

# FEDERAL COMMUNICATIONS COMMISSION



## COMMON CARRIER SERVICES FEE FILING GUIDE

### SECTION 8 FEES (PROCESSING FEES)

#### **FOR:**

- \* **Formal Complaints**
- \* **Communications Assistance for Law Enforcement Act (CALEA) Petitions**
- \* **Section 214 Applications**
- \* **Telephone Equipment Registration**
- \* **Tariff Filings**
- \* **Accounting and Audits**

This is an unofficial compilation of the radio services and requests for FCC actions that are subject to fees. The public should consult the Commission's Rules as set out in Title 47 of the Code of Federal Regulations (CFR) for application filing requirements. Further information on fees may be obtained at Part I, Subpart G of the CFR or in the Commission's Official decision implementing the Congressional Schedule of Charges. This decision is published in the FCC Record or may be purchased from the Commission's current copy contractor.

*September 2000 Edition*

## *INTRODUCTION*

The authority to impose and collect fees and associated charges is contained in Title III, Section 3001 of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101-39), Section 8, revising 47 U.S.C. 158, which directs the Commission to prescribe charges for certain types of services it provides to communications entities over which it has jurisdiction.

This Fee Filing Guide is considered a reference guide to identify and describe all of the fee filing requirements for this particular bureau or office. It is meant to be a handy reference of the services and requests for FCC actions that are subject to a fee. The guide consists of two parts, Parts A and B, as well as a breakdown of the types of applications, form numbers, fee amounts, payment type codes, and the mailing address for each service provided. It also contains a copy of FCC Form 159, FCC Remittance Advice Form, and instructions on its use.

Part A provides instructions on how to pay a fee and identifies other processing services available to the requestor. Always read Part A before attempting to complete any of the forms required with your submission. Part B provides specific information pertaining to Common Carrier Bureau Section 8 (application) fees. In the future, additional parts will be added for fines, forfeitures, FOIA requests and other debts not covered in this edition.

If further information is required that cannot be answered in this guide, please consult the Commission's Rules as set forth in Title 47, Part 1, Subpart G, Section 1.1101 of the Code of Federal Regulations (CFR). Additional copies of this guide may be obtained by calling the FCC's Form Distribution Center at 1-800-418-FORM [3676]. All fees are subject to modification as required by Congress.

## PART A

### IMPORTANT CHANGE NOTICE FOR APPLICANTS/LICENSEES WHO SUBMIT FEEABLE FILINGS

The Federal Communications Commission (FCC) is instituting a new system entitled, "Commission Registration System" (CORES). CORES is how you provide the FCC with basic information about your entity. Each entity doing business with the FCC is required to provide and maintain a current official address that the FCC can use to contact you. The address you provide for your entity contact will be used to mail important FCC-related information.

A 10-digit FCC Registration Number (FRN) will be assigned to an entity registering with the FCC. The entity that you register will have a unique FRN that is used to identify each entity's business dealings with the FCC. The FCC will use the FRN to determine if all of an entity's fees have been paid.

You are encouraged to register through the FCC's Internet CORES web site as soon as you expect to do business with the FCC. This way, you will be ready to access any of the electronic licensing systems without having to go through the registration process at the time you submit an application.

The FCC began accepting Registration Numbers after July 19, 2000, on the newly revised FCC Form 159 (Remittance Advice), dated February 2000, to assure proper credit of fee payments. The FCC Form 159 (Remittance Advice) has been revised to accept payer and applicant FCC Registration Numbers (FRN). The Commission will continue to accept FCC Form 159 (Remittance Advice), dated July 1997, without an FRN until further notice.

**The use of the FRN is voluntary. However, we strongly recommend that you obtain your registration number to process all payments to the Commission.**

To obtain a Registration Number:

Register at [www.fcc.gov](http://www.fcc.gov) and click on the CORES Registration link.

File FCC Form 160, (CORES Registration) which is included in this package. You may obtain the form at <http://www.fcc.gov/formpage.html> or by calling the FCC's Form Distribution Center at 1-800-418-FORM [3676]. You may also pick up the form at the Commission in room TWB200. Mailing instructions are found on the form.

To obtain a revised FCC Form 159:

A revised Remittance Advice 159 is included in this package.

Go to <http://www.fcc.gov/formpage.html>.

Call the FCC's Form Distribution Center at 1-800-418-Form [3676].

Pick up the form at the Commission in room TWB200.

If you were registered in the Wireless Telecommunications Bureau's Universal Licensing System (ULS) and your registration included all the information we needed to issue a Registration Number, we pre-registered you and mailed you your FRN in a letter in late July 2000. You may check CORES to determine if you were automatically pre-registered.

If you have not registered electronically for an FRN, you may submit your manual application for a Registration Number by filing a CORES Registration Form (FCC Form 160) with your filing and payment. You will receive a confirmation letter from the FCC through the U.S. Postal Service mail.

Application filings that are nonfeeable should be accompanied by CORES Certification Form (FCC Form 162) until individual Bureau forms are re-printed to accommodate the Registration Number.

## **FCC FORM 159 - REMITTANCE ADVICE FORM**

The FCC Form 159, Remittance Advice, has been revised. The newly revised FCC Form 159 is dated February 2000. This form is a multi-purpose form that must accompany payment to the Federal Communications Commission for Regulatory Fees, Processing Fees, Fines, Forfeitures, Freedom of Information Act (FOIA) billings or any other debt due to the FCC. The information on this form is collected and stored in a database to ensure credit of full payment of monies due, to expedite any refunds due, and to service public inquiries. The form must be used when paying for application fees and regulatory fees. Please refer to Part B and/or C of this guide for specific form requirements. A copy of this form, with specific instructions, is attached and may be used to submit fees. Reproduced forms are acceptable. FCC Form 159C is a remittance advice continuation sheet that must be used when paying for more than two call signs in a single filing or when paying for multiple applicants in a single filing. Each call sign and/or applicant must be listed separately on the FCC Form 159/FCC Form 159C. Please refer to the relevant Bureau/Office Fee Filing Guide for the service you are requesting. The Office of Engineering and Technology, Equipment Approval Branch, does not permit multiple filings.

### **METHOD OF PAYMENT (DO NOT SEND CASH)**

Payment of fees may be made by check, bank draft, money order, credit card or wire transfer. If paying by check, bank draft, money order or wire transfer, your remittance must be denominated in U.S. dollars, drawn on a U.S. financial institution and made payable to "FCC." Applicants located in foreign countries should contact their local bank to determine what U.S. financial institution their bank is affiliated with that will allow a transfer of funds. Please keep in mind that there may be an additional fee added from the transferring bank for this service. No postdated, altered or third party checks will be accepted. No checks will be accepted for processing if older than six months.

Payment of fees, fines, and other debts may also be made by electronic payment. There are two types of electronic payments available. The first type is designed specifically for larger corporations capable of CPU/CPU communication. Under this method, the payer bank wires funds directly to the Commission's lockbox bank. As with cash payments, the funds must be wired from an U.S. financial institution. The second type is designed for smaller businesses and individuals. Under this method, the lockbox bank is given authority to withdraw funds from the customer's bank account. Authorization can be transmitted by a personal computer or by calling a toll-free number. To obtain more information about electronic payment and how it works, please contact the Credit & Debt Management Group at (202) 418-1995.

### **NONFEEABLE APPLICATIONS**

All nonfeeable applications filed in Washington, DC must be filed directly with the Secretary's Office, Room TWB204, 445 12<sup>th</sup> Street, SW, Washington, DC 20554. Please see the Wireless Telecommunications Bureau Fee Filing Guide for instructions concerning filing nonfeeable applications for wireless services.

### **FEE EXEMPT APPLICATIONS**

Please check the appropriate block on your application, **and if you have not** previously done so, provide the proper documentation, as required, to certify that your application is fee exempt. 47 CFR, Part 1, Section 1.1114 of the Commission's rules explains who qualifies as fee exempt.

## **MANAGING DIRECTOR DECISIONS**

Requests for waivers, fee determinations, reconsiderations, applications for review, deferments, and specific refund requests are referred directly to the Office of the Managing Director. Each request is forwarded to the Office of General Counsel for review and legal determination. 47 CFR, Part 1, Sections 1.1113, 1.1114 & 1.1117 govern the Commission's policy in these instances. The requester will receive written notification of the Managing Director's decision. These decisions are published monthly and are placed in FCC Docket 86-285. All such requests must be submitted in writing to:

Managing Director  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room 1A625  
Washington, DC 20554

### **WAIVERS, FEE DETERMINATIONS, AND DEFERRALS PROCESS**

The required filing fee must be paid for the service requested using the normal process. All requests for waivers, and fee determinations are filed directly with the Managing Director in Washington, DC. Deferrals of fees are also filed in Washington, DC, and have a limit of up to six months with good cause.

### **REFUND PROCESS**

Routine refund requests are handled by the appropriate Bureau/Office. When a Bureau/Office determines that a refund is warranted, it is forwarded to the Office of the Managing Director, Credit & Debt Management Group for processing. The Credit & Debt Management Group (CDMG) handles all approved refund requests. The refund process usually takes four (4) weeks depending upon the complexity of the request. Once a request has been reviewed and processed by CDMG, it is forwarded to the U.S. Treasury in San Francisco, California where a check is issued to the payer of the remittance. For further information on return or refund of charges, refer to 47 CFR, Part 1, Section 1.1113 of the Commission's rules.

### **MAILING INSTRUCTIONS**

Parties hand-delivering applications or filings may receive dated receipt copies of the application or filing from the acceptance clerk at the time of delivery. Receipts will be provided for mail-in applications or filings if an extra copy of the application or filing is provided along with a self-addressed, stamped envelope. Only one piece of paper per application will be stamped for receipt purposes. A "stamp and receipt" copy must be placed on top of the original package and clearly identified as a return copy.

When delivering feeable applications by hand or by courier, use the following address: Federal Communications Commission, c/o Mellon Bank, Three Mellon Bank Center, 525 William Penn Way, 27<sup>th</sup> Floor, Room 153-2713, Pittsburgh, Pennsylvania 15259-0001 (Attention: Wholesale Lockbox Shift Supervisor). This address is for hand or courier delivery only. DO NOT use it for mailing applications. When using the address, enclose the application package in an inner envelope marked with the correct Post Office Box number. See the relevant Bureau/Office Fee Filing Guide for the correct Post Office Box number.

### **QUESTIONS**

If you have questions regarding your application and/or fee, you may call toll free the FCC's Consumer Center at 1-888-CALLFCC (1-888-225-5322). For information on CORES call the CORES Administrator at 1-877-480-3201.

# **PART B: SECTION 8 FEES**

## **I. DEFINITIONS OF COMMON CARRIER SERVICES**

### **COMMON CARRIER SERVICES**

THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATES INTERSTATE AND FOREIGN COMMUNICATIONS SERVICES PROVIDED BY COMMON CARRIERS. THESE SERVICES INCLUDE VOICE, RECORD, DATA, VIDEO, AND FACSIMILE TRANSMISSIONS. THE COMMUNICATIONS ACT REQUIRES COMMON CARRIERS TO FURNISH THEIR SERVICES ON REQUEST AND AT JUST, REASONABLE AND NON-DISCRIMINATORY RATES. THE FCC IS AUTHORIZED TO PROMOTE THE PUBLIC INTEREST IN THESE CHARGES AND PRACTICES OF COMMON CARRIERS BY TITLES I THROUGH III OF THE ACT. IT DOES SO THROUGH TARIFF REVIEW AND PRESCRIPTIONS, FACILITY AUTHORIZATIONS, ACCOUNTING RULES, COMPLAINT INVESTIGATIONS AND OTHER PROCEEDINGS. THE AGENCY ALSO ALLOCATES RADIO SPECTRUM AND ORBITAL SLOTS FOR VARIOUS TYPES OF COMMON CARRIER SERVICES.

### **FORMAL COMPLAINTS**

A FORMAL COMPLAINT IS AN ALLEGATION OF A VIOLATION OF THE COMMUNICATIONS ACT AND/OR A COMMISSION ORDER OR REGULATION. A FORMAL COMPLAINT IS FILED PURSUANT TO SECTION 208 OF THE COMMUNICATIONS ACT AND SECTION 1.720, *et. seq.*, OF THE COMMISSION'S RULES.

### **COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT (CALEA)**

SECTION 302 OF CALEA, PUB. L. NO. 103-414, 108 STAT. 4279 (1994), MODIFIES THE FEE IN SECTION 8(G) OF THE COMMUNICATIONS ACT OF 1934, 47 U.S.C. § 158(G): “. . . UNDER ITEM 1 OF THE MATTER PERTAINING TO COMMON CARRIER SERVICES UNDER SUBITEM: (D). PROCEEDING SECTION 109(B) OF CALEA..” PROCEEDING SECTION 109(B) ALLOWS TELECOMMUNICATION CARRIERS TO PETITION THE FEDERAL COMMUNICATIONS COMMISSION FOR AN ORDER DECLARING “NOT REASONABLY ACHIEVABLE” THE PETITIONING CARRIER'S OBLIGATION TO COMPLY WITH CALEA SECTION 103 (CAPABILITY REQUIREMENTS).

### **SECTION 214 APPLICATIONS**

SECTION 214 OF THE COMMUNICATIONS ACT REQUIRES COMMON CARRIERS TO OBTAIN A CERTIFICATE THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE OR WILL REQUIRE CONSTRUCTION AND/OR OPERATION OF A LINE OF COMMUNICATION, OR THE DISCONTINUANCE, REDUCTION OR IMPAIRMENT OF SERVICE.

### **TELEPHONE EQUIPMENT REGISTRATION**

ALL TERMINAL EQUIPMENT AND CIRCUITRY CONNECTED DIRECTLY TO THE TELEPHONE NETWORK MUST BE REGISTERED WITH THE COMMISSION UNDER PART 68 OF THE COMMISSION'S RULES.

### **TARIFF FILINGS**

SECTION 201 OF THE COMMUNICATIONS ACT DIRECTS THE COMMISSION TO DETERMINE WHETHER THE CHARGES AND PRACTICES OF COMMON CARRIERS ARE JUST AND REASONABLE. AS PART OF THIS PROCESS, CERTAIN CARRIERS ARE REQUIRED TO SUBMIT TO THE COMMISSION AND MAKE AVAILABLE TO THE PUBLIC TARIFFS DETAILING THESE CHARGES AND PRACTICES. THESE TARIFFS CONTAIN SUCH INFORMATION AND ARE FORMATTED IN A MANNER DETERMINED BY THE COMMISSION THROUGH REGULATION AND AS SPECIFIED IN PART 61 OF THE COMMISSION'S RULES. SPECIAL PERMISSION APPLICATIONS CONTAIN REQUESTS FOR A WAIVER OF ANY PORTION OF PART 61.

### **ACCOUNTING AND AUDITS**

THE COMMISSION CONDUCTS A PROGRAM OF COMPREHENSIVE AND SELECTIVE AUDITS AND INVESTIGATIONS OF CARRIERS' FINANCIAL AND OPERATING PRACTICES, PROCEDURES, AND RECORDS. IT IS ALSO CHARGED WITH RECOMMENDING ANNUAL DEPRECIATION RATES APPLICABLE TO ALL CLASSES OF TELECOMMUNICATIONS PLANT OF DOMESTIC AND OVERSEAS COMMON CARRIERS. VARIOUS FINANCIAL FILINGS ARE REQUIRED OF CARRIERS SO THAT THE COMMISSION CAN MONITOR COMPLIANCE WITH ITS RULES AND ENSURE THAT THE PUBLIC PAYS JUST AND REASONABLE RATES FOR REGULATED TELECOMMUNICATIONS SERVICES.

## II. SECTION 8 FEE SCHEDULE AND FILING GUIDE

1.	All Common Carrier Services				
	a. Formal Complaints Filing Fee <sup>1</sup>	Written Request & FCC 159	\$165.00	CIZ	Federal Communications Commission Common Carrier Enforcement P.O. Box 358120 Pittsburgh, PA 15251-5120
	b. Communication Assistance for Law Enforcement (CALEA) Petitions	Written Request & FCC 159	\$5,000.00	CLEA	Federal Communications Commission Common Carrier Network Services P.O. Box 358120 Pittsburgh, PA 15251-5120
2.	Domestic 214 Applications <sup>2</sup>				
	a. Domestic Cable Construction	Written Request & FCC 159	\$815.00	CUT	Federal Communications Commission Common Carrier Domestic Services P.O. Box 358145 Pittsburgh, PA 15251-5145
	b. Other	Written Request & FCC 159	\$815.00	CUT	Federal Communications Commission Common Carrier Network Services P.O. Box 358145 Pittsburgh, PA 15251-5145
3.	Telephone Equipment Registration	FCC 730 & FCC 159	\$210.00	CIJQ	Federal Communications Commission Common Carrier Network Services P.O. Box 358145 Pittsburgh, PA 15251-5145
4.	Tariff Filings				
	a. Tariff Filing Fees <sup>3</sup> (per transmittal or cover letter)	Written Request & FCC 159	\$655.00	CQK	Federal Communications Commission Tariff Filings P.O. Box 358150 Pittsburgh, PA 15251-5150
	b. Application for Special Permission Filing <sup>3</sup> (request for waiver of any rule in Part 61 of the Commission's Rules) (per request)	Written Request & FCC 159	\$655.00	CQK	Federal Communications Commission Tariff Filings P.O. Box 358150 Pittsburgh, PA 15251-5150
	c. Waiver of Part 69 Tariff Rules <sup>3</sup> (per request)	Written Request & FCC 159	\$655.00	CQK	Federal Communications Commission Tariff Filings P.O. Box 358150 Pittsburgh, PA 15251-5150

5.	Accounting and Audits				
a.	Field Audit	N/A	\$83,090.00	BMA	Carriers will be billed
b.	Review of Attest Audit	N/A	\$45,355.00	BLA	Carriers will be billed
c.	Review of Depreciation Update Study (single state)	Written Study & FCC 159	\$27,595.00	BKA	Federal Communications Commission Accounting and Audits P.O. Box 358140 Pittsburgh, PA 15251-5140
	(i) Each Additional State	Same as 5c	\$910.00	CVA	Federal Communications Commission Accounting and Audits P.O. Box 358140 Pittsburgh, PA 15251-5140
d.	Petition for Waiver (per petition) (waiver of Part 69 accounting rules and Part 32 accounting rules, Part 36 separation rules, Part 43 reporting requirements Part 64 allocation of costs rules Part 65 rate of return & rate base rules	Written Request & FCC 159	\$6,220.00	BEA	Federal Communications Commission Accounting and Audits P. O. Box 358140 Pittsburgh, PA 15251-5140
e.	Development and Review of Agreed-upon-Procedures Engagement	Written Request & FCC 159	\$45,355.00	BLA	Federal Communications Commission Accounting and Audits P. O. Box 358140 Pittsburgh, PA 15251-5140



## **ENDNOTES TO SECTION 8 FEE FILING CHART**

<sup>1</sup> EXCEPT IN UNUSUAL CIRCUMSTANCES, A FORMAL COMPLAINT AGAINST MULTIPLE COMMON CARRIERS IS CONSIDERED TO BE A SERIES OF SEPARATE COMPLAINTS DIRECTED AGAINST INDIVIDUAL DEFENDANTS OR RESPONDENTS, EVEN IF JOINT CAPTIONED. THEREFORE, SEPARATE FILING FEES ARE REQUIRED FOR EACH NAMED DEFENDANT OR RESPONDENT.

<sup>2</sup> EACH SUCH REQUEST, REGARDLESS OF THE NUMBER OF COMMUNICATIONS CHANNELS REQUESTED, WILL REQUIRE ONE FEE. WHERE A COMMON CARRIER MUST FILE A SECTION 214 APPLICATION AND ANOTHER APPLICATION FOR A RADIO LICENSE THAT IS ALSO CHARGEABLE UNDER SECTION 8 OF THE COMMUNICATIONS ACT, BOTH SUCH CHARGES WILL BE REQUIRED. A FEE IS NOT REQUIRED FOR REQUESTS FOR REDUCTION OR DISCONTINUANCE OF SERVICE, NOR FOR SECTION 214 APPLICATIONS SUBMITTED PURELY FOR MODIFICATION PURPOSES.

<sup>3</sup> ISSUING CARRIERS WILL SUBMIT THE REQUIRED FEE TO THE MELLON BANK LOCKBOX LOCATION IN PITTSBURGH, PA IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 61.14(b)(1), 61.17(b), 61.20(b)(1), 61.32(b) and 61.153(b) OF THE COMMISSION'S RULES, 47 C.F.R. §§61.14(b)(1), 61.17(b)(1), 61.32(b) AND 61.153(b). FILING REQUIREMENTS FOR THE REMAINDER OF THEIR SUBMISSIONS IS DESCRIBED IN PART 61 OF THE COMMISSION'S RULES, 47 C.F.R. § 61.