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FCC Announces Final 2007 Regulatory Fees

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Mark your calendars for **September 19**. That's the deadline for filing annual regulatory fees this year. It's an important date, because if you don't get your reg fees paid by 11:59 p.m. on September 19, the FCC will tack on a late-filing fee of 25%. That's a hefty price to pay for being late.

This year's fees are set out in the table on the next page. They are the same as the fees which were originally proposed by the Commission back in April. As we reported in the April *Memo to Clients*, this year's fees reflect a refreshing trend downward: of 61 categories of fees, only nine showed any increase at all over last year, and more than half – 32 – actually went down.

As has been its practice in recent years, the Commission is notifying each licensee of the reg fees due for its primary facilities. Unlike past years, this year that notice is contained in a letter, rather than a postcard. You should be on the lookout for your letter notice – but even if, for whatever reason, you don't get the notice from the FCC, you will still be expected to pay the fee by the deadline.

The FCC is also providing a useful search engine at its website to help determine reg fees. Go to http://www.fccfees.com/request_all.htm and enter either a call sign or an FCC Facility ID Number, and you will get the fee due for that station. Note, however, that the fee shown relates **only** to that particular station's main authorization. It does **not** include any additional fees which might be owed for auxiliary licenses (*e.g.*, STL's, remote pickups) or translators used in connection with the main station. In other words, before paying the Commission, you would be smart to doublecheck your records to identify **all** authorizations for which a reg fee is due.

Fees may be mailed to the Commission, but they may also be filed on-line. On-line filing has the advantage of providing assurance that the fee has in fact been received by the Commission when you file it (the system provides an on-screen confirmation that can, and should, be printed out and saved).

As has been the case for the last several years, the Commission's "red light" system also remains in place. Under that system, a licensee which fails to pay the required reg fee is "red lighted". When that occurs, the licensee will not be granted any new authorization unless and until the "red light" is cleared either by payment of the outstanding fee or the making of appropriate arrangements with the Commission for such payment. If a delinquent licensee files an application of any kind, that application may be dismissed if the delinquency is not cleared up within 30 days. Even more troubling, applications which are granted when a fee is due but not paid may be ungranted – that is, the grants may be rescinded. And when an application has been dismissed or a grant rescinded under these circumstances, we understand that the FCC's policy is *not* to allow those applications to be reinstated with the filing of a petition for reconsideration once the fees have been paid. Rather, the applicant has to submit a whole new application.

In view of the clearly undesirable – and potentially dire – consequences which could befall a licensee late in paying its reg fees, we urge everyone subject to such fees to be sure to pay up in a timely manner.