatory fee category relates to the FTE burden associated with oversight and regulation of a particular set of fee payors by the relevant core bureaus.¹⁵ Because the total amount we must collect in an offsetting collection generally changes each fiscal year, annual regulatory fees also typically change each fiscal year as a mathematical consequence of the changes in the total amount to be collected, the number of Commission FTEs, and the projected unit estimates for each regulatory fee category.¹⁶ Beyond those potential changes in collection requirements, in considering other additions or deletions to the regulatory fee schedule, the Commission focuses on direct FTE cost burden related to the regulatory fee category at issue within each core bureau.¹⁷ Given the Act’s explicit language that fees must reflect FTEs, we have long concluded that these FTE counts are by far the most administrable starting point for regulatory fee allocations.¹⁸

¹⁰ 47 U.S.C. § 159(e)(1).

¹¹ 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.”

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

¹³ 47 U.S.C. § 159(d).

¹⁴ See 47 U.S.C. § 159(d). In 2018, as part of the RAY BAUM’S Act Congress revised section 9 of the Act and added new section 9A. See 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). Although the Commission adopted several rule amendments to reflect those changes, it concluded that the methodology for implementing regulatory fee authority essentially remained 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 “...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.” *FY 2019 Report and Order*, 34 FCC Rcd at 8192-93, paras. 7-8.

¹⁵ *FY 2019 Report and Order*, 34 FCC Rcd at 8192-93, paras. 7-8; *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*).

¹⁶ 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). 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 Communications Act fall under the section 9A(b)(1) Congressional notification requirements. 47 U.S.C. §§ 159A(b)(1), 159(c).

¹⁷ See *Assessment and Collection of Regulatory Fees for Fiscal Year 2021*, Report and Order and Notice of Proposed Rulemaking, 36 FCC Rcd 12990, 12999, para. 17 (2021) (*FY 2021 Report and Order*). Changes under section 9(d) of the Communications Act fall under the section 9A(b)(2) 90-day notification to Congress. 47 U.S.C. §§ 159A(b)(2), 159(d).

¹⁸ *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 8. In addition to this issue of administrability, adopting a fee category where there are is no FTE time accorded most years or where any fees set would be well below the annual de minimis threshold is not practicable.

5. We do not assign direct FTEs to specific fee categories by rote or at random.¹⁹ Instead, as the Commission has previously explained, we assign direct FTEs within a core bureau to a specific fee category in a manner that reflects the time spent by FTEs on oversight and regulation of a particular set of fee payors which is the “benefit” to such payors in each fee category.²⁰ Thus, we apportion regulatory fees across fee categories based on the number of non-auctions direct FTEs in each core bureau and take into account factors that are reasonably related to the payor’s benefits.²¹

6. As part of our annual regulatory assessment obligations, we issue an annual Notice of Proposed Rulemaking seeking comment on the methodology for assessing regulatory fees and the proposed regulatory fees for the fiscal year.²² In implementing our section 9 authority, we consider the adoption of a new regulatory fee category or a change in an existing regulatory fee category only when we develop a sufficient basis for making the change, and we work to ensure that all changes serve the goal of ensuring that our assessment of regulatory fees is fair, administrable, and sustainable.²³

7. We typically assess the allocation of FTEs by first determining the number of direct FTEs, (that is, those non-auctions²⁴ FTEs whose work is focused on the industry segment in each core

¹⁹ *Assessment and Collection of Regulatory Fees for Fiscal Year 2021, Assessment and Collection of Regulatory Fees for Fiscal Year 2022*, Report and Order and Notice of Proposed Rulemaking, FCC 22-39, para. 3 (FY 2022 NPRM).

²⁰ 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).

²¹ See *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 9.

²² The annual Notice of Proposed Rulemaking, *FY 2023 NPRM*, was released on May 15, 2023. *Review of the Commission’s Assessment and Collection of Regulatory Fees, Assessment and Collection of Regulatory Fees for Fiscal Year 2023*, MD Dockets 22-301, 23-159, Report and Order and Notice of Proposed Rulemaking, FCC 23-34 (rel. May 15, 2023) (FY 2023 NPRM).

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); *FY 2012 Regulatory Fee Reform NPRM*, 27 FCC Rcd at 8464-65, paras. 14-16. The concept of administrability includes the difficulty in collecting regulatory fees under a system that could have unpredictable dramatic shifts in assessed fees in certain categories from year to year. In adopting our fee schedule, we are also mindful of other general limits of fee authority. See *National Cable Television Ass’n v. United States*, 415 U.S. 336, 340-41 (1974) (construing Independent Offices Appropriations Act) (IOAA)); see also *National Cable Television Ass’n v. FCC*, 554 F.2d 1094, 1106 & n.42 (D.C. Cir. 1976). 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 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.”). 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 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. *FY 2021 Report and Order*, 36 FCC Rcd at 12999-13000, para. 20. We recognize that section 309(j)(11) (“Termination”) of the Communications Act provides an expiration date for the “authority of the Commission to grant a license or permit under this subsection” and includes a list of exceptions to the expiration date. 47 U.S.C. § 309(j)(11). Congress issued a series of extensions to the expiration date, the last of which expired on March 9, 2023. Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023,

bureau) and then attribute all other non-auction FTEs as indirect.²⁵ The Commission generally categorizes the FTEs in the Enforcement Bureau, Consumer and Governmental Affairs Bureau, Public Safety and Homeland Security Bureau, Chairwoman's and Commissioners' Offices, Office of the Managing Director, Office of General Counsel, Office of Inspector General, Office of Communications Business Opportunities, Office of Engineering and Technology, Office of Legislative Affairs, Office of Workplace Diversity, Office of Media Relations, Office of Economics and Analytics, and Office of Administrative Law Judges, along with some FTEs in the Wireline Competition Bureau and the International Bureau, as indirect for regulatory fee purposes.²⁶ Unlike the work of direct FTEs, the work of indirect FTEs in these non-core bureaus and offices does not focus on the oversight and regulation of a specific category of regulatory fee payors, but instead benefits the Commission, the telecommunications industry, and the public as a whole.²⁷ Our high percentage of indirect FTEs demonstrates that many of our activities and costs are not limited to a particular fee category.²⁸

8. In the *FY 2023 NPRM*, based on the record received in response to the Notice of Inquiry (*NOI*) in MD Docket No. 22-301²⁹ that was released last fall, and after a thorough staff level review of the work being conducted by FTEs in the Commission's bureaus and offices, we sought comment on reallocating certain FTEs from the Office of General Counsel, the Office of Economics and Analytics, and the Public Safety and Homeland Security Bureau to a core bureau as direct FTEs, solely for the

Pub. L. No. 117-180, 136 Stat. 2114 (September 30, 2022) (extending spectrum auction authority through December 16, 2022); Further Continuing Appropriations and Extensions Act, 2023, Pub. L. No. 117-229, 136 Stat. 2308 (December 16, 2022) (further extending spectrum auction authority through December 23, 2022); Further Additional Continuing Appropriations and Extensions Act, 2023, Pub. L. No. 117-264, 136 Stat. 4167 (December 23, 2022) (further extending spectrum auction authority through December 30, 2022); and Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, 136 Stat. 4459 (December 29, 2022) (further extending spectrum auction authority through March 9, 2023). Due to the lapse of the Commission's general auction authority, the Commission has ceased certain work. We have evaluated the impact of this on the FCC's FTEs and do not believe that it materially impacts our direct or indirect FTE allocations for FY 2023. To the extent the issue is relevant for FY 2024, we will address it in our FY 2024 NPRM.

²⁵ *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*).

²⁶ The Commission has previously reallocated FTEs in the International Bureau and the Wireline Competition Bureau from direct to 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*, Report and Order, 28 FCC Rcd 12351, 12355-356, para. 14 (2013) (*FY 2013 Report and Order*). Subsequently, in the *FY 2015 Report and Order*, the Commission reallocated, for regulatory fee purposes, four International Bureau FTEs working on market access requests for non-U.S. licensed space stations as indirect. *Assessment and Collection of Regulatory Fees for Fiscal Year 2015*, Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10278, para. 24 (2015) (*FY 2015 Report and Order*). Four indirect FTEs have since been reallocated as direct. *Assessment and Collection of Regulatory Fees for Fiscal Year 2020*, Report and Order and Notice of Proposed Rulemaking, 35 FCC Rcd 4976, 4991, para. 33 (2020) (*FY 2020 NPRM*), *affirmed*, *Telesat Canada, et al. v. FCC*, 999 F.3d 707 (D.C. Cir. 2021) (*Telesat*). In 2017, the Commission reallocated 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*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7057, 7061-64, paras. 10-15 (2017) (*FY 2017 Report and Order*). The FTE burden associated with the work of the non-high cost programs of the Universal Service Fund are evaluated annually and adjusted accordingly.

²⁷ See *FY 2021 Report and Order*, 36 FCC Rcd at 30001, para. 22.

²⁸ *Id.* at 12991-92, para. 8; *FY 2013 Report and Order*, 28 FCC Rcd at 12357, para. 17.

²⁹ The Commission's *NOI* was attached to the *FY 2022 Report and Order*. *Assessment and Collection of Regulatory Fees for FY 2022*, MD Docket Nos. 22-223, 22-301, Report and Order and Notice of Inquiry, FCC 22-68, 2022 WL 4079045 (2022) (*FY 2022 Report and Order*). Three parties filed comments and six parties filed replies. The list of commenters to the *NOI* was attached in Appendix A to the *FY 2023 NPRM*.

purpose of calculating regulatory fees. As we explained in the *FY 2023 NPRM*, where we are able to determine that FTE time is being spent on work directly related to the oversight and regulation of regulatory fee payors in a core bureau and that such a determination is reasonably accurate for the fiscal year, we proposed to reallocate the FTE burden of such work as direct to the relevant core bureau(s), which would increase the number of direct FTEs in each of the core bureaus.³⁰

9. We also sought comment on several additional regulatory fee issues, including: (i) the calculation of television and radio broadcaster regulatory fees, including the modification of the existing grid by adding a new tier for AM and FM radio stations; (ii) defining the category of operations for on-orbit servicing and rendezvous and proximity operations for regulatory fee purposes, including whether a separate regulatory fee category is necessary, and how to apply regulatory fees to OOS and RPO spacecraft specifically operating near the geostationary satellite orbit arc, including the two licensed OOS and RPO spacecraft that were operational in FY 2023; (iii) evaluating how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility; (iv) considering whether to continue in FY 2023 several of the temporary measures we implemented in FYs 2020 through 2022; and (v) whether to permit regulatory fee payors to prepay their regulatory fees in installments.

10. We received 10 comments and 12 reply comments. Appendix A contains the list of commenters.

III. DISCUSSION

11. 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, as modified herein, for FY 2023, to collect \$390,192,000 in regulatory fees as required by Congress.³¹

A. Methodology for Assessing Regulatory Fees and FTE Allocation

12. Consistent with our statutory mandate and our regulatory fee methodology, we start our regulatory fee assessment with the FTE counts and then adjust fees to reflect other factors related to the benefits provided to the payor of the fee by the Commission's activities.³² In section 9 of the Act Congress prescribes that regulatory fee payors bear the FTE burden associated with their oversight and regulation by the relevant core bureau(s).³³ Insofar as the non-auctions FTE time in the four core bureaus continues to focus on the oversight and regulation of fee payors in the industry segment regulated by each of those bureaus, we will continue to apportion regulatory fees across fee categories based on the number of non-auction direct FTEs in each core bureau and take into account factors that are "reasonably related to the benefits provided to the payor of the fee by the Commission's activities."³⁴ After we determine the number of direct FTEs for each core bureau, we use these numbers to start our calculations of the percentage of the total amount of regulatory fees to be collected for a given fiscal year from each fee category.

13. We then allocate appropriated amounts to be recovered proportionally based on the number of direct FTEs within each core bureau. Those proportions are then subdivided within each core bureau into fee categories among the regulatory fee payors served by the core bureau. Finally, within each regulatory fee category, we divide the amount to be collected by a unit that allocates the regulatee's proportionate share based on an objective measure. As a general matter, there is no additional calculation to attribute indirect costs. Instead, the proportional allocation of the whole S&E appropriation based on

³⁰ *FY 2023 NPRM* at paras. 22-54.

³¹ FY 2023 regulatory fees are listed in Appendices B and C.

³² *FY 2019 Report and Order*, 34 FCC Rcd at 8195, para. 16.

³³ *FY 2019 NPRM*, 34 FCC Rcd at 3275-77, paras. 6-10.

³⁴ *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 number of direct FTEs effectively attributes all indirect costs among the core bureaus so that the Commission can recover its entire appropriation each year.

14. As the Commission has explained, “[g]iven the Act’s requirement that fees must ‘reflect’ FTEs before adjusting fees to take into account other factors, we find FTE counts by far the most administrable starting point for regulatory fee allocations.”³⁵ Regulatory fees must cover the entire S&E appropriation, even those portions of the appropriation that supports work on issues for which we do not have regulatory fee categories. Therefore, 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 year and instead are based on a higher-level approach.³⁶ While some commenters continue to take issue with some of the Commission’s determinations of whether certain FTEs should be considered to be indirect or direct³⁷ and also advocate that the Commission should adopt new fee categories,³⁸ no commenter has offered an alternative methodology for the Commission to recover our annual appropriation.³⁹ Instead, we agree with commenters that argue that the record supports the adoption of regulatory fees consistent with the Commission’s long standing regulatory fee framework.⁴⁰ CTIA agrees that our core principles—basing regulatory fees on FTEs; fairness, administrability, and sustainability; and making changes to classifications only after performing considerable analysis and concluding there is a clear case for reassignment—have resulted in a reasoned but rigorous methodology that ensures all regulatory fee payors pay their fair share of regulatory fees.⁴¹ Accordingly, we find no basis to adjust our general methodology for assessing regulatory fees. We find that the Commission’s general methodology for establishing regulatory fees has been, and continues to be, appropriate and consistent with section 9 of the Act. Thus, for FY 2023, our fee methodology will attribute the direct FTEs within each core bureau to payor categories based on the nature of the FTE work. We also will consider the ministerial adjustments necessitated by the more discernable changes from the prior year regulatory fee proceeding, e.g., changes in the: (i) FY appropriation, (ii) FTE levels, and (iii) relevant unit measures for each regulatory fee category.⁴² Once the percentages of total direct FTEs in the core bureaus are determined, the Commission calculates fee rates among the specific fee categories within each core bureau based upon the fee categories’ proportional fee amounts to be collected. These proportional calculations allocate all Commission non-auction related costs across all fee categories that total the target goal amount.

15. For FY 2023, our Human Resources Management office has provided the Commission data identifying 339.25 non-auctions, direct FTEs distributed among the core bureaus. In consultation with the bureaus and offices, we have validated this data. In the *FY 2023 NPRM*, following a high level, yet comprehensive, staff analysis of indirect FTE time in non-core bureaus and offices, we proposed to reallocate 63 indirect FTEs from the Office of General Counsel, the Office of Economics and Analytics, and the Public Safety and Homeland Security Bureau where we were able to determine with reasonable accuracy for the fiscal year that the FTE burden of such work is directly related to the oversight and regulation of regulatory fee payors in a core bureau such that it should be considered as direct to that

³⁵ *FY 2019 Report and Order*, 34 FCC Rcd at 8193, para. 8.

³⁶ *FY 2022 Report and Order* at para. 15.

³⁷ *See, e.g.*, State Broadcasters Associations Reply at 6-10; NAB Comments at 10-16 & Reply at 3.

³⁸ *See, e.g.*, Intelsat Comments at 5-6; Satellite Operators Reply at 3-9; NAB Reply at 4-5.

³⁹ Apart from certain commenters’ raising specific issues with indirect FTEs in the Wireline Competition Bureau and contending that we should seek comment again on adopting new fee categories, commenters generally agree with the NPRM proposals. *See, e.g.*, CTIA Reply at 7-11; SIA Reply at 1-3.

⁴⁰ CTIA Reply at 2.

⁴¹ *Id.* at 3-7.

⁴² While such changes are usually non-controversial and based on objective changes, they can nevertheless result in significant changes in fee rates.

bureau for the purposes of calculating regulatory fees.⁴³ As explained fully below, with the overwhelming support of commenters,⁴⁴ we adopt our proposal for these reallocations. In addition, in order to apply consistent principles to our determinations, and in response to the record gathered in this proceeding,⁴⁵ we also reallocate two direct FTEs from the Media Bureau to be considered as indirect FTEs because the nature of their work is sufficiently linked to work that is similar to that of work performed in the Enforcement Bureau, which is categorized as indirect.⁴⁶ Our adoption of these reallocations results in a revised total of 400.25 non-auctions, direct FTEs for FY 2023. Our calculations of direct FTEs associated with each core bureau are now as follows: International Bureau (31), Wireless Telecommunications Bureau (98), Wireline Competition Bureau (143.25), and Media Bureau (128).⁴⁷

16. Based on these reallocations and after we make adjustments to these direct FTE counts to implement Commission precedent regarding FTEs working on non-high cost Universal Service Fund matters,⁴⁸ we will collect approximately \$30.32 million (7.77%) in fees from the International Bureau regulatory fee payors; \$95.83 million (24.56%) in fees from the Wireless Telecommunications Bureau regulatory fee payors; \$140.12 million (35.91%) in fees from Wireline Competition Bureau regulatory fee payors; and \$123.92 million (31.76%) in fees from Media Bureau regulatory fee payors.

17. The record supports our proposal to reallocate certain indirect FTEs from the Office of General Counsel, the Office of Economics and Analytics, and the Public Safety and Homeland Security Bureau as direct to a core bureau because we can determine with reasonable accuracy for the fiscal year that these FTEs are devoted to work that is sufficiently linked to the oversight and regulation of regulatory fee payors in a core bureau such that the burden of that work should be allocated as direct for regulatory fee purposes. Commenters addressing this issue agree that by taking a more granular approach, the Commission's fee structure more closely aligns the recovery of costs with those who benefit from Commission regulatory activities.⁴⁹ Commenters support our proposal to reallocate a total of 63 indirect FTEs as direct for regulatory fee purposes.⁵⁰ They contend that doing so will advance the Communications Act objective for the Commission to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities.⁵¹

18. CTIA agrees that we should adopt the tentative conclusion to continue to treat FTEs in other non-core bureaus and offices, including OET, EB, and CGB, as indirect and that our comprehensive analysis reaffirmed the longstanding conclusion that the work in these non-core bureaus and offices covers a variety of issues that are not directly allocable or associated with a regulatory fee payor and they are properly considered indirect.⁵² Several commenters propose that in future years we should identify

⁴³ *FY 2023 NPRM* at paras. 22-54.

⁴⁴ See, e.g., Satellite Operators Comments at 3-4 & Reply at 2; SIA Reply at 1-3; State Broadcasters Association Reply at 8-9; NAB Comments at 6-10 & Reply at 2-4; Satellite *ex parte* at 3. CTIA agrees that our approach appears to be generally consistent with our longstanding methodology of basing fees on FTE work and changing FTE classifications only after considerable analysis and finding the clearest case for reassignment. CTIA Reply at 7-8.

⁴⁵ NAB Comments at 9-10.

⁴⁶ See discussion below in section III.C.3.

⁴⁷ As we discuss below in section III.C.3, we are reallocating two Media Bureau FTEs from direct to indirect, for regulatory fee purposes.

⁴⁸ See *FY 2022 Report and Order* at paras. 66-71. See also discussion below in section III.B.

⁴⁹ Intelsat Comments at 2-3; Satellite Operators Comments at 3-4 & Reply at 2; NAB Reply at 3.

⁵⁰ Intelsat Comments at 2-3; NAB Comments at 6-8 & Reply at 2-3; Satellite Operators Reply at 2; CTIA Reply at 2; State Broadcasters Associations Reply at 3; SIA Reply at 1-2.

⁵¹ Satellite Operators Comments at 3-4; NAB Reply at 3.

⁵² CTIA Reply at 8-9.

additional indirect FTEs that can be considered direct for regulatory fee purposes.⁵³ Intelsat recommends that the Commission conduct the evaluation of the work of indirect FTEs in future regulatory fee rulemakings, if not annually, then at least biannually.⁵⁴ In addition to making this allocation review a priority annually or biannually, Intelsat argues, the Commission should also consider what other indirect FTEs may be appropriate to reallocate as direct, and whether adding new fee payors would more fully comply with the Commission's statutory mandate regarding regulatory fees.⁵⁵ Commenters argue that future reviews of the Commission's FTEs should include an annual analysis of whether there are indirect FTEs in non-core bureaus and offices that should be reallocated as direct to a core bureau based upon the burden of time being devoted to particular regulatory fee payors.⁵⁶ CTIA argues that we should reject these arguments and that we need not undertake a comprehensive analysis of all indirect FTEs annually.⁵⁷ CTIA maintains that "the mere specter of wide-ranging annual FTE reclassifications" will interject uncertainty into the regulatory fee process.⁵⁸

19. We conclude that, as part of our annual FTE analysis, we will continue to evaluate whether any FTEs should be reallocated for regulatory fee purposes as we do each year when reviewing and validating the FTE data. And, where our evaluation merits inclusion of proposed reallocations, we will seek comment on any such potential reallocation of FTEs in an annual proceeding. We note, however, that we will exercise our discretion regarding where to focus our analytical efforts each year to best respond to changes in the FCC's substantive work, changes in the FCC's organization, and changes in the telecommunications industry itself. We further conclude that such agency discretion is particularly important because we agree with CTIA that we do not wish to inadvertently expand our indirect FTE levels by engaging in an endless review of all FTE allocations. As such, we will exercise our discretion to ensure that we conduct our annual review in a manner that is fair, manageable, and sustainable.⁵⁹

20. We emphasize that our decision to adopt our proposal today is in accord with past Commission precedent. For example, in 2013, the Commission allocated as indirect all but 28 International Bureau FTEs.⁶⁰ Likewise in 2015, the Commission reassigned four International Bureau FTEs working on market access requests for non-U.S. licensed space stations as indirect.⁶¹ Five years later, the Commission reclassified four International Bureau indirect FTEs as direct FTEs.⁶² Thus, it is also not uncommon for the Commission to reassign direct FTEs as indirect or from one core bureau to another for regulatory fee purposes to reflect, among other things, changes in the FCC's substantive work, changes in the FCC's organization, and changes in the telecommunications industry.⁶³

21. As we described in the *FY 2023 NPRM*, we limit our reallocation of indirect FTEs as direct FTEs to a core bureau for regulatory fee purposes to those instances where we can determine with reasonable accuracy for the entire fiscal year that such FTE work furthers the oversight and regulation of

⁵³ Satellite Operators Comments at 4; NAB Comments at 8 & Reply at 2; Intelsat Comments at 3; SIA Reply at 3.

⁵⁴ Intelsat Comments at 3.

⁵⁵ *Id.* at 4.

⁵⁶ NAB Comments at 8; SIA Reply at 3.

⁵⁷ CTIA Reply at 9.

⁵⁸ *Id.*

⁵⁹ *Id.* at 5-9.

⁶⁰ *FY 2013 Report and Order*, 28 FCC Rcd at 12355-56, para. 14.

⁶¹ *FY 2015 Report and Order*, 30 FCC Rcd at 10278, para. 24.

⁶² *FY 2020 NPRM*, 35 FCC Rcd at 4991, para. 33.

⁶³ *See, e.g., FY 2017 Report and Order*, 32 FCC Rcd at 7064-65, paras. 16-17 (reallocating, for regulatory fee purposes, four direct FTEs from the Wireline Competition Bureau to the Wireless Telecommunications Bureau because approximately half of the benefit of the work of these FTEs accrue to Wireless Telecommunications Bureau regulatees).

regulatory fee payors. We recognize that this reclassification represents a change from some recent reviews of the same offices.⁶⁴ Nevertheless, at this time our evaluation of FTE time in the non-core bureaus and offices supports our conclusion that, for certain FTEs in the Office of Economics and Analytics, the Office of General Counsel, and the Public Safety and Homeland Security Bureau, it is appropriate to consider the FTE burden of their work as directly devoted to the oversight and regulation of regulatory fee payors. For that reason, we are adopting our proposal that such FTE time should be considered direct for those relevant core bureau(s).

22. For the purposes of this determination, we have evaluated whether measurable FTE time for FY 2023 is primarily being spent on the regulation and oversight of regulatory fee payors. Commission staff excluded any FTE time from this analysis if it was not equivalent to the time of at least one FTE, concluding that less than a full-time FTE demonstrates that the work being done is appropriately considered to be indirect and should not be reassigned. The table below summarizes all of the reallocations we are adopting today.

CORE BUREAU FTE PERCENTAGES WITH AND WITHOUT FTE REALLOCATIONS

Core Bureau	2023 FTE % <u>Without</u> FTE Reallocations	2023 Amount <u>Without</u> FTE Reallocations (Millions)	2023 FTE % <u>With</u> FTE Reallocations	2023 Amount <u>With</u> FTE Reallocations (Millions)
		FY 2023 Appropriation is \$390.192		FY 2023 Appropriation is \$390.192
Wireline Competition Bureau	35.57%	\$138.79	35.91%	\$140.12
Media Bureau	33.96%	\$132.52	31.76%	\$123.9
Media Bureau subcategory Broadcasters	15.28%	\$59.65	14.12%	\$55.10
Media Bureau subcategory Cable	18.68%	\$72.87	17.64%	\$68.83
Wireless Telecommunications Bureau	22.19%	\$86.56	24.56%	\$95.83
International Bureau	8.28%	\$32.32	7.77%	\$30.32

23. We conclude that 63 FTEs from the Office of Economics and Analytics, the Office of General Counsel, and the Public Safety and Homeland Security Bureau devote their time to the oversight and regulation of regulatory fee payors, where we can determine with reasonable accuracy for the entire fiscal year, as we discuss below. For that reason, we reallocate the FTE time as direct to the relevant core bureau(s) for calculating regulatory fees. Likewise, to apply consistent principles across our determinations, we reallocate two direct FTEs from the Media Bureau as indirect FTEs because the nature of their work is sufficiently linked to work that is similar to that performed in the Enforcement Bureau, which has been categorized as indirect. Below, we discuss our analysis.

24. *Office of Economics and Analytics (OEA)*. We adopt our proposal to reallocate 30 indirect FTEs from OEA as direct to a core bureau for regulatory fee purposes as follows: two to the International Bureau, eight to the Wireless Telecommunications Bureau, 13 to the Wireline Competition Bureau, and seven to the Media Bureau. We reach this conclusion after evaluating the burden of FTE time in OEA.

⁶⁴ See, e.g., our discussion below of our initial classification of FTEs in OEA with our decision here today.

25. Following its inception in 2018,⁶⁵ the Commission concluded that it was appropriate for the non-auctions FTEs in OEA to be considered indirect FTEs because their work benefits the entire Commission as well as the telecommunications industry and does not specifically focus on regulatory fee payors.⁶⁶ As a general matter, this remains true today. Of relevance to the regulatory fee proceeding, OEA's non-auction funded work provides economic analysis, including cost-benefit analysis, for rulemakings, transactions, adjudications, and other Commission actions; develops policies and strategies to help manage Commission data resources and establish best practices for data use throughout the Commission in coordination with other bureaus and offices; and conducts long-term research on ways to improve the Commission's policies and processes in each of these areas.⁶⁷ Notably, OEA collaborates with and advises other bureaus and offices in the areas of economic and data analysis and with respect to the analysis of benefits, costs, and regulatory impacts of Commission policies, rules, and proposals. As part of this collaboration, OEA reviews all rulemakings prepared by those bureaus and offices, all other Commission-level items that contain economic or data analysis, and similar items that the bureaus or offices release on delegated authority.⁶⁸

26. In evaluating the burden of the work currently being performed by OEA's FTEs, staff recognized that certain bureaus tend to generate more economic and data issues for OEA to analyze as well as more documents that require OEA review. For FY 2023, we find that there is measurable work done by OEA FTEs that is being done directly in furtherance of the oversight and regulation of regulatory fee payors in certain industry segments. In fact, staff analysis reveals that the work and expertise of certain FTEs from OEA remain devoted to the oversight and regulation of regulatory fee payors in a manner that is consistent with the FTE burden of work performed within a core bureau prior to the OEA's implementation. This determination supports our decision to reallocate the burden of the work of certain of OEA's FTEs as direct for regulatory fee purposes. We recognize that this is a partial change from our determination in the 2019 regulatory fee proceeding with respect to OEA FTEs.⁶⁹ We have explained however, that our determinations are based an analysis of the actual work of the OEA.

27. We conclude that 13 indirect FTEs from OEA should be reallocated as direct FTEs to the Wireline Competition Bureau because the burden of their work is devoted to universal service fund issues in high-cost areas; competition and interconnection; setting rates for calls from incarcerated persons; the establishment of a national suicide hotline, and efforts to evaluate the costs, benefits, and public interest factors associated with protecting privacy matters such as the Wireline Competition Bureau's work on customer proprietary network information (CPNI) rules addressing access, use, and disclosure of

⁶⁵ The Commission reassigned staff to the OEA, effective December 11, 2018, resulting in the reassignment of 95 FTEs (of which 64 were not auctions-funded) as indirect FTEs. *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, Dec. 11, 2018, <https://www.fcc.gov/document/fcc-opens-office-economics-and-analytics>. At the time of the implementation of the OEA, of the non-auctions FTEs, 8.5 were from the Wireless Telecommunications Bureau, 22.2 from the Wireline Competition Bureau, and 8.9 from the Media Bureau. *FY 2019 Report and Order*, 34 FCC Rcd at 8194, para. 11. That same year, the Commission 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. *See Transfer of EEO Audit and Enforcement Responsibilities to Enforcement Bureau*, Public Notice, 34 FCC Rcd 1370 (EB 2019).

⁶⁶ *FY 2019 Report and Order*, 34 FCC Rcd at 8194, para. 11 & n.41.

⁶⁷ We do not include auctions funded OEA FTEs for regulatory fee purposes.

⁶⁸ *See* 47 CFR § 0.271.

⁶⁹ *FY 2019 Report and Order*, 34 FCC Rcd at 8194, para. 11 & n.41 (the Commission reassigned staff to the Office of Economics and Analytics, effective December 11, 2018, resulting in the reassignment of 95 FTEs (of which 64 were not auctions-funded) as indirect FTEs.); *Assessment and Collection of Regulatory Fees for Fiscal Year 2020*, Report and Order, 36 FCC Rcd 1731, 1734, para. 8 (2020) (*FY 2020 Report and Order*) (listing indirect bureaus and offices, including OEA with 53 indirect FTEs); *FY 2021 Report and Order*, 36 FCC Rcd at 12994, para. 8 (listing indirect bureaus and offices, including OEA); *FY 2022 Report and Order* at para. 6 (listing indirect bureaus and offices, including OEA with 78 indirect FTEs).

information related to the use of a telecommunications service subscribed to by a customer of a telecommunications carrier. This FTE work is being done directly in furtherance of the oversight and regulation of Wireline Competition Bureau regulatory fee payors, therefore, we find that it appropriate to reallocate it as direct to the Wireline Competition Bureau for purposes of our regulatory fee calculation.

28. Similarly, staff analysis shows that the work of eight OEA FTEs address various wireless and spectrum issues, such as mergers, transactions, and acquisitions, mobile spectrum holdings policies, and deployment in rural areas and on tribal lands. Insofar as the burden of this work is being done directly in furtherance of the oversight and regulation of Wireless Telecommunications Bureau regulatory fee payors, we adopt our proposal to reallocate these eight indirect FTEs as direct FTEs to the Wireless Telecommunications Bureau, for purposes of our regulatory fee calculation.

29. Further, we find that because the burden of the work of seven FTEs from OEA relates to broadcast and cable issues, including ownership regulation, next generation (or NextGen TV) standards,⁷⁰ content source disclosures, program carriage and retransmission, and rates and billing practices, and is being done directly in furtherance of the oversight and regulation of Media Bureau regulatory fee payors, it is appropriate to reallocate these FTEs as direct to the Media Bureau, proportionally among the Media Bureau regulatory fee categories, for purposes of our regulatory fee calculation.

30. Lastly, because the burden of the work of two FTEs from OEA addressing undersea cables, international bearer circuits, and satellite services related issues is done directly in furtherance of the oversight and regulation of International Bureau regulatory fee payors, we conclude that it is appropriate to reallocate these two indirect FTEs as direct to the International Bureau, proportionally among the International Bureau regulatory fee categories.

31. *Office of General Counsel (OGC)*. Our evaluation of the burden of the FTE time in OGC supports the Commission's repeated conclusion that the majority of the work this office performs is most appropriately categorized as indirect, for regulatory fee purposes.⁷¹ On review, however, for FY 2023 we conclude that certain aspects of OGC's work are sufficiently linked to the oversight and regulation of individual regulatory fee categories such that five FTEs from OGC should be reallocated as direct FTEs to a relevant core bureau for regulatory purposes.

32. OGC serves as the chief legal advisor to the Commission and its various bureaus and offices. In that capacity OGC's responsibilities are generally described as interpreting new and existing statutes and executive orders as they pertain to the Commission's exercise of its Communications Act authority and other authorities, as well as performing such functions involving implementation of such statutes and executive orders as may be assigned to it by the Commission. OGC advises the Commission in the preparation and revision of our rules, recommends decisions in adjudicatory matters before the Commission, assists the Commission in its decision-making capacity and performs a variety of legal functions regarding internal and other administrative matters. OGC also advises and represents the Commission in matters of litigation. These roles are divided between the Administrative Law Division and the Litigation Division and are overseen by the General Counsel (GC) and the GC's Front Office.

33. The Litigation Division represents the Commission in a wide variety of court cases⁷²

⁷⁰ NextGen TV, also known as ATSC 3.0, is based on Internet Protocol (IP), such as online video or streaming services, and uses web languages for interactivity. See NAB, Unleashing the Next Generation of Broadcast Innovation, *What is Next Generation TV?*, <https://www.nab.org/innovation/nextGenTV.asp> (last visited June 22, 2023); FCC News Release, *FCC Chairwoman Announces Launch of 'Future of TV' Public-Private Initiative Focused on Transition to NextGen TV*, Apr. 17, 2023, <https://www.fcc.gov/document/chairwoman-announces-future-tv-public-private-initiative>.

⁷¹ *FY 2022 Report and Order*, paras. 6, 20 (noting the FTE allocation of OGC).

⁷² OGC represents the Commission in Federal courts of appeals when parties challenge Commission actions, and, in conjunction with the United States Department of Justice and United States Attorney's offices, represents the Commission in litigation in Federal district courts. In addition, Litigation Division attorneys work with the Office of

covering actions that most federal agencies are subject to (e.g., personnel, Federal Tort Claims Act, Freedom of Information Act, False Claims Act, and contract actions and disputes) in addition to challenges regarding the Commission's exercise of our Communications Act authority. After careful consideration of the burden of FTE work in this division, we do not make any FTE reallocations for the Litigation Division. The level of effort to support litigation that is unrelated to our Communications Act authority is generally not tied to oversight and regulation of any regulatory fee category. Thus, the FTE burden of this work remains appropriately considered as indirect. The FTE burden associated with litigation that directly touches on our Communications Act authority should also remain as indirect. We make this determination for a variety of reasons. Primarily, it is not possible to determine with any level of consistency year to year whether the FTE work in support of litigation matters benefits a particular regulatory fee category.⁷³ This is particularly true because the essential issue in dispute when a matter moves to litigation may touch on issues of broader concern than any one regulatory fee group, or conversely be so procedural as to be effectively generic to all federal agency action.⁷⁴ Moreover, at its core, the FTE work defending the Commission's expert authority in implementing the Communications Act is the epitome of work that benefits the agency as a whole and we do not believe it would be fair for any one regulatory fee group to shoulder the FTE burden of such work.

34. The Administrative Law Division provides legal advice to the Commission concerning a wide array of substantive areas of the law necessary to the functioning of any federal agency.⁷⁵ In large part, such work benefits the work of the Commission as a whole and is not specific to any particular regulatory fee category. Thus, the FTE burden associated with such work properly remains almost entirely allocated as indirect. In contrast to the Litigation Division, however, it is possible to determine that some of the burden of the work performed by FTEs from the Administrative Law Division, particularly in reviewing Commission rules, proposed rules, and adjudicatory orders, as well as providing extensive advice on the Commission's authority under the Communications Act, including the exercise of delegated authority by the bureaus and offices, is done in furtherance of the oversight and regulation of regulatory fee payors in the core bureaus. Accordingly, where we have determined that this work is directly related to our oversight and regulation of specific regulatory fee payor categories, we adopt our determination to reallocate the FTE burden of such work as direct to the relevant core bureau(s). Specifically, for FY 2023 we reallocate one OGC FTE as direct to the Wireline Competition Bureau; two OGC FTEs as direct to the Wireless Telecommunications Bureau; one OGC FTE as direct to the Media Bureau, proportionally among the Media Bureau fee categories; and one OGC FTE as direct to the International Bureau, proportionally among the International Bureau fee categories.

35. *Public Safety and Homeland Security Bureau (PSHSB)*. We also adopt our proposal to reallocate, for regulatory fee purposes, a total of 28 indirect FTEs from PSHSB as direct FTEs to core bureaus as follows: 13 to the Wireless Telecommunications Bureau, nine to the Wireline Competition Bureau, and six to the Media Bureau.

36. PSHSB advises and coordinates within the Commission on all matters pertaining to public safety, homeland security, national security, cybersecurity, emergency management and preparedness, disaster management, and related matters.⁷⁶ Insofar as the bureau leads initiatives that

the Solicitor General of the United States in representing the Commission in actions in the United States Supreme Court.

⁷³ Because most litigation is defensive it is inherently more difficult to predict the level of effort and fee categories that might be implicated each year. This would make predictive analysis more time consuming and subjective and also make such direct FTE allocations potentially less administrable.

⁷⁴ For example, litigation can frequently turn on procedural issues such as the timeliness of when an argument was raised, or an exception to the Administrative Procedure Act.

⁷⁵ Such areas of the law include the Freedom of Information Act, the Privacy Act, the Regulatory Flexibility Act, the Paperwork Reduction Act of 1995, the Government in the Sunshine Act, the Congressional Review Act of 1996, and the statutes and rules governing ethics, personnel, procurement, and fiscal law.

⁷⁶ 47 CFR §§ 0.191 (PSHSB functions); 0.392 (PSHSB delegation).

strengthen public safety and emergency response capabilities enabling the Commission to assist the public, first responders, law enforcement, hospitals, the communications industry and all levels of government in times of emergency, we continue to conclude that the majority of its work is best categorized as indirect. PSHSB is organized into three divisions: the Policy and Licensing Division, the Operations and Emergency Management Division, and the Cybersecurity and Communications Reliability Division. On review for FY 2023, we conclude that certain aspects of the burden of some of the FTE work within these divisions is sufficiently linked to the oversight and regulation of individual regulatory fee categories such that certain FTEs, as described below, should be reallocated as direct FTEs to a relevant core bureau for regulatory purposes.

37. The Policy and Licensing Division develops and administers rules, regulations, and policies to support public safety entities, including law enforcement, fire and emergency medical first responders, Public Safety Answering Points, and emergency operations organizations. The division handles licensing of public safety frequencies, including modifications, renewals and adjudications, in frequencies below 470 MHz, and in 470-512 MHz, 700 MHz, 800 MHz, 4.9 GHz and 5.9 GHz under part 90 of the Commission's rules, and the microwave bands under part 101; 911/Enhanced 911/Next Generation 911; Communications Assistance for Law Enforcement Act; the Emergency Alert System (EAS); operability and interoperability for public safety communications and the First Responder Network Authority; and intra- and interagency coordination on spectrum management.

38. After analyzing the FTE work in the Policy and Licensing Division, we conclude that the burden of the work of 14 FTEs in this division is directly in furtherance of the oversight and regulation of regulatory fee payors of a core bureau such that it is appropriate to adopt our proposal to reallocate these FTEs as direct, for regulatory fee purposes. Of the 14 FTEs we have identified, we reallocate two FTEs as direct to the Wireline Competition Bureau, eight FTEs as direct to the Wireless Telecommunications Bureau, and four FTEs as direct to the Media Bureau. Specifically, we adopt these reallocations for regulatory fee purposes because the burden of the work performed on 911 policy, covering issues such as 911 location accuracy, and the transition to Next Generation 911,⁷⁷ as well as clarifying provider obligations and acting on waiver and other provider-specific requests, directly furthers the oversight and regulation of regulatory fee payors of the Wireline Competition Bureau and the Wireless Telecommunications Bureau. Similarly, with regard to the four FTEs we proposed to consider as direct to the Media Bureau, we adopt these reallocations for regulatory fee purposes, proportionally among the fee categories in the Media Bureau, because the FTE burden of the work on the EAS, developing and maintaining the operational rules that apply to EAS participants (i.e., broadcasters), facilitating interactions between EAS participants and alert originators, reviewing State EAS Plans, and acting on waiver and similar requests from broadcasters directly furthers the oversight and regulation of the regulatory payors of the Media Bureau.

39. The Operations and Emergency Management Division (OEMD) ensures the readiness of the Federal Communications Commission to respond to threats and emergencies; conducts and coordinates risk and incident management activities; and supports public safety and events of national security significance. Division staff recommend, develop, and implement emergency plans, policies, and preparedness programs covering the reporting and situational awareness of communications status during times of emergency and Commission functions during emergency conditions. OEMD also manages the provision of service by communications service providers during emergency conditions.

40. The division staff provide legal guidance and perform technical operations in support of interagency Federal, State, Local, Tribal, and Territorial (SLTT) government national security and public safety risk and incident management efforts. In addition, the division provides situational awareness to FCC and federal government leadership regarding national security risks and makes recommendations to

⁷⁷ Next Generation 911 enhances emergency number services and allows digital information (e.g., voice, photos, videos, text messages) to flow from the public, through the 911 network, and to first responders. It will also enable 911 call centers to transfer 911 calls to other call centers. See U.S. Department of Commerce, National Telecommunications and Information Administration, *Next Generation 911*, <https://ntia.gov/category/next-generation-911> (last visited June 22, 2023).

help manage those risks; manages the FCC Continuity Programs to ensure the Commission's ability to perform the functions vital to an enduring government and the availability of nationwide and international communications under all conditions; and assesses and evaluates the status of communications services and infrastructure through Over-The-Air observations and analysis by its Spectrum Monitoring and Analysis Response Team. The division also coordinates with the U.S. Department of Homeland Security on critical national security and emergency preparedness priority communications programs, such as Telecommunication Service Priority Program, Government Emergency Telecommunications Service, and Wireless Priority Service. After analyzing the FTE work in OEMD, we conclude that the burden of the work of five FTEs in this division is directly in furtherance of the oversight and regulation of regulatory fee payors of a core bureau such that it should be reallocated for regulatory purposes. Specifically, of the five FTEs we have identified from this division there are two FTEs that should be reallocated as direct FTEs to the Wireline Competition Bureau, two FTEs that should be reallocated as direct FTEs to the Wireless Telecommunications Bureau, and one FTE that should be reallocated as a direct FTE to the Media Bureau, proportionally among the fee categories in the Media Bureau. OEMD's deployment of personnel to disaster areas primarily supports the oversight and regulation of the regulatory fee payors of all three of these core bureaus by, among other things, receiving and facilitating federal partner responses to requests from providers in disaster areas with issues such as obtaining access to facility sites and procurement of fuel for generators.

41. Moreover, with regard to the two FTEs we reallocate as direct to the Wireline Competition Bureau and the two FTEs we reallocate as direct to the Wireless Telecommunications Bureau, we adopt these changes for regulatory fee purposes because the burden of the work performed by these FTEs is directly related to the oversight and regulation of wireline and wireless regulatory fee payors. In particular, the FTE burden from this division relates to working with federal partners on risk assessment and surveying the status of providers' service and infrastructure following major disasters, emergencies, matters of law enforcement or events of a national security as well as facilitating providers' restoration by coordinating requests and responses with other federal and SLTT entities and private sector companies. In addition, the FTE burden of this work in this division involves administering legal oversight and review of the Commission's Local Number Portability Act (LNPA) activities.

42. In addition, the work done by one FTE in OEMD directly supports the oversight and regulation of regulatory fee payors of the Media Bureau by conducting site surveys of media broadcast transmitters to determine potential issues of radio frequency interference, and by deploying personnel to disaster areas to perform spectrum scans before and after disasters to ascertain the operational status of broadcast stations and assist those that are not operational. Based on this analysis, we adopt our proposal to reallocate, for regulatory fee purposes, one FTE from OEMD as a direct to Media Bureau, proportionally among the fee categories in that bureau.

43. The Communications and Crisis Management Center (FCC Operations Center), which is part of OEMD, maintains a 24/7 staff at FCC Headquarters. Its responsibilities include: monitoring the status of communications and engaging in real-time with emergency operations centers and PSAPs in the event of outages or disasters; resolving consumer complaints; supporting the Commission's enforcement activities; granting special temporary authority to Commission licensees after hours; and maintaining the Commission's primary classified environment and the required support systems.

44. The Operations Center is available 24/7 to field requests from all regulatees for assistance and to grant special temporary authority outside of normal business hours. Operations Center staff routinely field calls regarding consumer complaints of communications outages and interference or requests for information on the provision of wireless and wireline communications services in specific regions of the Nation. In response to these communications, Operations Center staff will coordinate solutions across Commission Bureaus and Offices, SLTT stakeholder entities, and private sector companies. After staff analysis of data regarding the FTE work performed in the Operations Center, we find that the burden of the work of three FTEs from the Operations Center is performed directly in furtherance of the oversight and regulation of regulatory fee payors such that it should be reallocated as direct to a core bureau, for regulatory fee purposes. Specifically, we reallocate one FTE as a direct to the Wireline Competition Bureau, one FTE as direct FTE to Wireless Telecommunications Bureau, and one

FTE as direct to the Media Bureau, proportionally among the fee categories in that bureau.

45. The Cybersecurity and Communications Reliability Division helps ensure that the nation's communications networks are reliable and secure so that the public can communicate, especially during emergencies. This division identifies and promotes network improvements through analysis and investigation of significant communications outages, providing situational awareness of the status of communications infrastructure during times of emergency and administers the Commission's primary advisory committee on communications security and reliability, and rulemakings. Focus areas include emergency communications, such as 911 and wireless emergency alerting, network performance during disasters, and major network outages and threats. This division monitors and analyzes communications network outages to identify trends, assess actions the FCC can take to help prevent and mitigate outages, and where necessary, assist response and recovery activities. Finally, the division supports the security of services provided across platforms, in the Commission's Alerting Security docket, and Federal Advisory Committee work on 911 standards and alerting standards, as well as network and supply chain security.

46. The Cybersecurity and Communications Reliability Division provides oversight and regulation of the regulatory payors by, among other things, providing situational awareness of the status of communications infrastructure and coordinating requests for assistance during times of emergency. After analyzing the burden of the work done in this division, we adopt our proposal to reallocate four FTEs from this division as direct to the Wireline Competition Bureau because the burden of the work being done on wireline network outage reporting, in routine and disaster environments, as well as outages and notifications impacting the 911 and 988 systems, is directly in furtherance of the oversight and regulation of wireline regulatory fee payors. We also adopt our proposal to reallocate two FTEs from this division as direct to the Wireless Telecommunications Bureau because the FTE burden of this work is being done to administer the Mandatory Disaster Response Initiative to ensure providers of commercial mobile services can engage in mutual aid activities during times of emergency. The FTE burden in this division also includes working with the Federal Advisory Committee on standards and best practices related to 5G deployment as well as the work performed to develop and implement performance standards and accuracy for wireless emergency alerting, all of which is done directly in furtherance of the oversight and regulation of wireless regulatory fee payors.

47. *Conclusion Regarding Allocations.* Below is a table summarizing the FTE reallocations adopted here.

Core Bureau	# of Direct 2023 FTEs Without FTE Reallocations	% Before Reallocations	Direct FTEs After Reallocations	# of Direct 2023 FTEs With FTE Reallocations	% After Reallocations
International Bureau	28	8.28%	+2 from OEA + 1 from OGC Total additional FTEs +3	31	7.77%
Wireless Telecommunications Bureau	75	22.19%	+8 from OEA +2 from OGC +13 from PSHSB Total additional FTEs +23	98	24.56%
Wireline Competition Bureau	120.25	35.57%	+13 from OEA +1 from OGC +9 from PSHSB Total additional FTEs +23	143.25	35.91%
Media Bureau	116	33.96%	+7 from OEA +1 from OGC +6 from PSHSB -2 from MB Reallocated as Indirect Total additional FTEs +12	128	31.76%
Total	339.25	100%		400.25	100%

48. We disagree with the suggestion raised by the Satellite Operators that instead of assessing regulatory fees on an annual basis, based on our annual S&E appropriation, we should instead determine the allocation of regulatory fee costs associated with each “non-application proceeding” and identify its allocation in the document that initiates the proceeding.⁷⁸ This approach, according to the Satellite Operators, would break many of the Commission’s fee allocations into smaller assessments that should

⁷⁸ Satellite Operators Comments at 10-11 & Reply at 8-9. They identify such proceedings to include “Notice of Proposed Rulemaking proceedings, petition for rulemaking proceedings, Notice of Inquiry proceedings, and proceedings addressing non-application petitions for reconsideration.” Satellite Operators Comments at n. 28.

streamline and improve decision making.⁷⁹ The Satellite Operators further explain that such assessments may suggest appropriate new fee categories, and offer the example of the Commission's current proceeding updating its rules for video conferencing.⁸⁰ CTIA states in its reply comments that this proposal is "unworkable" and we agree.⁸¹

49. It appears that the Satellite Operators' proposal would base regulatory fees on the FTE time spent on various rulemaking proceedings, but they do not clearly explain how such an approach would facilitate recovery on an annual basis of the Commission's entire FY S&E appropriation. This proposal does not appear administrable because it would inject a potentially contentious issue – who bears the FTE burden of the proceeding – into each rulemaking and thereby only increase the possible points of disagreement in each respective rulemaking. Moreover, given the external factors regarding who might file comments and/or challenge any given rulemaking, we believe it highly likely that initial allocations regarding the fee payors that might bear the FTE burden of a particular rulemaking would require frequent reassessment. As CTIA notes, "an a priori approach" to assessing regulatory fees "would not be realistic."⁸² Additionally, basing our collection of regulatory fees solely on proceedings would fail to capture the FTE burden of work on issues that involve the day to day oversight of policies and rules that impact all categories of regulatory fee payors, issues that may be unrelated to any particular proceeding that is active during the fiscal year. Thus, we find the proposal impractical and thereby unlikely to facilitate the statutorily required recovery, on an annual basis, of the Commission's entire FY S&E appropriation. Specifically, we find that this proposal is inconsistent with the explicit requirement in sections 6 and 9 of the Communications Act and the explicit language of each fiscal year's S&E appropriation directing the amount to be collected as an offsetting collection.

B. Non-High Cost Universal Service Fund FTEs

50. In the *FY 2017 Report and Order*, the Commission reallocated 38 direct FTEs from the Wireline Competition Bureau working on the non-high-cost programs of the Universal Service Fund as indirect for regulatory fee purposes.⁸³ The Commission found that this reallocation was supported by the fact that contributions to the Universal Service Fund are required from service providers using any technology that has end-user interstate telecommunications and because of changes in the universal service fund regulatory landscape.⁸⁴ The Commission observed that although initially universal service programs were focused on wireline services, wireless carriers, and broadband providers⁸⁵ had since become involved in the E-Rate, Lifeline, and Rural Healthcare programs.⁸⁶ The Commission also noted that the E-Rate, Lifeline, and Rural Healthcare programs tie funding eligibility to the beneficiary, i.e., a school, a library, a low-income individual or family, or a rural healthcare provider, and not to

⁷⁹ Satellite Operators Comments at 10-11.

⁸⁰ Satellite Operators Reply at 8-9.

⁸¹ CTIA Reply at 11-12. In addition, it is unclear how this process would provide the required notice to Congress of any changes under section 9(d) of the Act. Section 9(c)(1)(B) of the Act contemplates 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). 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). 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).

⁸² CTIA Reply at 11-12.

⁸³ *FY 2017 Report and Order*, 32 FCC Rcd at 7061-64, paras. 10-15.

⁸⁴ *Id.* at 7062, para. 10.

⁸⁵ We note that broadcasters benefit from increased broadband service because many radio and television broadcasters offer their services over the internet for people all over the country to listen or watch. Further, NextGen TV is based on IP and provides a combination of online and broadcast television. NAB, Unleashing the Next Generation of Broadcast Innovation, *What is Next Generation TV?*, <https://www.nab.org/innovation/nextgentv.asp> (last visited June 22, 2023).

⁸⁶ *FY 2017 Report and Order*, 32 FCC Rcd at 7062, para. 10.

Commission regulatory fee payors.⁸⁷ Given these considerations, the Commission concluded that the burden of FTE time dedicated to non-high cost Universal Service Fund programs should be considered indirect because the nature of the work being conducted is not focused specifically on the oversight and regulation of fee payors of any core bureau.⁸⁸ The Universal Service Fund programs are administered by the Universal Service Administrative Company (USAC),⁸⁹ with oversight from the Commission.⁹⁰ Specifically, the Commission reasoned that the FTE time devoted to the non-high cost Universal Service Fund issues is not oversight and regulation of a category of regulatory fee payors, but instead is the oversight of several Universal Service Fund programs (administered by USAC) with a wide array of beneficiaries and participants.⁹¹ With such a diversity of participants, beneficiaries, and contributors, and a wide variety of issues addressed by Commission staff (including matters pertaining to entities that are not Commission regulatory fee payors), the Commission concluded that Interstate Telecommunications Service Providers (ITSPs) were no longer the sole contributors or beneficiaries of these programs.⁹² The Commission further found that it could not determine the benefits flowing from Commission oversight of the programs to any one fee category, let alone a particular cross-section of fee categories or even an entire industry. The Commission explained that as they are not traditional telecommunication industry members, attributing the benefits of FTE non-high cost work to any one fee category would be problematic at best.⁹³ For all of these reasons, the Commission concluded that FTE time spent on non-high cost Universal Service Fund issues should be reassigned as indirect.

51. In the *FY 2017 Report and Order*, the Commission also observed that the concern that the reallocation would impose a burden on broadcasters, which do not participate in the universal service program was misplaced “as there is no completely pure way to precisely allocate every Commission FTE.”⁹⁴ In support of this decision the Commission explained that the Commission’s methodology need not reach scientific precision and instead must simply be reasonable.⁹⁵ Subsequently, the Commission addressed NAB’s continued objection to assessing broadcasters for the costs of these indirect FTEs in the *FY 2022 Report and Order* by explaining that the reallocation was appropriate and that 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.⁹⁶ The Commission nonetheless took a closer look at the FTE burden associated with these non-high cost Universal Service Fund issues, and determined that

⁸⁷ *Id.*

⁸⁸ *FY 2022 Report and Order* at paras. 66-71; *FY 2017 Report and Order*, 32 FCC Rcd at 7061-64, paras. 10-15.

⁸⁹ Universal Service Administrative Co., About USAC, available at <https://www.usac.org/about/> (last visited July 3, 2023).

⁹⁰ See 47 CFR §§ 54.701, 54.702.

⁹¹ *FY 2022 Report and Order* at para. 69. Moreover, many of the entities that benefit from or participate in such programs would be considered exempt if the Commission were to create a fee category for such entities (e.g., they are governmental entities or non-profit schools, libraries, and health care entities).

⁹² *FY 2017 Report and Order*, 32 FCC Rcd at 7062-63, paras. 10-11.

⁹³ *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, MD Docket No. 17-34, Notice of Proposed Rulemaking, 32 FCC Rcd 4526, 4531, para. 14 (2017) (*FY 2017 NPRM*).

⁹⁴ *FY 2017 Report and Order*, 32 FCC Rcd at 7063, para. 11. Broadcasters generally do benefit from the expansion of new communications networks into new areas from the Universal Service Fund programs, because such expansion provides opportunities for broadcasters on video services, websites, and streaming services.

⁹⁵ The agency is not required to calculate its costs with “scientific precision.” *Central & Southern Motor Freight Tariff Ass’n v. United States*, 777 F.2d 722, 736 (D.C. Cir. 1985). Reasonable approximations will suffice. *Id.*; *Mississippi Power & Light*, 601 F.2d at 232; *National Cable Television Ass’n v. FCC*, 554 F.2d 1094, 1105 (D.C. Cir. 1976); 36 Comp. Gen. 75 (1956).

⁹⁶ *FY 2022 Report and Order* at para. 69.

broadcasters should be excluded from the burden associated with these indirect FTEs.⁹⁷ Based on this determination, the burden associated with these indirect FTEs in FY 2022 was apportioned among all other regulatory fee payors.

52. For FY 2023, we tentatively concluded that the Commission's FY 2022 reasoning remained sound and the indirect FTE burden associated with these non-high cost Universal Service Fund programs should not be apportioned to broadcasters.⁹⁸ We sought comment on this tentative conclusion and asked any commenters asserting that these indirect FTEs should be reassigned as direct FTEs to a core bureau to provide an explanation of how these FTEs provide a direct benefit to other fee payors.

53. NAB continues to assert that we should reallocate the burden of FTE time dedicated to these matters as direct to a core bureau or bureaus because providers receive funding and program beneficiaries receive subsidies.⁹⁹ Specifically, NAB argues that the Commission could base this reallocation upon the information the Commission has about the fee payors that receive a particular percentage of the Commission's non-high cost USF program funds. Likewise, the State Broadcasters Association contends that because these programs provide certain service providers with significant funding, it should not be difficult to determine the direct impact of the FTE burden that benefits specific regulatees.¹⁰⁰ We disagree. As CTIA correctly points out, our regulatory fees must be based on the work conducted by Commission staff, i.e., the Commission's FTE burden, and the amount of USF program funds that a regulatory fee payor receives, is not a relevant factor in allocating regulatory fees among the core bureaus.¹⁰¹

54. In particular, we agree with CTIA that NAB's argument to reallocate FTEs based upon the financial benefit received by any particular service provider does not properly demonstrate that the FTE burden of this work is devoted to the oversight and regulation of any regulatory fee category such that it should be considered to be direct.¹⁰² WISPA also supports the Commission's decision to treat the FTE burden of this work as indirect, and remarks that attributing FTEs as direct on the basis of such work could unfairly impact smaller providers, like WISPA's members, and cause an exodus from non-high cost USF programs, which would be contrary to the public interest.¹⁰³ Moreover, the FTE work on these non-high cost Universal Service Fund programs covers issues regarding all program participants as well as benefits that are derived by the general public. We continue to agree with prior Commission determinations that FTE time spent on non-high cost Universal Service Fund issues is indirect because we cannot reasonably determine the FTE burden of oversight of the programs to any one fee payor category, let alone a particular cross-section of fee payors or even an entire industry.¹⁰⁴

55. As we have stated previously, indirect FTE time is devoted to issues that may include more than one regulated service or matters that are not related to services regulated by the Commission.¹⁰⁵ Commenters' argument is based on their assertion that they do not obtain benefit from the universal

⁹⁷ Specifically, in the *FY 2022 Report and Order* we excluded "Media Services" licensees from recovery of the funds associated with the 38 indirect FTEs who work on non-high cost Universal Service Fund issues. *FY 2022 Report and Order* at para. 71.

⁹⁸ *FY 2023 NPRM* at para. 57.

⁹⁹ NAB Comments at 10-16 & Reply at 6 ("in the absence of a broadband service provider fee category," the Commission should reclassify the non-high cost USF FTEs as direct).

¹⁰⁰ State Broadcasters Associations Reply at 11-12.

¹⁰¹ CTIA Reply at 11.

¹⁰² *Id.*

¹⁰³ WISPA Reply at 1-2.

¹⁰⁴ *FY 2017 Report and Order*, 32 FCC Rcd at 7064, para. 14.

¹⁰⁵ *FY 2022 Report and Order* at para. 69.

service programs,¹⁰⁶ but that is not a factor in determining whether the FTEs should be allocated as direct to other fee payors. Accordingly, we conclude that NAB's suggestion to reallocate the burden of the 23.75 FTEs working on non-high cost Universal Service Fund matters as direct to a core bureau based upon the percentage of subsidies received by any particular category of fee payor category conflates the nature of the work of the Commission's FTEs with the identity of the entities that ultimately receive support from any particular program. Commenters have thus failed to show that these indirect FTEs should be reassigned as direct. We therefore affirm prior Commission determinations that the burden of FTE time devoted to non-high cost Universal Service Fund programs is properly categorized as indirect, and that such a conclusion is consistent with how FTEs working for programs that benefit consumers and the American public are treated elsewhere in the Commission.¹⁰⁷

56. Additionally, as explained in the *FY 2023 NPRM*, staff analysis of the FTE burden associated with these non-high cost Universal Service Fund programs reveals that we need to adjust the number of indirect FTEs working on the non-high cost Universal Service Fund programs from 38 FTEs in FY 2022 downward to 23.75 indirect FTEs for FY 2023, a decrease of 14.25 indirect FTEs.¹⁰⁸

C. Other FTE Allocations

57. As a result of staff's comprehensive review of the Commission's indirect bureaus and offices, we conclude that the FTE time within the Office of Engineering and Technology, the Enforcement Bureau, and the Consumer and Governmental Affairs Bureau, continues to be appropriately designated as indirect.

1. Office of Engineering and Technology

58. The Office of Engineering and Technology (OET) provides engineering and technical expertise to the agency and supports each of the agency's four core bureaus. Part of that office's role is to participate in matters "not within the jurisdiction of any single Bureau" or "affecting more than one Bureau."¹⁰⁹ More specifically, OET manages the spectrum and maintains the U.S. Table of Frequency Allocations, manages the experimental licensing and equipment authorization programs, regulates the operation of devices on an unlicensed basis, and conducts engineering and technical studies. Each of these functions is broadly applicable and benefits multiple industry sectors, including the broadcasting industry. For example, work in overseeing the equipment authorization program benefits multiple industry sectors partly because many devices that require authorization, including some broadcast receiving equipment (e.g., smart TVs), operate under rules for both licensed services and unlicensed operations.

59. In the *FY 2021 Report and Order*, the Commission rejected commenters' proposals that would effectively treat the OET as a core bureau making FTEs who work in that office direct FTEs.¹¹⁰ At that time, the Commission found that OET provides engineering and technical expertise to the agency as a

¹⁰⁶ We also observe that broadcasters obtain benefit from increased broadband services due to the Universal Service Fund programs, e.g., NextGen TV (based on IP, provides a combination of online and broadcast television) and streaming services for television and radio broadcasters.

¹⁰⁷ *FY 2017 NPRM*, 32 FCC Rcd at 4530, para. 10.

¹⁰⁸ *FY 2023 NPRM* at para. 58.

¹⁰⁹ 47 CFR § 0.31(g). Section 0.31 of the Commission's rules provides the functions of the Office of Engineering and Technology and section 0.241 provides the delegated authority. 47 CFR §§ 0.31 and 241.

¹¹⁰ *FY 2021 Report and Order*, 36 FCC Rcd at 13000, para. 21. NAB contended that the Commission should require users of spectrum on an unlicensed basis and/or equipment manufacturers to pay regulatory fees to support the Office of Engineering and Technology's work on the management of spectrum for use on an unlicensed basis and authorization of equipment. *Id.* We disagreed and declined to adopt NAB's proposal to create one or more new regulatory fee payor categories consisting of users of spectrum on an unlicensed basis and/or equipment manufacturers, which under our current methodology would effectively transform the office into a "core bureau" and reassign the FTEs into direct FTEs. *Id.*

whole and supports each of the agency's four core bureaus and for that reason the FTEs were appropriately assigned as indirect.

60. Based on the staff's evaluation of the burden of FTE time in this office, we continue to conclude that the FTEs in OET are appropriately considered indirect.¹¹¹ Our analysis shows that a significant amount of FTE time is devoted to equipment authorization. FTE work in equipment authorization involves not only radio frequency (RF) testing of various equipment that operates on a licensed or unlicensed basis, or both¹¹² but also such functions as management of the equipment authorization system, coordination with Telecommunications Certification Bodies, and rulemaking activities such as updating testing and laboratory certification standards. As we discuss fully below, we are not persuaded that the burden of FTE time dedicated to equipment authorization should have its own fee category or be characterized as direct to any particular category of fee payor.¹¹³ FTE time to manage the U.S. Table of Frequency Allocations includes activities such as rulemaking and coordination with other federal and international entities, which impacts virtually all spectrum use, including licensed and experimental use. The work of OET FTEs therefore benefits the work of the Commission as a whole and is not specific to any particular regulatory fee category. As such, the FTE burden associated with such work properly remains allocated as indirect. Other FTE time in OET is spread out among multiple core bureaus within the Commission and its regulatees.¹¹⁴ For example, users of spectrum on an unlicensed basis includes virtually every American consumer and business, and management of the U.S. Table of Frequency Allocations has the potential to impact every spectrum user, either directly with regard to primary or secondary use, or indirectly such as with regard to emissions from adjacent spectrum bands. Accordingly, we will continue to consider the FTE burden of all of the work in OET as indirect and apportion the FTEs proportionately across the core bureaus.

2. Enforcement Bureau

61. We have closely analyzed the FTE time in the Enforcement Bureau (EB) and conclude that this bureau should continue to be treated as indirect because, as we discuss below, the EB FTEs enforce the Communications Act and the Commission's rules. The FTE oversight function is focused on the integrity of Commission's rules and ensuring the implementation of the Commission's Act. FTE time devoted to enforcement of the Commission's rules is the epitome of work that benefits the agency as a whole and the American public and we do not believe it would be fair for any one regulatory fee group of payors to shoulder the FTE burden of such work.

62. Intelsat contends that fraud investigations benefit the industries they relate to, including their example that FTEs devoting time exclusively to protecting consumers from robocalls benefit the wireline and wireless industries (as opposed to satellite or media) and their argument that we should consider apportioning one or more indirect FTEs in the EB's Fraud Division as direct to those core bureaus on that basis.¹¹⁵ NAB also maintains that to the extent a significant portion of FTE time in this division is centered on investigations or the development and enforcement of rules regarding voice service providers, that FTE time is directly tied to the oversight and regulation of a particular regulatory fee category and should be considered as such.¹¹⁶ CTIA, however, argues, that we should reject NAB's and Intelsat's attempts to shift the costs of FTEs in EB's Fraud Division because, while some of the work in non-core bureaus and offices may be generally focused on a single category of fee payors, such work is often interspersed with work that staff does on behalf of the many entities that do not pay regulatory

¹¹¹ See section III.D. below for a more in depth discussion of this issue.

¹¹² Some devices that use spectrum on a licensed basis, such as cell phones, also include functions that operate on an unlicensed basis.

¹¹³ See section III.D.3.

¹¹⁴ *FY 2022 Report and Order* at para. 80.

¹¹⁵ Intelsat Comments at 5.

¹¹⁶ NAB Comments at 8-9.

fees.¹¹⁷ As CTIA observes, all regulatory fee payors “have a shared burden to support indirect FTEs, which is appropriately reflected in the Commission’s regulatory fee framework. Excluding certain regulatees from covering their share of the regulatory fee burden associated with indirect FTEs would unfairly shift their fees to other regulatees.”¹¹⁸ CTIA contends that we should reject these arguments because parsing the work of EB FTES and those FTEs assigned to the Fraud Division would not be administrable.¹¹⁹

63. We agree with CTIA. The Fraud Division has primary responsibility for investigating and enforcing the violations of the Communications Act and the Commission’s rules and investigates alleged fraudulent receipt of federal funds from the Commission’s federal financial aid programs. The division also coordinates with other offices and bureaus within the Commission and with the Office of Inspector General, and other federal and state agencies to maximize enforcement efforts.¹²⁰ These issues handled by the Fraud Division are not tied to the oversight and regulation of particular regulatory fee categories. Investigations of fraud may involve voice service providers, but may also focus on entities that are not regulatory fee payors. As CTIA correctly states, “NAB and Intelsat ignore the fact that regulatees of both the Media Bureau and the International Bureau” are subject to the work of the Fraud Division.¹²¹ We find that the fraud investigations handled by this division benefit consumers in general and the Commission as a whole in enforcing our rules. Moreover, we note that many investigations are primarily with respect to federally funded programs, and not specifically to benefit regulatory fee payors for any particular industry. Accordingly, we decline to reallocate any FTEs from this division as direct to a core bureau.

64. Likewise, the burden of FTE time in the Telecommunications Consumers Division that is devoted to protecting consumers from robocalls is not solely focused on Commission regulatory fee payors, but includes the entities initiating the robocalls and coordination with other agencies. The wireline and wireless voice service providers (regulatory fee payors) are generally not the bad actors targeted in these investigations.¹²² This division conducts investigations of a variety of entities including regulatory fee payors and non-payors. Further, this division investigates manufacturers of equipment as well as telemarketers for practices that harm consumers. Thus, FTE time in this division is not only focused on regulatory fee payors of the core bureaus but includes non-payors.

65. Staff has also closely analyzed the remaining Enforcement Bureau divisions and finds that the FTEs from those divisions are properly categorized as indirect. The Market Disputes Resolution Division handles all formal complaints against common carriers and pole attachment complaints, which notably includes entities that use poles that are not regulatory fee payors, such as utilities. The Market Disputes Resolution Division provides an avenue for such parties, not limited to regulatory fee payors, to resolve complaints and their work regarding these matters is not limited to the oversight and regulation of any particular regulatory fee category.

¹¹⁷ CTIA Reply at 9-10.

¹¹⁸ *Id.* at 10.

¹¹⁹ *Id.*

¹²⁰ See FCC, Enforcement, *Enforcement Overview*, April 2020, https://www.fcc.gov/sites/default/files/public_enforcement_overview.pdf.

¹²¹ CTIA Reply at 10.

¹²² Although we have adopted rules regarding voice service providers that carry illegal robocall traffic. See, e.g., *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, WC Docket No. 17-97, Seventh Report and Order in CG Docket No. 17-59 and WC Docket No. 17-97, Eighth Further Notice of Proposed Rulemaking in CG Docket No. 17-59, Third Notice of Inquiry in CG Docket No. 17-59, FCC 23-37 (rel. May 19, 2023); *Advanced Methods to Target and Eliminate Illegal Robocalls*, CG Docket No. 17-59, WC Docket No. 17-97, Sixth Report and Order in CG Docket No. 19-59, Fifth Report and Order in WC Docket No. 17-97, Order, Seventh Further Notice of Proposed Rulemaking in CG Docket No. 17-59 & Fifth Further Notice of Proposed Rulemaking in WC Docket No. 17-97, FCC 22-37 (rel. May 20, 2022).

66. The Spectrum Enforcement Division conducts investigations and takes enforcement actions primarily involving wireless equipment matters, such as electronic devices that are advertised, imported, sold, or operated without proper authorization or in violation of statutory or FCC regulations related to radio frequency to prevent interference to licensed services, protect national security, and protect consumers from harm, e.g., unauthorized drone accessories that could interfere with aviation frequencies. Other investigations involve entities that operate unauthorized use of spectrum, such as unauthorized satellite transmissions or unlicensed wireless data networks, which could jeopardize government operations and authorized commercial wireless operations. This division also focuses on public safety and technical issues such as jamming devices that threaten cellular networks and GPS, 911 system failures, and other equipment requirements, including labeling requirements and user manual disclosures for radiofrequency devices. The Spectrum Enforcement Division also investigates licensees that fail to comply with the terms of their licenses and widespread interference matters. The division also investigates and takes action against violations of the National Environmental Policy Act and the associated Commission regulations with regard to tower construction. In addition, this division provides engineering and technical support to the Enforcement Bureau. FTE time in this division is not solely focused on regulatory fee payors of the core bureaus. For all of these reasons, we find that these FTEs should remain indirect.

67. Similarly, we conclude that the Investigations and Hearings Division FTEs should remain indirect. This division conducts investigations and takes appropriate enforcement action against Commission auction participants, broadcast licensees, cable operators, direct broadcast satellite (DBS) service operators, wireless licensees, telecommunications carriers, and other entities for violations of the Communications Act and Commission rules; oversees the Equal Employment Opportunity compliance of television and radio broadcast licensees, as well as multichannel video programming distributors (MVPDs), such as cable and DBS operators, and satellite radio; investigates and takes appropriate enforcement action for violations of various Commission transparency rules concerning broadband services, cable television, and other communications offerings. This FTE time is spread among the regulatory fee payors of all core bureaus as well as entities that are not Commission regulatory fee payors, and FTE time cannot be allocated to any particular core bureau with reasonable accuracy in given fiscal year as the types of investigations are subject to significant variation. For this reason, we find that the FTEs in this division should remain indirect.

68. FTE time in the EB Field Offices is devoted to investigating unauthorized radio stations, among other things.¹²³ Parties found operating radio stations without FCC authorization will be subject to a variety of enforcement actions including seizure of equipment, imposition of monetary forfeitures, ineligibility to hold any FCC license, and criminal penalties.¹²⁴ Such unauthorized radio stations interfere with licensed radio stations and prevent the American public from enjoying the radio station that is unable to broadcast due to such interference. Field offices have other functions, such as on-scene investigations, inspections, and audits; responding to safety-of-life matters; investigating and resolving individual interference complaints; investigating violations in all licensees and/or operator services; coordinating with local and state public safety entities; and carrying out special priorities of the Commission. Further, we find that the burden of FTE time in the Field Offices cannot be allocated to any particular core bureau with reasonable accuracy in given fiscal year as it is subject to significant variation.

69. We conclude that none of the FTEs in EB should be considered for reallocation. As a general matter, investigations are undertaken by EB staff in the Field Offices, and the Fraud, Telecommunications Consumers, Investigations and Hearings, and Spectrum Enforcement Divisions based on complaints and the Commission's decisions on how to allocate investigation resources among

¹²³ Unauthorized or "pirate" radio stations generally involve an individual operating an over-the-air radio station in the AM or FM frequency band without an FCC license that exceeds the unlicensed radiated emission limits found in part 15 of the Commission's rules. See FCC, Enforcement Bureau, General Enforcement Areas, *Pirate Radio*, <https://www.fcc.gov/enforcement/areas/pirate-radio> (last visited June 22, 2023).

¹²⁴ See FCC, Enforcement Bureau, Unauthorized Broadcast Stations—ULBC Content, <https://www.fcc.gov/tags/unauthorized-broadcast-stations-ulbc> (last visited June 22, 2023).

various disputes, including those concerning bad actors. Attempting to discern whether the FTE work conducted in general dispute resolution benefits a particular regulatory fee payor would be difficult, time consuming, and impractical to administer. Moreover, where the work of EB concerns bad actors, it would be particularly unfair to consider the work of resolving such matters as direct to a category of regulatory fee payors. The direct FTE time on which we calculate regulatory fees should not be based on these types of considerations. For example, a decision by the Commission to have the Field Offices investigate complaints about unauthorized radio operators should not result in an increase in the AM and FM broadcasters' regulatory fees based on the FTE time in such investigations. An investigation of a fraudulent robocaller by the Telecommunications Consumers Division should not result in an increase in the wireline or wireless carriers' regulatory fees, due to the fact that the robocalls were made to consumers' phones. This bureau addresses all violations of Commission rules; some of those could be considered fraud or bad actors and others are rule violations or disagreements between parties. As a policy matter, our regulatory fees should not be based on our investigations of generalized disputes or the actions of parties that have violated the Commission's rules. Our regulatory fee calculations are based on the FTEs devoted to oversight and regulation of the regulatory fee payors, and should not be inflated or skewed due to the Commission's focus on investigations and its enforcement of our rules that are related to the telecommunications industry generally, or to bad actors. We therefore conclude that all of the Enforcement Bureau FTEs should remain as indirect FTEs.

3. Media Bureau Enforcement

70. NAB contends that for regulatory fee purposes, the burden of certain FTE time in the Media Bureau should be considered as indirect because it is devoted to enforcement responsibilities of the Commission's political programming rules, the cable and broadcast must carry rules, and the rules related to broadcast retransmission consent, among others.¹²⁵ We agree. After careful analysis, we have determined that certain FTEs in the Policy Division of the Media Bureau devote time to enforcement related matters, rather than oversight and regulation, including investigations of political programming and retransmission consent rule compliance such that, in order to be consistent with the manner that we treat other enforcement efforts in the Commission, the burden of this FTE time should be reallocated as indirect for regulatory fee purposes.¹²⁶ Upon an analysis of this work we conclude that approximately two FTEs from the Media Bureau devote time to work on such on enforcement issues.

4. Consumer and Governmental Affairs Bureau

71. Similarly, we continue to consider the FTEs in Consumer and Governmental Affairs Bureau (CGB) as indirect because the burden of the work of the FTEs in this bureau is primarily devoted to outreach and consumer matters and enforcing the Act and the Commission's rules. FTE time devoted to regulatory fee payors is often either spent on complaints or petitions for declaratory rulings or on oversight more generally of the industry, e.g., establishing and oversight of the Reassigned Numbers Database. As we explained with respect to EB FTEs, our regulatory fees should not be based on the volume of complaints or petitions for declaratory rulemakings and the Commission's discretion in allocating resources to handling such matters. Thus, we conclude that none of the FTEs in CGB should be considered for reallocation as direct FTEs.

5. International Bureau Direct and Indirect FTEs

72. We conclude that the FTE time within the International Bureau,¹²⁷ with the exception of

¹²⁵ NAB Comments at 9.

¹²⁶ Generally, enforcement actions taken by the Media Bureau result from the review of an application associated with the Bureau's administration of the licensing programs for television and radio, rather than an enforcement investigation. Nevertheless, we find that it would be consistent with our approach to the Enforcement Bureau to reassign these two FTEs as indirect, for regulatory fee purposes.

¹²⁷ This discussion of International Bureau FTEs refers to FTEs located in the International Bureau and does not address the FTEs we are proposing to reallocate from OEA, OGC, and PSHSB. Because the International Bureau existed for most of FY 2023, we are using that term in this proceeding, instead of Space Bureau and/or Office of

28 FTEs, is appropriately considered indirect.¹²⁸ Historically, the burden of FTE work of the International Bureau differs from that of other licensing bureaus because it predominantly benefits other bureaus' licensees rather than its own.¹²⁹ We note that this will be the last year where we consider FTE time within the International Bureau. For FY 2024, we anticipate that the recent reorganization of the International Bureau into the new Space Bureau and the Office of International Affairs may result in a change in the number of the Commission's direct FTEs, due to increased oversight on various relevant industries. In the FY 2024 regulatory proceeding, we will closely review the Space Bureau and Office of International Affairs FTEs to determine the appropriate number of direct FTEs and how they will be apportioned among the different services.

73. For the purposes of FY 2023, the International Bureau has 81 FTEs, and we adopt the same allocation of those 81 FTEs as 28 direct FTEs and 53 indirect FTEs for purposes of regulatory fees (prior to adding three FTEs that we are reallocating for regulatory fee purposes).¹³⁰ Specifically, in the Telecommunications and Analysis Division (TAD) and the Satellite Division there are 27 direct FTEs, and one FTE in the Office of the Bureau Chief that is allocated as a direct FTE, for a total of 28 direct FTEs. All FTEs in the Global Strategy and Negotiation Division (GSN) have been considered indirect FTEs.

74. As we discussed in the *FY 2023 NPRM*, staff has reviewed the indirect FTE time in the International Bureau, which is primarily in GSN.¹³¹ GSN staff represent the Commission in international conferences, meetings, and negotiations, and manage Commission participation in the fellowship telecommunication training program for foreign officials offered through the U.S. Telecommunications Training Institute (USTTI)¹³² as well as the Commission's International Visitors Program.¹³³ They also

International Affairs. The Telecommunications and Analysis Division, formerly in the International Bureau, is now in the Office of International Affairs. Intelsat observes that it would be immensely helpful for the Commission to provide as much information and guidance as possible regarding this reallocation. *See Intelsat Comments at 10.* For FY 2024, the Commission will determine how to assess the regulatory fees for international bearer circuits (IBCs), including submarine cable, based on the number of FTEs devoted to oversight and regulation of that industry. The Commission may consider these IBC direct FTEs in the new Office of International Affairs or consider them reallocated as direct FTEs to the Space Bureau, for regulatory fee purposes. Ultimately the regulatory fees of payors benefiting from the work of direct FTEs in the new Space Bureau and Office of International Affairs will be based on the number of direct FTEs as well as the Commission's 2024 appropriation, and the number of units in each fee category. Due to these variables, we cannot estimate at this time what the FY 2024 regulatory fees will be for any particular fee payor.

¹²⁸ *FY 2013 Report and Order*, 28 FCC Rcd at 12355-356, para. 14. In 2012, a report on the Commission's regulatory fee program issued by the Government Accountability Office provided support for a fundamental reevaluation of how to align regulatory fees more closely with regulatory costs. GAO, Federal Communications Commission, "Regulatory Fee Process Needs to be Updated," Aug. 2012, GAO-12-686, <https://www.gao.gov/products/gao-12-686>. Subsequently, the Commission allocated as indirect all but 28 International Bureau FTEs. In the *FY 2015 Report and Order*, the Commission reassigned, for regulatory fee purposes, four International Bureau direct FTEs working on market access requests for non-U.S. licensed space stations as indirect. *FY 2015 Report and Order*, 30 FCC Rcd at 10278, para. 24. Those four FTEs have since been reclassified as direct. *FY 2020 NPRM*, 35 FCC Rcd at 4991, para. 33.

¹²⁹ *FY 2013 NPRM*, 28 FCC Rcd at 7799-7803, paras. 19-28.

¹³⁰ *See FY 2022 Report and Order*, paras. 20-21 (IB allocated 28 direct FTEs and 52 indirect FTEs for FY 2022).

¹³¹ The Global Strategy and Negotiation Division (now, part of the Office of International Affairs) has three branches (1) Cross Border Negotiations & Treaty Compliance Branch; (2) International Radiocommunications Branch; and (3) Multilateral & Regional Affairs Branch.

¹³² *See United States Telecommunications Training Institute, Global Growth Through Communications Sharing*, available at <https://ustti.org/> (last visited June 22, 2023).

¹³³ The International Visitors Program enables foreign delegations to interact in informal discussions with FCC personnel who provide legal, technical, and economic perspectives on a wide range of communications issues.

participate in various international and regional organizations such as the International Telecommunication Union (ITU),¹³⁴ the International Maritime Organization, the International Civil Aeronautics Organization, the Organization for Economic Cooperation and Development, the Asia Pacific Economic Cooperation, and the Inter-American Telecommunication Commission.

75. GSN also coordinates cross-border issues with Mexico and Canada that involve a wide range of services, such as maritime, aeronautical, mobile and fixed satellite, broadcasting, mobile, and terrestrial wireless services. In addition, GSN's functions include international broadcasting station licensing and coordination of frequencies for International Broadcast licenses at the ITU.¹³⁵ GSN's multilateral and bilateral international work ultimately benefits all fee payors by maintaining and advancing the United States' global leadership and interests, which encompasses, among others, U.S. trade, foreign policy, and national security interests. Insofar as the work of GSN does not benefit a specific fee payor, but rather the government as whole, we continue to conclude the work of its FTEs is appropriately categorized as indirect.

76. In the International Bureau's Office of the Bureau Chief, and in TAD and GSN, FTE time supports the various bureau functions involving management and administrative support, such as IT issues, international travels, and other administrative activities, as well as coordinating with Executive Branch agencies on issues involving foreign ownership, national security, law enforcement, and cyber security. As most FTE time supports all regulatory fee payors and the Commission as a whole, we conclude that these FTEs should continue to be considered indirect. In addition, not all the work of the Satellite Division can be attributed directly to a particular category of regulatory fee payor. For example, a number of space-related activities indirectly benefit the existing fee categories, including space stations, commercial mobile services, and earth stations. The Satellite Division also coordinates with the National Aeronautics and Space Administration (NASA),¹³⁶ Federal Aviation Administration (FAA),¹³⁷ National

FCC, International, *International Visitors Program*, available at <https://www.fcc.gov/general/international-visitors-program> (last visited June 22, 2023).

¹³⁴ The ITU is an agency of the United Nations responsible for matters related to information and communication technologies. See International Telecommunication Union, About ITU, <https://www.itu.int/en/Pages/default.aspx> (last visited June 22, 2023). The ITU has three sectors, radiocommunications (ITU-R), telecommunications standardization (ITU-T), and telecommunications development (ITU-D). GSN staff cover all three sectors, with ITU-R work focused on spectrum allocations and related international regulations governing spectrum use, ITU-T work focused on international standards setting issues, numbering, and related policy issues, and ITU-D work focused on capacity building and digital inclusion.

¹³⁵ In FY 2009, the Commission eliminated two International Bureau fee categories; International Public Fixed Radio and International High Frequency (HF) Broadcast Stations. *Assessment and Collection of Regulatory Fees for Fiscal Year 2009, Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, MD Docket Nos. 08-65, 09-65, Notice of Proposed Rulemaking and Order, 24 FCC 5966, 5967, paras. 2-4 (2009) (*FY 2009 NPRM*). The Commission observed that there was only one licensee in the International Public Fixed Radio category, it did not expect any additional licensees or applications, and eliminating the fee category would reduce the Commission's administrative burden. *FY 2009 NPRM*, 24 FCC Rcd at 5967, para. 3. In the International High Frequency Broadcast Stations category there were only 25 licensed stations of which most were tax-exempt, and only two entities made payments, totaling \$1,720. *FY 2009 NPRM*, 24 FCC Rcd at 5967, para. 4. The Commission eliminated this category from the schedule of regulatory fees in order to reduce the administrative burden on the Commission in assessing this fee category. *Id.*

¹³⁶ NASA is an independent agency of the U.S. federal government responsible for the civil space program, aeronautics research, and space research. See NASA, *About NASA*, <https://www.nasa.gov/about/index.html> (last visited June 22, 2023).

¹³⁷ The FAA, part of the U.S. Department of Transportation, regulates civil aviation. See United States Department of Transportation, Federal Aviation Administration, <https://www.faa.gov/> (last visited June 22, 2023).

Oceanic and Atmospheric Administration (NOAA),¹³⁸ and State Department¹³⁹ on space sustainability, planetary protections, and on leading space innovation. Lastly, the Satellite Division works closely with GSN staff, to help cover certain ITU World Radiocommunications Conference (WRC) agenda items.¹⁴⁰ Based on our review of the FTEs in the International Bureau, we find that the allocation of direct and indirect FTEs should remain the same for FY 2023, i.e., 28 direct and 53 indirect FTEs.

D. New Regulatory Fee Categories

77. In the *FY 2023 NPRM*, we sought comment on whether we should adopt new regulatory fee categories and on ways to improve our regulatory fee process regarding any and all categories of service.¹⁴¹ The Satellite Operators argue that the Commission has unquestionable jurisdiction to extend its regulatory fee categories to include service providers and manufacturers that benefit from the Commission's regulatory activities.¹⁴² The Satellite Operators suggest that we again seek comment on four new fee categories: (i) broadband Internet access providers, (ii) database administrators that enable unlicensed operations, (iii) equipment manufacturers, and (iv) experimental licenses.¹⁴³ TechFreedom, on the other hand, contends that the Commission lacks legal authority to require entities that it neither licenses nor regulates to pay regulatory fees.¹⁴⁴

78. We have previously sought comment on the fee categories proposed by the Satellite Operators and others,¹⁴⁵ and, as no new facts or analysis have been provided in the record to support such proposals, we are neither adopting such categories at this time nor seeking further comment on them. As discussed in detail below, commenters have provided no basis for us to change the Commission's prior determinations on this issue and we therefore affirm that such fees would be unworkable and logistically infeasible to collect at this time.

¹³⁸ NOAA, part of U.S. Department of Commerce, holds key leadership roles in shaping international ocean, fisheries, climate, space and weather policies. See United States Department of Commerce, National Oceanic and Atmospheric Administration, <https://www.noaa.gov/> (last visited June 22, 2023).

¹³⁹ United States Department of State, <https://www.state.gov/> (last visited June 22, 2023).

¹⁴⁰ See ITU, World Radiocommunication Conferences, <https://www.itu.int/en/ITU-R/Conferences/WRC/Pages/default.aspx> (last visited June 22, 2023). WRCs are held every three to four years. It is the job of WRC to review, and, if necessary, revise the Radio Regulations, the international treaty governing the use of the radio-frequency spectrum and satellite orbits. The Radio Regulations facilitate equitable access to and rational use of the natural resources of the radio-frequency spectrum and geostationary satellite orbits. They also ensure the availability of the frequencies provided for distress and safety purposes and assist in the prevention and resolution of cases of harmful interference between the radio services of different administrations. Further, the regulations facilitate the efficient and effective operation of all radiocommunication services and, where necessary, regulate new applications of radiocommunication technology. See ITU, Publications, *Radio Regulations 2020*, <https://www.itu.int/hub/publication/r-reg-rr-2020/> (last visited June 22, 2023).

¹⁴¹ *FY 2023 NPRM* at para 95, n.185 citing *FY 2022 NPRM* at para. 53; see also *FY 2021 Report and Order*, 36 FCC Rcd at 13026, para. 73 (“[S]hould the Commission assess regulatory fees on large technology companies based on a different basis, such as any advantages they receive because of the Commission’s universal service or other activities?”). In the *FY 2022 Report and Order*, we noted that “[t]he 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 2022 Report and Order* at para. 102, n.395. At the time, we declined to make any findings in this regard, and we similarly decline to do so in this item. *Id.*

¹⁴² Satellite Operators Comments at 5-9 & Reply at 3-4.

¹⁴³ Satellite Operators Comments at 9-10.

¹⁴⁴ Tech Freedom Comments at 1-10. NAB disagrees with Tech Freedom and contends that the Commission has authority to assess fees on Big Tech companies and other unlicensed spectrum users. NAB Reply at n.15. As discussed below, we decline to address Tech Freedom’s arguments regarding our legal authority. See n.147, *infra*.

¹⁴⁵ *FY 2022 Report and Order* at paras. 76-93.

1. Broadband Internet Access Providers

79. Satellite Operators advocate that we should seek additional comment on creating a new regulatory fee category for broadband Internet access service providers at this time.¹⁴⁶ TechFreedom argues that the Commission must limit the universe of who pays regulatory fees to those over whom it has regulatory authority.¹⁴⁷ We are not persuaded that we should seek further comment on creating a new fee category for broadband Internet access service providers. Rather, as the Commission has previously concluded, 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.

80. In the *FY 2022 Report and Order*, the Commission was not convinced that a broadband Internet access service regulatory fee category was necessary or that such a category appropriately belongs in the Wireline Competition Bureau.¹⁴⁸ The Commission reasoned that 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.¹⁴⁹ The Commission explained that this service is not only offered by different types of providers, it is also delivered to end users in different ways.¹⁵⁰

81. The Satellite Operators have offered no new reason to counter our prior decision that it would be administratively difficult to try to determine the FTEs throughout the Commission devoting time to various proceedings involving broadband Internet access service in order to create this proposed regulatory fee category. Broadband Internet access services are involved in many Commission initiatives and proceedings and such services are offered by service providers regulated by all the core bureaus and already responsible for regulatory fees.

2. Database Administrators that Enable Use of Spectrum on an Unlicensed Basis

82. Satellite Operators' also urge us to seek further comment on adopting a new regulatory fee category for database administrators that charge fees to enable use of certain frequency bands on an unlicensed basis.¹⁵¹ We decline to seek comment on adopting such a category. 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."¹⁵² 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."¹⁵³ The Commission's

¹⁴⁶ Satellite Operators Comments at 9 & Reply at 6-7. The Commission previously addressed this proposal for a new fee category in the *FY 2022 Report and Order* at paras. 81-86.

¹⁴⁷ TechFreedom Comments at 10. We note that TechFreedom discusses at length why the Commission should not adopt any category of regulatory fees that applies to "edge providers" like itself. *See generally* TechFreedom Comments 3-8. Insofar as we decline to seek comment on creating a new fee category for broadband Internet access service providers generally, and because no commenter has specifically argued in favoring of imposing regulatory fees on any edge providers, we find it unnecessary to address this issue or TechFreedom's arguments on the scope of our legal authority to assess regulatory fees.

¹⁴⁸ *FY 2022 Report and Order* at paras. 81-86.

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

¹⁵¹ Satellite Operators Comments at 9 & Reply at 7-8. The Commission previously addressed this proposal for a new fee category in the *FY 2022 Report and Order* at paras. 90-93.

¹⁵² 47 U.S.C. § 159(d).

¹⁵³ *Id.* (emphasis added).

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 and would not result in measurable FTE time sufficient to justify adoption of a new fee category.¹⁵⁴

83. 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 solely on database administrators enabling the use of spectrum on an unlicensed basis, i.e., selecting one type of database administrator, due to the connection with users of spectrum on an unlicensed basis, appears to be a tactic to assess regulatory fees on certain users of spectrum on an unlicensed basis. As explained below, we also decline to create a regulatory fee category for users of spectrum on an unlicensed basis.

84. Further, the Commission's FTE activities related to operators of databases of spectrum for use 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 that warrants seeking comment on or the creation of a regulatory fee category for database operators at this time. We acknowledge that in establishing the rules that allow for such database operators to support Commission licensees, FTE time is devoted to adopting regulations that allow for the database operators to perform such functions. This is, however, generally a one-time effort and to date has not resulted in the work of FTEs sufficient to subsequently assess fees year after year based on such a limited FTE burden years in the past. We therefore decline to seek further comment on adopting a new regulatory fee category for operators of these databases.

3. Equipment Authorization

85. Several commenters contend that a significant amount of FTE time in OET is devoted to equipment authorization such that the Commission should recoup those costs with a regulatory fee assessed on equipment manufacturers for such authorizations.¹⁵⁵ CTIA correctly observes, however, that we previously rejected proposals to create new fee categories for experimental licenses and equipment authorizations and neither Intelsat nor the Satellite Operators provide any new reason for the Commission to reverse course.¹⁵⁶

86. We decline to adopt the Satellite Operators' proposal that the Commission seek additional comment on this issue or on Intelsat's request that we reconsider our prior decision on adopting a new regulatory fee category for holders of equipment authorizations.¹⁵⁷ As WISPA recognizes, we

¹⁵⁴ 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 databases to prevent harmful interference to other users. See 47 CFR §§ 15.711(a), (c)(2), (d)(2), (k)(5), 15.70(k)(1). The Commission often recognizes multiple database administrators.

¹⁵⁵ Intelsat Comments at 5; NAB Reply at 4-5; Satellite Operators Comments at 9-10 & Reply at 7. The State Broadcasters Association also contends that although we have acknowledged that a significant amount of FTE time is devoted to equipment authorization, when broadcasters have suggested that the Commission attempt to capture any of that FTE time from the users of the equipment authorization process, the Commission has rejected the suggestion. State Broadcasters Association Reply at 13. The Commission previously addressed and rejected this proposal for a new fee category in the *FY 2022 Report and Order* at paras. 87-89 and the *FY 2021 Report and Order*, 36 FCC Rcd at 13000-13002, paras. 21-24.

¹⁵⁶ CTIA Reply at 12.

¹⁵⁷ For a more in depth explanation of why the FTEs in the Office of Engineering and Technology are considered indirect FTEs, see *FY 2021 Report and Order*, 36 FCC Rcd at 13000-13003, paras. 21-25.

already undertook a comprehensive assessment of OET staff, and determined that FTEs in OET should continue to be considered indirect because such FTEs benefit the work of the Commission as a whole and is not specific to any particular regulatory fee category.¹⁵⁸ Further, as WISPA notes, we found that users of spectrum on an unlicensed basis includes virtually every American consumer and business, and management of the U.S. Table of Frequency Allocations has the potential to impact every spectrum user, either directly with regard to primary or secondary use, or indirectly such as with regard to emissions from adjacent spectrum bands.¹⁵⁹ Further, we agree with CTIA’s assessment that OET FTEs that work on equipment authorizations are appropriately classified as indirect because their work affects multiple core bureaus and their regulatees, including satellite regulatees.¹⁶⁰ As we discuss above, OET provides engineering and technical expertise to the Commission as a whole and supports each of the four core bureaus. Notably, part of this office’s role is to participate in matters “not within the jurisdiction of any single bureau” or “affecting more than one bureau.”¹⁶¹ Some of the duties and responsibilities that affect multiple core bureaus and their regulatory fee payors 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.¹⁶² The matters handled by the 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.¹⁶³

87. We further note that 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.¹⁶⁴ No commenter has provided new analysis or a basis to change our determinations. For all of these reasons, we reject the proposal to adopt a new fee category for equipment authorizations.

4. Holders of Experimental Licenses

88. Intelsat and the Satellite Operators propose that the Commission adopt a regulatory fee category for holders of experimental licenses.¹⁶⁵ We have sought comment on this previously and concluded that an experimental license is not the same as other Commission licenses and that it should not be subject to a regulatory fee.¹⁶⁶ As we observed in the *FY 2022 Report and Order*, while

¹⁵⁸ WISPA Reply at 2.

¹⁵⁹ *Id.*

¹⁶⁰ CTIA Reply at 12.

¹⁶¹ 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, 241.

¹⁶² FCC, Engineering & Technology, <https://www.fcc.gov/engineering-technology> (last visited June 16, 2023). See also 47 CFR §§ 0.31, 0.241.

¹⁶³ 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 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.

¹⁶⁴ We also find that adopting a fee category where there are is no FTE time accorded most years or where any fees set would be well below the annual de minimis threshold is not practicable.

¹⁶⁵ Intelsat Comments at 5-6; Satellite Operators Comments at 10 & Reply at 5-6.. The Commission previously addressed this proposal for a new fee category in the *FY 2022 Report and Order* at paras. 76-80.

¹⁶⁶ *FY 2022 Report and Order* at para. 76.

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.¹⁶⁷ Intelsat and the Satellite Operators have not provided a basis to conclude that additional comment on this issue would demonstrate that the fundamental differences we described in the *FY 2022 Report and Order* are immaterial or that an experimental license is the same as other Commission licenses such that it should be subject to a regulatory fee.

89. The Office of Engineering and Technology typically grants over 2,000 experimental licenses each year, including grants of Special Temporary Authority (STA), to various entities, including broadcasters. 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.¹⁶⁸ 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.¹⁶⁹ Thus, many experimental licenses are filed by universities, research and development companies, technology manufacturers, and medical institutions which often are non-profit entities.

90. 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,¹⁷⁰ five years for experimental program licenses, and 10 years for experimental licenses in spectrum bands above 95 GHz.¹⁷¹ There is no renewal process for STAs. Further, applicants seeking extension of conventional experimental licenses must include sufficient justification for continued experimentation;¹⁷² 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.¹⁷³ 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.¹⁷⁴

¹⁶⁷ *Id.* at para. 79.

¹⁶⁸ 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 *Streamlining Licensing Procedures for Small Satellites*, IB Docket No. 18-86, Report and Order, 34 FCC Rcd 13077, 13080-81, 13118-19, paras. 11-13, 105 (2019) (*Small Satellite Report and Order*).

¹⁶⁹ 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.*).

¹⁷⁰ Up to five years is permitted by rule with sufficient justification. 47 CFR § 5.71.

¹⁷¹ In a typical year, the Commission generally issues only a few five-year licenses and no 10-year licenses.

¹⁷² 47 CFR § 5.71(a).

¹⁷³ However, market trials are permitted under certain circumstances to allow applicants to evaluate product performance and customer acceptability prior to the production stage. 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).

¹⁷⁴ 47 CFR § 5.83.

91. The experimental authorization processes fall under the functions of evaluating evolving technology for interference potential, facilitating the introduction of nascent technologies, and maintaining the U.S. Table of Frequency Allocations.¹⁷⁵ As such, in reviewing those applications, the Office of Engineering and Technology 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. 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.

92. Given these facts, we do not currently have an appropriate framework for adopting a fee category for experimental authorizations that is fair, administrable, and sustainable. Many experimental license applicants are exempt from regulatory fees under the statute.¹⁷⁶ Additionally, given the transient nature of such authorizations, developing a fee allocation method would require significant analysis.¹⁷⁷ 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.¹⁷⁸ We therefore decline the Satellite Operators' suggestion to seek further comment on adopting to a new regulatory fee category for holders of experimental licenses.

E. Space Station and International Bearer Circuit Regulatory Fees

1. Space Station Regulatory Fees

a. NGSO/GSO 80/20 Allocation

93. For FY 2023, we adopt the regulatory fees for space and earth stations proposed in the *FY 2023 NPRM*, which were based on the allocation of International Bureau FTEs that regulated space and earth stations. The International Bureau existed for most of FY 2023, and therefore we conclude that it is appropriate to adopt regulatory fees for FY 2023 based on the work of International Bureau FTEs for this fiscal year. We find that the proposed categories and allocations continue to accurately reflect the allocation of International Bureau FTEs in FY 2023. For the reasons discussed below, we decline to change allocations or add categories or subcategories of space station regulatory fees at this time. FY 2024 will be the first full fiscal year that the Space Bureau will be in existence. We anticipate closely evaluating the work of staff during the first year to ensure the continued accuracy of our FTE allocations. Moreover, given the rapid pace of development change in this segment of the telecommunications industry, we also anticipate closely considering whether any space and earth station regulatory fee categories should be revised in the coming years.

94. The *FY 2023 NPRM* sought comment on proposed regulatory fees for space and earth stations.¹⁷⁹ For space stations, the proposed fees were calculated using the existing allocation of FTEs between GSO and NGSO space station categories, and among different categories of NGSO space station systems.¹⁸⁰ Under the existing methodology of calculating regulatory fees for space stations, 80% of space station regulatory fees are allocated to GSOs and 20% of the space station regulatory fees to

¹⁷⁵ 47 CFR § 0.31.

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

¹⁷⁷ Experimental licenses can be discontinued at any time and are issued for varying time periods based on the unique needs of the applicant.

¹⁷⁸ The Commission increased the annual de minimis threshold to \$1,000 in 2017. *FY 2017 Report and Order*, 32 FCC Rcd at 7073, para. 40.

¹⁷⁹ *FY 2023 NPRM* at para. 78 and Appendix C: FY 2023 Schedule of Regulatory Fees.

¹⁸⁰ *FY 2023 NPRM* at paras. 79-80.

NGSOs.¹⁸¹ In addition, there are two subcategories for NGSO space stations regulatory fees: “less complex” NGSO systems and all other NGSO systems identified as “other” NGSO systems.¹⁸² “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).¹⁸³ “Less complex” NGSO fees and “other” NGSO fees were split within the broader NGSO fee category on a 20/80 basis.¹⁸⁴ In 2022, the Commission adopted a methodology for calculating the regulatory fee for small satellites and small spacecraft (together, small satellites) within the NGSO fee category 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.¹⁸⁵

95. The *FY 2023 NPRM* did not seek comment on the methodology previously adopted to allocate regulatory fees among GSO and NGSO space stations, nor did it seek comment on the definitions of existing subcategories of NGSO space stations or the creation of new subcategories of NGSO space stations in general. It did, however, seek comment generally on whether to adopt new regulatory fee categories and on ways to improve the regulatory fee process regarding “any and all categories of service.”¹⁸⁶ It also sought comment specifically on how to apply regulatory fees to spacecraft performing On-Orbit Servicing (OOS) and Rendezvous and Proximity Operations (RPO) specifically operating near the geostationary satellite orbit arc.¹⁸⁷

96. No comments were received in response to the proposed regulatory fees for earth stations or for small satellites. As stated above, we find that these categories and allocations continue to accurately reflect the allocation of International Bureau FTEs for FY 2023. Accordingly, we adopt the proposed regulatory fees for earth stations and small satellites for FY 2023.

97. Several space station operators, individually or collectively, submitted comments regarding proposed regulatory fees for space stations other than small satellites.¹⁸⁸ Broadly speaking, the comments can be divided into two categories. The first category proposes revisions to our existing methodology and categories for assessing regulatory fees on NGSO space stations. These commenters argue in favor of revising the “20/80” allocation between “less complex” and “other” NGSO space stations, revisiting the definition of “less complex” NGSO space station systems, or proposing to initiate a further notice of proposed rulemaking to revise and expand the subcategories of NGSO space station fees. The second category provides comments on how to apply regulatory fees to OOS and RPO spacecraft. We address each category of comments in turn below, but in each instance conclude that the record is insufficient at this time to adopt changes to the proposed regulatory fees for FY 2023 or to initiate a further notice of proposed rulemaking. Moreover, as observed previously in this order, the Commission's methodology need not reach scientific precision and instead must simply be reasonable.¹⁸⁹

b. NGSO Space Stations “Less Complex” and “Other” Regulatory Fees

98. *20/80 Less Complex/Other Allocation.* The Satellite Operators contend that we should

¹⁸¹ *FY 2020 NPRM*, 35 FCC Rcd at 4993, para. 41.

¹⁸² *FY 2021 NPRM*, 36 FCC Rcd at 8583, para. 6.

¹⁸³ *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 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).

¹⁸⁴ *FY 2021 Report and Order*, 36 FCC Rcd at 13018-19, para. 58.

¹⁸⁵ *FY 2022 NPRM* at paras. 21-42.

¹⁸⁶ *FY 2023 NPRM* at para. 95.

¹⁸⁷ *Id.* at paras. 78, 82-84.

¹⁸⁸ Space station operators providing comments are included in Appendix A: List of Commenters.

¹⁸⁹ *See supra*, para. 51, n.90.

revisit the “20/80 split” between “less complex” and “other” NGSO space station systems and the assumptions that underly it.¹⁹⁰ They argue that our regulatory fee structure should “not remain stagnant” regarding the nature of “less complex” NGSO space station systems that provide EESS, and that the Commission should initiate a further notice of proposed rulemaking because “[t]oday’s EESS business . . . is virtually unrecognizable from what existed when the Commission first established [the “less complex”] NGSO regulatory fee structure”¹⁹¹ in 2021.

99. We find that the record is insufficient at this time to revisit, or to initiate a further rulemaking to revisit, the 20/80 allocation between “less complex” and “other” NGSO space station systems. The Satellite Operators do not provide any specific alternative proposals to the current allocations, other than to seek comment on the significance of the purported changes to the EESS business in order to build a foundation to take action on next year.¹⁹² As the EESS Operators observe, however, the Satellite Operators offer no new evidence that might cause the Commission to alter its conclusions and change the allocation, but repeat the argument they have made in the regulatory fee proceedings for FY 2020, FY 2021, and FY 2022, and do not provide a basis for the Commission to revisit its decision regarding NGSO fee category definitions adopted in the *FY 2021 NPRM*¹⁹³.¹⁹⁴ In addition, the purported changes to the EESS business presented by the Satellite Operators (for example, multiplying use cases, mushrooming demand of customers for data, and changes in methods of distribution) do not go to the factors relied on in adopting the 20/80 allocation between “less complex” and “other” NGSO space stations: the amount of staff work involved in regulating NGSO space stations planning to communicate with 20 or fewer U.S. authorized earth stations primarily in EESS and/or AIS versus the amount of work involved in regulating other types of NGSO space station systems. Thus, there is no basis for initiating a further notice of proposed rulemaking at this time.

100. *NGSO Space Station Fee Category Definitions and Expansion.* Some commenters propose to revisit the definition of “less complex” NGSO space station systems to include a broader range of NGSO space station systems, or to initiate a further notice of proposed rulemaking to revise and expand the subcategories of NGSO space station fees. In particular, Kinéis alleges that the Commission did not fully explain the decision in the *FY 2021 NPRM*¹⁹⁵ to use “the total number of earth stations with which satellite network will communicate” as the “only” factor to distinguish NGSO space station systems as “less complex” for regulatory fee purposes.¹⁹⁶ To the extent that Kinéis’s comments seek reconsideration of our holding in that order, we agree with other comments¹⁹⁷ that such an argument would be untimely.¹⁹⁸ While we decline to revisit our prior holding, we will, however, address the Kinéis comments to the extent it proposes that the Commission should, on a going forward basis, expand the category of “less complex” NGSO space stations to include factors other than “the total number of earth stations with which satellite network will communicate” to distinguish NGSO space station systems as “less complex.”

¹⁹⁰ Satellite Operators Comments at 12.

¹⁹¹ *Id.*

¹⁹² *Id.*

¹⁹³ *FY 2021 NPRM*, 36 FCC Rcd at 8585-89, paras. 11-20.

¹⁹⁴ EESS Reply at 3.

¹⁹⁵ *FY 2021 NPRM*, 36 FCC Rcd at 8583-8589, paras. 11-20; *see also FY 2021 Report and Order*, 36 FCC Rcd at 13016-17, para. 86.

¹⁹⁶ Kinéis Comments at 3, 5-11.

¹⁹⁷ EESS Reply at 4.

¹⁹⁸ 47 CFR § 1.429(d) (requiring that a petition for reconsideration be filed within 30 days from the date of public notice of such action). We refer here to arguments that appear to challenge the sufficiency of the reasoning underlying prior decisions as to what constitutes a “less complex” NGSO space station system for regulatory fee purposes.

101. As an initial matter, Kinéis mischaracterizes the prior decision as to which types of NGSO space station systems are “less complex” as being based only on the number of earth stations utilized by a NGSO space station system.¹⁹⁹ In fact, the number of earth stations was not, and is not, the only factor for determining that a NGSO space station system is “less complex” for regulatory fee purposes. Rather, the Commission found that NGSO space station systems “planning to communicate with 20 or fewer U.S.-authorized earth stations *that are primarily used for [EESS] and/or [AIS]* are significantly less complex to regulate than other types of NGSO systems” (italics added).²⁰⁰ As the Commission explained, multiple factors led to determining that NGSO space station systems communicating with 20 or less U.S.-authorized earth stations used primarily for EESS and/or AIS involved less staff resources to regulate than other NGSO space station systems.²⁰¹

102. Thus, the number of earth stations is not the only factor for determining whether a NGSO space station system is “less complex” for regulatory fee purposes, but it is one factor, together with the service primarily being provided, that serves as a proxy for other factors, such as whether processing rounds are required to process the application, the geographic area being served by the system, the quantity and range of spectrum needs, and how the system utilizes spectrum vis-à-vis other systems. All these factors, not just the number of earth stations, go towards determining the amount of FTE resources required to regulate a NGSO space station system, thereby determining whether a NGSO space station system is “less complex” for regulatory fee purposes.

103. We note that the possibility of other NGSO space station systems being categorized as “less complex” for regulatory fee purposes in the future has not been rejected or precluded. Indeed, such a possibility has been expressly recognized.²⁰² But the inclusion of NGSO space station systems into the “less complex” category must arise from factors that reflect the amount of work that FTEs perform to regulate such systems relative to the work performed for other NGSO space station systems. If the Commission finds in the future that another type of NGSO space station system requires less regulatory work than other NGSO space station systems, that type of NGSO space station system would be eligible for the “less complex” category as well. Although Kinéis and Myriota argue that their non-voice, non-geostationary mobile satellite service (NVNG MSS) designed to provide “Internet of Things” (IoT) connectivity should also be categorized as “less complex,” their arguments focus on the alleged superior benefits received by other NGSO space station systems compared to their own, rather than on the amount of regulatory work that FTEs perform.²⁰³ Such benefits, however, are not material to determining the complexity of regulation of a satellite system, which is the determining criterion for a “less complex” NGSO space station system. As such, we find that the record is not sufficiently developed at this time to determine that NVNG MSS IoT space station systems should be included in the “less complex” NGSO space station regulatory fee category.

¹⁹⁹ Satellite Operators agree with Kinéis that the number of U.S. earth stations is “a poor proxy for system complexity.” Satellite Operators Reply at 9-10.

²⁰⁰ *FY 2021 Report and Order*, 36 FCC Rcd at 13013-14, para. 48, citing *FY 2021 NPRM*, 36 FCC Rcd at 8583-84, para. 7.

²⁰¹ *FY 2021 Report and Order*, 36 FCC Rcd at 13013-14, para. 48, citing *FY 2021 NPRM*, 36 FCC Rcd at 8585-86, para. 12 (explaining that NGSO space station systems planning to communicate with 20 or fewer U.S.-authorized earth stations that are primarily used for EESS and/or AIS “rarely involve resource-intensive NGSO processing rounds, based on their ability to share with other operators in the requested frequency bands. Other types of NGSO systems also typically have a global presence, thereby requiring significantly more resources in connection with international forums. These other NGSO systems also have significant spectrum needs and involve a variety of frequency bands, technical issues, and services, constituting a significant part of the International Bureau’s NGSO work and resource allocation”).

²⁰² *FY 2021 NPRM*, 36 FCC Rcd at 8588, para. 16 (“We do not, however, foreclose the possibility of designating other categories of NGSO systems as “less complex” systems in the future if our experience supports a finding that our regulatory work for such systems is significantly less than those for other NGSO systems.”).

²⁰³ Kinéis Comments at 3-4; Myriota Reply at 1-4.

104. Kinéis also proposes that the Commission adopt a further notice of proposed rulemaking to develop a record to separate the various NGSO networks into more homogenous categories that group providers together with others that provide similar types of services.²⁰⁴ Kinéis proposes that we adopt a multi-tiered approach to the fee categories for NGSO space station systems, using many different factors to group NGSO space station systems into tiers that would “charge each provider an amount commensurate with its demands on Commission resources and the benefits it receives through regulation based on these enumerated factors.”²⁰⁵ Kinéis suggests five NGSO tiers: (1) Global Fixed/Mobile Broadband; (2) Big LEO Voice & Data; (3) EESS Space Imaging & Other; (4) UHF IoT Data Collection & Monitoring/AIS; and (5) SmallSat.²⁰⁶ Although much of the basis for the different tiers is purported differences in the benefits received from FCC regulation, Kinéis also attempts to quantify the amount of FTE work necessitated by each tier by evaluating the number of filings each tier made in our Electronic Comments Filing System (ECFS) from the start of FY 2022 until June 1, 2023.²⁰⁷

105. We find Kinéis’s multi-tiered proposal for defining NGSO fee categories to be potentially useful framework as the Commission has used such multi-tiered approaches for assessing regulatory fees for other services.²⁰⁸ There is not sufficient time, however, to consider such expansive changes in time to adopt regulatory fees for FY 2023 because the conclusions underlying the proposal by Kinéis require further comment and evaluation. Kinéis’s attempts to quantify the amount of FTE work necessitated by each proposed tier rely exclusively on filings made during a limited time period in docketed proceedings such as rulemakings, without consideration of applications and related filings, which would be made through ICFS, not ECFS. In addition, as the Satellite Operators observe, Kinéis has not attempted to explain how we would allocate the FTE time among these categories.²⁰⁹

106. We agree, however, that an examination of our regulatory fees and categories for NGSO space stations would be useful in light of changes resulting from the creation of the Space Bureau and fuller consideration of possible adjustments to into account factors that are reasonably related to the benefits provided by the Commission’s activities. We do not, however, have a sufficient record to initiate such an examination at this time. Section 9 requires regulatory fees be keyed to the FTE burden associated with the oversight and regulation of each regulatory fee category.²¹⁰ We anticipate that the changes in the industry that resulted our decision to create the Space Bureau will likely also result in changes in the relative FTE burden between and among our space and earth station fee payors. Moreover, we anticipate the creation of the Space Bureau will result in the streamlining of the oversight and regulation of space stations, which could also change FTE burdens. Accordingly, we find it will be more efficient to seek comment on proposals to reexamine the categories of regulatory fees for NGSO space station systems, like the one offered by Kinéis, at the same time as other proposals that might arise as part of a more holistic review of the FTE burden of the Space Bureau in FY 2024.

107. *Miscellaneous.* Space X contends that we have miscalculated the space station regulatory fees because we based our calculations on nine units in the “Space Stations (Non-Geostationary, Other)”

²⁰⁴ Kinéis Reply at 3. Kinéis also contends that the Commission should make available details of how FTEs formerly allocated to the International Bureau are now apportioned between the new Space Bureau and Office of International Affairs. Kinéis Reply at 5.

²⁰⁵ Kinéis Comments at 17.

²⁰⁶ *Id.*

²⁰⁷ *Id.* at 17-18.

²⁰⁸ *Id.* at 14-16 (observing that the Commission assesses tiered regulatory fees for television and submarine cable licensees).

²⁰⁹ Satellite Operators Reply at 9-10.

²¹⁰ *FY 2019 Report and Order*, 34 FCC Rcd at 8192-93, paras. 7-8; *see also FY 2019 NPRM*, 34 FCC Rcd at 3275-77, paras. 6-10.

category, instead of ten.²¹¹ Although there are ten such licensed systems, one of the licensed systems was not operational as of October 1, 2022, and we are removing that station from the unit count when calculating the per unit fee.²¹² A unit count of nine is correct.

c. Spacecraft Performing On-Orbit Servicing (OOS) and Rendezvous and Proximity Operations (RPO) (In-Space Servicing Industries)

108. In the *FY 2022 NPRM*, we sought comment on adopting regulatory fee categories for spacecraft performing OOS and RPO.²¹³ OOS and RPO 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 and improve the sustainability of the outer space environment and the space-based services. Due to the nascent nature of the OOS and RPO, or more generally “in-space servicing” industries, we currently do not have a regulatory fee category for such spacecraft. The Commission noted at that time that there have been a limited number of such operations and tentatively concluded that it was 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.²¹⁴

109. Neither the scope of in-space servicing operations nor the regulatory framework developed sufficiently to adopt regulatory fee categories for FY 2022. As a result, in the *FY 2023 NPRM* we sought comment on defining this emerging category of operations for regulatory fee purposes, including whether a separate regulatory fee category is necessary for those spacecraft that may conduct such in-space servicing operations in the future.²¹⁵ The *FY 2023 NPRM* also observed that some spacecraft conducting satellite servicing operate, or plan to operate, near the GSO arc, but that most of these operations are likely to ultimately be in NGSO.²¹⁶

110. Currently, two spacecraft operate under part 25 for communications while conducting these types of operations with GSO satellites.²¹⁷ These two spacecraft remain operational in FY 2023. In the *FY 2023 NPRM*, the Commission tentatively concluded that, despite being assigned their own call signs, which is the unit usually used to assess fees for satellite regulatees operating in GSO, such spacecraft appear to operate as part of existing GSO systems, rather than as separate independent spacecraft. Therefore, there would be no independent system for a separate fee assessment for these operations near the GSO arc, and the regulatory burden (i.e., the FTE time) for such operations would be included in the fees collected from the GSO regulatory fee payors. The Commission sought comment on this tentative conclusion and whether it may not apply to future operations of OOS and RPO spacecraft, which may operate more independently of the satellites that they will service.²¹⁸ The Commission also observed that, for spacecraft conducting OOS and RPO with GSO satellites, identifying whether such

²¹¹ Space X Comments at 1-3.

²¹² See, e.g., *Regulatory Fact Sheet: FY 2022 Regulatory Fees – International and Satellite Services* at 3 (rel. Sept. 16, 2022) (stating, “A fee payment is required “upon the commencement of operation of a system's first satellite as reported annually pursuant to sections 25.142(c), 25.143(e), 25.145(g), or upon certification of operation of a single satellite pursuant to section 25.121(d)(2).”).

²¹³ *FY 2022 NPRM* at paras. 45-46.

²¹⁴ *Id.*

²¹⁵ *FY 2023 NPRM* at paras. 82-84.

²¹⁶ *Id.* at paras. 83-84.

²¹⁷ *Space Logistics, LLC*, IBFS File No. SAT-LOA-20191210-00144; Call Sign S3059 (granted Mar. 25, 2020) (MEV-2); *Space Logistics, LLC*, IBFS File No. SAT-LOA-20170224-00021; Call Sign S2990 (granted June 20, 2019) (MEV-1). 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-STA20200811-00859, SES-STA-20200117-00055.

²¹⁸ *FY 2023 NPRM* at para. 84.

spacecraft operations are part of an existing GSO system appears to be the first step in determining whether the Commission should assess a separate regulatory fee.²¹⁹ The *FY 2023 NPRM* proposed to apply the regulatory fee for “Space Stations (Geostationary Orbit)” to OOS and RPO spacecraft operating near the GSO arc, unless a determination is made that the OOS or RPO spacecraft is operating as part of an existing GSO system and therefore should not be assessed a separate regulatory fee.²²⁰ The Commission sought comment on this approach, as well as on the specific factors that should be considered to determine whether a OOS or RPO spacecraft is operating as part of an existing GSO system for regulatory fee purposes.²²¹

111. We find that the record remains too incomplete to adopt a separate regulatory fee category for spacecraft performing OOS and RPO at this time. Although commenters generally support the creation of new, separate regulatory fee categories for OOS and RPO space stations,²²² we conclude there is insufficient understanding of the nature and regulation of such spacecraft to consider concrete proposals for assessing regulatory fees for OOS and RPO space stations at this time. The Commission is still in the early stages of considering the regulatory environment for such services as a whole,²²³ and the definition of which services would fit into OOS and RPO and the regulatory framework for such services are yet to be developed. Accordingly, we are unable to determine who would be eligible for such a category or the amount of the FTE burden that the Commission would spend in regulating such a category, which is a necessary first step in adopting regulatory fees. We will continue to develop the record regarding a possible separate fee category for OOS, RPO, and in-space servicing more generally, with the benefit of progress made in rulemaking proceedings concerning these emerging services and will revisit this issue as part of the regulatory fees proceeding for FY 2024.

112. We will continue to develop a record that will inform possible establishment of a fee category(ies) and appropriate methodology for assessing such a fee category(ies). We will also continue to consider OOS and RPO spacecraft licensing for those spacecraft operating near the GSO arc on a mission-by-mission basis.²²⁴ Relatedly, Astroscale requests that we also clarify that a determination that the OOS or RPO spacecraft is operating as part of an existing GSO system could also include GSO servicing spacecraft operating in other frequency bands not supported by the client vehicle.²²⁵ We find, however, that the record is insufficiently developed at this time to act on this request. Although some comments oppose ever assessing the fee for GSO space stations on OOS and RPO spacecraft, arguing that the current GSO fee category reflects FTE hours spent on typical GSO spacecraft issues and that these

²¹⁹ *Id.*

²²⁰ *Id.*

²²¹ *Id.*

²²² *See, e.g.,* Astroscale Reply at 1-3 (contending that there exists sufficient record to recognize in-space servicing space stations in a new fee category based on technical characteristics and purpose); Momentus Reply at 1-3 (supporting the proposals to create a new, independent fee category for in-space servicing systems, including OTVs, with fees comparable to those established for small satellite systems); CONFERS Reply at 2 (contending that in-space servicing spacecraft belong in a distinct fee category because in-space servicing missions have different operational procedures, end users, and services offered than existing space stations); and Blue Origin Comments at 2 (arguing that application of the existing NGSO fee categories on these new space services would be inappropriate). *But see* Intelsat Comments at 7-8 (arguing that neither the scope of in-space servicing operations nor the regulatory framework has developed sufficiently to adopt such new regulatory fee categories and, in particular, the absence of a data set encompassing the full scope of OOS and RPO operations presents a substantial challenge to determining a fair and effective fee structure).

²²³ *See, e.g., Space Innovation; Facilitating Capabilities for In-space Servicing, Assembly, and Manufacturing*, Notice of Proposed Rulemaking, FCC 22-66 (Aug. 8, 2022) (seeking to develop a record on where these in-space servicing capabilities are today and the steps needed to promote their development).

²²⁴ *See FY 2022 NPRM* at para. 46.

²²⁵ Astroscale Comments at 4.

are not efforts that servicing spacecraft near the GSO arc benefit from,²²⁶ there is no other fee category available for space stations operating in geostationary orbit, and section 9 does not permit the Commission to exempt regulatees from paying regulatory fees. Because we are not proposing to adopt, at this time, a regulatory fee category for OOS or RPO operations, or in-space servicing more generally, we need not consider what factors should go into determining the regulatory fees for such categories.²²⁷

113. *Orbital Transfer Vehicle (OTV)*. The *FY 2023 NPRM* also sought comment on additional or different definitions for a potential new fee category, such as including in the definition of OOS concepts of operation such as deployment via an OTV.²²⁸ Spaceflight argues that the new fee category for in-space servicing systems should be broadly defined, encompassing a range of activities, including OTV deployment services, rendezvous and proximity operations, refueling, situational awareness, and debris-related activities.²²⁹ Spaceflight submits that it is essential that OTVs are not simply designated as either GSO or NGSO, but rather recognized as a distinct category within the regulatory framework.²³⁰ Spaceflight believes that OTVs possess distinct capabilities and serve a specific purpose in space operations, making it crucial to establish a separate classification that reflects these characteristics.²³¹ Spaceflight supports a fee assessment comparable to the one applicable for small satellites because there are similarities between OTVs and the small satellite systems.²³² Spaceflight argues that both types of missions are generally characterized by the following factors: (i) limited interference protection, (ii) limited mission durations, (iii) smaller system investments, (iv) less probability of ongoing adjudications, (v) higher chance to require multiple licenses or market grants, and (vi) a limited number of in-space servicing missions.²³³

114. In addition, Spaceflight disagrees with our position that innovative OTVs should not be classified as in-orbit servicing spacecraft but rather as an NGSO spacecraft which deploys other spacecraft and contends that the Commission has not provided a basis by which to characterize Sherpa-AC1, or OTVs more generally, as “less complex” NGSO systems for regulatory fee purposes.²³⁴ Spaceflight explains that the very purpose of OTVs is to support other space missions, and this service is more similar to that of a launch vehicle, rather than a traditional communications or other satellite service.²³⁵ Spaceflight argues that there is nothing in the record or the Commission’s analysis to explain why a physical, in-orbit delivery service is like the satellite services provided by NGSO spacecraft classified in the “less complex” fee category, i.e., Earth imaging or other type of monitoring services. Moreover, Spaceflight purports that simply classifying OTV missions as “less complex” based on the number of earth stations used to communicate with the OTV system would be inappropriate.²³⁶ Spaceflight submits that traditional systems generally rely more heavily on spectrum use, either for the

²²⁶ *Id.* at 4-5.

²²⁷ See, e.g., Astroscale Comments at 4 (contending the Commission should recognize that the administrative burden of servicing space stations is highly comparable to the burden for small satellite systems and adopt a similar fee); Blue Origin Comments at 4 & n.19 (suggesting that if the Commission were to create a fee category for NGSO in-space services, that the fee should be based on the NGSO small satellite annual regulatory fee); Letter from Will Lewis, Counsel, Atomos Space, to Marlene H. Dortch, Secretary, FCC, Attachment at 7 (June 7, 2023) (arguing that fees should reflect less intensive use of Commission resources similar to small satellites).

²²⁸ *FY 2023 NPRM* at para. 83.

²²⁹ Spaceflight Comments at 6.

²³⁰ *Id.*

²³¹ *Id.*

²³² *Id.*

²³³ *Id.*

²³⁴ *Id.* at 3.

²³⁵ *Id.*

²³⁶ *Id.* at 4.

provision of two-way communications or the transmission of service data, such as imagery of the Earth or other similar commercial data; however, OTVs generally use spectrum simply to operate the spacecraft or for other limited testing.²³⁷ Spaceflight argues that such spectrum use is also typically on a non-interference and unprotected basis because there is no specific spectrum allocation for the physical services provided by OTV operators.²³⁸

115. Spaceflight also argues that OTVs generally have significantly shorter operational lives compared to traditional NGSO satellites, such as mission lifetimes of less than a few hours or days.²³⁹ In contrast, Spaceflight contends, satellites in traditional communications or imaging satellite systems have mission lifetimes measured in years and are generally parts of constellations with 15-year license terms.²⁴⁰ For these reasons, Spaceflight submits that OTVs are unlike “less complex” (or “other”) NGSO systems and should not be treated as such for regulatory fee purposes.²⁴¹ Spaceflight further argues that if the Commission decides that OTV licensees should pay annual regulatory fees associated with “less complex” NGSO licenses, OTV operators should be permitted to seek blanket licenses for the launch and operation of multiple OTV spacecraft per license.²⁴² Spaceflight submits that such a policy would be consistent with the treatment of other NGSO systems and licensees and would more accurately reflect regulatory costs borne by the Commission.²⁴³

116. As stated above, the record is not sufficiently complete to adopt or even propose a separate regulatory fee category for spacecraft performing OOS, regardless of whether OTVs are included within the definition of OOS or not. We will continue to develop the record regarding a possible separate fee category for OOS, RPO, and in-space servicing more generally, and will consider OTVs as part of that record development.²⁴⁴ In addition, Spaceflight’s proposal that OTV operators should be permitted to seek blanket licenses for the launch and operation of multiple OTV spacecraft per license is outside the scope of this proceeding and is more appropriately considered as part of a separate license application or rulemaking.

2. International Bearer Circuit Regulatory Fees—Submarine Cable Systems

117. We reject the Submarine Cable Coalition’s request to revise the Commission’s regulatory fee methodology for submarine cable operators,²⁴⁵ which is based upon the lit capacity²⁴⁶ of the fiber-optic

²³⁷ *Id.*

²³⁸ *Id.*

²³⁹ *Id.*

²⁴⁰ *Id.*

²⁴¹ *Id.*

²⁴² *Id.* at 7-8.

²⁴³ *Id.*

²⁴⁴ We remove Spaceflight’s Sherpa AC-1 space station (Call Sign S3133) from the list of NGSO space stations subject to regulatory fees in FY 2023. *See FY 2023 NPRM* at Appendix F. NGSO space station regulatees are assessed fees based on whether an NGSO satellite is operational as of October 1 of the previous year. *See, e.g., Regulatory Fees Fact Sheet: FY 2022 Regulatory Fees –International and Satellite Services* (Sept. 16, 2022), <https://docs.fcc.gov/public/attachments/DOC-387265A1.pdf>. As of October 1, 2022, the Sherpa AC-1 spacecraft was not operational except for TT&C and radionavigation satellite service (RNSS) transmissions of an experimental nature, due to the restrictions placed on the partial grant of its license application. As such, we deem the Sherpa AC-1 space station as non-operational as of October 1, 2022, when regulatory fees were assessed and remove it from our list of NGSO space stations subject to regulatory fees in FY 2023.

²⁴⁵ Submarine Cable Coalition Comments at 3-4.

²⁴⁶ The submarine cable industry uses the term “lit capacity” for measuring the capacity available for use on submarine cables. *See* Submarine Cable Frequently Asked Questions, <https://www2.telegeography.com/submarine-cable-faqs-frequently-asked-questions> (stating that there are two principal ways of measuring a cable’s capacity: (1) potential capacity; and (2) lit capacity) (last visited July 10, 2023).

submarine cable, because, they contend, that under our current methodology the fees charged to submarine cable operators do not account for the amount of Commission resources and services required for oversight.²⁴⁷ 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.²⁴⁸ We adopt our proposal to use the same tiers for assessing fees on submarine cable operators for FY 2023 as in FY 2022, which are based on the "lit" capacity of the fiber-optic submarine cable.²⁴⁹

118. International bearer circuits (IBCs) consist of terrestrial and satellite circuits and submarine cable systems.²⁵⁰ 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 IBC fees.²⁵¹ 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.²⁵² The Commission adopted a five-tier structure for

²⁴⁷ *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; *FY 2022 Report and Order* at para. 48.

²⁴⁸ The Submarine Cable Coalition consists of GCX Holdings Limited; GlobeNet Cabos Submarinos America, Inc.; GU Holdings Inc. (an indirect, wholly-owned subsidiary of Google LLC); Hawaiki Submarine Cable USA LLC; SETAR; and Tata Communications (Americas), Inc. Submarine Cable Coalition Comments at 1-3.

²⁴⁹ The International Bureau undertook a review of its work, staffing, and distribution of responsibilities benefiting its fee payors, between the Telecommunications and Analysis Division and the Satellite Division and based on this review, allocated eight FTEs to the international bearer circuit category. *FY 2020 Report and Order*, 36 FCC Rcd at 1753, para. 57. The Commission adopted new tiers for the fees and revised the allocation between submarine cables and terrestrial and satellite circuits, concluding that a ratio attributing 95% to submarine cables and 5% to terrestrial and satellite circuits would be more reasonable than the historic ratio. *FY 2020 Report and Order*, 36 FCC Rcd at 1756, para. 62.

²⁵⁰ Initially, this fee category was for common carrier IBCs. The Commission added non-common carrier satellite IBCs to this regulatory fee category in 1997. See *Assessment and Collection of Regulatory Fees for Fiscal Year 1997*, Report and Order, 12 FCC Rcd 17161, 17189, para. 71 (1997) (*FY 1997 Report and Order*) (explaining that the expansion of services offered by the non-common carrier satellite operators greatly increased the need for Commission oversight of their commercial activities and imposed a greater burden on staff and other resources). More recently, the Commission added non-common carrier terrestrial IBCs to this regulatory fee category in 2017. See *FY 2017 Report and Order*, 32 FCC Rcd at 7071-72, paras. 34-35. 43. IBC regulatory fees reflect the work performed by the International Bureau, primarily the Telecommunications and Analysis Division and the Office of the Bureau Chief, for the benefit of all U.S. international telecommunications service providers, and our submarine cable licensees and the international telecommunications service is provided over terrestrial, satellite, and submarine cable facilities. *FY 2020 Report and Order*, 36 FCC Rcd at 1752, para. 54.

²⁵¹ 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.

²⁵² *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.

assessing fees on submarine cables systems based on lit capacity.²⁵³ 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.²⁵⁴ 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.²⁵⁵ The Commission also explained that the methodology would be easier to administer and for submarine cable operators to comply with.²⁵⁶ 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.²⁵⁷ 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.²⁵⁸

119. The Submarine Cable Coalition contends that the fee structure continues to impose disproportionate fees on submarine cable operations that do not reflect their limited use of Commission resources and services.²⁵⁹ These commenters argue that the benefits submarine cable licensees receive from the Commission’s work pale significantly in comparison to the regulatory oversight required of other Commission licensees.²⁶⁰ The Submarine Cable Coalition argues that a regulatory fee structure disconnected from and disproportionate to the benefits rendered to the regulatory fee payor is contrary to the Communications Act and imposes an undue burden on the industry.²⁶¹

120. 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.²⁶² The Commission has long held that capacity is a reasonable basis to assess regulatory costs among the submarine cable regulatory fee payors that benefit from the Commission’s work.²⁶³ As the Commission has previously

²⁵³ *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.

²⁵⁴ *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.

²⁵⁵ *Submarine Cable Order*, 24 FCC Rcd at 4212-13, paras. 8-9.

²⁵⁶ *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.

²⁵⁷ *Submarine Cable Order*, 24 FCC Rcd at 4215, para. 18.

²⁵⁸ *FY 2020 Report and Order*, 36 FCC Rcd at 1752, para. 5; *see also FY 2022 Report and Order* at para. 48

²⁵⁹ Submarine Cable Coalition Comments at 3-4.

²⁶⁰ *Id.*

²⁶¹ *Id.*

²⁶² *Id.* 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.

²⁶³ *See, e.g., FY 2022 Report and Order* at para. 48; *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.

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.²⁶⁴ We find it reasonable to continue to assess 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.²⁶⁵

121. 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 2023 have been reduced from those assessed in FY 2022. As discussed above, lit capacity remains a reasonable basis to apportion regulatory costs among the submarine cable regulatory fee payors 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.

F. Broadcaster Regulatory Fees for FY 2023

1. Full Service Television

122. The Commission has utilized a population-based full-service broadcast television regulatory fee since 2020.²⁶⁶ The population-based methodology conforms with the service authorized

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.

²⁶⁴ *FY 2022 Report and Order* at para. 48; *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 and submarine cables including review of transactions, and representing U.S. interests at bilateral and multilateral negotiations and at international organizations. *Id.*

²⁶⁵ *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.

²⁶⁶ Previously, from approximately 1995 through 2018, 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

(continued....)

here—broadcasting television to the American people. In the *FY 2023 NPRM*, we proposed to continue to assess fees for full-power broadcast stations based on the population covered by a full-service broadcast station’s contour and proposed adopting a factor of 0.7799 of one cent (\$0.007799) per population served for FY 2023 full-power broadcast television station fees.²⁶⁷ We received no comments on this issue. We therefore conclude that we will continue to use the population-based methodology for full-service television broadcasters based on the population covered by a full-service broadcast television station’s contour. We also adopt a factor of 0.7799 of one cent (\$0.007799) per population served for FY 2023 full-power broadcast television station fees.²⁶⁸ The population data for broadcasters’ service areas will continue to be determined using the TVStudy software and the LMS database, based on a station’s projected noise-limited service contour.²⁶⁹ The population data for each licensee and the population-based fee (population multiplied by \$0.007799) for each full-power broadcast television 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.²⁷⁰

2. Radio Stations

123. In the *FY 2023 NPRM*, we sought comment on the existing tiered fee structure for radio broadcasters regulatory fees and proposed the creation of an additional tier within the lowest population tier to ensure that broadcaster fees fairly represent the regulatory oversight benefits distributed among all radio broadcasters²⁷¹ and that the regulatory fees assessed to the smaller broadcasters are “reasonably related to the benefits provided to the payor of the fee by the Commission’s activities” as required by section 9(d) of the Act.²⁷² NAB agrees that we should adopt the proposal to create a new fee tier for the smallest AM and FM radio stations.²⁷³ In its reply comments, the State Associations of Broadcasters agree that the Commission should implement the proposed new radio tier to more fairly distribute the burden of regulatory fees.²⁷⁴ No commenter in the record objected to our proposal. We therefore adopt a

(DMAs 101-210). In the *FY 2018 NPRM*, we sought comment on whether using the actual population covered by the station’s contours instead of Designated Market Areas (DMAs) would more accurately reflect the market served by a full-power broadcast television station for purposes of assessing regulatory fees. *See Assessment and Collection of Regulatory Fees for FY 2018*, Report and Order and Notice of Proposed Rulemaking, 33 FCC Rcd 5091, 5102, para. 28 (2018) (*FY 2018 NPRM*). In the *FY 2018 Report and Order*, the Commission adopted a new methodology for assessing regulatory fees for full-service broadcast stations. The Commission determined that it would fully transition to assessing regulatory fees for full-service television broadcast stations based on the population covered by the station’s contour 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. *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, Report and Order, 33 FCC Rcd 8497, 8501-502, para. 14 (2018) (*FY 2018 Report and Order*).

²⁶⁷ *FY 2023 NPRM* at para. 76.

²⁶⁸ The factor of 0.7799 of one cent (\$0.007799) was derived by taking the revenue amount required from all television fee categories and dividing it by the total population count of all “feeable” call signs. We multiply the population served by the factor to reach the population-based fee.

²⁶⁹ 47 CFR § 73.622(e).

²⁷⁰ 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.

²⁷¹ *See FY 2019 Report and Order*, 34 FCC Rcd 8189, 8204, para. 40 (in which the Commission noted that it had updated its framework for assessing submarine cable system regulatory fees, increasing the number of fee tiers “to provide a more equitable distribution of fees so that a small submarine cable system does not pay the same regulatory fee as a very large submarine cable system that is capable of providing substantially more services.”)

²⁷² 47 U.S.C. § 159(d).

²⁷³ NAB Comments at 4.

²⁷⁴ State Broadcasters Associations Reply at 15.

revised radio station regulatory fee table that includes a lower population tier for AM and FM broadcasters. Specifically, we separate the previous years' tier of $\leq 25,000$ population into two tiers: 1) $\leq 10,000$, and 2) 10,001 - 25,000. The remaining population tier thresholds will stay the same as prior years. In addition, beginning in FY 2023, the radio population count that is the basis for assessing regulatory fees will include 2020 U.S. Census data.

FY 2023 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
<=10,000	\$595	\$430	\$370	\$410	\$650	\$745
10,001 - 25,000	\$990	\$715	\$620	\$680	\$1,085	\$1,240
25,001 – 75,000	\$1,485	\$1,075	\$930	\$1,020	\$1,630	\$1,860
75,001 – 150,000	\$2,230	\$1,610	\$1,395	\$1,530	\$2,440	\$2,790
150,001 – 500,000	\$3,345	\$2,415	\$2,095	\$2,300	\$3,665	\$4,190
500,001 – 1,200,000	\$5,010	\$3,620	\$3,135	\$3,440	\$5,490	\$6,275
1,200,001 – 3,000,000	\$7,525	\$5,435	\$4,710	\$5,170	\$8,245	\$9,425
3,000,001 – 6,000,000	\$11,275	\$8,145	\$7,060	\$7,745	\$12,360	\$14,125
>6,000,000	\$16,920	\$12,220	\$10,595	\$11,620	\$18,545	\$21,190

G. Continuing Flexibility in FY 2023 for Regulatory Fee Payors

124. In FYs 2020, 2021, and 2022, we provided temporary relief to fee payors experiencing financial hardship caused or exacerbated by the COVID-19 pandemic.²⁷⁵ In the *FY 2023 NPRM*, we asked whether we should continue certain of those temporary measures for FY 2023 regulatory fees.²⁷⁶ Both NAB and the State Broadcasters Associations filed comments in support of continuing the temporary measures for FY 2023 regulatory fees.²⁷⁷ While the National Emergency has ended,²⁷⁸ we recognize, as NAB and the State Broadcasters Associations pointed out in their comments to the *FY 2023 NPRM*,²⁷⁹ that extending relief measures for FY 2023 regulatory fees while businesses like broadcasters continue to recover from the economic impact of the pandemic, will benefit fee payors. Therefore, the Commission finds good cause to continue to offer a nominal interest rate and waive its down payment requirement, for installment payment of regulatory fee debt. OMD will continue to exercise its delegated authority to partially waive section 1.1910 of the Commission's rules²⁸⁰ to allow regulatees on "red light" and experiencing financial hardship to nonetheless request waiver, reduction, deferral, and/or installment payment of their FY 2023 regulatory fees, provided that those regulatees resolve all of the delinquent debt they owe to the Commission in advance of the Commission's decision on their relief requests.

125. We also will continue a partial waiver of section 1.1166 of our rules to permit fee payors seeking waiver, deferral or reduction of their FY 2023 regulatory fees to submit documentation supporting their requests after their underlying requests are submitted.²⁸¹ This partial waiver of section

²⁷⁵ *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; *FY 2022 Report and Order* at para. 105.

²⁷⁶ *FY 2023 NPRM* at para. 89.

²⁷⁷ NAB Comments at 4; State Broadcasters Associations Reply at 17.

²⁷⁸ See fn. 8, *infra*.

²⁷⁹ NAB Comments at 5-6; State Broadcasters Associations Reply at 16-18.

²⁸⁰ 47 CFR § 1.1910.

²⁸¹ In the absence of this waiver, parties seeking fee relief must submit all documentation proving the basis for their request with the request. 47 CFR § 1.1166(c), (d). See also *FY 2019 Report and Order*, 34 FCC Rcd at 8208, para.

1.1166(c) does not remove the burden of submitting documents in support of individual waiver requests. Parties seeking waiver, deferral or reduction of their FY 2023 regulatory fees must make a good faith effort to submit all necessary documentation with their initial regulatory fee waiver requests. As part of our partial waiver of 1.1166(c), we will provide fee payors, after filing their requests for waiver, reduction or deferral of their FY 2023 regulatory fees, with one opportunity to submit additional documents to support their requests, which submission must occur by January 31, 2024 in order for their supplemental documentation to be considered with their requests.²⁸² We condition our temporary waiver in order to more closely align our practices with the requirements of section 1.1166. This provides fee payors with relief while at the same time scaffolding a return to normal operation of our rules.

126. The State Broadcasters Associations also advocate for making permanent these remaining temporary measures, stating that without them, the Commission's processes and rules, particularly with respect to installment payment requests, are sufficiently onerous as to prevent distressed fee payors from effectively accessing the relief.²⁸³ Because we did not propose to codify the remaining temporary measures in the *FY 2023 NPRM*, the record is insufficient to consider the State Broadcasters Associations' proposal and we therefore decline to consider it at this time.

127. Finally, in the *FY 2023 NPRM*, we amended section 1.1166 of our rules²⁸⁴ to permit parties seeking regulatory fee waiver, reduction and/or deferral to make a single request for all forms of relief sought, rather than requiring separate filings for each form of relief, and to require all requests made under the rule to be submitted electronically to a dedicated email address.²⁸⁵ We also amended section 1.1914 of our rules²⁸⁶ to direct parties seeking to pay their regulatory fees in installments to submit those requests to the same dedicated email address and to permit those parties to combine their installment payment requests with their waiver.²⁸⁷ While we did not receive any comments on this point, it is very unlikely that the OMB PRA approval process will conclude in time for parties seeking installment relief to proceed under the codified revisions to section 1.1914. Therefore, we will continue these revisions to section 1.1914 as temporary measures until their codification is effective.²⁸⁸

128. We also remind regulatory fee payors that we cannot relax the substantive 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.²⁸⁹ Under the statute, the Commission may only waive a regulatory fee, penalty, or interest charge if it finds there is good cause for the waiver and that the waiver is in the public interest.²⁹⁰ 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."²⁹¹ Other

53 (A party seeking regulatory fee relief must include with its request all documents and information necessary to prove that the relief sought should be granted.)

²⁸² More than one post-filing documentation submission, and/or any submission after January 31, 2024, is outside the scope of our partial waiver of the requirements of section 1.1166(c).

²⁸³ State Broadcasters Associations Reply at 17.

²⁸⁴ 47 CFR § 1.1166.

²⁸⁵ *FY 2023 NPRM* at paras. 16-17.

²⁸⁶ 47 CFR § 1.1914.

²⁸⁷ *Id.*

²⁸⁸ We expect that the OMB PRA approval process will conclude and the rule will become effective approximately six months after the release of this *FY 2023 Report and Order*.

²⁸⁹ 47 U.S.C. § 159A(d).

²⁹⁰ *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.

²⁹¹ *FY 2020 Report and Order*, 36 FCC Rcd at 1762, para. 87.

statutory limitations include that the Commission must act on waiver requests individually,²⁹² and cannot extend the deadline we set for payment of fees beyond September 30.²⁹³

H. Providing Installment Payment Relief to Small Regulatory Fee Payors

129. In the *FY 2023 NPRM*, we sought comment on a proposal to allow regulatory fee payors to prepay their annual regulatory fees in increments before the annual regulatory fee payment deadline.²⁹⁴ The State Broadcasters Associations asked that the Commission consider the proposal, on the basis that permitting incremental prepayment of regulatory fees would ease broadcasters' regulatory fee burden.²⁹⁵ In seeking comment on the proposal, we noted that implementation of such a program would require modifications to our recordkeeping, financial operations, and accounting systems and additional personnel to administer the program. We asked commenters what concrete benefits the Commission and participating regulatory fee payors would derive from the program, to justify the Commission's cost of implementing and administering a prepayment by installment program.²⁹⁶ In their reply comments, the State Broadcasters Associations concede the significant administrative difficulties of a prepayment program but do not identify any program benefits sufficient to justify implementation and administration of such a program.²⁹⁷ We received no other comments on the proposal. Because the record does not identify any concrete benefits derived from a prepayment program, as distinct from, for example, broadcasters individually setting aside money each month in advance of the payment deadline to pay their regulatory fee obligation, and would increase the Commission's costs, we decline to adopt the proposal to permit regulated parties to prepay their annual regulatory fee obligation in increments in advance of the regulatory fee payment deadline.

I. Technical Corrections to Sections 1.1166 and 1.1914 of the Commission's rules

130. Today, we further amend section 1.1166 to delete certain language added to the rule in error in the *FY 2023 NPRM*.²⁹⁸ Specifically, we delete "or installment payment" in the introductory paragraph of section 1.1166 and in 1.1166(a), make grammatical changes to move the word "or" twice, and we delete "and 1.1914" in 1.1166(a). We also restore the following text (bolded) that was inadvertently deleted from section 1.1166(a) in the *FY 2023 NPRM*: "All requests for waiver, reduction and deferral shall be acted upon by the Managing Director **with the concurrence of the General Counsel.**"

131. We also make two technical corrections to section 1.1914 to clarify the language of the rule. The third sentence of section 1.1914(a) is revised to read as follows: "Requests for installment payment of non-regulatory fee debt shall be filed electronically, by submission to the following email

²⁹² 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.

²⁹³ 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."). Our annual fiscal year S&E appropriation also explicitly directs the Commission to assess and collect regulatory fees during the relevant fiscal year.

²⁹⁴ *FY 2023 NPRM* at paras. 92-93.

²⁹⁵ Letter from Lauren Lynch Flick, Pillsbury Winthrop Shaw Pittman LLP to Marlene H. Dortch, Secretary, Federal Communications Commission, MD Docket No. 22-301 (Dec. 12, 2022).

²⁹⁶ *FY 2023 NPRM* at para. 93.

²⁹⁷ State Broadcasters Associations Reply at 18.

²⁹⁸ *See FY 2023 NPRM*, Appendix K.

address: installmentplanrequest@fcc.gov.” We make this change to ensure that, for administrative simplicity purposes, installment payment requests that are non-regulatory fee in nature are submitted to a different email address than the email address to which all regulatory fee relief requests, including those for installment payment of regulatory fees, are to be submitted. Finally, we revise the fourth sentence of section 1.1914(a) to more clearly state that requests for installment payment of regulatory fees may be combined with other regulatory fee relief requests that are filed pursuant to section 1.1166 of our rules.

132. We make these technical corrections *sua sponte* without notice and comment because we conclude that they are rules of agency organization, procedure, or practice exempt from the general notice-and-comment requirements of the Administrative Procedure Act (APA).²⁹⁹

J. Advancing Diversity, Equity, Inclusion, and Accessibility

133. In the *FY 2023 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.³⁰⁰ We did not receive any comments on this issue. While diversity and equity considerations do not impact our methodology for establishing regulatory fee rates, we continue to remain mindful of the importance of these considerations and the impact of our rules on them. We again emphasize, however, that the Commission is not permitted 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.³⁰¹

IV. PROCEDURAL MATTERS

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

135. *Commission’s Registration System.* To increase efficiency, the Commission is using an all-electronic payment system for regulatory fees, which is contained within the Commission’s Registration System (CORES). Before using CORES for the first time, you must obtain an FCC Username through the FCC User Registration System, and subsequently use it to access CORES and either register an FCC Registration Number (FRN) or associate an existing FRN to your password. If you are unable to register electronically, you may fax your application for a Registration Number (FCC Form 160) to the CORES Helpdesk at (202) 418-7869 for filing procedures.

136. *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 \$24,999.99.³⁰² 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 2023 regulatory fee collection in Fact Sheets,

²⁹⁹ 5 U.S.C. § 553(b)(A).

³⁰⁰ *FY 2023 NPRM* at para 85.

³⁰¹ *FY 2022 Report and Order* at para. 104.

³⁰² 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*.

<https://www.fcc.gov/regfees>.

137. *Payment Methods.* During the fee season for collecting regulatory fees, regulatees can pay their fees by credit card through Pay.gov,³⁰³ ACH, debit card,³⁰⁴ or by wire transfer. Additional payment instructions are posted on the Commission's website at <https://www.fcc.gov/licensing-databases/fees/wire-transfer>. 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 <https://www.fcc.gov/licensing-databases/fees/wire-transfer>.

138. *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 regulatory fee payor 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.³⁰⁵ 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 regulatory fee payor will need to reevaluate the total annual fee liability each fiscal year to determine whether it meets the de minimis exemption.

139. *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, 2022 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 October 1, 2022.
- *Wireline (Common Carrier) Services:* Regulatory fees must be paid for authorizations that were granted on or before October 1, 2022. In instances where a permit or license is transferred or assigned after October 1, 2022, 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.³⁰⁶ 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.³⁰⁷ The unit count should be based on toll free numbers managed by RespOrgs on or about December 31, 2022.
- *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, 2022. The number of subscribers, units, or telephone numbers on December 31, 2022 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, 2022,

³⁰³ *Treasury Financial Manual*, Volume I, Part 5, Chapter 7000, Section 7055—*Transaction Maximums*.

³⁰⁴ *Id.*

³⁰⁵ *FY 2019 Report and Order*, 34 FCC Rcd at 8206-8207, paras. 46-48; 47 U.S.C. § 159(e)(2).

³⁰⁶ Audio bridging services are toll teleconferencing services.

³⁰⁷ 47 CFR § 52.103.

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.”³⁰⁸ 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, 2022.³⁰⁹ Regulatory fees also must be paid for CARS licenses that were granted on or before October 1, 2022. In instances where a permit or license is transferred or assigned after October 1, 2022, 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, 2022. In instances where a permit or license is transferred or assigned after October 1, 2022, 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) by all licensed or authorized earth stations on or before October 1, 2022, (2) geostationary orbit space stations and non-geostationary orbit satellite systems that are licensed and operational on or before October 1, 2022, and (3) small satellite space stations that were licensed and operational on or before October 1, 2022. In instances where a permit or license is transferred or assigned after October 1, 2022, responsibility for payment rests with the holder of the permit or license as of the fee due date. During the “de-commissioning” phase of satellites, whereby satellites are often not operational, the satellite license must be cancelled by September 30, 2022 to avoid paying FY 2023 regulatory fees.
- *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, 2022. Regulatory fees for terrestrial and satellite IBCs are to be paid based on active (used or leased) international bearer circuits as of December 31, 2022 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, 2022. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits.³¹⁰ In instances where a permit or license is transferred or assigned after October 1, 2022, responsibility for payment rests with the holder of the permit or license as of the fee due date.

140. *Commercial Mobile Radio Service (CMRS) and Mobile Services Assessments*. The

³⁰⁸ These multiyear licenses are for PLMRS (exclusive), PLMRS (shared), Microwave, Marine (ship), Aviation (aircraft), Marine (coast), and Aviation (ground).

³⁰⁹ 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 2022, rather than on a count as of December 31, 2022.

³¹⁰ 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.

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”).³¹¹ 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.

141. A carrier wishing to revise its telephone number (subscriber) count can do so by accessing CORES 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.³¹² The Commission will then review the revised count and supporting documentation and either approve or disapprove the submission in CORES. 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 CORES. 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 CORES. A final CMRS assessment letter will not be mailed out.

142. Because some carriers do not file the NRUF report, they may not see their telephone number counts in CORES. 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, 2022, and submit their fee payment accordingly. Whether a carrier reviews its telephone number counts in CORES 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.

143. *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 2023 fees before FY 2023 ends on September 30, 2023. 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.

144. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),³¹³ 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.”³¹⁴ The Commission has prepared a Final

³¹¹ See *Assessment and Collection of Regulatory Fees for Fiscal Year 2005*, Report and Order and Order on Reconsideration, 20 FCC Red 12259, 12264, paras. 38-44 (2005).

³¹² 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.

³¹³ 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).

³¹⁴ See 5 U.S.C. § 605(b).

Regulatory Flexibility Analysis (FRFA) concerning the possible impact of this Report and Order on small entities. The FRFA is set forth in Appendix I.

145. *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).

146. *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).

147. *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).

V. ORDERING CLAUSES

148. Accordingly, **IT IS ORDERED** that, pursuant to the authority found in sections 4(i) and (j), 9, 9A, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 159, 159A, and 303(r), this Report and Order **IS HEREBY ADOPTED**.

149. **IT IS FURTHER ORDERED** that the FY 2023 section 9 regulatory fees assessment requirements and the rules set forth in Appendix J **ARE ADOPTED** as specified herein.

150. **IT IS FURTHER ORDERED** that the Report and Order, except for portions containing information collection requirements in sections 1.1166 and 1.1914 that have not been approved by OMB, **SHALL BE EFFECTIVE** upon publication in the Federal Register.

IT IS FURTHER ORDERED that the amendments to section 1.1166 of the Commission's rules, 47 CFR § 1.1166, in this Report and Order **SHALL BE EFFECTIVE** 30 days after publication in the Federal Register, which will not occur until after the Office of Management and Budget has completed review of these amendments under the PRA. The amendments to section 1.1914 of the Commission's rules, 47 CFR § 1.1914, which may contain new or substantively modified information collection requirements, will not become effective until 30 days after publication of a Public Notice in the Federal Register that the Office of Management and Budget has completed review of any information collection requirements that the Office of Managing Director determines is required under the PRA. The Federal Communications Commission will publish a document in the Federal Register announcing the effective date of these provisions.

151. **IT IS FURTHER ORDERED** that the Commission's Office of the Secretary, Reference Information Center, **SHALL SEND** a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX A

List of Commenters

Commenter	Abbreviated Name	Date Filed
Astroscale U.S., Inc.	Astroscale	6/14/23 Initial Comments 6/29/23 Reply Comments
Blue Origin	Blue Origin	6/14/23
O3b Limited, SES Americom, Inc., Telesat Canada, and WorldVu Satellites Limited d/b/a OneWeb	Satellite Operators	6/14/23 Initial Comments 6/29/23 Reply Comments
Submarine Cable Coalition	Submarine Cable Coalition	6/14/23
National Association of Broadcasters	NAB	6/14/23 Initial Comments 6/29/23 Reply Comments
TechFreedom	TechFreedom	6/14/23
Spaceflight, Inc.	Spaceflight	6/14/23
Space Exploration Holdings, LLC	Space X	6/14/23
Kinéis	Kinéis	6/14/23
Intelsat License LLC	Intelsat	6/14/23
Tomorrow Companies, Inc. and BlackSky Global, LLC	EESS Operators	6/29/23
Myriota Pty. Ltd.	Myriota	6/28/23
Momentum Space LLC	Momentum	6/29/23
Satellite Industry Association	SIA	6/29/23
CONFERS	CONFERS	6/29/23
WISPA – Broadband Without Boundaries	WISPA	6/29/23
CTIA – The Wireless Association®	CTIA	6/29/23
The Alabama Broadcasters Association, Alaska Broadcasters Association, Arizona Broadcasters Association, Arkansas Broadcasters Association, California Broadcasters Association, Colorado Broadcasters Association, Connecticut Broadcasters	State Broadcasters Associations	6/29/23

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		
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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		
<i>Ex partes</i>		
Letter from Karis A. Hastings, counsel for SES, to Marlene H. Dortch, Secretary, Federal Communications Commission (June 28, 2023)	Satellite <i>ex parte</i>	6/28/23
Letter from Will Lewis, counsel to Myriota, to Marlene H. Dortch, Secretary, Federal Communications Commission (July 13, 2023)	Myriota <i>ex parte</i>	7/13/23
Letter from Rick Kaplan, Chief Legal Officer and Executive Vice President, Regulatory Affairs, NAB, to Marlene H. Dortch, Secretary, Federal Communications Commission (July 21, 2023)	NAB 7/21/23 <i>ex parte</i>	7/21/23
Letter from Emily A. Gomes, Assistant General Counsel, Regulatory and Legal Affairs, NAB, to Marlene H. Dortch, Secretary, Federal Communications Commission (July 28, 2023)	NAB 7/28/23 <i>ex parte</i>	7/28/23
Letter from Joel Bernstein, Vice President, Regulatory and Public Policy, Somos, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (Aug. 1, 2023)	Somos 8/1/23 letter	8/1/23

APPENDIX B

Calculation of FY 2023 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 2023 Payment Units	Yrs	FY 2022 Revenue Estimate	Pro-Rated FY 2023 Revenue Requirement	Computed FY 2023 Regulatory Fee	Rounded FY 2023 Reg. Fee	Expected FY 2023 Revenue
PLMRS (Exclusive Use)	1,200	10	187,500	300,000	25.00	25	300,000
PLMRS (Shared use)	19,000	10	1,250,000	1,900,000	10.00	10	1,900,000
Microwave	16,000	10	4,500,000	4,000,000	25.00	25	4,000,000
Marine (Ship)	7,000	10	1,035,000	1,050,000	15.00	15	1,050,000
Aviation (Aircraft)	4,800	10	420,000	480,000	10.00	10	480,000
Marine (Coast)	240	10	84,000	96,000	40.00	40	96,000
Aviation (Ground)	300	10	70,000	60,000	20.00	20	60,000
AM Class A ¹	60	1	326,740	286,929	4,782	4,780	286,800
AM Class B ¹	1,403	1	4,054,050	3,559,924	2,537	2,535	3,556,605
AM Class C ¹	814	1	1,450,360	1,274,519	1,566	1,565	1,273,910
AM Class D ¹	1,373	1	4,793,460	4,210,959	3,067	3,065	4,208,245
FM Classes A, B1 & C3 ¹	3,043	1	10,109,400	8,880,633	2,918	2,920	8,885,560
FM Classes B, C, C0, C1 & C2 ¹	3,111	1	12,378,460	10,874,394	3,496	3,495	10,872,945
AM Construction Permits ²	5	1	3,450	3,100	620.1	620	3,100
FM Construction Permits ²	16	1	19,360	17,360	1,085	1,085	17,360
Digital Television ⁵ (including Satellite TV)	3.265 billion population	1	28,897,591	25,463,155	.00779893	.007799	25,463,735
Digital TV Construction Permits ²	4	1	20,840	20,400	5,100	5,100	20,400
LPTV/Class A/Translators FM Trans/Boosters	6,325	1	1,858,440	1,630,258	257.7	260	1,644,500
CARS Stations	120	1	230,175	206,629	1,721.9	1,720	206,400
Cable TV Systems, including IPTV & DBS	56,000,000	1	76,475,000	68,642,063	1.226	1.23	68,880,000
Interstate Telecommunication Service Providers	\$25,100,000,000	1	124,597,500	135,463,365	0.005397	0.00540	135,540,000
Toll Free Numbers	34,700,000	1	4,164,000	4,654,582	0.1341	0.13	4,511,000
CMRS Mobile Services (Cellular/Public Mobile)	553,000,000	1	74,900,000	86,750,595	0.1569	0.16	88,480,000
CMRS Messaging Services	1,300,000	1	120,000	104,000	0.0800	0.080	104,000
BRS/ ³	1,195	1	716,625	836,500	700	700	836,500
LMDS	360	1	204,750	252,000	700	700	252,000

Fee Category	FY 2023 Payment Units	Yrs	FY 2022 Revenue Estimate	Pro-Rated FY 2023 Revenue Require- ment	Computed FY 2023 Regulatory Fee	Rounded FY 2023 Reg. Fee	Expected FY 2023 Revenue
Per Gbps circuit Int'l Bearer Circuits Terrestrial (Common & Non-Common) & Satellite (Common & Non- Common)	17,000	1	468,000	433,092	25.48	26	442,000
Submarine Cable Providers (See chart at bottom of Appendix C) ⁴	67.00	1	8,822,138	8,228,737	122,817	122,815	8,228,605
Earth Stations	2,900	1	1,783,500	1,667,486	575	575	1,667,500
Space Stations (Geostationary)	136	1	17,143,565	15,990,883	117,580	117,580	15,990,880
Space Stations (Non- Geostationary, Other)	9	1	3,380,200	3,129,773	347,753	347,755	3,129,795
Space Stations (Non- Geostationary, Less Complex)	6	1	845,040	782,443	130,407	130,405	782,430
Space Stations (Non- Geostationary, Small Satellite)	7	1	60,725	85,505	12,215	12,215	85,505
***** Total Estimated Revenue to be Collected			385,369,869	389,885,391			392,991,324
***** Total Revenue Requirement			381,950,000	390,192,000			390,192,000
Difference			3,419,869	(306,609)			2,799,324

Notes on Appendix B

¹ The fee amounts listed in the column entitled “Rounded New FY 2023 Regulatory Fee” constitute a weighted average broadcast regulatory fee by class of service. The actual FY 2023 regulatory fees for AM/FM radio stations 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 based on the threshold 10,001 – 25,000, the traditional basis for identifying the lowest licensed fee. 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 2023 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)	.16
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)	700
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	700
AM Radio Construction Permits	620
FM Radio Construction Permits	1,085
AM and FM Broadcast Radio Station Fees	See Table Below
Digital TV (47 CFR part 73) VHF and UHF Commercial Fee Factor	\$.007799 See Appendix G for fee amounts due, also available at https://www.fcc.gov/licensing-databases/fees/regulatory-fees
Digital TV Construction Permits	5,100
Low Power TV, Class A TV, TV/FM Translators & FM Boosters (47 CFR part 74)	260

Fee Category	Annual Regulatory Fee (U.S. \$s)
CARS (47 CFR part 78)	1,720
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV and Direct Broadcast Satellite (DBS)	1.23
Interstate Telecommunication Service Providers (per revenue dollar)	.00540
Toll Free (per toll free subscriber) (47 CFR section 52.101 (f) of the rules)	.13
Earth Stations (47 CFR part 25)	575
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	117,580
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other)	347,755
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex)	130,405
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)	\$26
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

FY 2023 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
<=10,000	\$595	\$430	\$370	\$410	\$650	\$745
10,001 - 25,000	\$990	\$715	\$620	\$680	\$1,085	\$1,240
25,001 – 75,000	\$1,485	\$1,075	\$930	\$1,020	\$1,630	\$1,860
75,001 – 150,000	\$2,230	\$1,610	\$1,395	\$1,530	\$2,440	\$2,790
150,001 – 500,000	\$3,345	\$2,415	\$2,095	\$2,300	\$3,665	\$4,190
500,001 – 1,200,000	\$5,010	\$3,620	\$3,135	\$3,440	\$5,490	\$6,275
1,200,001 – 3,000,000	\$7,525	\$5,435	\$4,710	\$5,170	\$8,245	\$9,425
3,000,001 – 6,000,000	\$11,275	\$8,145	\$7,060	\$7,745	\$12,360	\$14,125
>6,000,000	\$16,920	\$12,220	\$10,595	\$11,620	\$18,545	\$21,190

FY 2023 International Bearer Circuits - Submarine Cable Systems

Submarine Cable Systems (capacity as of December 31, 2022)	Fee Ratio	FY 2023 Regulatory Fees
Less than 50 Gbps	.0625 Units	\$7,680
50 Gbps or greater, but less than 250 Gbps	.125 Units	\$15,355
250 Gbps or greater, but less than 1,500 Gbps	.25 Units	\$30,705
1,500 Gbps or greater, but less than 3,500 Gbps	.5 Units	\$61,410
3,500 Gbps or greater, but less than 6,500 Gbps	1.0 Unit	\$122,815
6,500 Gbps or greater	2.0 Units	\$245,630

APPENDIX D

Sources of Payment Unit Estimates for FY 2023

In order to calculate individual service fees for FY 2023, we adjusted FY 2022 payment units for each service to more accurately reflect expected FY 2023 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 realize that by adjusting the unit counts as more accurate information is received may adjust the fee rates for certain regulatory fee categories. Certain entities that collect the fees from customers in advance in order to pay the Commission, such as Cable and DBS companies, ITSP providers, Cell Phone and Toll-Free providers, to name a few, may need to adjust their billings to customers as the Commission adjusts its fee rates. As a result, the Commission understands that these adjustments are necessary so that these regulatees can recover their fee obligations from their customers.

We sought verification for these estimates from multiple sources and, in all cases, we compared FY 2023 estimates with actual FY 2022 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 2023 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 2023 payment units are based on FY 2022 actual payment units, it does not necessarily mean that our FY 2023 projection is exactly the same number as in FY 2022. We have either rounded the FY 2023 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) information as well as prior year payment information. Estimates have been adjusted to take into consideration the licensing of portions of these services.
CMRS Cellular/Mobile Services	Based on WTB projection reports, and FY 2022 payment data.
CMRS Messaging Services	Based on WTB reports, and FY 2022 payment data.
AM/FM Radio Stations	Based on downloaded LMS data, adjusted for exemptions, and actual FY 2022 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 LMS data, adjusted for exemptions, and actual FY 2022 payment units.
LPTV, Translators and Boosters, Class A Television	Based on LMS data, adjusted for exemptions, and actual FY 2022 payment units.
BRS (formerly MDS/MMDS)LMDS	Based on WTB reports and actual FY 2022 payment units. Based on WTB reports and actual FY 2022 payment units.
Cable Television Relay Service (CARS) Stations	Based on cable trend data, data from the Media Bureau's COALS database, and actual FY 2022 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 2022 payment units.
Interstate Telecommunication Service Providers	Based on FCC Form 499-A worksheets due in April 2023, and any data assistance provided by the Wireline Competition Bureau.
Earth Stations	Based on International Bureau licensing data and actual FY 2022 payment units.
Space Stations (GSOs & NGSOs)	Based on International Bureau data reports and actual FY 2022 payment units.
International Bearer Circuits	Based on assistance provided by the International Bureau, any data submissions by licensees, adjusted as necessary, and actual FY 2022 payment units.
Submarine Cable Licenses	Based on International Bureau license information, and actual FY 2022 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 2020 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 2020 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 2023 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	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	ECHOSTAR 18	GSO
DISH Operating L.L.C.	S2738	ECHOSTAR 11	GSO
DISH Operating L.L.C.	S2694	ECHOSTAR 10	GSO
DISH Operating L.L.C.	S2740	ECHOSTAR 7	GSO
DISH Operating L.L.C.	S2790	ECHOSTAR 14	GSO
EchoStar Satellite Operating Corporation	S2811	ECHOSTAR 15	GSO
EchoStar Satellite Operating Corporation	S2844	ECHOSTAR 16	GSO
EchoStar Satellite Services L.L.C.	S2179	ECHOSTAR 9	GSO
ES 172 LLC	S2610	EUTELSAT 174A	GSO
ES 172 LLC	S3021	EUTELSAT 172B	GSO
Horizon-3 Satellite LLC	S2947	HORIZONS-3e	GSO
Hughes Network Systems, LLC	S2663	SPACEWAY 3	GSO
Hughes Network Systems, LLC	S2834	ECHOSTAR 19	GSO
Hughes Network Systems, LLC	S2753	ECHOSTAR XVII	GSO
Intelsat License LLC/ViaSat, Inc.	S2160	GALAXY 28	GSO
Intelsat License LLC	S2414	INTELSAT 10-02	GSO
Intelsat License LLC	S2972	INTELSAT 37e	GSO
Intelsat License LLC	S2854	NSS-7	GSO
Intelsat License LLC	S2409	INELSAT 905	GSO
Intelsat License LLC	S2405	INTELSAT 901	GSO
Intelsat License LLC	S2408	INTELSAT 904	GSO
Intelsat License LLC	S2804	INTELSAT 25	GSO
Intelsat License LLC	S2959	INTELSAT 35e	GSO
Intelsat License LLC	S2237	INTELSAT 11	GSO
Intelsat License LLC	S2785	INTELSAT 14	GSO
Intelsat License LLC	S2380	INTELSAT 9	GSO

Intelsat License LLC	S2831	INTELSAT 23	GSO
Intelsat License LLC	S2915	INTELSAT 34	GSO
Intelsat License LLC	S2863	INTELSAT 21	GSO
Intelsat License LLC	S2750	INTELSAT 16	GSO
Intelsat License LLC	S2715	GALAXY 17	GSO
Intelsat License LLC	S2154	GALAXY 25	GSO
Intelsat License LLC	S2253	GALAXY 11	GSO
Intelsat License LLC	S2381	GALAXY 3C	GSO
Intelsat License LLC	S2887	INTELSAT 30	GSO
Intelsat License LLC	S2924	INTELSAT 31	GSO
Intelsat License LLC	S2647	GALAXY 19	GSO
Intelsat License LLC	S2687	GALAXY 16	GSO
Intelsat License LLC	S2733	GALAXY 18	GSO
Intelsat License LLC	S2385	GALAXY 14	GSO
Intelsat License LLC	S2386	GALAXY 13	GSO
Intelsat License LLC	S2422	GALAXY 12	GSO
Intelsat License LLC	S2387	GALAXY 15	GSO
Intelsat License LLC	S2704	INTELSAT 5	GSO
Intelsat License LLC	S2817	INTELSAT 18	GSO
Intelsat License LLC	S2850	INTELSAT 19	GSO
Intelsat License LLC	S2368	INTELSAT 1R	GSO
Intelsat License LLC	S2789	INTELSAT 15	GSO
Intelsat License LLC	S2423	HORIZONS 2	GSO
Intelsat License LLC	S2846	INTELSAT 22	GSO
Intelsat License LLC	S2847	INTELSAT 20	GSO
Intelsat License LLC	S2948	INTELSAT 36	GSO
Intelsat License LLC	S2814	INTELSAT 17	GSO
Intelsat License LLC	S2410	INTELSAT 906	GSO
Intelsat License LLC	S2406	INTELSAT 902	GSO
Intelsat License LLC	S2939	INTELSAT 33e	GSO
Intelsat License LLC	S2382	INTELSAT 10	GSO
Intelsat License LLC	S2751	NEW DAWN	GSO
Intelsat License LLC	S3023	INTELSAT 39	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/S3138	AMC-8/SES-22	GSO
Sirius XM Radio Inc.	S2710	FM-5	GSO
Sirius XM Radio Inc.	S3034/S2617/S2616	XM-8/XM-3/XM-4	GSO
Skynet Satellite Corporation	S2933	TELSTAR 12V	GSO
Skynet Satellite Corporation	S2357	TELSTAR 11N	GSO
ViaSat, Inc.	S2747	VIASAT-1	GSO
XM Radio LLC	S2786/S3033	XM-5/XM-7	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
Avanti Hylas 2 Ltd.	S3130	HYLAS-4	GSO
DBSD Services Ltd	S2651	DBSD G1	GSO
Empresa Argentina de Soluciones Satelitales S.A.	S2956	ARSAT-2	GSO
Eutelsat S.A.	S3031	EUTELSAT 133 WEST A	GSO
Eutelsat S. A.	S3056	EUTELSAT 8 WEST B	GSO
Eutelsat S.A.	S3055	EUTELSAT 139 WEST A	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
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
SES-17 S.a.r.l.	S3043	SES-17	GSO
Embratel Tvsat Telecommunicacoes S.A.	S2678	STAR ONE C2	GSO
Embratel Tvsat Telecommunicacoes S.A.	S2845	STAR ONE C3	GSO
Telesat Brasil Capacidade de Satelites Ltda.	S2821	ESTRELA DO SUL 2	GSO
Telesat Canada	S2745	ANIK F1	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
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

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
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
Capella Space Corp.	Capella -7, Capella-8	S3100	Small Satellite
Loft Orbital Solutions Inc.	YAM-3	S3072	Small Satellite
R2 Space, Inc.	XR-1	S3067	Small Satellite
ICEYE US, Inc.	ICEYE	S3082	Small Satellite
Umbra Lab Inc.	Umbra SAR	S3095	Small Satellite

APPENDIX G
FY 2023 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	\$ 6,862
18285	KAAL	589,502	568,169	\$ 4,431
11912	KAAS-TV	220,262	219,922	\$ 1,715
56528	KABB	2,474,296	2,456,689	\$ 19,160
282	KABC-TV	17,540,791	16,957,292	\$ 132,250
1236	KACV-TV	372,627	372,330	\$ 2,904
33261	KADN-TV	877,965	877,965	\$ 6,847
8263	KA EF-TV	138,085	122,808	\$ 958
2728	KAET	4,217,217	4,184,386	\$ 32,634
2767	KAFT	1,204,376	1,122,928	\$ 8,758
62442	KAID	711,035	702,721	\$ 5,481
4145	KAI I-TV	188,810	165,396	\$ 1,290
67494	KAIL	1,947,635	1,914,765	\$ 14,933
13988	KAIT	605,456	596,232	\$ 4,650
40517	KAJB	383,886	383,195	\$ 2,989
65522	KAKE	803,937	799,254	\$ 6,233
804	KAKM	380,240	379,105	\$ 2,957
148	KAKW-DT	2,615,956	2,531,813	\$ 19,746
51598	KALB-TV	943,307	942,043	\$ 7,347
51241	KALO	954,557	910,409	\$ 7,100
40820	KAMC	390,519	390,487	\$ 3,045
8523	KAMR-TV	366,476	366,335	\$ 2,857
65301	KAMU-TV	346,892	342,455	\$ 2,671
2506	KAPP	319,797	283,944	\$ 2,214
3658	KARD	703,234	700,887	\$ 5,466
23079	KARE	3,868,806	3,861,502	\$ 30,116
33440	KARK-TV	1,212,038	1,196,196	\$ 9,329

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
37005	KARZ-TV	1,113,486	1,095,224	\$ 8,542
32311	KASA-TV	1,161,837	1,119,457	\$ 8,731
41212	KASN	1,175,627	1,159,721	\$ 9,045
7143	KASW	4,174,437	4,160,497	\$ 32,448
55049	KASY-TV	1,145,133	1,100,391	\$ 8,582
33471	KATC	1,348,897	1,348,897	\$ 10,520
13813	KATN	97,466	97,128	\$ 758
21649	KATU	3,030,547	2,881,993	\$ 22,477
33543	KATV	1,257,777	1,234,933	\$ 9,631
50182	KAUT-TV	1,637,333	1,636,330	\$ 12,762
21488	KAUU	381,413	380,355	\$ 2,966
6864	KAUZ-TV	381,671	379,435	\$ 2,959
73101	KAVU-TV	319,618	319,484	\$ 2,492
49579	KAWB	186,919	186,845	\$ 1,457
49578	Kawe	136,033	133,937	\$ 1,045
58684	KAYU-TV	809,464	750,766	\$ 5,855
29234	KAZA-TV	14,973,535	13,810,130	\$ 107,705
17433	KAZD	6,776,778	6,774,172	\$ 52,832
1151	KAZQ	1,097,010	1,084,327	\$ 8,457
35811	KAZT-TV	436,925	359,273	\$ 2,802
4148	KBAK-TV	1,510,400	1,263,910	\$ 9,857
16940	KBCA	479,260	479,219	\$ 3,737
53586	KBCB	1,323,222	1,295,924	\$ 10,107
69619	KBCW	8,227,562	7,375,199	\$ 57,519
22685	KBDI-TV	4,042,177	3,683,394	\$ 28,727
56384	KBEH	17,736,497	17,695,306	\$ 138,006
65395	KBFD-DT	953,207	834,341	\$ 6,507
169030	KBGS-TV	159,269	156,802	\$ 1,223
61068	KBHE-TV	140,860	133,082	\$ 1,038
48556	KBIM-TV	205,701	205,647	\$ 1,604
29108	KBIN-TV	912,921	911,725	\$ 7,111

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
33658	KBJR-TV	275,585	271,298	\$ 2,116
83306	KBLN-TV	297,384	134,927	\$ 1,052
63768	KBLR	1,964,979	1,915,861	\$ 14,942
53324	KBME-TV	123,571	123,485	\$ 963
10150	KBMT	767,572	766,414	\$ 5,977
22121	KBMY	119,993	119,908	\$ 935
49760	KBOI-TV	715,191	708,374	\$ 5,525
55370	KBRR	149,869	149,868	\$ 1,169
66414	KBSD-DT	155,012	154,891	\$ 1,208
66415	KBSH-DT	102,781	100,433	\$ 783
19593	KBSI	756,501	754,722	\$ 5,886
66416	KBSL-DT	49,814	48,483	\$ 378
4939	KBSV	1,352,166	1,262,708	\$ 9,848
62469	KBTC-TV	3,697,981	3,621,965	\$ 28,248
61214	KBTB-TV	734,008	734,008	\$ 5,725
6669	KBTX-TV	4,404,648	4,401,048	\$ 34,324
35909	KBVO	1,498,015	1,312,360	\$ 10,235
58618	KBVU	135,249	120,827	\$ 942
6823	KBYU-TV	2,389,548	2,209,060	\$ 17,228
33756	KBZK	123,523	109,131	\$ 851
21422	KCAL-TV	17,499,483	16,889,157	\$ 131,719
11265	KCAU-TV	714,315	706,224	\$ 5,508
14867	KCBA	3,088,394	2,369,803	\$ 18,482
27507	KCBD	414,804	414,091	\$ 3,229
9628	KCBS-TV	17,853,152	16,656,778	\$ 129,906
49750	KCBY-TV	89,156	73,211	\$ 571
33710	KCCI	1,109,952	1,102,514	\$ 8,599
9640	KCCW-TV	284,280	276,935	\$ 2,160
63158	KCDO-TV	2,798,103	2,650,225	\$ 20,669
62424	KCDT	698,389	657,101	\$ 5,125
83913	KCEB	417,491	417,156	\$ 3,253

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
57219	KCEC	3,831,192	3,613,287	\$ 28,180
10245	KCEN-TV	1,795,767	1,757,018	\$ 13,703
13058	KCET	17,129,650	15,689,832	\$ 122,365
18079	KCFW-TV	177,697	140,192	\$ 1,093
132606	KCGE-DT	123,930	123,930	\$ 967
60793	KCHF	1,118,671	1,085,205	\$ 8,464
33722	KCIT	382,477	381,818	\$ 2,978
62468	KCKA	953,680	804,362	\$ 6,273
41969	KCLO-TV	138,413	132,157	\$ 1,031
47903	KCNC-TV	3,794,400	3,541,089	\$ 27,617
71586	KCNS	8,270,858	7,381,656	\$ 57,570
33742	KCOP-TV	17,386,133	16,647,708	\$ 129,835
19117	KCOS	1,014,396	1,014,205	\$ 7,910
63165	KCOY-TV	664,655	459,468	\$ 3,583
33894	KCPQ	4,439,875	4,312,133	\$ 33,630
53843	KCPT	2,507,879	2,506,224	\$ 19,546
33875	KCRA-TV	10,612,483	6,500,774	\$ 50,700
9719	KCRG-TV	1,136,762	1,107,130	\$ 8,635
60728	KCSD-TV	273,553	273,447	\$ 2,133
59494	KCSG	174,814	164,765	\$ 1,285
33749	KCTS-TV	4,177,824	4,115,603	\$ 32,098
41230	KCTV	2,547,456	2,545,645	\$ 19,853
58605	KCVU	684,900	674,585	\$ 5,261
10036	KCWC-DT	44,216	39,439	\$ 308
64444	KCWE	2,459,924	2,458,302	\$ 19,172
51502	KCWI-TV	1,043,811	1,042,642	\$ 8,132
42008	KCWO-TV	50,707	50,685	\$ 395
166511	KCWV	207,398	207,370	\$ 1,617
24316	KCWX	3,961,268	3,954,787	\$ 30,843
68713	KCWY-DT	80,904	80,479	\$ 628
22201	KDAF	6,648,507	6,645,226	\$ 51,826

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
33764	KDBC-TV	1,015,564	1,015,162	\$ 7,917
79258	KDCK	43,088	43,067	\$ 336
166332	KDCU-DT	753,204	753,190	\$ 5,874
38375	KDEN-TV	3,376,799	3,351,182	\$ 26,136
17037	KDFI	6,684,439	6,682,487	\$ 52,117
33770	KDFW	6,659,312	6,657,023	\$ 51,918
29102	KDIN-TV	1,088,376	1,083,845	\$ 8,453
25454	KDKA-TV	3,611,796	3,450,690	\$ 26,912
60740	KDKF	71,413	64,567	\$ 504
4691	KDLH	263,422	260,394	\$ 2,031
41975	KDLO-TV	208,354	208,118	\$ 1,623
55379	KDLT-TV	639,284	628,281	\$ 4,900
55375	KDLV-TV	96,873	96,620	\$ 754
25221	KDMD	376,906	374,641	\$ 2,922
78915	KDMI	1,141,990	1,140,939	\$ 8,898
56524	KDNL-TV	2,987,219	2,982,311	\$ 23,259
24518	KDOC-TV	17,503,793	16,701,233	\$ 130,253
1005	KDOR-TV	1,112,060	1,108,556	\$ 8,646
60736	KDRV	519,706	440,002	\$ 3,432
61064	KDSD-TV	64,314	59,635	\$ 465
53329	KDSE	42,896	41,432	\$ 323
56527	KDSM-TV	1,096,220	1,095,478	\$ 8,544
49326	KDTN	6,602,327	6,600,186	\$ 51,475
83491	KDTP	26,564	24,469	\$ 191
33778	KDTV-DT	7,959,349	7,129,638	\$ 55,604
67910	KDTX-TV	6,680,738	6,679,424	\$ 52,093
126	KDVR	3,644,912	3,521,884	\$ 27,467
18084	KECI-TV	211,745	193,803	\$ 1,511
51208	KECY-TV	399,372	394,379	\$ 3,076
58408	KEDT	513,683	513,683	\$ 4,006
55435	KEET	177,313	159,960	\$ 1,248

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
37103	KEKE	97,959	94,560	\$ 737
41983	KELO-TV	705,364	646,126	\$ 5,039
34440	KEMO-TV	8,270,858	7,381,656	\$ 57,570
2777	KEMV	619,889	559,135	\$ 4,361
26304	KENS	2,544,094	2,529,382	\$ 19,727
63845	KENV-DT	47,220	40,677	\$ 317
18338	KENW	87,017	87,017	\$ 679
50591	KEPB-TV	576,964	523,655	\$ 4,084
56029	KEPR-TV	453,259	433,260	\$ 3,379
49324	KERA-TV	6,681,083	6,677,852	\$ 52,081
40878	KERO-TV	1,285,357	1,164,979	\$ 9,086
61067	KESD-TV	166,018	159,195	\$ 1,242
25577	KESQ-TV	1,334,172	572,057	\$ 4,461
50205	KETA-TV	1,702,441	1,688,227	\$ 13,166
62182	KETC	2,913,924	2,911,313	\$ 22,705
37101	KETD	3,323,570	3,285,231	\$ 25,622
2768	KETG	426,883	409,511	\$ 3,194
12895	KETH-TV	6,088,821	6,088,677	\$ 47,486
55643	KETK-TV	1,031,567	1,030,122	\$ 8,034
2770	KETS	1,185,111	1,166,796	\$ 9,100
53903	KETV	1,355,238	1,350,292	\$ 10,531
92872	KETZ	526,890	523,877	\$ 4,086
68853	KEYC-TV	544,900	531,079	\$ 4,142
33691	KEYE-TV	2,732,257	2,652,529	\$ 20,687
60637	KEYT-TV	1,419,564	1,239,577	\$ 9,667
83715	KEYU	339,348	339,302	\$ 2,646
34406	KEZI	1,113,171	1,065,880	\$ 8,313
34412	KFBB-TV	93,519	91,964	\$ 717
125	KFCT	795,114	788,747	\$ 6,151
51466	KFDA-TV	385,064	383,977	\$ 2,995
22589	KFDM	732,665	732,588	\$ 5,713

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
65370	KFDX-TV	381,703	381,318	\$ 2,974
49264	KFFV	4,020,926	3,987,153	\$ 31,096
12729	KFFX-TV	409,952	403,692	\$ 3,148
83992	KFJX	689,090	663,506	\$ 5,175
42122	KFMB-TV	3,947,735	3,699,981	\$ 28,856
53321	KFME	393,045	392,472	\$ 3,061
74256	KFNB	80,382	79,842	\$ 623
21613	KFNE	54,988	54,420	\$ 424
21612	KFNR	10,988	10,965	\$ 86
66222	KFOR-TV	1,616,459	1,615,614	\$ 12,600
33716	KFOX-TV	1,023,999	1,018,549	\$ 7,944
41517	KFPH-DT	347,579	282,838	\$ 2,206
81509	KFPX-TV	963,969	963,846	\$ 7,517
31597	KFQX	186,473	163,637	\$ 1,276
59013	KFRE-TV	1,721,275	1,705,484	\$ 13,301
51429	KFSF-DT	7,348,828	6,528,430	\$ 50,915
66469	KFSM-TV	906,728	884,919	\$ 6,901
8620	KFSN-TV	1,836,607	1,819,585	\$ 14,191
29560	KFTA-TV	818,859	809,173	\$ 6,311
83714	KFTC	61,990	61,953	\$ 483
60537	KFTH-DT	6,080,688	6,080,373	\$ 47,421
60549	KFTR-DT	17,560,679	16,305,726	\$ 127,168
61335	KFTS	74,936	65,126	\$ 508
81441	KFTU-DT	113,876	109,731	\$ 856
34439	KFTV-DT	1,794,984	1,779,917	\$ 13,882
664	KFVE	82,902	73,553	\$ 574
592	KFVS-TV	895,871	873,777	\$ 6,815
29015	KFWD	6,666,428	6,660,565	\$ 51,946
35336	KFXA	875,538	874,070	\$ 6,817
17625	KFXB-TV	373,280	368,466	\$ 2,874
70917	KFXK-TV	934,043	931,791	\$ 7,267

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
84453	KFXL-TV	862,531	854,678	\$ 6,666
56079	KFXV	1,225,732	1,225,732	\$ 9,559
41427	KFYR-TV	130,881	128,301	\$ 1,001
25685	KGAN	1,083,213	1,057,597	\$ 8,248
34457	KGBT-TV	1,239,001	1,238,870	\$ 9,662
7841	KGCW	949,575	945,476	\$ 7,374
24485	KGEB	1,186,225	1,150,201	\$ 8,970
34459	KGET-TV	917,927	874,332	\$ 6,819
53320	KGFE	114,564	114,564	\$ 893
7894	KGIN	230,535	228,338	\$ 1,781
83945	KGLA-DT	1,636,922	1,636,922	\$ 12,766
34445	KGMB	953,398	851,088	\$ 6,638
58608	KGMC	1,936,675	1,914,168	\$ 14,929
36914	KGMD-TV	94,323	93,879	\$ 732
36920	KGMV	193,564	162,230	\$ 1,265
10061	KGNS-TV	267,236	259,548	\$ 2,024
34470	KGO-TV	8,637,074	7,929,294	\$ 61,841
56034	KGPE	1,699,131	1,682,082	\$ 13,119
81694	KGPX-TV	685,626	624,955	\$ 4,874
25511	KGTF	161,885	160,568	\$ 1,252
40876	KGTV	3,960,667	3,682,219	\$ 28,718
36918	KGUN-TV	1,398,527	1,212,484	\$ 9,456
34874	KGW	3,026,617	2,878,510	\$ 22,449
63177	KGWC-TV	80,475	80,009	\$ 624
63162	KGWL-TV	38,125	38,028	\$ 297
63166	KGWN-TV	469,467	440,388	\$ 3,435
63170	KGWR-TV	51,315	50,957	\$ 397
4146	KHAW-TV	95,204	94,851	\$ 740
60353	KHBS	631,770	608,052	\$ 4,742
27300	KHCE-TV	2,353,883	2,348,391	\$ 18,315
26431	KHET	959,060	944,568	\$ 7,367

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
21160	KHGI-TV	233,973	229,173	\$ 1,787
36917	KHII-TV	953,895	851,585	\$ 6,642
29085	KHIN	1,041,244	1,039,383	\$ 8,106
17688	KHME	181,345	179,706	\$ 1,402
47670	KHMT	175,601	170,957	\$ 1,333
47987	KHNE-TV	203,931	202,944	\$ 1,583
34867	KHNL	953,398	851,088	\$ 6,638
60354	KHOG-TV	765,360	702,984	\$ 5,483
4144	KHON-TV	953,207	886,431	\$ 6,913
34529	KHOU	6,083,315	6,081,936	\$ 47,433
4690	KHQA-TV	318,469	316,134	\$ 2,466
34537	KHQ-TV	822,371	774,821	\$ 6,043
30601	KHRR	1,227,847	1,166,890	\$ 9,101
34348	KHSD-TV	188,735	185,202	\$ 1,444
24508	KHSL-TV	625,904	608,850	\$ 4,748
69677	KHSV	2,059,794	2,020,045	\$ 15,754
64544	KHVO	94,226	93,657	\$ 730
23394	KIAH	6,099,694	6,099,297	\$ 47,568
34564	KICU-TV	8,233,041	7,174,316	\$ 55,952
56028	KIDK	305,509	302,535	\$ 2,359
58560	KIDY	116,614	116,596	\$ 909
53382	KIEM-TV	174,390	160,801	\$ 1,254
66258	KIFI-TV	324,422	320,118	\$ 2,497
16950	KIFR	2,180,045	2,160,460	\$ 16,849
10188	KIII	569,864	566,796	\$ 4,420
29095	KIIN	1,365,215	1,335,707	\$ 10,417
34527	KIKU	953,896	850,963	\$ 6,637
63865	KILM	17,256,205	15,804,489	\$ 123,259
56033	KIMA-TV	308,604	260,593	\$ 2,032
66402	KIMT	654,083	643,384	\$ 5,018
67089	KINC	2,002,066	1,920,903	\$ 14,981

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
34847	KING-TV	4,074,288	4,036,926	\$ 31,484
51708	KINT-TV	1,015,582	1,015,274	\$ 7,918
26249	KION-TV	2,400,317	855,808	\$ 6,674
62427	KIPT	171,405	170,455	\$ 1,329
66781	KIRO-TV	4,058,101	4,030,968	\$ 31,438
62430	KISU-TV	311,827	307,651	\$ 2,399
12896	KITU-TV	712,362	712,362	\$ 5,556
64548	KITV	953,207	839,906	\$ 6,550
59255	KIVI-TV	710,819	702,619	\$ 5,480
47285	KIXE-TV	467,518	428,118	\$ 3,339
13792	KJJC-TV	82,749	81,865	\$ 638
14000	KJLA	17,929,100	16,794,896	\$ 130,983
20015	KJNP-TV	98,403	98,097	\$ 765
53315	KJRE	16,187	16,170	\$ 126
59439	KJRH-TV	1,416,108	1,397,311	\$ 10,898
55364	KJRR	45,515	44,098	\$ 344
7675	KJTL	379,594	379,263	\$ 2,958
55031	KJTV-TV	406,283	406,260	\$ 3,168
13814	KJUD	31,229	30,106	\$ 235
36607	KJZZ-TV	2,388,965	2,209,183	\$ 17,229
83180	KKAI	953,400	919,742	\$ 7,173
58267	KKAP	957,786	923,172	\$ 7,200
24766	KKCO	206,018	172,628	\$ 1,346
35097	KKJB	629,939	624,784	\$ 4,873
22644	KKPX-TV	7,588,288	6,758,490	\$ 52,709
35037	KKTV	2,892,126	2,478,864	\$ 19,333
35042	KLAS-TV	2,094,297	1,940,030	\$ 15,130
52907	KLAX-TV	367,212	366,839	\$ 2,861
3660	KLBK-TV	387,783	387,743	\$ 3,024
65523	KLBY	31,102	31,096	\$ 243
38430	KLCS	17,129,650	15,689,832	\$ 122,365

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
77719	KLCW-TV	381,889	381,816	\$ 2,978
51479	KLDO-TV	250,832	250,832	\$ 1,956
37105	KLEI	175,045	138,087	\$ 1,077
56032	KLEW-TV	164,908	148,256	\$ 1,156
35059	KLFY-TV	1,355,890	1,355,409	\$ 10,571
54011	KLJB	1,027,104	1,012,309	\$ 7,895
11264	KLKN	1,161,979	1,122,111	\$ 8,751
52593	KLML	270,089	218,544	\$ 1,704
47975	KLNE-TV	123,324	123,246	\$ 961
38590	KLPA-TV	414,699	414,447	\$ 3,232
38588	KLPB-TV	749,053	749,053	\$ 5,842
749	KLRN	2,374,472	2,353,440	\$ 18,354
11951	KLRT-TV	1,171,678	1,152,541	\$ 8,989
8564	KLRU	2,614,658	2,575,518	\$ 20,086
8322	KLSR-TV	564,415	508,157	\$ 3,963
31114	KLST	199,067	169,551	\$ 1,322
24436	KLTJ	6,034,131	6,033,867	\$ 47,058
38587	KLTL-TV	423,574	423,574	\$ 3,303
38589	KLTM-TV	694,280	688,915	\$ 5,373
38591	KLTS-TV	947,141	944,257	\$ 7,364
68540	KLTV	1,069,690	1,051,361	\$ 8,200
12913	KLUJ-TV	1,195,751	1,195,751	\$ 9,326
57220	KLUZ-TV	1,079,718	1,019,302	\$ 7,950
11683	KLVX	2,044,150	1,936,083	\$ 15,100
82476	KLWB	1,065,748	1,065,748	\$ 8,312
40250	KLWY	541,043	538,231	\$ 4,198
64551	KMAU	213,060	188,953	\$ 1,474
51499	KMAX-TV	10,767,605	7,132,240	\$ 55,624
65686	KMBC-TV	2,506,035	2,504,622	\$ 19,534
35183	KMCB	69,357	66,203	\$ 516
41237	KMCC	2,064,592	2,010,262	\$ 15,678

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
42636	KMCI-TV	2,429,392	2,428,626	\$ 18,941
38584	KMCT-TV	267,004	266,880	\$ 2,081
22127	KMCY	71,797	71,793	\$ 560
162016	KMDE	35,409	35,401	\$ 276
26428	KMEB	221,810	203,470	\$ 1,587
39665	KMEG	708,748	704,130	\$ 5,492
35123	KMEX-DT	17,628,354	16,318,720	\$ 127,270
40875	KMGH-TV	3,815,224	3,574,344	\$ 27,876
35131	KMID	383,449	383,439	\$ 2,990
16749	KMIR-TV	2,760,914	730,764	\$ 5,699
63164	KMIZ	532,025	530,008	\$ 4,134
53541	KMLM-DT	293,290	293,290	\$ 2,287
52046	KMLU	711,951	708,107	\$ 5,523
47981	KMNE-TV	47,232	44,189	\$ 345
24753	KMOH-TV	199,885	184,283	\$ 1,437
4326	KMOS-TV	804,745	803,129	\$ 6,264
41425	KMOT	81,517	79,504	\$ 620
70034	KMOV	3,035,077	3,029,405	\$ 23,626
51488	KMPH-TV	1,754,037	1,717,555	\$ 13,395
73701	KMPX	6,678,829	6,674,706	\$ 52,056
44052	KMSB	1,321,614	1,039,442	\$ 8,107
68883	KMSP-TV	3,857,891	3,829,859	\$ 29,869
12525	KMSS-TV	1,067,838	1,066,106	\$ 8,315
43095	KMTP-TV	5,242,638	4,441,372	\$ 34,638
35189	KMTR	589,948	520,666	\$ 4,061
35190	KMTV-TV	1,346,549	1,344,796	\$ 10,488
77063	KMTW	761,521	761,516	\$ 5,939
35200	KMVT	184,647	176,351	\$ 1,375
32958	KMVU-DT	308,150	231,506	\$ 1,806
86534	KMYA-DT	200,764	200,725	\$ 1,565
51518	KMYS	2,273,888	2,267,913	\$ 17,687

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
54420	KMYT-TV	1,314,197	1,302,378	\$ 10,157
35822	KMYU	133,563	130,198	\$ 1,015
993	KNAT-TV	1,157,630	1,124,619	\$ 8,771
24749	KNAZ-TV	332,321	227,658	\$ 1,776
47906	KNBC	17,244,237	15,812,389	\$ 123,321
81464	KNBN	145,493	136,995	\$ 1,068
9754	KNCT	1,751,838	1,726,148	\$ 13,462
82611	KNDB	118,154	118,122	\$ 921
82615	KNDM	72,216	72,209	\$ 563
12395	KNDO	314,875	270,892	\$ 2,113
12427	KNDU	475,612	462,556	\$ 3,607
17683	KNEP	101,389	95,890	\$ 748
48003	KNHL	277,777	277,308	\$ 2,163
125710	KNIC-DT	2,398,296	2,383,294	\$ 18,587
59363	KNIN-TV	708,289	703,838	\$ 5,489
48525	KNLC	2,981,508	2,978,979	\$ 23,233
48521	KNLJ	655,000	642,705	\$ 5,012
84215	KNMD-TV	1,135,642	1,108,358	\$ 8,644
55528	KNME-TV	1,148,741	1,105,095	\$ 8,619
47707	KNMT	2,887,142	2,794,995	\$ 21,798
48975	KNOE-TV	733,097	729,703	\$ 5,691
49273	KNOP-TV	87,904	85,423	\$ 666
10228	KNPB	604,614	462,732	\$ 3,609
55362	KNRR	25,957	25,931	\$ 202
35277	KNSD	3,861,660	3,618,321	\$ 28,219
19191	KNSN-TV	611,981	459,485	\$ 3,584
23302	KNSO	1,824,786	1,803,796	\$ 14,068
35280	KNTV	8,525,818	8,027,505	\$ 62,607
144	KNVA	2,550,225	2,529,184	\$ 19,725
33745	KNVN	495,902	470,252	\$ 3,667
69692	KNVO	1,247,014	1,247,014	\$ 9,725

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
29557	KNWA-TV	822,906	804,682	\$ 6,276
59440	KNXV-TV	4,183,943	4,173,022	\$ 32,545
59014	KOAA-TV	1,608,528	1,203,731	\$ 9,388
50588	KOAB-TV	207,070	203,371	\$ 1,586
50590	KOAC-TV	1,957,282	1,543,401	\$ 12,037
58552	KOAM-TV	793,563	767,962	\$ 5,989
53928	KOAT-TV	1,132,372	1,105,116	\$ 8,619
35313	KOB	1,152,841	1,113,162	\$ 8,682
35321	KOBF	201,911	166,177	\$ 1,296
8260	KOBI	562,463	519,063	\$ 4,048
62272	KOBR	211,709	211,551	\$ 1,650
50170	KOCB	1,629,783	1,629,152	\$ 12,706
4328	KOCE-TV	17,446,133	16,461,581	\$ 128,384
84225	KOCM	1,434,325	1,433,605	\$ 11,181
12508	KOCO-TV	1,716,569	1,708,085	\$ 13,321
83181	KOCW	83,807	83,789	\$ 653
18283	KODE-TV	740,156	731,512	\$ 5,705
66195	KOED-TV	1,497,297	1,459,833	\$ 11,385
50198	KOET	658,606	637,640	\$ 4,973
51189	KOFY-TV	5,242,638	4,441,372	\$ 34,638
34859	KOGG	190,829	161,310	\$ 1,258
166534	KOHD	201,310	197,662	\$ 1,542
35380	KOIN	3,028,482	2,881,460	\$ 22,473
35388	KOKH-TV	1,627,116	1,625,246	\$ 12,675
11910	KOKI-TV	1,366,220	1,352,227	\$ 10,546
48663	KOLD-TV	1,216,228	887,754	\$ 6,924
7890	KOLN	1,421,223	1,337,970	\$ 10,435
63331	KOLO-TV	959,178	826,985	\$ 6,450
28496	KOLR	1,076,144	1,038,613	\$ 8,100
21656	KOMO-TV	4,132,260	4,087,435	\$ 31,878
65583	KOMU-TV	551,658	542,544	\$ 4,231

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
35396	KONG	3,998,831	3,981,688	\$ 31,053
60675	KOOD	113,416	113,285	\$ 884
50589	KOPB-TV	3,059,231	2,875,815	\$ 22,428
2566	KOPX-TV	1,501,110	1,500,883	\$ 11,705
64877	KORO	560,983	560,983	\$ 4,375
6865	KOSA-TV	340,978	338,070	\$ 2,637
34347	KOTA-TV	174,876	152,861	\$ 1,192
8284	KOTI	298,175	97,132	\$ 758
35434	KOTV-DT	1,417,753	1,403,838	\$ 10,949
56550	KOVR	10,784,477	7,162,989	\$ 55,864
51101	KOZJ	429,982	427,991	\$ 3,338
51102	KOZK	839,841	834,308	\$ 6,507
3659	KOZL-TV	992,495	963,281	\$ 7,513
35455	KPAX-TV	206,895	193,201	\$ 1,507
67868	KPAZ-TV	4,190,080	4,176,323	\$ 32,571
6124	KPBS	3,584,237	3,463,189	\$ 27,009
50044	KPBT-TV	340,080	340,080	\$ 2,652
77452	KPCB-DT	30,861	30,835	\$ 240
35460	KPDX	2,970,703	2,848,423	\$ 22,215
12524	KPEJ-TV	368,212	368,208	\$ 2,872
41223	KPHO-TV	4,195,073	4,175,139	\$ 32,562
61551	KPIC	156,687	105,807	\$ 825
86205	KPIF	265,080	258,174	\$ 2,013
25452	KPIX-TV	8,226,463	7,360,625	\$ 57,406
58912	KPJK	7,884,411	6,955,179	\$ 54,243
166510	KPJR-TV	3,402,088	3,372,831	\$ 26,305
13994	KPLC	1,406,085	1,403,853	\$ 10,949
41964	KPLO-TV	55,827	52,765	\$ 412
35417	KPLR-TV	2,991,598	2,988,106	\$ 23,304
12144	KPMR	1,731,370	1,473,251	\$ 11,490
47973	KPNE-TV	92,675	89,021	\$ 694

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
35486	KPNX	4,180,982	4,176,442	\$ 32,572
77512	KPNZ	2,394,311	2,208,707	\$ 17,226
73998	KPOB-TV	144,525	143,656	\$ 1,120
26655	KPPX-TV	4,186,998	4,171,450	\$ 32,533
53117	KPRC-TV	6,099,422	6,099,076	\$ 47,567
48660	KPRY-TV	42,521	42,426	\$ 331
61071	KPSD-TV	19,886	18,799	\$ 147
53544	KPTB-DT	322,780	320,646	\$ 2,501
81445	KPTF-DT	84,512	84,512	\$ 659
77451	KPTH	660,556	655,373	\$ 5,111
51491	KPTM	1,405,533	1,404,364	\$ 10,953
33345	KPTS	832,000	827,866	\$ 6,457
50633	KPTV	2,998,460	2,847,263	\$ 22,206
82575	KPTW	89,433	82,522	\$ 644
1270	KPVI-DT	271,379	264,204	\$ 2,061
58835	KPXB-TV	6,062,458	6,062,238	\$ 47,279
68695	KPXC-TV	3,362,518	3,341,951	\$ 26,064
68834	KPXD-TV	6,555,157	6,553,373	\$ 51,110
33337	KPXE-TV	2,437,178	2,436,024	\$ 18,999
5801	KPXG-TV	3,026,219	2,882,598	\$ 22,481
81507	KPXJ	1,138,632	1,135,626	\$ 8,857
61173	KPXL-TV	2,257,007	2,243,520	\$ 17,497
35907	KPXM-TV	3,507,312	3,506,503	\$ 27,347
58978	KPXN-TV	17,256,205	15,804,489	\$ 123,259
77483	KPXO-TV	953,329	913,341	\$ 7,123
21156	KPXR-TV	828,915	821,250	\$ 6,405
10242	KQCA	10,077,891	6,276,197	\$ 48,948
41430	KQCD-TV	35,623	33,415	\$ 261
18287	KQCK	3,216,059	3,185,307	\$ 24,842
78322	KQCW-DT	1,128,198	1,123,324	\$ 8,761
35525	KQDS-TV	304,935	301,439	\$ 2,351

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
35500	KQED	8,195,398	7,283,828	\$ 56,807
35663	KQEH	8,195,398	7,283,828	\$ 56,807
8214	KQET	2,981,040	2,076,157	\$ 16,192
5471	KQIN	596,371	596,277	\$ 4,650
17686	KQME	188,783	184,719	\$ 1,441
61063	KQSD-TV	32,526	31,328	\$ 244
8378	KQSL	199,123	142,419	\$ 1,111
20427	KQTV	1,494,987	1,401,160	\$ 10,928
78921	KQUP	697,016	551,824	\$ 4,304
306	KRBC-TV	229,395	229,277	\$ 1,788
166319	KRBK	983,888	966,187	\$ 7,535
22161	KRCA	17,540,791	16,957,292	\$ 132,250
57945	KRCB	8,783,441	8,503,802	\$ 66,321
41110	KRCG	737,927	722,255	\$ 5,633
8291	KRCR-TV	423,000	402,594	\$ 3,140
10192	KRCW-TV	2,966,912	2,842,523	\$ 22,169
49134	KRDK-TV	349,941	349,929	\$ 2,729
52579	KRDO-TV	2,622,603	2,272,383	\$ 17,722
70578	KREG-TV	149,306	95,141	\$ 742
34868	KREM	817,619	752,113	\$ 5,866
51493	KREN-TV	810,039	681,212	\$ 5,313
70596	KREX-TV	145,700	145,606	\$ 1,136
70579	KREY-TV	74,963	65,700	\$ 512
48589	KREZ-TV	148,079	105,121	\$ 820
43328	KRGV-TV	1,247,057	1,247,029	\$ 9,726
82698	KRII	133,840	132,912	\$ 1,037
29114	KRIN	949,313	923,735	\$ 7,204
25559	KRIS-TV	565,112	565,044	\$ 4,407
22204	KRIV	6,078,936	6,078,846	\$ 47,409
14040	KRMA-TV	3,722,512	3,564,949	\$ 27,803
14042	KRMJ	174,094	159,511	\$ 1,244

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
20476	KRMT	2,956,144	2,864,236	\$ 22,338
84224	KRMU	85,274	72,499	\$ 565
20373	KRMZ	36,293	33,620	\$ 262
47971	KRNE-TV	47,473	38,273	\$ 298
60307	KRNV-DT	955,490	792,543	\$ 6,181
65526	KRON-TV	8,573,167	8,028,256	\$ 62,612
53539	KRPV-DT	65,943	65,943	\$ 514
48575	KRQE	1,135,461	1,105,093	\$ 8,619
57431	KRSU-TV	1,000,289	998,310	\$ 7,786
82613	KRTN-TV	84,231	68,550	\$ 535
35567	KRTV	92,645	90,849	\$ 709
84157	KRWB-TV	111,538	110,979	\$ 866
35585	KRWF	85,596	85,596	\$ 668
55516	KRWG-TV	894,492	661,703	\$ 5,161
48360	KRXI-TV	725,391	548,865	\$ 4,281
307	KSAN-TV	135,063	135,051	\$ 1,053
11911	KSAS-TV	752,513	752,504	\$ 5,869
53118	KSAT-TV	2,539,658	2,502,246	\$ 19,515
35584	KSAX	365,209	365,209	\$ 2,848
35587	KSAZ-TV	4,203,126	4,178,448	\$ 32,588
38214	KSBI	1,577,231	1,575,865	\$ 12,290
19653	KSBW	5,083,461	4,429,165	\$ 34,543
19654	KSBY	535,029	495,562	\$ 3,865
82910	KSCC	517,740	517,740	\$ 4,038
10202	KSCE	1,015,148	1,010,581	\$ 7,882
35608	KSCI	17,446,133	16,461,581	\$ 128,384
72348	KSCW-DT	915,691	910,511	\$ 7,101
46981	KSDK	2,986,776	2,979,047	\$ 23,234
35594	KSEE	1,761,193	1,746,282	\$ 13,619
48658	KSFY-TV	670,536	607,844	\$ 4,741
17680	KSGW-TV	62,178	57,629	\$ 449

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
59444	KSHB-TV	2,432,205	2,431,273	\$ 18,961
73706	KSHV-TV	943,947	942,978	\$ 7,354
29096	KSIN-TV	340,143	338,811	\$ 2,642
34846	KSIX-TV	74,884	74,884	\$ 584
35606	KSKN	731,818	643,590	\$ 5,019
70482	KSLA	1,017,556	1,016,667	\$ 7,929
6359	KSL-TV	2,390,742	2,206,920	\$ 17,212
71558	KSMN	320,813	320,808	\$ 2,502
33336	KSMO-TV	2,401,201	2,398,686	\$ 18,707
28510	KSMQ-TV	524,391	507,983	\$ 3,962
35611	KSMS-TV	1,589,263	882,948	\$ 6,886
21161	KSNB-TV	664,079	662,726	\$ 5,169
72359	KSNC	174,135	173,744	\$ 1,355
67766	KSNF	621,919	617,868	\$ 4,819
72361	KSNG	145,058	144,822	\$ 1,129
72362	KSNK	48,715	45,414	\$ 354
67335	KSNT	622,818	594,604	\$ 4,637
10179	KSNV	1,967,781	1,919,296	\$ 14,969
72358	KSNW	791,403	791,127	\$ 6,170
61956	KSPS-TV	819,101	769,852	\$ 6,004
52953	KSPX-TV	7,078,228	5,275,946	\$ 41,147
166546	KSQA	382,328	374,290	\$ 2,919
53313	KSRE	75,181	75,181	\$ 586
35843	KSTC-TV	3,843,788	3,835,674	\$ 29,914
63182	KSTF	51,317	51,122	\$ 399
28010	KSTP-TV	3,788,898	3,782,053	\$ 29,496
60534	KSTR-DT	6,632,577	6,629,296	\$ 51,702
64987	KSTS	8,363,473	7,264,852	\$ 56,659
22215	KSTU	2,384,996	2,201,716	\$ 17,171
23428	KSTW	4,265,956	4,186,266	\$ 32,649
5243	KSVI	175,390	173,667	\$ 1,354

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
58827	KSWB-TV	3,677,190	3,488,655	\$ 27,208
60683	KSWK	79,012	78,784	\$ 614
35645	KSWO-TV	483,132	458,057	\$ 3,572
61350	KSYS	519,209	443,204	\$ 3,457
59988	KTAB-TV	274,707	274,536	\$ 2,141
999	KTAJ-TV	2,343,843	2,343,227	\$ 18,275
35648	KTAL-TV	1,094,332	1,092,958	\$ 8,524
12930	KTAS	471,882	464,149	\$ 3,620
81458	KTAZ	4,182,503	4,160,481	\$ 32,448
35649	KTBC	3,242,215	2,956,614	\$ 23,059
67884	KTBN-TV	17,929,445	16,750,096	\$ 130,634
67999	KTBO-TV	1,585,293	1,583,553	\$ 12,350
35652	KTBS-TV	1,163,228	1,159,665	\$ 9,044
28324	KTBU	6,035,927	6,035,725	\$ 47,073
67950	KTBW-TV	4,202,104	4,108,031	\$ 32,039
35655	KTBY	348,080	346,562	\$ 2,703
68594	KTCA-TV	3,693,877	3,684,081	\$ 28,732
68597	KTCI-TV	3,606,606	3,597,183	\$ 28,054
35187	KTCW	103,341	89,207	\$ 696
36916	KTDO	1,015,336	1,010,771	\$ 7,883
2769	KTEJ	419,750	417,368	\$ 3,255
83707	KTEL-TV	52,878	52,875	\$ 412
35666	KTEN	602,788	599,778	\$ 4,678
24514	KTFD-TV	3,210,669	3,172,543	\$ 24,743
35512	KTFF-DT	2,225,169	2,203,398	\$ 17,184
20871	KTFK-DT	6,969,307	5,211,719	\$ 40,646
68753	KTFN	1,017,335	1,013,157	\$ 7,902
35084	KTFQ-TV	1,151,433	1,117,061	\$ 8,712
29232	KTGM	159,358	159,091	\$ 1,241
2787	KTHV	1,275,053	1,246,348	\$ 9,720
29100	KTIN	281,096	279,385	\$ 2,179

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
66170	KTIV	751,089	746,274	\$ 5,820
49397	KTKA-TV	759,369	746,370	\$ 5,821
35670	KTLA	18,156,910	16,870,262	\$ 131,571
62354	KTLM	1,044,526	1,044,509	\$ 8,146
49153	KTLN-TV	5,381,955	4,740,894	\$ 36,974
64984	KTMD	6,095,741	6,095,606	\$ 47,540
14675	KTMF	187,251	168,526	\$ 1,314
10177	KTMW	2,261,671	2,144,791	\$ 16,727
21533	KTNC-TV	8,270,858	7,381,656	\$ 57,570
47996	KTNE-TV	100,341	95,324	\$ 743
60519	KTNL-TV	8,642	8,642	\$ 67
74100	KTNV-TV	2,094,506	1,936,752	\$ 15,105
71023	KTNW	450,926	432,398	\$ 3,372
8651	KTOO-TV	31,269	31,176	\$ 243
7078	KTPX-TV	1,066,196	1,063,754	\$ 8,296
68541	KTRE	441,879	421,406	\$ 3,287
35675	KTRK-TV	6,114,259	6,112,870	\$ 47,674
28230	KTRV-TV	714,833	707,557	\$ 5,518
69170	KTSC	3,124,536	2,949,795	\$ 23,005
61066	KTSD-TV	83,645	82,828	\$ 646
37511	KTSF	7,959,349	7,129,638	\$ 55,604
67760	KTSM-TV	1,015,348	1,011,264	\$ 7,887
35678	KTTC	815,213	731,919	\$ 5,708
28501	KTTM	76,133	73,664	\$ 575
11908	KTTU	1,324,801	1,060,613	\$ 8,272
22208	KTTV	17,380,551	16,693,085	\$ 130,189
28521	KTTW	329,633	326,405	\$ 2,546
65355	KTTZ-TV	380,240	380,225	\$ 2,965
35685	KTUL	1,416,959	1,388,183	\$ 10,826
10173	KTUU-TV	380,240	379,047	\$ 2,956
77480	KTUZ-TV	1,668,531	1,666,026	\$ 12,993

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
49632	KTVA	342,517	342,300	\$ 2,670
34858	KTVB	714,865	707,882	\$ 5,521
31437	KTVC	137,239	100,204	\$ 781
68581	KTVD	3,800,970	3,547,607	\$ 27,668
35692	KTVE	641,139	640,201	\$ 4,993
49621	KTVF	98,068	97,929	\$ 764
5290	KTVH-DT	228,832	184,264	\$ 1,437
35693	KTVI	2,995,764	2,991,513	\$ 23,331
40993	KTVK	4,184,825	4,173,028	\$ 32,545
22570	KTVL	419,849	369,469	\$ 2,881
18066	KTVM-TV	260,105	217,694	\$ 1,698
59139	KTVN	955,490	800,420	\$ 6,242
21251	KTVO	227,128	226,616	\$ 1,767
35694	KTVQ	179,797	173,271	\$ 1,351
50592	KTVR	147,808	54,480	\$ 425
23422	KTVT	6,912,366	6,908,715	\$ 53,881
35703	KTVU	8,297,634	7,406,751	\$ 57,765
35705	KTVW-DT	4,174,310	4,160,877	\$ 32,451
68889	KTVX	2,389,392	2,200,520	\$ 17,162
55907	KTVZ	201,828	198,558	\$ 1,549
18286	KTWO-TV	80,426	79,905	\$ 623
70938	KTWU	1,703,798	1,562,305	\$ 12,184
51517	KTXA	6,915,461	6,911,822	\$ 53,905
42359	KTXD-TV	6,706,651	6,704,781	\$ 52,291
51569	KTXH	6,092,627	6,092,442	\$ 47,515
10205	KTXL	8,306,449	5,896,320	\$ 45,985
308	KTXS-TV	247,603	246,760	\$ 1,924
69315	KUAC-TV	98,717	98,189	\$ 766
51233	KUAM-TV	159,358	159,358	\$ 1,243
2722	KUAS-TV	994,802	977,391	\$ 7,623
2731	KUAT-TV	1,485,024	1,253,342	\$ 9,775

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
60520	KUBD	14,817	13,363	\$ 104
70492	KUBE-TV	6,090,970	6,090,817	\$ 47,502
1136	KUCW	2,388,889	2,199,787	\$ 17,156
69396	KUED	2,388,995	2,203,093	\$ 17,182
69582	KUEN	2,364,481	2,184,483	\$ 17,037
82576	KUES	30,925	25,978	\$ 203
82585	KUEW	132,168	120,411	\$ 939
66611	KUFM-TV	187,680	166,697	\$ 1,300
169028	KUGF-TV	86,622	85,986	\$ 671
68717	KUHM-TV	154,836	145,241	\$ 1,133
69269	KUHT	6,080,222	6,078,866	\$ 47,409
62382	KUID-TV	432,855	284,023	\$ 2,215
169027	KUKL-TV	124,505	115,844	\$ 903
35724	KULR-TV	177,242	170,142	\$ 1,327
41429	KUMV-TV	41,607	41,224	\$ 322
81447	KUNP	130,559	43,472	\$ 339
4624	KUNS-TV	4,027,849	4,015,626	\$ 31,318
86532	KUOK	28,974	28,945	\$ 226
66589	KUON-TV	1,375,257	1,360,005	\$ 10,607
86263	KUPB	318,914	318,914	\$ 2,487
65535	KUPK	149,642	148,180	\$ 1,156
27431	KUPT	87,602	87,602	\$ 683
89714	KUPU	956,178	948,005	\$ 7,393
57884	KUPX-TV	2,374,672	2,191,229	\$ 17,089
23074	KUSA	3,802,407	3,560,546	\$ 27,769
61072	KUSD-TV	460,480	460,277	\$ 3,590
10238	KUSI-TV	3,572,818	3,435,670	\$ 26,795
43567	KUSM-TV	122,678	109,830	\$ 857
69694	KUTF	1,210,774	1,031,870	\$ 8,048
81451	KUTH-DT	2,219,788	2,027,174	\$ 15,810
68886	KUTP	4,191,015	4,176,014	\$ 32,569

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
35823	KUTV	2,388,625	2,199,731	\$ 17,156
63927	KUVE-DT	1,294,971	964,396	\$ 7,521
7700	KUVI-DT	1,204,490	1,009,943	\$ 7,877
35841	KUVN-DT	6,680,126	6,678,157	\$ 52,083
58609	KUVS-DT	4,043,413	4,005,657	\$ 31,240
49766	KVAL-TV	1,016,673	866,173	\$ 6,755
32621	KVAW	76,153	76,153	\$ 594
58795	KVCR-DT	18,215,524	17,467,140	\$ 136,226
35846	KVCT	288,221	287,446	\$ 2,242
10195	KVCW	1,967,550	1,918,809	\$ 14,965
64969	KVDA	2,566,563	2,548,720	\$ 19,877
19783	KVEA	17,538,249	16,335,335	\$ 127,399
12523	KVEO-TV	1,244,504	1,244,504	\$ 9,706
2495	KVEW	476,720	464,347	\$ 3,621
35852	KVHP	747,917	747,837	\$ 5,832
49832	KVIA-TV	1,015,350	1,011,266	\$ 7,887
35855	KVIE	10,759,440	7,467,369	\$ 58,238
40450	KVIH-TV	91,912	91,564	\$ 714
40446	KVII-TV	379,042	378,218	\$ 2,950
61961	KVLY-TV	362,850	362,838	\$ 2,830
16729	KVMD	15,274,297	14,512,400	\$ 113,182
83825	KVME-TV	26,711	22,802	\$ 178
25735	KVOA	1,317,956	1,030,404	\$ 8,036
35862	KVOS-TV	2,202,674	2,131,652	\$ 16,625
69733	KVPT	1,744,349	1,719,318	\$ 13,409
55372	KVRR	356,645	356,645	\$ 2,781
166331	KVSN-DT	2,706,244	2,283,409	\$ 17,808
608	KVTH-DT	303,755	299,230	\$ 2,334
2784	KVTJ-DT	1,466,426	1,465,802	\$ 11,432
607	KVTN-DT	936,328	925,884	\$ 7,221
35867	KVUE	2,661,290	2,611,314	\$ 20,366

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
78910	KVUI	257,964	251,872	\$ 1,964
35870	KVVU-TV	2,045,255	1,935,583	\$ 15,096
36170	KVYE	396,495	392,498	\$ 3,061
35095	KWBA-TV	1,129,524	1,073,029	\$ 8,369
78314	KWBM	657,822	639,560	\$ 4,988
27425	KWBN	953,207	840,455	\$ 6,555
76268	KWBQ	1,149,598	1,107,211	\$ 8,635
66413	KWCH-DT	883,647	881,674	\$ 6,876
71549	KWCM-TV	252,284	244,033	\$ 1,903
35419	KWDK	4,194,152	4,117,852	\$ 32,115
42007	KWES-TV	424,854	423,536	\$ 3,303
50194	KWET	127,976	112,750	\$ 879
35881	KWEX-DT	2,376,463	2,370,469	\$ 18,487
35883	KWGN-TV	3,706,455	3,513,537	\$ 27,402
37099	KWHB	979,393	978,719	\$ 7,633
36846	KWHE	952,966	834,341	\$ 6,507
26231	KWHY-TV	17,736,497	17,695,306	\$ 138,006
35096	KWKB	1,121,676	1,111,629	\$ 8,670
162115	KWKS	39,708	39,323	\$ 307
12522	KWKT-TV	1,299,675	1,298,478	\$ 10,127
21162	KWNB-TV	91,093	89,332	\$ 697
67347	KWOG	512,412	505,049	\$ 3,939
56852	KWPX-TV	4,220,008	4,148,577	\$ 32,355
6885	KWQC-TV	1,063,507	1,054,618	\$ 8,225
29121	KWSD	280,675	280,672	\$ 2,189
53318	KWSE	54,471	53,400	\$ 416
71024	KWSU-TV	725,554	468,295	\$ 3,652
25382	KWTV-DT	1,628,106	1,627,198	\$ 12,691
35903	KWTX-TV	2,071,023	1,972,365	\$ 15,382
593	KWWL	1,089,498	1,078,458	\$ 8,411
84410	KWWT	293,291	293,291	\$ 2,287

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
14674	KWYB	86,495	69,598	\$ 543
10032	KWYP-DT	148,473	133,470	\$ 1,041
35920	KXAN-TV	2,678,666	2,624,648	\$ 20,470
49330	KXAS-TV	6,774,295	6,771,827	\$ 52,813
24287	KXGN-TV	14,217	13,883	\$ 108
35954	KXII	2,323,974	2,264,951	\$ 17,664
55083	KXLA	17,929,100	16,794,896	\$ 130,983
35959	KXLF-TV	258,100	217,808	\$ 1,699
53847	KXLN-DT	6,085,891	6,085,712	\$ 47,462
35906	KXLT-TV	348,025	347,296	\$ 2,709
61978	KXLY-TV	772,116	740,960	\$ 5,779
55684	KXMA-TV	32,005	31,909	\$ 249
55686	KXMB-TV	142,755	138,506	\$ 1,080
55685	KXMC-TV	97,569	89,483	\$ 698
55683	KXMD-TV	37,962	37,917	\$ 296
47995	KXNE-TV	305,839	304,682	\$ 2,376
81593	KXNW	602,168	597,747	\$ 4,662
35991	KXRM-TV	1,843,363	1,500,689	\$ 11,704
1255	KXTF	140,746	140,312	\$ 1,094
25048	KXTV	10,759,864	7,477,140	\$ 58,314
35994	KXTX-TV	6,721,578	6,718,616	\$ 52,398
62293	KXVA	185,478	185,276	\$ 1,445
23277	KXVO	1,397,072	1,396,085	\$ 10,888
9781	KXXV	1,771,620	1,748,287	\$ 13,635
31870	KYAZ	6,038,257	6,038,071	\$ 47,091
29086	KYIN	581,748	574,691	\$ 4,482
60384	KYLE-TV	323,330	323,225	\$ 2,521
33639	KYMA-DT	396,278	391,619	\$ 3,054
47974	KYNE-TV	980,094	979,887	\$ 7,642
53820	KYOU-TV	651,334	640,935	\$ 4,999
36003	KYTV	1,095,904	1,083,524	\$ 8,450

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
55644	KYTX	927,327	925,550	\$ 7,218
13815	KYUR	379,943	379,027	\$ 2,956
5237	KYUS-TV	12,496	12,356	\$ 96
33752	KYVE	301,951	259,559	\$ 2,024
55762	KYVV-TV	67,201	67,201	\$ 524
25453	KYW-TV	11,212,189	11,008,413	\$ 85,855
69531	KZJL	6,037,458	6,037,272	\$ 47,085
69571	KZJO	4,147,016	4,097,776	\$ 31,959
61062	KZSD-TV	41,207	35,825	\$ 279
33079	KZTV	567,635	564,464	\$ 4,402
57292	WAAY-TV	1,531,377	1,452,612	\$ 11,329
1328	WABC-TV	20,948,273	20,560,001	\$ 160,347
4190	WABE-TV	5,308,575	5,291,523	\$ 41,269
43203	WABG-TV	393,020	392,348	\$ 3,060
17005	WABI-TV	530,773	510,729	\$ 3,983
16820	WABM	1,772,367	1,742,240	\$ 13,588
23917	WABW-TV	1,097,560	1,096,376	\$ 8,551
19199	WACH	1,403,222	1,400,385	\$ 10,922
189358	WACP	9,415,263	9,301,049	\$ 72,539
23930	WACS-TV	786,536	783,207	\$ 6,108
60018	WACX	4,292,829	4,288,149	\$ 33,443
361	WACY-TV	946,580	946,071	\$ 7,378
455	WADL	4,610,065	4,606,521	\$ 35,926
589	WAFB	1,857,882	1,857,418	\$ 14,486
591	WAFF	1,527,517	1,456,436	\$ 11,359
70689	WAGA-TV	6,000,355	5,923,191	\$ 46,195
48305	WAGM-TV	64,721	63,331	\$ 494
37809	WAGV	1,614,321	1,282,063	\$ 9,999
706	WAIQ	611,733	609,794	\$ 4,756
701	WAKA	799,637	793,645	\$ 6,190
4143	WALA-TV	1,320,419	1,318,127	\$ 10,280

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
70713	WALB	773,899	772,467	\$ 6,024
60536	WAMI-DT	5,449,193	5,449,193	\$ 42,498
70852	WAND	1,388,118	1,386,074	\$ 10,810
39270	WANE-TV	1,146,442	1,146,442	\$ 8,941
72120	WANF	6,027,276	5,961,471	\$ 46,494
52280	WAOE	2,963,253	2,907,224	\$ 22,673
64546	WAOW	636,957	629,068	\$ 4,906
52073	WAPA-TV ^{2,7}	3,759,648	2,784,044	\$ 21,713
49712	WAPT	793,621	791,620	\$ 6,174
67792	WAQP	2,135,670	2,131,399	\$ 16,623
13206	WATC-DT	5,732,204	5,705,819	\$ 44,500
71082	WATE-TV	1,874,433	1,638,059	\$ 12,775
22819	WATL	5,882,837	5,819,099	\$ 45,383
20287	WATM-TV	893,989	749,183	\$ 5,843
11907	WATN-TV	1,787,595	1,784,560	\$ 13,918
13989	WAVE	1,891,797	1,880,563	\$ 14,667
71127	WAVY-TV	2,080,708	2,080,691	\$ 16,227
54938	WAWD	579,079	579,023	\$ 4,516
65247	WAWV-TV	705,790	700,361	\$ 5,462
12793	WAXN-TV	2,677,951	2,669,224	\$ 20,817
65696	WBAL-TV	9,743,335	9,344,875	\$ 72,881
74417	WBAY-TV	1,226,036	1,225,443	\$ 9,557
71085	WBBH-TV	2,017,267	2,017,267	\$ 15,733
65204	WBBJ-TV	662,148	658,839	\$ 5,138
9617	WBBM-TV	9,914,233	9,907,806	\$ 77,271
9088	WBBZ-TV	1,269,256	1,260,686	\$ 9,832
70138	WBDT	3,831,757	3,819,550	\$ 29,789
51349	WBEC-TV	5,421,355	5,421,355	\$ 42,281
10758	WBFF	8,523,983	8,381,042	\$ 65,364
12497	WBFS-TV	5,349,613	5,349,613	\$ 41,722
6568	WBGU-TV	1,343,816	1,343,816	\$ 10,480

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
81594	WBIF	309,707	309,707	\$ 2,415
84802	WBIH	718,439	706,994	\$ 5,514
717	WBIQ	1,563,080	1,532,266	\$ 11,950
46984	WBIR-TV	1,978,347	1,701,857	\$ 13,273
67048	WBKB-TV	136,823	130,625	\$ 1,019
34167	WBKI	2,104,090	2,085,393	\$ 16,264
4692	WBKO	963,413	862,651	\$ 6,728
76001	WBKP	55,655	55,305	\$ 431
68427	WBMM	562,284	562,123	\$ 4,384
73692	WBNA	1,699,683	1,666,248	\$ 12,995
23337	WBNG-TV	1,435,634	1,051,932	\$ 8,204
71217	WBNS-TV	2,847,721	2,784,795	\$ 21,719
72958	WBNX-TV	3,639,256	3,630,531	\$ 28,315
71218	WBOC-TV	813,888	813,888	\$ 6,348
71220	WBOY-TV	711,302	621,367	\$ 4,846
60850	WBPH-TV	10,613,847	9,474,797	\$ 73,894
7692	WPX-TV	6,833,712	6,761,949	\$ 52,736
5981	WBRA-TV	1,726,408	1,677,204	\$ 13,081
71221	WBRC	1,884,007	1,849,135	\$ 14,421
71225	WBRE-TV	2,879,196	2,244,735	\$ 17,507
38616	WBRZ-TV	2,223,336	2,222,309	\$ 17,332
82627	WBSF	1,836,543	1,832,446	\$ 14,291
30826	WBTW	4,433,795	4,296,893	\$ 33,511
66407	WBTW	1,975,457	1,959,172	\$ 15,280
16363	WBUI	981,884	981,868	\$ 7,658
59281	WBUP	126,472	112,603	\$ 878
60830	WBUY-TV	1,569,254	1,567,815	\$ 12,227
72971	WBXX-TV	2,142,759	1,984,544	\$ 15,477
25456	WBZ-TV	7,960,556	7,730,847	\$ 60,293
63153	WCAU	11,269,831	11,098,540	\$ 86,558
363	WCAV	1,032,270	874,886	\$ 6,823

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
46728	WCAX-TV	784,748	665,685	\$ 5,192
39659	WCBB	964,079	910,222	\$ 7,099
10587	WCBD-TV	1,149,489	1,149,489	\$ 8,965
12477	WCBI-TV	680,511	678,424	\$ 5,291
9610	WCBS-TV	22,087,789	21,511,236	\$ 167,766
49157	WCCB	3,642,232	3,574,928	\$ 27,881
9629	WCCO-TV	3,862,571	3,855,451	\$ 30,069
14050	WCCT-TV	5,818,471	5,307,612	\$ 41,394
69544	WCCU	694,550	693,317	\$ 5,407
3001	WCCV-TV	3,391,703	2,062,994	\$ 16,089
23937	WCES-TV	1,098,868	1,097,706	\$ 8,561
65666	WCET	3,123,290	3,110,519	\$ 24,259
46755	WCFE-TV	459,417	419,756	\$ 3,274
71280	WCHS-TV	1,352,824	1,274,766	\$ 9,942
42124	WCIA	834,084	833,547	\$ 6,501
711	WCIQ	3,186,320	3,016,907	\$ 23,529
71428	WCIU-TV	10,052,136	10,049,244	\$ 78,374
9015	WCIV	1,152,800	1,152,800	\$ 8,991
42116	WCIX	554,002	549,911	\$ 4,289
16993	WCJB-TV	977,492	977,492	\$ 7,623
11125	WCLF	4,097,389	4,096,624	\$ 31,950
68007	WCLJ-TV	2,305,723	2,303,534	\$ 17,965
50781	WCMH-TV	2,756,260	2,712,989	\$ 21,159
9917	WCML	233,439	224,255	\$ 1,749
9908	WCMU-TV	707,702	699,551	\$ 5,456
9922	WCMV	425,499	411,288	\$ 3,208
9913	WCMW	106,975	104,859	\$ 818
32326	WCNC-TV	3,883,049	3,809,706	\$ 29,712
53734	WCNY-TV	1,342,821	1,279,429	\$ 9,978
73642	WCOV-TV	889,102	884,417	\$ 6,898
40618	WCPB	567,809	567,809	\$ 4,428

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
59438	WCPO-TV	3,330,885	3,313,654	\$ 25,843
10981	WCPX-TV	9,753,235	9,751,916	\$ 76,055
71297	WCSC-TV	1,028,018	1,028,018	\$ 8,018
39664	WCSH	1,755,325	1,548,824	\$ 12,079
69479	WCTE	612,760	541,314	\$ 4,222
18334	WCTI-TV	1,688,065	1,685,638	\$ 13,146
31590	WCTV	1,065,524	1,065,464	\$ 8,310
33081	WCTX	7,844,936	7,332,431	\$ 57,186
65684	WCVB-TV	7,780,868	7,618,496	\$ 59,417
9987	WCVE-TV	1,721,004	1,712,249	\$ 13,354
83304	WCVI-TV	50,601	50,495	\$ 394
34204	WCVN-TV	2,129,816	2,120,349	\$ 16,537
9989	WCVW	1,505,484	1,505,330	\$ 11,740
73042	WCWF	1,131,390	1,130,818	\$ 8,819
35385	WCWG	3,630,551	3,299,114	\$ 25,730
29712	WCWJ	1,661,270	1,661,132	\$ 12,955
73264	WCWN	1,909,223	1,621,751	\$ 12,648
2455	WCYB-TV	2,363,002	2,057,404	\$ 16,046
11291	WDAF-TV	2,539,581	2,537,411	\$ 19,789
21250	WDAM-TV	512,594	500,343	\$ 3,902
22129	WDAY-TV	339,239	338,856	\$ 2,643
22124	WDAZ-TV	151,720	151,659	\$ 1,183
71325	WDBB	1,792,728	1,762,643	\$ 13,747
71326	WDBD	940,665	939,489	\$ 7,327
71329	WDBJ	1,626,017	1,435,762	\$ 11,198
51567	WDCA	8,101,358	8,049,329	\$ 62,777
16530	WDCQ-TV	1,269,199	1,269,199	\$ 9,898
30576	WDCW	8,155,998	8,114,847	\$ 63,288
54385	WDEF-TV	1,730,762	1,530,403	\$ 11,936
32851	WDFX-TV	271,499	270,942	\$ 2,113
43846	WDHN	452,377	451,978	\$ 3,525

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
71338	WDIO-DT	341,506	327,469	\$ 2,554
714	WDIQ	663,062	620,124	\$ 4,836
53114	WDIV-TV	5,450,318	5,450,174	\$ 42,506
71427	WDJT-TV	3,267,652	3,256,507	\$ 25,397
39561	WDKA	658,699	658,277	\$ 5,134
64017	WDKY-TV	1,204,817	1,173,579	\$ 9,153
67893	WDLI-TV	4,147,298	4,114,920	\$ 32,092
72335	WDPB	596,888	596,888	\$ 4,655
83740	WDPM-DT	1,365,977	1,364,744	\$ 10,644
1283	WDPN-TV	11,594,463	11,467,616	\$ 89,436
6476	WDPX-TV	6,833,712	6,761,949	\$ 52,736
28476	WDRB	2,054,813	2,037,086	\$ 15,887
12171	WDSC-TV	3,389,559	3,389,559	\$ 26,435
17726	WDSE	330,994	316,643	\$ 2,469
71353	WDSI-TV	1,100,302	1,042,191	\$ 8,128
71357	WDSU	1,649,083	1,649,083	\$ 12,861
7908	WDTI	2,092,242	2,091,941	\$ 16,315
65690	WDTN	3,831,757	3,819,550	\$ 29,789
70592	WDTV	566,592	524,961	\$ 4,094
25045	WDVM-TV	3,074,837	2,646,508	\$ 20,640
4110	WDWL	2,638,361	1,977,410	\$ 15,422
49421	WEAO	3,960,217	3,945,408	\$ 30,770
71363	WEAR-TV	1,520,973	1,520,386	\$ 11,857
7893	WEAU	1,006,393	971,050	\$ 7,573
61003	WEBA-TV	641,354	632,282	\$ 4,931
19561	WECN	2,886,669	2,157,288	\$ 16,825
48666	WECT	1,156,807	1,156,807	\$ 9,022
13602	WEDH	5,328,800	4,724,167	\$ 36,844
13607	WEDN	3,451,170	2,643,344	\$ 20,615
69338	WEDQ	5,379,887	5,365,612	\$ 41,846
21808	WEDU	5,379,887	5,365,612	\$ 41,846

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
13594	WEDW	5,996,408	5,544,708	\$ 43,243
13595	WEDY	5,328,800	4,724,167	\$ 36,844
24801	WEEK-TV	752,596	752,539	\$ 5,869
6744	WEFS	3,380,743	3,380,743	\$ 26,366
24215	WEHT	857,558	844,070	\$ 6,583
721	WEIQ	1,055,632	1,055,193	\$ 8,229
18301	WEIU-TV	458,480	458,416	\$ 3,575
69271	WEKW-TV	1,263,049	773,108	\$ 6,029
60825	WELF-TV	1,477,691	1,387,044	\$ 10,818
26602	WELU	2,315,163	1,721,317	\$ 13,425
40761	WEMT	1,726,085	1,186,706	\$ 9,255
69237	WENH-TV	4,500,498	4,328,222	\$ 33,756
71508	WENY-TV	656,240	517,754	\$ 4,038
83946	WEPH	604,105	602,833	\$ 4,701
81508	WEPX-TV	950,012	950,012	\$ 7,409
25738	WESH	4,063,973	4,053,252	\$ 31,611
65670	WETA-TV	8,315,499	8,258,807	\$ 64,410
69944	WETK	670,087	558,842	\$ 4,358
60653	WETM-TV	870,206	770,731	\$ 6,011
18252	WETP-TV	2,167,383	1,888,574	\$ 14,729
2709	WEUX	380,569	373,680	\$ 2,914
72041	WEVV-TV	752,417	751,094	\$ 5,858
59441	WEWS-TV	4,112,984	4,078,299	\$ 31,807
72052	WEYI-TV	3,715,686	3,652,991	\$ 28,490
72054	WFAA	6,917,502	6,907,616	\$ 53,872
81669	WFBD	817,914	817,389	\$ 6,375
69532	WFDC-DT	8,155,998	8,114,847	\$ 63,288
10132	WFFF-TV	633,649	552,182	\$ 4,306
25040	WFFT-TV	1,095,429	1,095,411	\$ 8,543
11123	WFGC	3,018,351	3,018,351	\$ 23,540
6554	WFGX	1,493,866	1,493,319	\$ 11,646

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
13991	WFIE	743,079	740,909	\$ 5,778
715	WFIQ	546,563	544,258	\$ 4,245
64592	WFLA-TV	5,583,544	5,576,649	\$ 43,492
22211	WFLD	9,957,301	9,954,828	\$ 77,638
72060	WFLI-TV	1,294,209	1,189,897	\$ 9,280
39736	WFLX	5,740,086	5,740,086	\$ 44,767
72062	WFMJ-TV	4,328,477	3,822,691	\$ 29,813
72064	WFMY-TV	4,772,783	4,746,167	\$ 37,015
39884	WFMZ-TV	10,613,847	9,474,797	\$ 73,894
83943	WFNA	1,391,519	1,390,447	\$ 10,844
47902	WFOR-TV	5,398,266	5,398,266	\$ 42,101
11909	WFOX-TV	1,603,324	1,603,324	\$ 12,504
40626	WFPT	5,829,153	5,442,279	\$ 42,444
21245	WFPX-TV	2,637,949	2,634,141	\$ 20,544
25396	WFQX-TV	537,340	534,314	\$ 4,167
9635	WFRV-TV	1,263,353	1,256,376	\$ 9,798
53115	WFSB	4,752,788	4,370,519	\$ 34,086
6093	WFSG	364,961	364,796	\$ 2,845
21801	WFSU-TV	576,105	576,093	\$ 4,493
11913	WFTC	3,787,177	3,770,207	\$ 29,404
64588	WFTS-TV	5,236,379	5,236,287	\$ 40,838
16788	WFTT-TV	4,523,828	4,521,879	\$ 35,266
72076	WFTV	3,882,888	3,882,888	\$ 30,283
70649	WFTX-TV	1,758,172	1,758,172	\$ 13,712
60553	WFTY-DT	5,678,755	5,560,460	\$ 43,366
25395	WFUP	234,863	234,436	\$ 1,828
60555	WFUT-DT	20,538,272	20,130,459	\$ 156,997
22108	WFWA	1,035,114	1,034,862	\$ 8,071
9054	WFXB	1,393,865	1,393,510	\$ 10,868
3228	WFXG	1,070,032	1,057,760	\$ 8,249
70815	WFXL	793,637	785,106	\$ 6,123

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
19707	WFXP	583,315	562,500	\$ 4,387
24813	WFXR	1,426,061	1,286,450	\$ 10,033
6463	WFXT	7,494,070	7,400,830	\$ 57,719
22245	WFXU	218,273	218,273	\$ 1,702
43424	WFXV	702,682	612,494	\$ 4,777
25236	WFXW	274,078	270,967	\$ 2,113
41397	WFYI	2,389,627	2,388,970	\$ 18,632
53930	WGAL	6,287,688	5,610,833	\$ 43,759
2708	WGBA-TV	1,170,375	1,170,127	\$ 9,126
24314	WGBC	249,415	249,235	\$ 1,944
72099	WGBH-TV	7,711,842	7,601,732	\$ 59,286
12498	WGBO-DT	9,828,737	9,826,530	\$ 76,637
11113	WGBP-TV	1,820,589	1,812,232	\$ 14,134
72098	WGBX-TV	7,803,280	7,636,641	\$ 59,558
72096	WGBY-TV	4,470,009	3,739,675	\$ 29,166
62388	WGCU	1,510,671	1,510,671	\$ 11,782
54275	WGEM-TV	361,598	356,682	\$ 2,782
27387	WGEN-TV	43,037	43,037	\$ 336
7727	WGFL	877,163	877,163	\$ 6,841
25682	WGGB-TV	3,443,386	3,053,436	\$ 23,814
11027	WGGN-TV	4,002,841	3,981,382	\$ 31,051
9064	WGGs-TV	2,759,326	2,705,067	\$ 21,097
72106	WGHP	4,174,964	4,123,106	\$ 32,156
710	WGIQ	363,849	363,806	\$ 2,837
12520	WGMB-TV	1,742,708	1,742,659	\$ 13,591
25683	WGME-TV	1,495,724	1,325,465	\$ 10,337
24618	WGNM	742,458	741,502	\$ 5,783
72119	WGNO	1,641,765	1,641,765	\$ 12,804
9762	WGNT	2,128,079	2,127,891	\$ 16,595
72115	WGN-TV	9,983,395	9,981,137	\$ 77,843
40619	WGPT	578,294	344,300	\$ 2,685

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
65074	WGPX-TV	2,765,350	2,754,743	\$ 21,484
64547	WGRZ	1,878,725	1,812,309	\$ 14,134
63329	WGTA	1,061,654	1,030,538	\$ 8,037
66285	WGTE-TV	2,210,496	2,208,927	\$ 17,227
59279	WGTQ	116,301	112,633	\$ 878
59280	WGTU	358,543	353,477	\$ 2,757
23948	WGTV	5,989,342	5,917,966	\$ 46,154
7623	WGTW-TV	807,797	807,797	\$ 6,300
24783	WGVK	2,439,225	2,437,526	\$ 19,010
24784	WGVU-TV	1,825,744	1,784,264	\$ 13,915
21536	WGWG	986,963	986,963	\$ 7,697
56642	WGWV	1,677,166	1,647,976	\$ 12,853
58262	WGXA	779,955	779,087	\$ 6,076
73371	WHAM-TV	1,381,564	1,334,653	\$ 10,409
32327	WHAS-TV	1,955,983	1,925,901	\$ 15,020
6096	WHA-TV	1,635,777	1,628,950	\$ 12,704
13950	WHBF-TV	1,712,339	1,704,072	\$ 13,290
12521	WHBQ-TV	1,736,335	1,708,345	\$ 13,323
10894	WHBR	1,302,764	1,302,041	\$ 10,155
65128	WHDF	1,553,469	1,502,852	\$ 11,721
72145	WHDH	7,441,208	7,343,735	\$ 57,274
83929	WHDT	5,768,239	5,768,239	\$ 44,986
70041	WHEC-TV	1,322,243	1,279,606	\$ 9,980
67971	WHFT-TV	5,417,409	5,417,409	\$ 42,250
41458	WHIO-TV	3,877,520	3,868,597	\$ 30,171
713	WHIQ	1,278,174	1,225,940	\$ 9,561
61216	WHIZ-TV	911,245	840,696	\$ 6,557
65919	WHKY-TV	3,358,493	3,294,261	\$ 25,692
18780	WHLA-TV	554,446	515,561	\$ 4,021
48668	WHLT	484,432	483,532	\$ 3,771
24582	WHLV-TV	3,906,201	3,906,201	\$ 30,464

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
37102	WHMB-TV	2,959,585	2,889,145	\$ 22,532
61004	WHMC	774,921	774,921	\$ 6,044
36117	WHME-TV	1,455,358	1,455,110	\$ 11,348
37106	WHNO	1,499,653	1,499,653	\$ 11,696
72300	WHNS	2,549,610	2,270,868	\$ 17,710
48693	WHNT-TV	1,569,885	1,487,578	\$ 11,602
66221	WHO-DT	1,120,480	1,099,818	\$ 8,577
6866	WHOI	736,125	736,047	\$ 5,740
72313	WHP-TV	4,030,693	3,538,096	\$ 27,594
51980	WHPX-TV	5,579,464	5,114,336	\$ 39,887
73036	WHRM-TV	535,778	532,820	\$ 4,155
25932	WHRO-TV	2,169,238	2,169,237	\$ 16,918
68058	WHSB-TV	5,870,314	5,808,605	\$ 45,301
4688	WHSV-TV	845,013	711,912	\$ 5,552
9990	WHTJ	807,960	690,381	\$ 5,384
72326	WHTM-TV	3,211,085	2,799,192	\$ 21,831
11117	WHTN	1,914,755	1,905,733	\$ 14,863
27772	WHUT-TV	7,953,119	7,915,675	\$ 61,734
18793	WHWC-TV	1,123,941	1,091,281	\$ 8,511
72338	WHYY-TV	10,448,829	10,049,700	\$ 78,378
5360	WIAT	1,868,854	1,830,924	\$ 14,279
63160	WIBW-TV	1,234,347	1,181,009	\$ 9,211
25684	WICD	1,238,332	1,237,046	\$ 9,648
25686	WICS	1,101,798	1,099,718	\$ 8,577
24970	WICU-TV	740,115	683,435	\$ 5,330
62210	WICZ-TV	1,249,974	965,416	\$ 7,529
18410	WIDP	2,559,306	1,899,768	\$ 14,816
26025	WIFS	1,583,693	1,578,870	\$ 12,314
720	WIIQ	353,241	347,685	\$ 2,712
68939	WILL-TV	1,178,545	1,158,147	\$ 9,032
6863	WILX-TV	3,378,644	3,218,221	\$ 25,099

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
22093	WINK-TV	1,818,122	1,818,122	\$ 14,180
67787	WINM	1,001,485	971,031	\$ 7,573
41314	WINP-TV	2,935,057	2,883,944	\$ 22,492
3646	WIPB	1,965,353	1,965,174	\$ 15,326
48408	WIPL	850,656	799,165	\$ 6,233
53863	WIPM-TV ¹	2,280,935	1,648,150	\$ 2,251
53859	WIPR-TV ¹	3,596,802	2,811,148	\$ 21,924
10253	WIPX-TV	2,305,723	2,303,534	\$ 17,965
39887	WIRS ¹²	1,091,825	757,978	\$ 4,676
71336	WIRT-DT	127,001	126,300	\$ 985
13990	WIS	2,644,715	2,600,887	\$ 20,284
65143	WISC-TV	1,734,112	1,697,537	\$ 13,239
13960	WISE-TV	1,070,155	1,070,155	\$ 8,346
39269	WISH-TV	2,912,963	2,855,253	\$ 22,268
65680	WISN-TV	3,003,636	2,997,695	\$ 23,379
73083	WITF-TV	2,412,561	2,191,501	\$ 17,092
73107	WITI	3,111,641	3,102,097	\$ 24,193
594	WITN-TV	1,861,458	1,836,905	\$ 14,326
61005	WITV	871,783	871,783	\$ 6,799
7780	WIVB-TV	1,900,503	1,820,106	\$ 14,195
11260	WIVT	855,138	613,934	\$ 4,788
60571	WIWN	3,338,845	3,323,941	\$ 25,923
62207	WIYC	639,641	637,499	\$ 4,972
73120	WJAC-TV	2,219,529	1,897,986	\$ 14,802
10259	WJAL	8,750,706	8,446,074	\$ 65,871
50780	WJAR	7,108,180	6,976,099	\$ 54,407
35576	WJAX-TV	1,630,782	1,630,782	\$ 12,718
27140	WJBF	1,601,088	1,588,444	\$ 12,388
73123	WJBK	5,748,623	5,711,224	\$ 44,542
37174	WJCL	938,086	938,086	\$ 7,316
73130	WJCT	1,618,817	1,617,292	\$ 12,613

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
29719	WJEB-TV	1,607,603	1,607,603	\$ 12,538
65749	WJET-TV	747,431	717,721	\$ 5,598
7651	WJFB	2,310,517	2,302,217	\$ 17,955
49699	WJFW-TV	277,530	268,295	\$ 2,092
73136	WJHG-TV	864,121	859,823	\$ 6,706
57826	WJHL-TV	2,034,663	1,462,129	\$ 11,403
68519	WJKT	655,780	655,373	\$ 5,111
1051	WJLA-TV	8,750,706	8,447,643	\$ 65,883
86537	WJLP	21,384,080	21,119,164	\$ 164,708
9630	WJMN-TV	160,991	154,424	\$ 1,204
61008	WJPM-TV	623,939	623,787	\$ 4,865
58340	WJPX ^{6,10,12}	3,254,481	2,500,195	\$ 19,499
21735	WJRT-TV	2,788,684	2,543,446	\$ 19,836
23918	WJSP-TV	4,225,860	4,188,428	\$ 32,666
41210	WJTC	1,381,529	1,379,283	\$ 10,757
48667	WJTV	987,206	980,717	\$ 7,649
73150	WJW	3,977,148	3,905,325	\$ 30,458
61007	WJWJ-TV	1,034,555	1,034,555	\$ 8,068
58342	WJWN-TV ⁶	2,063,156	1,461,497	\$ 4,676
53116	WJXT	1,622,616	1,622,616	\$ 12,655
11893	WJXX	1,618,191	1,617,272	\$ 12,613
32334	WJYS	9,667,341	9,667,317	\$ 75,395
25455	WJZ-TV	9,743,335	9,350,346	\$ 72,923
73152	WJZY	4,432,745	4,301,117	\$ 33,544
64983	WKAQ-TV ³	3,697,088	2,731,588	\$ 2,628
6104	WKAR-TV	1,693,373	1,689,830	\$ 13,179
34171	WKAS	542,308	512,994	\$ 4,001
51570	WKBD-TV	5,065,617	5,065,350	\$ 39,505
73153	WKBN-TV	4,898,622	4,535,576	\$ 35,373
13929	WKBS-TV	1,082,894	937,847	\$ 7,314
74424	WKBT-DT	866,325	824,795	\$ 6,433

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
54176	WKBW-TV	2,247,191	2,161,366	\$ 16,856
53465	WKCF	4,241,181	4,240,354	\$ 33,071
73155	WKEF	3,730,595	3,716,127	\$ 28,982
34177	WKGB-TV	413,268	411,587	\$ 3,210
34196	WKHA	511,281	400,721	\$ 3,125
34207	WKLE	856,237	846,630	\$ 6,603
34212	WKMA-TV	524,617	524,035	\$ 4,087
71293	WKMG-TV	3,817,673	3,817,673	\$ 29,774
34195	WKMJ-TV	1,477,906	1,470,645	\$ 11,470
34202	WKMR	463,316	428,462	\$ 3,342
34174	WKMU	344,430	344,050	\$ 2,683
42061	WKNO	1,645,867	1,642,092	\$ 12,807
83931	WKNX-TV	1,684,178	1,459,493	\$ 11,383
34205	WKOI-TV	584,645	579,258	\$ 4,518
67869	WKOI-TV	3,831,757	3,819,550	\$ 29,789
34211	WKON	1,080,274	1,072,320	\$ 8,363
18267	WKOP-TV	1,555,654	1,382,098	\$ 10,779
64545	WKOW	1,918,224	1,899,746	\$ 14,816
21432	WKPC-TV	1,525,919	1,517,701	\$ 11,837
65758	WKPD	283,454	282,250	\$ 2,201
34200	WKPI-TV	606,666	481,220	\$ 3,753
27504	WKPT-TV	1,131,213	887,806	\$ 6,924
58341	WKPV ¹⁰	1,132,932	731,199	\$ 4,676
11289	WKRC-TV	3,281,914	3,229,223	\$ 25,185
73187	WKRK-TV	1,526,600	1,526,075	\$ 11,902
73188	WKRN-TV	2,409,767	2,388,588	\$ 18,629
34222	WKSO-TV	658,441	642,090	\$ 5,008
40902	WKTC	1,387,229	1,386,779	\$ 10,815
60654	WKTV	1,573,503	1,342,387	\$ 10,469
73195	WKYC	4,180,327	4,124,135	\$ 32,164
24914	WKYT-TV	1,174,615	1,156,978	\$ 9,023

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
71861	WKYU-TV	411,448	409,310	\$ 3,192
34181	WKZT-TV	1,044,532	1,020,878	\$ 7,962
18819	WLAE-TV	1,397,967	1,397,967	\$ 10,903
36533	WLAJ	4,100,475	4,063,963	\$ 31,695
2710	WLAX	469,017	447,381	\$ 3,489
68542	WLBT	948,671	947,857	\$ 7,392
39644	WLBZ	373,129	364,346	\$ 2,842
69328	WLED-TV	332,718	174,998	\$ 1,365
63046	WLEF-TV	200,517	199,188	\$ 1,553
73203	WLEX-TV	969,481	964,735	\$ 7,524
37806	WLFB	798,916	688,519	\$ 5,370
37808	WLFG	1,614,321	1,282,063	\$ 9,999
73204	WLFI-TV	2,243,009	2,221,313	\$ 17,324
73205	WLFL	3,747,583	3,743,960	\$ 29,199
19777	WLII-DT ^{4,8}	2,801,102	2,153,564	\$ 16,796
37503	WLIO	1,067,232	1,050,170	\$ 8,190
38336	WLIW	20,027,920	19,717,729	\$ 153,779
27696	WLJC-TV	1,401,072	1,281,256	\$ 9,993
71645	WLJT-DT	385,493	385,380	\$ 3,006
53939	WLKY	1,927,997	1,919,810	\$ 14,973
11033	WLLA	2,081,693	2,081,436	\$ 16,233
1222	WLMA	1,646,714	1,644,206	\$ 12,823
17076	WLMB	2,754,484	2,747,490	\$ 21,428
68518	WLMT	1,736,552	1,733,496	\$ 13,520
22591	WLNE-TV	6,429,522	6,381,825	\$ 49,772
74420	WLNS-TV	4,100,475	4,063,963	\$ 31,695
73206	WLNY-TV	7,501,199	7,415,578	\$ 57,834
84253	WLOO	913,960	912,674	\$ 7,118
56537	WLOS	3,086,751	2,544,410	\$ 19,844
37732	WLOV-TV	609,526	607,780	\$ 4,740
13995	WLOX	1,182,149	1,170,659	\$ 9,130

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
38586	WLPB-TV	1,219,624	1,219,407	\$ 9,510
73189	WLPX-TV	1,066,912	1,022,543	\$ 7,975
66358	WLRN-TV	5,447,399	5,447,399	\$ 42,484
73226	WLS-TV	10,174,464	10,170,757	\$ 79,322
73230	WLTV-DT	5,427,398	5,427,398	\$ 42,328
37176	WLTX	1,580,677	1,578,645	\$ 12,312
37179	WLTZ	689,521	685,358	\$ 5,345
21259	WLUC-TV	92,246	85,393	\$ 666
4150	WLUK-TV	1,187,616	1,186,861	\$ 9,256
73238	WLVI	7,441,208	7,343,735	\$ 57,274
36989	WLVT-TV	10,613,847	9,474,797	\$ 73,894
3978	WLWC	3,281,532	3,150,875	\$ 24,574
46979	WLWT	3,367,381	3,355,009	\$ 26,166
54452	WLXI	4,184,851	4,166,318	\$ 32,493
55350	WLYH	3,211,085	2,799,192	\$ 21,831
43192	WMAB-TV	405,483	399,560	\$ 3,116
43170	WMAE-TV	686,076	653,173	\$ 5,094
43197	WMAH-TV	1,257,393	1,256,995	\$ 9,803
43176	WMAO-TV	369,696	369,343	\$ 2,881
47905	WMAQ-TV	9,914,395	9,913,272	\$ 77,314
59442	WMAR-TV	9,198,495	9,072,076	\$ 70,753
43184	WMAU-TV	642,328	636,504	\$ 4,964
43193	WMAV-TV	1,008,339	1,008,208	\$ 7,863
43169	WMAW-TV	726,173	715,450	\$ 5,580
46991	WMAZ-TV	1,185,678	1,136,616	\$ 8,864
66398	WMBB	935,027	914,607	\$ 7,133
43952	WMBC-TV	18,706,132	18,458,331	\$ 143,957
42121	WMBD-TV	742,729	742,660	\$ 5,792
83969	WMBF-TV	445,363	445,363	\$ 3,473
60829	WMCF-TV	612,942	609,635	\$ 4,755
9739	WMCN-TV	10,448,829	10,049,700	\$ 78,378

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
19184	WMC-TV	2,047,403	2,043,125	\$ 15,934
189357	WMDE	6,384,827	6,257,910	\$ 48,805
73255	WMDN	278,227	278,018	\$ 2,168
16455	WMDT	731,868	731,868	\$ 5,708
39656	WMEA-TV	902,755	853,857	\$ 6,659
39648	WMEB-TV	511,761	494,574	\$ 3,857
70537	WMEC	218,027	217,839	\$ 1,699
39649	WMED-TV	30,488	29,577	\$ 231
39662	WMEM-TV	71,700	69,981	\$ 546
41893	WMFD-TV	1,561,367	1,324,244	\$ 10,328
41436	WMFP	5,792,048	5,564,295	\$ 43,396
61111	WMGM-TV	807,797	807,797	\$ 6,300
43847	WMGT-TV	601,894	601,309	\$ 4,690
73263	WMHT	1,719,949	1,550,977	\$ 12,096
68545	WMLW-TV	1,843,933	1,843,663	\$ 14,379
53819	WMOR-TV	5,394,541	5,394,541	\$ 42,072
81503	WMOW	121,150	105,957	\$ 826
65944	WMPB	7,452,728	7,343,061	\$ 57,269
43168	WMPN-TV	856,237	854,089	\$ 6,661
65942	WMPT	8,637,742	8,584,398	\$ 66,950
60827	WMPV-TV	1,423,052	1,422,411	\$ 11,093
10221	WMSN-TV	1,947,942	1,927,158	\$ 15,030
2174	WMTJ ¹¹	3,143,148	2,365,308	\$ 18,447
6870	WMTV	1,548,616	1,545,459	\$ 12,053
73288	WMTW	1,940,292	1,658,816	\$ 12,937
23935	WMUM-TV	925,814	920,835	\$ 7,182
73292	WMUR-TV	5,242,334	5,057,770	\$ 39,446
42663	WMVS	3,172,534	3,112,231	\$ 24,272
42665	WMVT	3,172,534	3,112,231	\$ 24,272
81946	WMWC-TV	946,858	916,989	\$ 7,152
56548	WMYA-TV	1,650,798	1,571,594	\$ 12,257

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
74211	WMYD	5,750,989	5,750,873	\$ 44,851
20624	WMYT-TV	4,432,745	4,301,117	\$ 33,544
25544	WMYV	3,901,915	3,875,210	\$ 30,223
73310	WNAB	2,176,984	2,166,809	\$ 16,899
73311	WNAC-TV	7,310,183	6,959,064	\$ 54,274
47535	WNBC	21,952,082	21,399,204	\$ 166,892
83965	WNBW-DT	1,400,631	1,396,012	\$ 10,887
72307	WNCF	667,683	665,950	\$ 5,194
50782	WNCN	3,795,494	3,783,131	\$ 29,505
57838	WNCT-TV	1,935,414	1,887,929	\$ 14,724
41674	WNDU-TV	1,863,764	1,835,398	\$ 14,314
28462	WNDY-TV	2,912,963	2,855,253	\$ 22,268
71928	WNED-TV	1,387,961	1,370,480	\$ 10,688
60931	WNEH	1,261,482	1,255,218	\$ 9,789
41221	WNEM-TV	1,475,094	1,471,908	\$ 11,479
49439	WNEO	3,353,869	3,271,369	\$ 25,513
73318	WNEP-TV	3,429,213	2,838,000	\$ 22,134
18795	WNET	21,113,760	20,615,190	\$ 160,778
51864	WNEU	7,135,190	7,067,520	\$ 55,120
23942	WNGH-TV	5,744,856	5,595,366	\$ 43,638
67802	WNIN	908,275	891,946	\$ 6,956
41671	WNIT	1,305,447	1,305,447	\$ 10,181
48457	WNJB	20,787,272	20,036,393	\$ 156,264
48477	WNJN	20,787,272	20,036,393	\$ 156,264
48481	WNJS	7,383,483	7,343,269	\$ 57,270
48465	WNJT	7,383,483	7,343,269	\$ 57,270
73333	WNJU	21,952,082	21,399,204	\$ 166,892
73336	WNJX-TV ²	1,628,732	1,170,083	\$ 2,462
61217	WNKY	379,002	377,357	\$ 2,943
71905	WNLO	1,900,503	1,820,106	\$ 14,195
4318	WNMU	181,736	179,662	\$ 1,401

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
73344	WNNE	792,551	676,539	\$ 5,276
54280	WNOL-TV	1,632,389	1,632,389	\$ 12,731
71676	WNPB-TV	2,130,047	1,941,707	\$ 15,143
62137	WNPI-DT	167,931	161,748	\$ 1,261
41398	WNPT	2,266,543	2,235,316	\$ 17,433
28468	WNPX-TV	2,084,890	2,071,017	\$ 16,152
61009	WNSC-TV	2,431,154	2,425,044	\$ 18,913
61010	WNTV	2,419,841	2,211,019	\$ 17,244
16539	WNTZ-TV	344,704	343,849	\$ 2,682
7933	WNUV	9,098,694	8,906,508	\$ 69,462
9999	WNVC	807,960	690,381	\$ 5,384
10019	WNVT	1,721,004	1,712,249	\$ 13,354
73354	WNWO-TV	2,872,428	2,872,250	\$ 22,401
136751	WNYA	1,923,118	1,651,777	\$ 12,882
30303	WNYB	1,785,269	1,756,096	\$ 13,696
6048	WNYE-TV	19,414,613	19,180,858	\$ 149,592
34329	WNYI	1,627,542	1,338,811	\$ 10,441
67784	WNYO-TV	1,430,491	1,409,756	\$ 10,995
73363	WNYT	1,679,494	1,516,775	\$ 11,829
22206	WNYW	20,075,874	19,753,060	\$ 154,054
69618	WOAI-TV	2,525,811	2,513,887	\$ 19,606
66804	WOAY-TV	581,486	443,210	\$ 3,457
41225	WOFL	4,048,104	4,043,672	\$ 31,537
70651	WOGX	1,112,408	1,112,408	\$ 8,676
8661	WOI-DT	1,173,757	1,170,432	\$ 9,128
39746	WOIO	3,821,233	3,745,335	\$ 29,210
71725	WOLE-DT ⁴	1,784,094	1,312,984	\$ 7,379
73375	WOLF-TV	2,990,646	2,522,858	\$ 19,676
60963	WOLO-TV	2,635,715	2,594,980	\$ 20,238
36838	WOOD-TV	2,507,053	2,501,084	\$ 19,506
67602	WOPX-TV	3,877,863	3,877,805	\$ 30,243

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
64865	WORA-TV ^{3,13}	3,594,115	2,762,755	\$ 21,547
73901	WORO-DT	3,236,498	2,516,588	\$ 19,627
60357	WOST	1,193,381	853,762	\$ 6,658
66185	WOSU-TV	2,843,651	2,776,901	\$ 21,657
131	WOTF-TV	3,451,383	3,451,383	\$ 26,917
10212	WOTV	2,368,797	2,368,397	\$ 18,471
50147	WOUB-TV	756,762	734,988	\$ 5,732
50141	WOUC-TV	1,713,515	1,649,853	\$ 12,867
23342	WOWK-TV	1,159,175	1,083,663	\$ 8,451
65528	WOWT	1,380,979	1,377,287	\$ 10,741
31570	WPAN	1,254,821	1,254,636	\$ 9,785
51988	WPBF	3,190,307	3,186,405	\$ 24,851
21253	WPBN-TV	442,005	430,953	\$ 3,361
62136	WPBS-TV	338,448	301,692	\$ 2,353
13456	WPBT	5,416,604	5,416,604	\$ 42,244
13924	WPCB-TV	2,934,614	2,800,516	\$ 21,841
64033	WPCH-TV	5,948,778	5,874,163	\$ 45,813
4354	WPCT	195,270	194,869	\$ 1,520
69880	WPCW	3,393,365	3,188,441	\$ 24,867
17012	WPDE-TV	1,772,233	1,769,553	\$ 13,801
52527	WPEC	5,764,571	5,764,571	\$ 44,958
84088	WPFO	1,329,690	1,209,873	\$ 9,436
54728	WPGA-TV	559,495	559,025	\$ 4,360
60820	WPGD-TV	2,355,629	2,343,715	\$ 18,279
73875	WPGH-TV	3,236,098	3,121,767	\$ 24,347
2942	WPGX	425,098	422,872	\$ 3,298
73879	WPHL-TV	10,421,216	10,246,856	\$ 79,915
73881	WPIX	20,948,273	20,501,774	\$ 159,893
53113	WPLG	5,588,748	5,588,748	\$ 43,587
11906	WPMT-TV	1,468,001	1,467,594	\$ 11,446
10213	WPMT	2,412,561	2,191,501	\$ 17,092

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
18798	WPNE-TV	1,161,295	1,160,631	\$ 9,052
73907	WPNT	3,172,170	3,064,423	\$ 23,899
28480	WPPT	10,613,847	9,474,797	\$ 73,894
51984	WPPX-TV	8,044,823	7,839,141	\$ 61,137
47404	WPRI-TV	7,254,721	6,990,606	\$ 54,520
51991	WPSD-TV	883,814	879,213	\$ 6,857
12499	WPSG	10,798,264	10,529,460	\$ 82,119
66219	WPSU-TV	1,055,133	868,013	\$ 6,770
73905	WPTA	1,099,180	1,099,180	\$ 8,573
25067	WPTD	3,423,417	3,411,727	\$ 26,608
25065	WPTO	2,961,254	2,951,883	\$ 23,022
59443	WPTV-TV	5,840,102	5,840,102	\$ 45,547
57476	WPTZ	792,551	676,539	\$ 5,276
8616	WPVI-TV	11,491,587	11,302,701	\$ 88,150
48772	WPWR-TV	9,957,301	9,954,828	\$ 77,638
51969	WPXA-TV	6,587,205	6,458,510	\$ 50,370
71236	WPXC-TV	1,561,014	1,561,014	\$ 12,174
5800	WPXD-TV	5,249,447	5,249,447	\$ 40,940
37104	WPXE-TV	3,067,071	3,057,388	\$ 23,845
48406	WPXG-TV	2,577,848	2,512,150	\$ 19,592
73312	WPXH-TV	1,471,601	1,451,634	\$ 11,321
73910	WPXI	3,300,896	3,197,864	\$ 24,940
2325	WPXJ-TV	2,357,870	2,289,706	\$ 17,857
52628	WPXK-TV	1,801,997	1,577,806	\$ 12,305
21729	WPXL-TV	1,639,180	1,639,180	\$ 12,784
48608	WPXM-TV	5,153,621	5,153,621	\$ 40,193
73356	WPXN-TV	20,878,066	20,454,468	\$ 159,524
27290	WPXP-TV	5,565,072	5,565,072	\$ 43,402
50063	WPXQ-TV	3,281,532	3,150,875	\$ 24,574
70251	WPXR-TV	1,375,640	1,200,331	\$ 9,361
40861	WPXS	2,339,305	2,251,498	\$ 17,559

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
53065	WPXT	1,002,128	952,535	\$ 7,429
37971	WPXU-TV	700,488	700,488	\$ 5,463
67077	WPXV-TV	1,919,794	1,919,794	\$ 14,972
74091	WPXW-TV	8,075,268	8,024,342	\$ 62,582
21726	WPXX-TV	1,562,675	1,560,834	\$ 12,173
73319	WQAD-TV	1,101,012	1,089,523	\$ 8,497
65130	WQCW	1,307,345	1,236,020	\$ 9,640
71561	WQEC	183,969	183,690	\$ 1,433
41315	WQED	3,529,305	3,426,684	\$ 26,725
3255	WQHA	3,322,840	2,368,215	\$ 18,470
60556	WQHS-DT	3,996,567	3,952,672	\$ 30,827
53716	WQLN	602,232	577,633	\$ 4,505
52075	WQMY	410,269	254,586	\$ 1,986
64550	WQOW	369,066	358,576	\$ 2,797
5468	WQPT-TV	941,381	933,107	\$ 7,277
64690	WQPX-TV	1,644,283	1,212,587	\$ 9,457
52408	WQRF-TV	1,375,774	1,354,979	\$ 10,567
2175	WQTO ¹¹	2,864,201	1,598,365	\$ 5,728
8688	WRAL-TV	3,852,675	3,848,801	\$ 30,017
10133	WRAY-TV	4,184,851	4,166,318	\$ 32,493
64611	WRAZ	3,800,594	3,797,515	\$ 29,617
136749	WRBJ-TV	1,030,831	1,028,010	\$ 8,017
3359	WRBL	1,493,140	1,461,459	\$ 11,398
57221	WRBU	2,933,497	2,929,776	\$ 22,849
54940	WRBW	4,080,267	4,077,341	\$ 31,799
59137	WRCB	1,587,742	1,363,582	\$ 10,635
47904	WRC-TV	8,188,601	8,146,696	\$ 63,536
54963	WRDC	3,972,477	3,966,864	\$ 30,938
55454	WRDQ	3,930,315	3,930,315	\$ 30,653
73937	WRDW-TV	1,564,584	1,533,682	\$ 11,961
66174	WREG-TV	1,642,307	1,638,585	\$ 12,779

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
61011	WRET-TV	2,419,841	2,211,019	\$ 17,244
73940	WREX	2,303,027	2,047,951	\$ 15,972
54443	WRFB ¹³	2,674,527	1,975,375	\$ 2,628
73942	WRGB	1,759,432	1,550,958	\$ 12,096
411	WRGT-TV	3,451,036	3,416,078	\$ 26,642
74416	WRIC-TV	2,059,152	1,996,075	\$ 15,567
61012	WRJA-TV	1,204,291	1,201,900	\$ 9,374
412	WRLH-TV	2,017,508	1,959,111	\$ 15,279
61013	WRLK-TV	1,229,094	1,228,616	\$ 9,582
43870	WRLM	3,960,217	3,945,408	\$ 30,770
74156	WRNN-TV	19,853,836	19,615,370	\$ 152,980
73964	WROC-TV	1,203,412	1,185,203	\$ 9,243
159007	WRPT	110,009	109,937	\$ 857
20590	WRPX-TV	2,637,949	2,634,141	\$ 20,544
62009	WRSP-TV	1,102,162	1,100,077	\$ 8,580
40877	WRTV	2,919,683	2,895,164	\$ 22,579
15320	WRUA	2,985,428	2,224,902	\$ 17,352
71580	WRXY-TV	1,784,000	1,784,000	\$ 13,913
48662	WSAV-TV	1,000,315	1,000,309	\$ 7,801
6867	WSAW-TV	652,442	646,386	\$ 5,041
36912	WSAZ-TV	1,239,187	1,168,954	\$ 9,117
56092	WSBE-TV	7,535,710	7,266,304	\$ 56,670
73982	WSBK-TV	7,290,901	7,225,463	\$ 56,351
72053	WSBS-TV	42,952	42,952	\$ 335
73983	WSBT-TV	1,763,215	1,752,698	\$ 13,669
23960	WSB-TV	5,897,425	5,828,269	\$ 45,455
69446	WSCG	867,516	867,490	\$ 6,766
64971	WSCV	5,465,435	5,465,435	\$ 42,625
70536	WSEC	538,090	536,891	\$ 4,187
49711	WSEE-TV	613,176	595,476	\$ 4,644
21258	WSES	1,829,499	1,796,561	\$ 14,011

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
73988	WSET-TV	1,575,886	1,340,273	\$ 10,453
13993	WSFA	1,166,744	1,132,826	\$ 8,835
11118	WSFJ-TV	1,675,987	1,667,150	\$ 13,002
10203	WSFL-TV	5,344,129	5,344,129	\$ 41,679
72871	WSFX-TV	970,833	970,833	\$ 7,572
73999	WSIL-TV	672,560	669,176	\$ 5,219
4297	WSIU-TV	1,019,939	937,070	\$ 7,308
74007	WSJV	1,651,178	1,644,683	\$ 12,827
78908	WSKA	546,588	431,354	\$ 3,364
74034	WSKG-TV	892,402	633,163	\$ 4,938
76324	WSKY-TV	1,934,585	1,934,519	\$ 15,087
57840	WSLS-TV	1,447,286	1,277,753	\$ 9,965
21737	WSMH	2,339,224	2,327,660	\$ 18,153
41232	WSMV-TV	2,447,769	2,404,766	\$ 18,755
70119	WSNS-TV	9,914,395	9,913,272	\$ 77,314
74070	WSOC-TV	3,706,808	3,638,832	\$ 28,379
66391	WSPA-TV	3,388,945	3,227,025	\$ 25,168
64352	WSPX-TV	1,298,295	1,174,763	\$ 9,162
17611	WSRE	1,354,495	1,353,634	\$ 10,557
63867	WSST-TV	331,907	331,601	\$ 2,586
60341	WSTE-DT	3,723,967	3,000,000	\$ 23,397
21252	WSTM-TV	1,455,586	1,379,393	\$ 10,758
11204	WSTR-TV	3,297,280	3,286,795	\$ 25,634
19776	WSUR-DT ⁸	3,714,790	3,000,000	\$ 7,379
2370	WSVI	50,601	50,601	\$ 395
63840	WSVN	5,588,748	5,588,748	\$ 43,587
73374	WSWB	1,530,002	1,102,316	\$ 8,597
28155	WSWG	381,004	380,910	\$ 2,971
71680	WSWP-TV	902,592	694,697	\$ 5,418
74094	WSYM-TV	1,568,403	1,567,920	\$ 12,228
73113	WSYR-TV	1,329,977	1,243,098	\$ 9,695

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
40758	WSYT	1,970,721	1,739,071	\$ 13,563
56549	WSYX	2,635,937	2,592,420	\$ 20,218
65681	WTAE-TV	2,995,755	2,860,979	\$ 22,313
23341	WTAJ-TV	1,187,718	948,598	\$ 7,398
4685	WTAP-TV	512,358	494,914	\$ 3,860
416	WTAT-TV	1,111,476	1,111,476	\$ 8,668
67993	WTBY-TV	15,858,470	15,766,438	\$ 122,962
29715	WTCE-TV	2,620,599	2,620,599	\$ 20,438
65667	WTCI	1,216,209	1,104,698	\$ 8,616
67786	WTCT	608,457	607,620	\$ 4,739
28954	WTCV ^{5,9}	3,254,481	2,500,195	\$ 19,499
74422	WTEN	1,902,431	1,613,747	\$ 12,586
9881	WTGL	3,707,507	3,707,507	\$ 28,915
27245	WTGS	966,519	966,357	\$ 7,537
70655	WTHI-TV	978,126	928,582	\$ 7,242
70162	WTHR	2,949,339	2,901,633	\$ 22,630
147	WTIC-TV	5,318,753	4,707,697	\$ 36,715
26681	WTIN-TV ⁷	3,716,312	2,987,150	\$ 2,462
66536	WTIU	1,570,257	1,569,135	\$ 12,238
1002	WTJP-TV	1,947,743	1,907,300	\$ 14,875
4593	WTJR	334,527	334,221	\$ 2,607
70287	WTJX-TV	135,017	121,498	\$ 948
47401	WTKR	2,149,376	2,149,375	\$ 16,763
82735	WTLF	349,696	349,691	\$ 2,727
23486	WTLH	1,065,127	1,065,105	\$ 8,307
67781	WTLJ	1,622,365	1,621,227	\$ 12,644
65046	WTLV	1,757,600	1,739,021	\$ 13,563
74098	WTMJ-TV	3,096,406	3,085,983	\$ 24,068
74109	WTNH	7,845,782	7,332,431	\$ 57,186
19200	WTNZ	1,699,427	1,513,754	\$ 11,806
590	WTOC-TV	993,098	992,658	\$ 7,742

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
74112	WTOG	5,268,364	5,267,177	\$ 41,079
4686	WTOK-TV	417,919	412,276	\$ 3,215
13992	WTOL	4,487,440	4,479,518	\$ 34,936
21254	WTOM-TV	120,369	117,121	\$ 913
74122	WTOV-TV	3,892,886	3,619,899	\$ 28,232
82574	WTPC-TV	2,049,246	2,042,851	\$ 15,932
86496	WTPX-TV	255,972	255,791	\$ 1,995
6869	WTRF-TV	2,941,511	2,565,375	\$ 20,007
67798	WTSF	922,441	851,465	\$ 6,641
11290	WTSP	5,506,869	5,489,954	\$ 42,816
4108	WTTA	5,583,544	5,576,649	\$ 43,492
74137	WTTE	2,690,341	2,650,354	\$ 20,670
22207	WTTG	8,101,358	8,049,329	\$ 62,777
56526	WTTK	2,844,384	2,825,807	\$ 22,038
74138	WTTO	1,877,570	1,844,214	\$ 14,383
56523	WTTV	2,522,077	2,518,133	\$ 19,639
10802	WTTW	9,776,348	9,776,348	\$ 76,246
74148	WTVA	823,492	810,123	\$ 6,318
22590	WTVC	1,579,628	1,366,976	\$ 10,661
8617	WTVD	3,790,354	3,775,757	\$ 29,447
55305	WTVE	5,156,905	5,152,997	\$ 40,188
36504	WTVF	2,384,622	2,367,601	\$ 18,465
74150	WTVG	4,405,350	4,397,113	\$ 34,293
74151	WTVH	1,390,502	1,327,319	\$ 10,352
10645	WTVI	2,856,703	2,829,960	\$ 22,071
63154	WTVJ	5,458,451	5,458,451	\$ 42,570
595	WTVM	1,498,667	1,405,957	\$ 10,965
72945	WTVO	1,409,708	1,398,825	\$ 10,909
28311	WTVP	678,884	678,539	\$ 5,292
51597	WTVQ-DT	989,786	983,552	\$ 7,671
57832	WTVR-TV	1,816,197	1,809,035	\$ 14,109

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
16817	WTVS	5,511,091	5,510,837	\$ 42,979
68569	WTVT	5,473,148	5,460,179	\$ 42,584
3661	WTVW	839,003	834,187	\$ 6,506
35575	WTVX	3,157,609	3,157,609	\$ 24,626
4152	WTVY	974,532	971,173	\$ 7,574
40759	WTVZ-TV	2,156,534	2,156,346	\$ 16,817
66908	WTWC-TV	1,061,101	1,061,079	\$ 8,275
20426	WTWO	737,341	731,294	\$ 5,703
81692	WTWV	1,527,511	1,526,625	\$ 11,906
51568	WTFX-TV	10,784,256	10,492,549	\$ 81,831
41065	WTVL-TV	1,054,514	1,054,322	\$ 8,223
8532	WUAB	3,821,233	3,745,335	\$ 29,210
12855	WUCF-TV	3,707,507	3,707,507	\$ 28,915
36395	WUCW	3,664,480	3,657,236	\$ 28,523
69440	WUFT	1,372,142	1,372,142	\$ 10,701
413	WUHF	1,152,580	1,147,972	\$ 8,953
8156	WUJA	2,638,361	1,977,410	\$ 15,422
69080	WUNC-TV	4,184,851	4,166,318	\$ 32,493
69292	WUND-TV	1,504,532	1,504,532	\$ 11,734
69114	WUNE-TV	3,146,865	2,625,942	\$ 20,480
69300	WUNF-TV	2,625,583	2,331,723	\$ 18,185
69124	WUNG-TV	3,605,143	3,588,220	\$ 27,985
60551	WUNI	7,209,571	7,084,349	\$ 55,251
69332	WUNJ-TV	1,116,458	1,116,458	\$ 8,707
69149	WUNK-TV	1,991,039	1,985,696	\$ 15,486
69360	WUNL-TV	3,055,263	2,834,274	\$ 22,105
69444	WUNM-TV	1,357,346	1,357,346	\$ 10,586
69397	WUNP-TV	1,402,186	1,393,524	\$ 10,868
69416	WUNU	1,202,495	1,201,481	\$ 9,370
83822	WUNW	1,856,918	1,333,273	\$ 10,398
6900	WUPA	5,966,454	5,888,379	\$ 45,923

Facility Id.	Call Sign	Service Area	Terrain Limited	Terrain Limited
		Population	Population	Fee Amount
13938	WUPL	1,721,320	1,721,320	\$ 13,425
10897	WUPV	1,933,664	1,914,643	\$ 14,932
19190	WUPW	2,100,914	2,099,572	\$ 16,375
23128	WUPX-TV	1,102,435	1,089,118	\$ 8,494
65593	WUSA	8,750,706	8,446,074	\$ 65,871
4301	WUSI-TV	339,507	339,507	\$ 2,648
60552	WUTB	8,523,983	8,381,042	\$ 65,364
30577	WUTF-TV	7,918,927	7,709,189	\$ 60,124
57837	WUTR	526,114	481,957	\$ 3,759
415	WUTV	1,589,376	1,557,474	\$ 12,147
16517	WUVC-DT	3,768,817	3,748,841	\$ 29,237
48813	WUVG-DT	6,029,495	5,965,975	\$ 46,529
3072	WUVN	1,233,568	1,157,140	\$ 9,025
60560	WUVP-DT	10,421,216	10,246,856	\$ 79,915
9971	WUXP-TV	2,316,872	2,305,293	\$ 17,979
417	WVAH-TV	1,373,555	1,295,383	\$ 10,103
23947	WVAN-TV	1,026,862	1,025,950	\$ 8,001
65387	WVBT	1,885,169	1,885,169	\$ 14,702
72342	WVCY-TV	3,111,641	3,102,097	\$ 24,193
60559	WVEA-TV	4,553,004	4,552,113	\$ 35,502
74167	WVEC	2,098,679	2,092,868	\$ 16,322
5802	WVEN-TV	3,921,016	3,919,361	\$ 30,567
61573	WVEO ⁵	1,091,825	757,978	\$ 4,676
69946	WVER	888,756	758,441	\$ 5,915
10976	WVFX	711,483	618,730	\$ 4,825
47929	WVIA-TV	3,429,213	2,838,000	\$ 22,134
3667	WVII-TV	368,022	346,874	\$ 2,705
70309	WVIR-TV	1,945,637	1,908,395	\$ 14,884
74170	WVIT	5,846,093	5,357,639	\$ 41,784
18753	WVIZ	3,695,223	3,689,173	\$ 28,772
70021	WVLA-TV	1,897,179	1,897,007	\$ 14,795

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
81750	WVLR	1,412,728	1,300,554	\$ 10,143
35908	WVLT-TV	1,888,607	1,633,633	\$ 12,741
74169	WVNS-TV	916,451	588,963	\$ 4,593
11259	WVNY	742,579	659,270	\$ 5,142
29000	WVOZ-TV ⁹	1,132,932	731,199	\$ 4,676
71657	WVPB-TV	992,798	959,526	\$ 7,483
60111	WVPT	767,268	642,173	\$ 5,008
70491	WVPX-TV	4,147,298	4,114,920	\$ 32,092
66378	WVPY	756,696	632,649	\$ 4,934
67190	WVSN	2,948,832	2,137,333	\$ 16,669
66943	WVTA	760,072	579,703	\$ 4,521
69940	WVTB	455,880	257,445	\$ 2,008
74173	WVTM-TV	2,009,346	1,940,153	\$ 15,131
74174	WVTV	3,091,132	3,083,108	\$ 24,045
77496	WVUA	2,209,921	2,160,101	\$ 16,847
4149	WVUE-DT	1,658,125	1,658,125	\$ 12,932
4329	WVUT	273,293	273,215	\$ 2,131
74176	WVVA	1,037,632	722,666	\$ 5,636
3113	WVXF	85,191	78,556	\$ 613
12033	WWAY	1,208,625	1,208,625	\$ 9,426
30833	WWBT	1,924,502	1,892,842	\$ 14,762
20295	WWCP-TV	2,811,278	2,548,691	\$ 19,877
24812	WWCW	1,390,985	1,212,308	\$ 9,455
23671	WWDP	5,792,048	5,564,295	\$ 43,396
21158	WWHO	2,762,344	2,721,504	\$ 21,225
14682	WWJE-DT	7,209,571	7,084,349	\$ 55,251
72123	WWJ-TV	5,562,031	5,561,777	\$ 43,376
166512	WWJX	518,866	518,846	\$ 4,046
6868	WWLP	3,838,272	3,077,800	\$ 24,004
74192	WWL-TV	1,788,624	1,788,624	\$ 13,949
3133	WWMB	1,547,974	1,544,778	\$ 12,048

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
74195	WWMT	2,538,485	2,531,309	\$ 19,742
68851	WWNY-TV	375,600	346,623	\$ 2,703
74197	WWOR-TV	19,853,836	19,615,370	\$ 152,980
65943	WWPB	3,197,858	2,775,966	\$ 21,650
23264	WWPX-TV	2,299,441	2,231,612	\$ 17,404
68547	WWRS-TV	2,324,155	2,321,066	\$ 18,102
61251	WWSB	3,340,133	3,340,133	\$ 26,050
23142	WWSI	11,269,831	11,098,540	\$ 86,558
16747	WWTI	196,531	190,097	\$ 1,483
998	WWTO-TV	6,760,133	6,760,133	\$ 52,722
26994	WWTW	1,034,174	1,022,322	\$ 7,973
84214	WWTW	1,527,511	1,526,625	\$ 11,906
26993	WWUP-TV	116,638	110,592	\$ 863
23338	WXBU	4,030,693	3,538,096	\$ 27,594
61504	WXCW	1,687,947	1,687,947	\$ 13,164
61084	WXEL-TV	5,416,604	5,416,604	\$ 42,244
60539	WXFT-DT	10,174,464	10,170,757	\$ 79,322
23929	WXGA-TV	608,494	606,849	\$ 4,733
51163	WXIA-TV	6,179,680	6,035,625	\$ 47,072
53921	WXII-TV	3,630,551	3,299,114	\$ 25,730
146	WXIN	2,836,532	2,814,815	\$ 21,953
39738	WXIX-TV	2,911,054	2,900,875	\$ 22,624
414	WXLV-TV	4,364,244	4,334,365	\$ 33,804
68433	WXMI	1,988,970	1,988,589	\$ 15,509
64549	WXOW	425,378	413,264	\$ 3,223
6601	WXPX-TV	4,594,588	4,592,639	\$ 35,818
74215	WXTV-DT	20,538,272	20,130,459	\$ 156,997
12472	WXTX	699,095	694,837	\$ 5,419
11970	WXXA-TV	1,680,670	1,537,868	\$ 11,994
57274	WXXI-TV	1,184,860	1,168,696	\$ 9,115
53517	WXXV-TV	1,191,123	1,189,584	\$ 9,278

Facility Id.	Call Sign	Service Area Population	Terrain Limited Population	Terrain Limited Fee Amount
10267	WXYZ-TV	5,622,543	5,622,140	\$ 43,847
77515	WYCI	35,873	26,508	\$ 207
70149	WYCW	3,388,945	3,227,025	\$ 25,168
62219	WYDC	560,266	449,486	\$ 3,506
18783	WYDN	2,577,848	2,512,150	\$ 19,592
35582	WYDO	1,330,728	1,330,728	\$ 10,378
25090	WYES-TV	1,872,245	1,872,059	\$ 14,600
53905	WYFF	2,626,363	2,416,551	\$ 18,847
49803	WYIN	6,956,141	6,956,141	\$ 54,251
24915	WYMT-TV	1,180,276	863,881	\$ 6,737
17010	WYOU	2,879,196	2,226,883	\$ 17,367
77789	WYOW	91,839	91,311	\$ 712
13933	WYPX-TV	1,529,500	1,413,583	\$ 11,025
4693	WYTV	4,898,622	4,535,576	\$ 35,373
5875	WYZZ-TV	1,042,140	1,036,721	\$ 8,085
15507	WZBJ	1,626,017	1,435,762	\$ 11,198
28119	WZDX	1,596,771	1,514,654	\$ 11,813
70493	WZME	5,996,408	5,544,708	\$ 43,243
81448	WZMQ	73,423	72,945	\$ 569
71871	WZPX-TV	2,039,157	2,039,157	\$ 15,903
136750	WZRB	952,279	951,693	\$ 7,422
418	WZTV	2,312,658	2,301,187	\$ 17,947
83270	WZVI	76,992	75,863	\$ 592
19183	WZVN-TV	1,981,488	1,981,488	\$ 15,454
49713	WZZM	1,574,546	1,548,835	\$ 12,079

¹ Call signs WIPM and WIPR are stations in Puerto Rico that are linked together with a total fee of \$24,175.

² Call signs WNJX and WAPA are stations in Puerto Rico that are linked together with a total fee of \$24,175.

³ Call signs WKAQ and WORA are stations in Puerto Rico that are linked together with a total fee of \$24,175.

⁴ Call signs WOLE and WLII are stations in Puerto Rico that are linked together with a total fee of \$24,175.

⁵ Call signs WVEO and WTCV are stations in Puerto Rico that are linked together with a total fee of \$24,175.

⁶ Call signs WJPX and WJWN are stations in Puerto Rico that are linked together with a total fee of \$24,175.

⁷ Call signs WAPA and WTIN are stations in Puerto Rico that are linked together with a total fee of \$24,175.

⁸ Call signs WSUR and WLII are stations in Puerto Rico that are linked together with a total fee of \$24,175.

⁹ Call signs WVOZ and WTCV are stations in Puerto Rico that are linked together with a total fee of \$24,175.

¹⁰ Call signs WJPX and WKPV are stations in Puerto Rico that are linked together with a total fee of \$24,175.

¹¹ Call signs WMTJ and WQTO are stations in Puerto Rico that are linked together with a total fee of \$24,175.

¹² Call signs WIRS and WJPX are stations in Puerto Rico that are linked together with a total fee of \$24,175.

¹³ Call signs WRFB and WORA are stations in Puerto Rico that are linked together with a total fee of \$24,175.

APPENDIX H

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

Fee Category	Annual Regulatory Fee (U.S. \$s)
Low Power TV, Class A TV, TV/FM Translators & FM Boosters (47 CFR part 74)	330
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 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 *Assessment and Collection of Regulatory Fees for Fiscal Year 2023*, Notice of Proposed Rulemaking (*FY 2023 NPRM*) released in June 2023.² The Commission sought written public comment on the proposals in the *FY 2023 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 \$390,192,000 in congressionally mandated regulatory fees for FY 2023. Under section 9 of the Communications Act of 1934, as amended, (Act or Communications Act),⁴ 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.⁵ 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 2023 NPRM*,⁶ the Commission sought comment on the methodology for assessing regulatory fees and the FY 2023 regulatory fee schedule, as well as on other issues related to the collection of regulatory fees including: (i) the calculation of television and radio broadcaster regulatory fees, including the modification of the existing grid by adding a new tier for AM and FM radio stations; (ii) defining the category of operations for on-orbit servicing (OOS) and rendezvous and proximity operations (RPO) ("In-Space Servicing" Industries) for regulatory fee purposes, including whether a separate regulatory fee category is necessary and how to apply regulatory fees to OOS and RPO spacecraft specifically operating near the geostationary satellite orbit arc; (iii) evaluating how the Commission's proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility; (iv) considering whether to continue in FY 2023 several of the temporary measures the Commission implemented in FYs 2020 through 2022;⁷ and (v) whether to permit regulatory fee payors to prepay their regulatory fees in installments. For FY 2023, the Commission adopts, with modification, the regulatory fee schedule set forth in Appendices B and C to the *Report and Order*.

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 2023*, Notice of Proposed Rulemaking, (*FY 2023 NPRM*).

³ 5 U.S.C. § 604.

⁴ 47 U.S.C. § 159.

⁵ 47 U.S.C. § 159(a).

⁶ See *FY 2023 NPRM*, generally.

⁷ A National Emergency concerning COVID-19 was originally declared on March 13, 2020, by Presidential Proclamation No. 9994. 85 FR 15337 (2020). It has been extended on multiple occasions, most recently on February 10, 2023. 88 FR 9385 (2023). In the February 10, 2023 statement extending the national emergency, the President also "anticipated terminating the national emergency concerning the COVID-19 pandemic on May 11, 2023." *Id.*

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

4. There were no comments filed that specifically addressed the proposed rules and policies presented in the IRFA

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

5. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and to provide a detailed statement of any change made to the proposed rules as a result of those comments.⁸ The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

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, at the outset, three broad groups of small entities that could be directly affected herein.¹³ First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration’s (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees.¹⁴ These types of small businesses represent 99.9% of all businesses in the United States, which translates to 33.2 million 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

⁸ *Id.* § 604 (a)(3).

⁹ *Id.* § 604(a)(4).

¹⁰ *Id.* § 601(6).

¹¹ *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, “What’s New With Small Business?,”

<https://advocacy.sba.gov/wp-content/uploads/2023/03/Whats-New-Infographic-March-2023-508c.pdf>. (Mar. 2023)

¹⁵ *Id.*

¹⁶ *See* 5 U.S.C. § 601(4).

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 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 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

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.

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-EO-BMF>. The IRS Exempt Organization Business Master File (EO BMF) Extract provides information on all registered tax-exempt/non-profit organizations. The data utilized for purposes of this description was extracted from the IRS EO BMF data for 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) that includes the continental U.S., Alaska, and Hawaii. This data does not include information for Puerto Rico.

¹⁹ See 5 U.S.C. § 601(5).

²⁰ See 13 U.S.C. § 161. The Census of Governments survey is conducted every five (5) years compiling data for years ending with “2” and “7”. See also Census of Governments, <https://www.census.gov/programs-surveys/cog/about.html>.

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 tbl.2. CG1700ORG02 Table Notes_Local Governments by Type and State_2017.

²² See *id.* at tbl.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 tbl.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 tbl.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 tbl.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.

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 SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers²⁷ is the closest industry with an 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 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 1,212 providers that reported they were incumbent local exchange service providers.³² Of these providers, the Commission estimates that 916 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

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 tbls. 5, 6 & 10.

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 (as of 10/1/22, NAICS Code 517111).

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: EC1700SIZEEMPfirm, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPfirm&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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.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.*

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 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 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were engaged in the provision of fixed local services.⁴¹ Of these providers, the Commission estimates that 4,146 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

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 (as of 10/1/22, NAICS Code 517111).

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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf>. <https://docs.fcc.gov/public/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 (as of 10/1/22, NAICS Code 517111).

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>.

250 employees.⁴⁷ Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 3,378 providers that reported they were competitive local exchange service providers.⁴⁸ Of these providers, the Commission estimates that 3,230 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 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 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 127 providers that reported they were engaged in the provision of interexchange services. Of these providers, the Commission estimates that 109 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

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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf>.

⁴⁹ *Id.*

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 (as of 10/1/22, NAICS Code 517111).

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: EC1700SIZEEMPFI, NAICS Code 517311, <https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFI&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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.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 (as of 10/1/22, NAICS Code 517111).

entire year.⁵⁸ Of this number, 2,964 firms operated with fewer than 250 employees.⁵⁹ Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 20 providers that reported they were engaged in the provision of operator services.⁶⁰ Of these providers, the Commission estimates that all 20 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 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 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 207 providers that reported they were engaged in the provision of local resale services.⁶⁹ Of these providers, the Commission estimates that 202 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.

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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf>. <https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf>

⁶¹ *Id.*

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 (as of 10/1/22, NAICS Code 517121).

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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf>.

⁷⁰ *Id.*

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 firms operated with fewer than 250 employees.⁷⁶ Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 457 providers that reported they were engaged in the provision of toll services.⁷⁷ Of these providers, the Commission estimates that 438 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. *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.”⁷⁹ Satellite telecommunications service providers include satellite and earth station operators. The SBA small business size standard for this industry classifies a business with \$38.5 million or less in annual receipts as small.⁸⁰ U.S. Census Bureau data for 2017 show that 275 firms in this industry operated for the entire year.⁸¹ Of this number, 242 firms had revenue of less than \$25 million.⁸² Additionally, based on Commission data in the 2022 Universal Service Monitoring Report,

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 (as of 10/1/22, NAICS Code 517121).

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: EC1700SIZEEMPfirm, NAICS Code 517911, <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 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf>. <https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf>

⁷⁸ *Id.*

⁷⁹ See U.S. Census Bureau, *2017 NAICS Definition*, “517410 Satellite Telecommunications,” <https://www.census.gov/naics/?input=517410&year=2017&details=517410>.

⁸⁰ See 13 CFR § 121.201, NAICS Code 517410.

⁸¹ 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>.

⁸² *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that

(continued....)

as of December 31, 2021, there were 65 providers that reported they were engaged in the provision of satellite telecommunications services.⁸³ Of these providers, the Commission estimates that approximately 42 providers have 1,500 or fewer employees.⁸⁴ Consequently, using the SBA's small business size standard, a little more than half of these providers can be considered small entities.

19. *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.⁸⁵ 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.⁸⁶ 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.⁸⁷ The SBA small business size standard for this industry classifies firms with annual receipts of \$35 million or less as small.⁸⁸ U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year.⁸⁹ Of those firms, 1,039 had revenue of less than \$25 million.⁹⁰ Based on this data, the Commission estimates that the majority of "All Other Telecommunications" firms can be considered small.

20. *Television Broadcasting.* This industry is comprised of "establishments primarily engaged in broadcasting images together with sound."⁹¹ These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public.⁹² These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA small business size standard for this industry classifies businesses having \$41.5 million or less in annual receipts as small.⁹³ 2017 U.S. Census Bureau data indicate that 744 firms in this industry operated for the

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.

⁸³ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), <https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf>.

⁸⁴ *Id.*

⁸⁵ See U.S. Census Bureau, *2017 NAICS Definition*, "517919 All Other Telecommunications," <https://www.census.gov/naics/?input=517919&year=2017&details=517919>.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ See 13 CFR § 121.201, NAICS Code 517919 (as of 10/1/22, NAICS Code 517810).

⁸⁹ 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>.

⁹⁰ *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.

⁹¹ See U.S. Census Bureau, *2017 NAICS Definition*, "515120 Television Broadcasting," <https://www.census.gov/naics/?input=515120&year=2017&details=515120>.

⁹² *Id.*

⁹³ See 13 CFR § 121.201, NAICS Code 515120 (as of 10/1/22 NAICS Code 516120).

entire year.⁹⁴ Of that number, 657 firms had revenue of less than \$25,000,000.⁹⁵ Based on this data we estimate that the majority of television broadcasters are small entities under the SBA small business size standard.

21. As of March 31, 2023, there were 1,375 licensed commercial television stations.⁹⁶ Of this total, 1,282 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 April 7, 2023, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates as of March 31, 2023, there were 383 licensed noncommercial educational (NCE) television stations, 381 Class A TV stations, 1,887 LPTV stations and 3,119 TV translator stations.⁹⁷ 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.

22. *Radio Stations.* This industry is comprised of “establishments primarily engaged in broadcasting aural programs by radio to the public.”⁹⁸ Programming may originate in their own studio, from an affiliated network, or from external sources.⁹⁹ The SBA small business size standard for this industry classifies firms having \$41.5 million or less in annual receipts as small.¹⁰⁰ U.S. Census Bureau data for 2017 show that 2,963 firms operated in this industry during that year.¹⁰¹ Of this number, 1,879 firms operated with revenue of less than \$25 million per year.¹⁰² Based on this data and the SBA's small business size standard, we estimate a majority of such entities are small entities.

⁹⁴ 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>.

⁹⁵ *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.

⁹⁶ *Broadcast Station Totals as of March 31, 2023*, Public Notice, DA 23-300 (MB rel. Apr. 6, 2023) (*March 2023 Broadcast Station Totals PN*), <https://www.fcc.gov/document/broadcast-station-totals-march-31-2023>.

⁹⁷ *Id.*

⁹⁸ See U.S. Census Bureau, *2017 NAICS Definition, “515112 Radio Stations,”* <https://www.census.gov/naics/?input=515112&year=2017&details=515112>.

⁹⁹ *Id.*

¹⁰⁰ See 13 CFR § 121.201, NAICS Code 515112 (as of 10/1/22 NAICS Code 516110).

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 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.

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 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.

23. The Commission estimates that as of March 31, 2023, there were 4,472 licensed commercial AM radio stations and 6,681 licensed commercial FM radio stations, for a combined total of 11,153 commercial radio stations.¹⁰³ Of this total, 11,151 stations (or 99.98 %) had revenues of \$41.5 million or less in 2022, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Database (BIA) on April 7, 2023, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates that as of March 31, 2023, there were 4,219 licensed noncommercial (NCE) FM radio stations, 1,999 low power FM (LPFM) stations, and 8,939 FM translators and boosters.¹⁰⁴ 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 radio station licensees, we presume that all of these entities qualify as small entities under the above SBA small business size standard.

24. We note, however, that in assessing whether a business concern qualifies as “small” under the above definition, business (control) affiliations¹⁰⁵ must be included. Our estimate, therefore, likely overstates the number of small entities that might be affected by our action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, another element of the definition of “small business” requires that an entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific radio or television broadcast station is dominant in its field of operation. Accordingly, the estimate of small businesses to which the rules may apply does not exclude any radio or television station from the definition of a small business on this basis and is therefore possibly over-inclusive. An additional element of the definition of “small business” is that the entity must be independently owned and operated. Because it is difficult to assess these criteria in the context of media entities, the estimate of small businesses to which the rules may apply does not exclude any radio or television station from the definition of a small business on this basis and similarly may be over-inclusive.

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.¹⁰⁶ Based on industry data, there are about 420 cable companies in the U.S.¹⁰⁷ Of these, only seven have more than 400,000 subscribers.¹⁰⁸ In addition, under the Commission's rules, a “small system” is a cable system serving 15,000 or fewer subscribers.¹⁰⁹ Based on industry data, there are about 4,139 cable systems (headends) in

¹⁰³ *Broadcast Station Totals as of March 31, 2023*, Public Notice, DA 23-300 (MB rel. Apr. 6, 2023) (*March 2023 Broadcast Station Totals PN*), <https://www.fcc.gov/document/broadcast-station-totals-march-31-2023>.

¹⁰⁴ *Id.*

¹⁰⁵ “[Business concerns] are affiliates of each other when one concern controls or has the power to control the other or a third party or parties controls or has the power to control both.” 13 CFR § 21.103(a)(1).

¹⁰⁶ 47 CFR § 76.901(d).

¹⁰⁷ S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensus, *Operator Subscribers by Geography* (last visited May 26, 2022).

¹⁰⁸ 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).

¹⁰⁹ 47 CFR § 76.901(c).

the U.S.¹¹⁰ Of these, about 639 have more than 15,000 subscribers.¹¹¹ 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 \$250,000,000.”¹¹² 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.¹¹³ Based on industry data, only six cable system operators have more than 677,000 subscribers.¹¹⁴ 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.¹¹⁵ 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.¹¹⁶ Transmission facilities may be based on a single technology or combination of technologies.¹¹⁷ 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

¹¹⁰ S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensus, *Operator Subscribers by Geography* (last visited May 26, 2022).

¹¹¹ S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 12/21Q* (last visited May 26, 2022).

¹¹² 47 U.S.C. § 543(m)(2).

¹¹³ *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 traditional and telco cable operators to be approximately 49.8 million. *See Communications Marketplace Report*, GN Docket No. 22-203, 2022 WL 18110553 at 80, para. 218, Fig. II.E.1. (2022) (2022 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).

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 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).

¹¹⁶ *See* U.S. Census Bureau, *2017 NAICS Definition, “517311 Wired Telecommunications Carriers,”* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

¹¹⁷ *Id.*

wired broadband Internet services.¹¹⁸ By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.¹¹⁹

28. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.¹²⁰ U.S. Census Bureau data for 2017 show that 3,054 firms operated in this industry for the entire year.¹²¹ Of this number, 2,964 firms operated with fewer than 250 employees.¹²² 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.¹²³ 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. *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.¹²⁴ 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 services, there were approximately 446 registered RespOrgs/Toll-Free Number providers in July 2021.¹²⁵ 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.

30. *Carrier RespOrgs*. Neither the Commission nor the SBA have developed a small business size standard for Carrier RespOrgs. *Wired Telecommunications Carriers*,¹²⁶ and *Wireless*

¹¹⁸ 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).

¹¹⁹ *Id.*

¹²⁰ See 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

¹²¹ 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>.

¹²² *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.

¹²³ 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).

¹²⁴ See 47 CFR § 52.101(b).

¹²⁵ 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.

¹²⁶ See U.S. Census Bureau, *2017 NAICS Definition, “517311 Wired Telecommunications Carriers,”* <https://www.census.gov/naics/?input=517311&year=2017&details=517311>.

*Telecommunications Carriers (except Satellite)*¹²⁷ are the closest industries with a SBA small business size applicable to Carrier RespOrgs.¹²⁸

31. *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.¹²⁹ 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.¹³⁰ The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees.¹³¹ U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated for the entire year.¹³² Of this number, 2,964 firms operated with fewer than 250 employees.¹³³ Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireline-based technology are small.

32. *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.¹³⁴ The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees.¹³⁵ For this industry, U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated for the entire year.¹³⁶ Of this number, 2,837 firms employed fewer than 250 employees.¹³⁷ Based on this data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

¹²⁷ 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>.

¹²⁸ The industry descriptions selected for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs.

¹²⁹ See *supra* note 3.

¹³⁰ *Id.*

¹³¹ See 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

¹³² 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>.

¹³³ *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.

¹³⁴ See *supra* note 4.

¹³⁵ See 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

¹³⁶ 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 517312, <https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPfirm&hidePreview=false>.

¹³⁷ *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.

33. *Non-Carrier RespOrgs.* Neither the Commission, nor the SBA have developed a small business size standard *Non-Carrier RespOrgs.* *Other Services Related to Advertising*¹³⁸ and *Other Management Consulting Services*¹³⁹ are the closest industries with a SBA small business size applicable to *Non-Carrier RespOrgs.*¹⁴⁰

34. 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).¹⁴¹ The SBA small business size standard for this industry classifies a business as small that has annual receipts of \$16.5 million or less.¹⁴² U.S. Census Bureau data for 2017 show that 5,650 firms operated in this industry for the entire year.¹⁴³ Of that number, 3,693 firms operated with revenue of less than \$10 million.¹⁴⁴ Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.

35. The *Other Management Consulting Services* industry contains establishments primarily engaged in providing management consulting services (except administrative and general management consulting; human resources consulting; marketing consulting; or process, physical distribution, and logistics consulting).¹⁴⁵ Establishments providing telecommunications or utilities management consulting services are included in this industry.¹⁴⁶ The SBA small business size standard for this industry classifies a business as small if it has annual receipts of \$16.5 million or less.¹⁴⁷ U.S. Census Bureau data for 2017 show that 4,696 firms operated in this industry for the entire year.¹⁴⁸ Of that

¹³⁸ 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>.

¹³⁹ See U.S. Census Bureau, *2017 NAICS Definition, "541618 Other Management Consulting Services,"* <https://www.census.gov/naics/?input=541618&year=2017&details=541618>.

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 See *supra* note 15.

¹⁴² See 13 CFR § 121.201, NAICS Code 541890.

¹⁴³ 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>.

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. 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.

¹⁴⁵ See *supra* note 16.

¹⁴⁶ *Id.*

¹⁴⁷ See 13 CFR § 121.201, NAICS Code 541618.

¹⁴⁸ 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>.

number, 3,700 firms had revenue of less than \$10 million.¹⁴⁹ Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.

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

36. 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. Small entities may request a waiver, reduction, deferral and/or installment payment of their FY 2023 regulatory fees. The waiver process is an easier filing process for smaller entities that may not be familiar with our procedural filing rules.

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

37. 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.”¹⁵⁰

38. The *Report and Order* for FY 2023 maintains several approaches from the prior regulatory fee framework which will minimize the significant economic impact for some small entities. Specifically, the FY 2023 regulatory fee framework maintains: (1) the methodology adopted using the population-based calculations for TV broadcasters that was initially adopted because it is a more fair methodology for smaller broadcasters; (2) the flexibility for regulatory payees to request a waiver, reduction, deferral and/or installment payments of their regulatory fees; and (3) the application of the Commission’s de minimis threshold rule adopted pursuant to section 9(e)(2) of the Act,¹⁵¹ 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.

39. The Commission received comments proposing alternatives to various elements of the methodology for assessing regulatory fees and the FY 2023 regulatory fee schedule that the Commission proposed in the *FY 2023 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.

40. Methodology for Assessing Regulatory Fees and FTE Allocation. Satellite Operators suggested that instead of assessing regulatory fees on an annual basis, based on our annual appropriation, we should instead determine the allocation of regulatory fee costs associated with each non-application

¹⁴⁹ *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 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 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.

¹⁵⁰ 5 U.S.C. § 604(a)(6).

¹⁵¹ 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.”

proceeding and identify its allocation in the document that initiates the proceeding.¹⁵² We rejected this proposal in the *Report and Order* because it is inconsistent with section 9 of the Act. We are required to conduct an annual regulatory fee proceeding each year, and to recover the annual appropriation. Further, this approach would fail to recover the Commission's entire appropriation on an annual basis, and would not be administratively feasible because we cannot assess the duration or impact of a proceeding in a manner that accurately correlates it to the burden of FTE time annually.

41. Non-High Cost Universal Service Fund FTEs. The National Association of Broadcasters (NAB) proposed that we reallocate the burden of FTE time dedicated to non-high cost universal service fund issues as direct to a core bureau or bureaus.¹⁵³ We declined to adopt NAB's suggested reallocation because it conflates the nature of the work of the Commission's FTEs with the identity of the entities that ultimately receive a subsidy from any particular program. The FTE time devoted to the non-high cost universal service programs is not in oversight and regulation of regulatory fee payors, but is oversight and management of the programs generally. The programs tie funding eligibility to the beneficiary, i.e., a school, a library, a low-income individual or family, or healthcare provider, and not to Commission regulatory fee payors.

42. Other FTE Allocations: Office of Engineering and Technology, Enforcement Bureau, and Consumer and Governmental Affairs Bureau. We rejected proposals that suggest that the burden of FTE time dedicated to equipment authorization should have its own fee category or be characterized as direct to any particular category of fee payor. OET FTEs benefit the work of the Commission as a whole and are not specific to any particular regulatory fee category. We also rejected Intelsat's contention that fraud investigations by the Enforcement Bureau benefit their related industries,¹⁵⁴ finding that the fraud investigations handled benefit consumers in general as well as other entities. Further, these investigations are primarily with respect to federally funded programs, and not specifically to benefit regulatory fee payors for any particular industry. We accepted NAB's proposal that for regulatory fee purposes, the burden of certain FTE time in the Media Bureau should be considered as indirect because it is devoted to enforcement responsibilities of the Commission's political programming rules, the cable and broadcast must carry rules, and the rules related to broadcast retransmission consent, among others.¹⁵⁵ We agree, and in order to be consistent with the manner that we treat other enforcement efforts in the Commission, this FTE time should be reallocated as indirect for regulatory fee purposes.

43. New Regulatory Fee Categories Discussed by Commenters. We do not have a sufficient basis, consistent with section 9 of the Act, for the adoption of new regulatory fee categories at this time, and therefore we rejected such proposals. There is no basis for the Commission to change its prior determinations on this issue that such fees would be unworkable and logistically infeasible to collect. Specifically, Satellite Operators proposed that we again seek comment on four fee categories: (i) broadband Internet access providers, (ii) database administrators that enable unlicensed operations, (iii) equipment manufacturers, and (iv) experimental licenses. The Commission previously sought comment on these specific issues and as no additional information has been provided in the record to support such proposals, we are not adopting such categories in the *Report and Order* or seeking further comment on them. Although the Commission has adopted new fee categories in the past, 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. Those circumstances are not present here.

¹⁵² Satellite Operators Comments at 10-11.

¹⁵³ NAB Comments at 10-16.

¹⁵⁴ Intelsat Comments at 5.

¹⁵⁵ NAB Comments at 9.

44. Similarly, we rejected Intelsat and Satellite Coalition’s proposal to adopt a regulatory fee for holders of experimental licenses.¹⁵⁶ These licenses are approved for a proposed experiment or range of experiments, and not for an actual operational service under established service rules. It is likely we would have to consider multiple regulatory fee categories and multiple ways of allocating proportional fees to such categories. Accordingly, based on the record, we did not adopting a new regulatory fee category for broadband Internet access providers, database administrators that enable unlicensed operations, equipment manufacturers, or experimental licenses.

45. Space Station Regulatory Fees. We did not adopt a number of proposals to alter the allocated 80% of space station regulatory fees to geostationary orbit space stations (GSO) and 20% of the space station regulatory fees to non-geostationary orbit satellite systems (NGSO). Satellite Operators contended that we should not attribute only 20% of the costs of regulating NGSO systems to “less complex” satellite systems (principally Earth Exploration Satellite Service (EESS) systems) and to maintain the dividing line of “20 or fewer U.S. authorized earth stations” between “less complex” NGSO systems and “other” NGSO systems.¹⁵⁷ Kinéis argued that defining only a single category of “less complex” systems, and defining them simply as systems designed to communicate with 20 or fewer U.S. authorized earth stations, is inadequate as the sole basis for distinguishing fee liability among myriad types of NGSO satellite systems.¹⁵⁸

46. We did not find any reason to deviate from our calculation of fees using the 20/80 allocation in our review of the FTE time for space stations and for FY 2023. We used the 20/80 allocation between “less complex” and “other” NGSO space station fees, respectively, within the NGSO fee category. These allocations continue to accurately reflect the amount of work involved in regulating NGSO systems and the number of reasonably related benefits provided to the payors of each fee category. We are not convinced by the Satellite Operators that the FTE time spent on less complex and other NGSO systems issues has changed sufficiently to warrant a revision in the 20/80 allocation. We also rejected the contention of Space X that we miscalculated the space station regulatory fees because we based our calculations on nine NGSO systems instead of ten.¹⁵⁹ We recognize that there are ten licensed systems; however one of the licensed systems is not yet operational, and hence should not be counted in the unit count.

47. Further, we rejected Spaceflight’s proposals for fee assessments for “In-Space Servicing” Industries.¹⁶⁰ Due to the somewhat nascent nature of “in-space servicing” industries, we currently do not have a regulatory fee category for such spacecraft. As noted in the *FY 23 NPRM*, there have been a limited number of such operations and we tentatively concluded that it was 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. We accordingly deferred our determination of whether to create a new fee category for such services to a future fiscal year once the regulatory framework under which space stations performing in-space servicing operations, including OOS, RPO, space situational awareness (SSA), and space domain awareness (SDA) operations, and the scope of those operations, is better understood.

48. Kinéis proposed that the Commission adopt a multi-tiered approach to NGSO regulatory fees that would charge each provider an amount commensurate with its demands on Commission resources and the benefits it receives through regulation based on these enumerated factors, consistent

¹⁵⁶ Intelsat Comments at 5-6; Satellite Operators Comments at 10.

¹⁵⁷ Satellite Operators Comments at 12.

¹⁵⁸ Kinéis Comments at 3-4.

¹⁵⁹ Space X Comments at 1-3.

¹⁶⁰ Spaceflight Comments at 4-8

with the Act.¹⁶¹ While we find the proposal to be useful, it requires further comment and evaluation. There is not time to fully consider this proposal prior to the need to adopt regulatory fees before the end of the current fiscal year. It will be more efficient to seek comment on proposals like this together with other proposals that might arise as part of the anticipated reexamination of regulatory fees for space and earth stations in light of the creation of the Space Bureau.

49. International Bearer Circuit Regulatory Fees—Submarine Cable Systems. In the Report and Order the Commission rejected the Submarine Cable Coalition’s request to revise the Commission’s regulatory fee methodology for submarine cable operators,¹⁶² which is based upon the lit capacity of the fiber-optic submarine cable. We disagreed 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.¹⁶³ Moreover, we did not find persuasive its arguments 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. The Commission has long held that capacity is a reasonable basis to assess regulatory costs among the submarine cable regulatory fee payors that benefit from the Commission’s work, and find it reasonable to continue to assess 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.

G. Report to Congress

50. The Commission will send a copy of the *Report and Order*, including this FRFA, in a report to Congress pursuant to the Congressional Review Act.¹⁶⁴ In addition, the Commission will send a copy of the *Report and Order*, including this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the *Report and Order*, and FRFA (or summaries thereof) will also be published in the *Federal Register*.¹⁶⁵

¹⁶¹ Kinéis Comments at 16.

¹⁶² Submarine Cable Coalition Comments at 3-4.

¹⁶³ *Id.*

¹⁶⁴ See 5 U.S.C. § 801(a)(1)(A).

¹⁶⁵ 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: 47 U.S.C. chs 2,5,9,13; 28 U.S.C. 2461

1. 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 Amount¹
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
220 MHz Nationwide	\$25.00
a) New, Renew/Mod (FCC 601 & 159)	
b) New, Renew/Mod (Electronic Filing) (FCC 601 & 159)	\$25.00

¹ 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.

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

(FCC 605 & 159)	
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)	\$.16 ²
5. CMRS Messaging Services (per unit) (FCC 159)	\$.08 ³
6. Broadband Radio Service (formerly MMDS and MDS)	\$ 700
7. Local Multipoint Distribution Service	\$ 700

2. 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>	
<=10,000 population	\$595
<10,001-25,000 population	\$990
25,001-75,000 population	\$1,485
75,001-150,000 population	\$2,230
150,001-500,000 population	\$3,345
500,001-1,200,000 population	\$5,010
1,200,001-3,000,000 population	\$7,525
3,000,001-6,000,000 population	\$11,275
>6,000,000 population	\$16,920
2. <u>AM Class B</u>	
<=10,000 population	\$430
<10,001-25,000 population	\$715
25,001-75,000 population	\$1,075
75,001-150,000 population	\$1,610
150,001-500,000 population	\$2,415
500,001-1,200,000 population	\$3,620

² These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

³ These are standard fees that are to be paid in accordance with § 1.1157(b) of this chapter.

	1,200,001-3,000,000 population	\$5,435
	3,000,001-6,000,000 population	\$8,145
	>6,000,000 population	\$12,220
3.	<u>AM Class C</u>	
	<=10,000 population	\$370
	<10,001-25,000 population	\$620
	25,001-75,000 population	\$930
	75,001-150,000 population	\$1,395
	150,001-500,000 population	\$2,095
	500,001-1,200,000 population	\$3,135
	1,200,001-3,000,000 population	\$4,710
	3,000,001-6,000,000 population	\$7,060
	>6,000,000 population	\$10,595
4.	<u>AM Class D</u>	
	<=10,000 population	\$410
	<10,001-25,000 population	\$680
	25,001-75,000 population	\$1,020
	75,001-150,000 population	\$1,530
	150,001-500,000 population	\$2,300
	500,001-1,200,000 population	\$3,440
	1,200,001-3,000,000 population	\$5,170
	3,000,001-6,000,000 population	\$7,745
	>6,000,000 population	\$11,620
5.	AM Construction Permit	\$620
6.	<u>FM Classes A, B1 and C3</u>	
	<=10,000 population	\$650
	<10,001-25,000 population	\$1,085
	25,001-75,000 population	\$1,630
	75,001-150,000 population	\$2,440
	150,001-500,000 population	\$3,665
	500,001-1,200,000 population	\$5,490
	1,200,001-3,000,000 population	\$8,245
	3,000,001-6,000,000 population	\$12,360
	>6,000,000 population	\$18,545
7.	<u>FM Classes B, C, C0, C1 and C2</u>	
	<=10,000 population	\$745
	<10,001-25,000 population	\$1,240
	25,001-75,000 population	\$1,860
	75,001-150,000 population	\$2,790
	150,001-500,000 population	\$4,190
	500,001-1,200,000 population	\$6,275
	1,200,001-3,000,000 population	\$9,425
	3,000,001-6,000,000 population	\$14,125
	>6,000,000 population	\$21,190
8.	FM Construction Permits	\$1,085

TV (47 CFR, part 73)
Digital TV (UHF and VHF Commercial Stations)

- 1. Digital TV Construction Permits \$5,100
- 2. Television Fee Factor \$.007799 per population count

Low Power TV, Class A TV, TV/FM Translator, & FM Booster (47 CFR part 74) \$ 260

3. Section 1.1154 is revised to read as follows:

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

Radio Facilities	Fee Amount
1. Microwave (Domestic Public Fixed) (Electronic Filing) (FCC Form 601 & 159)	\$25.00

Carriers

- 1. Interstate Telephone Service Providers (per interstate and international end-user revenues (see FCC Form 499-A)) \$.00540
- 2. Toll Free Number Fee \$.13 per Toll Free Number

4. 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	\$1,720
2. Cable TV System, Including IPTV and DBS (per subscriber)	\$ 1.23 per subscriber
3. Direct Broadcast Satellite (DBS)	\$1.23 per subscriber

5. 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
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Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	\$117,580
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Other)	\$347,755
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25) (Less Complex)	\$130,405
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)	\$575

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, 2022)	Fee Amount
Terrestrial Common Carrier and Non Common Carrier Satellite Common Carrier and Non-Common Carrier	\$26 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 2023 International Bearer Circuits - Submarine Cable Systems

Submarine Cable Systems (capacity as of December 31, 2022)	Fee Ratio	FY 2021 Regulatory Fees
Less than 50 Gbps	.0625 Units	\$7,680
50 Gbps or greater, but less than 250 Gbps	.125 Units	\$15,355
250 Gbps or greater, but less than 1,500 Gbps	.25 Units	\$30,705
1,500 Gbps or greater, but less than 3,500 Gbps	.5 Units	\$61,410

3,500 Gbps or greater, but less than 6,500 Gbps	1.0 Unit	\$122,815
6,500 Gbps or greater	2.0 Units	\$245,630

6. Section 1.1166 is revised to read as follows:

§ 1.1166 Waivers, reductions and deferrals of regulatory fees.

The fees established by §§ 1.1152 through 1.1156 and associated interest charges and penalties may be waived, reduced or deferred in specific instances, on a case-by-case basis, where good cause is shown and where waiver, reduction or deferral of such fees, interest charges and penalties would promote the public interest. Requests to pay fees established by §§ 1.1152 through 1.1156 and associated interest charges and penalties in installments may be granted in accordance with § 1.1914. Requests for waiver, reduction or deferral of regulatory fees for entire categories of payors will not be considered.

- (a) Requests for waiver, reduction or deferral of regulatory fees shall be filed electronically, by submission to the following email address: regfeerelief@fcc.gov. All requests for waiver, reduction and deferral shall be acted upon by the Managing Director with the concurrence of the General Counsel. All such requests made pursuant to § 1.1166 may be combined in a single pleading.
- (b) Deferrals of fees, interest, or penalties if granted, will be for a designated period of time not to exceed six months.
- (c) Petitions for waiver of a regulatory fee, interest, or penalties must be accompanied by the required fee, interest, or penalties and FCC Form 159. Submitted fees, interest, or penalties will be returned if a waiver is granted. Waiver requests that do not include the required fees, interest, or penalties or forms will be dismissed unless a request to defer payment due to financial hardship, supported by documentation of the financial hardship, is included in the filing.
- (d) Petitions for reduction of a fee, interest, or penalty must be accompanied by the full fee, interest, or penalty payment and Form 159. Petitions for reduction that do not include the required fees, interest, or penalties or forms will be dismissed unless a request to defer payment due to financial hardship, supported by documentation of the financial hardship, is included in the filing.
- (e) Petitions for waiver of a fee, interest, or penalty based on financial hardship, including bankruptcy, will not be granted, even if otherwise consistent with Commission policy, to the extent that the total regulatory and application fees, interest, or penalties for which waiver is sought exceeds \$500,000 in any fiscal year, including regulatory fees due in any fiscal year, but paid prior to the due date. In computing this amount, the amounts owed by an entity and its subsidiaries and other affiliated entities will be aggregated. In cases where the claim of financial hardship is not based on bankruptcy, waiver, partial waiver, or deferral of fees, interest, or penalties above the \$500,000 cap may be considered on a case-by-case basis.

7. Section 1.1914 is revised to read as follows:

§ 1.1914 Collection in installments.

(a) Subject to the Commission's rules pertaining to the installment loan program (see e.g., [47 CFR § 1.2110\(g\)](#)), subpart Q or other agreements among the parties, the terms of which will control, whenever feasible, the Commission shall collect the total amount of a debt in one lump sum. If a debtor is financially unable to pay a debt in one lump sum, the Commission, in its sole discretion, may accept payment in regular installments. Requests for installment payment of non-regulatory fee debt shall be filed electronically, by submission to the following email address: installmentplanrequest@fcc.gov. Requests for installment payment of regulatory fees may be combined with other requests for regulatory fee relief in accordance with § 1.1166(a) and shall be filed electronically by submission to regfeerelief@fcc.gov. The Commission will obtain financial statements from debtors who represent that they are unable to pay in one lump sum and which are able to verify independently such representations (see [31 CFR 902.2\(g\)](#)). The Commission will require and obtain a legally enforceable written agreement from the debtor that specifies all of the terms of the arrangement, including, as appropriate, sureties and other indicia of creditworthiness (see Federal Credit Reform Act of 1990, [2 U.S.C. 661, et seq.](#), OMB Circular A-129), and that contains a provision accelerating the debt in the event of default.

(b) The size and frequency of installment payments should bear a reasonable relation to the size of the debt and the debtor's ability to pay. If possible, the installment payments will be sufficient in size and frequency to liquidate the debt in three years or less.

(c) Security for deferred payments will be obtained in appropriate cases. The Commission may accept installment payments notwithstanding the refusal of the debtor to execute a written agreement or to give security, at the Commission's option.

(d) The Commission may deny the extension of credit to any debtor who fails to provide the records requested or fails to show an ability to pay the debt.