

## Regulatory Fees Proposed for Fiscal Year 2022

In a *Notice of Proposed Rulemaking* in Docket 33-223 (FCC 22-39), the FCC has set out the figures for the regulatory fees that it proposes to collect for fiscal year 2022—the 12-month period ending September 30, 2022. Congress has mandated the collection of these fees to offset the cost of operating the Commission. The total amount to be collected this year is a little under \$392 million, about two percent more than the total that was assessed for fiscal year 2021.

The Commission calculates the amount of the fee to be paid by each regulated entity by estimating the cost in personnel time spent on servicing and regulating that entity. Staff time is measured in “full time equivalents” (or “FTEs”) and allocated among the agency’s four core bureaus as direct FTEs. The four core bureaus are Media, International, Wireless Telecommunications, and Wireline Competition. For this fiscal year, there are 329 direct FTEs in the Commission among these four bureaus. The percentage of the total direct FTEs needed for each bureau to function was found to be 36.47 percent for Media,

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## Computer Modeling Approved for FM Applications

With the adoption of a *Report and Order* in Docket 21-422 (FCC 22-38), the FCC has amended its Rules to permit the use of computer modeling to demonstrate that an antenna proposed to produce a directional coverage pattern will perform as proposed.

An FM permittee holding a construction permit that authorizes a directional antenna must include with its license application a plot of the composite pattern of the directional antenna, and a tabulation of the measured relative field pattern. Until now these data had to be obtained either by building a full-size mockup of the antenna and supporting structures or by constructing a scale model of the antenna and structures on a test range or in an anechoic chamber.

This proceeding began when a group of antenna manufacturers

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## Write-In Candidate Denied ‘Legally Qualified’ Status

The FCC’s Media Bureau has denied a complaint by a Congressional write-in candidate against two radio stations for allegedly violating the political broadcasting rules. Jim Condit, Jr. filed a complaint against stations WKRC(AM) and WLW(AM), both Cincinnati, owned by Citicasters Licenses, Inc. He had sought to purchase airtime with the advantages accorded to a legally qualified candidate for federal elective office. The stations ultimately refused his request. In a *Memorandum Opinion and Order* (DA 22-395), the Media Bureau ruled that the stations were justified in declining to broadcast Condit’s political ads because he had failed to make a substantial showing that he was a bona fide write-in candidate as defined in Section 73.1940(f) of the FCC’s Rules.

Condit prepared spots for the airtime he wished to buy, and he expected that the stations would sell him that airtime with the deference broadcasters must give legally

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# FCC Considers Franken FMs and Adjacent FM Service

The FCC has adopted and released a *Fifth Notice of Proposed Rulemaking* in Docket 03-185 (FCC 22-40) to further its review and consideration of the transmissions of analog FM audio streams on digital low power television stations operating on Channel 6. This audio transmission occurs on 87 MHz, and can be received by most FM receivers.

When Channel 6 television stations operated in the analog mode, the audio portion of the television signal was readily available to FM listeners. A number of LPTV operators developed FM-like radio services. These so-called Franken FM stations deliberately targeted radio rather than television audiences with the audio signal.

The demise of analog television during the transition to digital broadcasting put these FM6 operations at risk because the digital television signal is not compatible with analog FM receives. To address this problem, one LPTV operator asked the FCC to grant a special temporary authorization to operate its LPTV station in the ATSC 3.0 mode, with a separate analog FM transmitter on 87.7 MHz to serve as an auxiliary service to the station's digital ATSC 3.0 operation. The proponent of this system asserted that this arrangement would enable it to continue to serve the niche audience that had grown accustomed to the former analog service.

The Media Bureau granted this STA request with restrictions. The LPTV station was required to convert to ATSC 3.0. FM transmissions were limited to 87.75 MHz. No interference could be caused to any other licensed user of spectrum. The station's audio and video service areas must be approximately the same.

That was followed by other similar requests that were granted. The Commission says there are now 13 such

temporary FM6 operations around the country. The STAs for these services are valid for only six months. Their operators must continue to request their renewals.

The Commission now invites public input on whether these FM6 operations should continue with permanent authorizations, and, if so, under what conditions. The Commission has tentatively concluded that it will not authorize additional LPTV stations to provide this hybrid service.

After many years of regulatory limbo for Franken FMs, the FCC is making an effort to develop a final resolution to the FM6 issue. The agency seeks comment on the following questions:

- Do FM6 operations serve the public interest, and should they be authorized to continue in any capacity?
- Should existing FM6 operations be authorized as ancillary or supplementary services and, if so, be subject to technical rules similar to the engineering restrictions in the existing FM6 STAs?
- Should the FCC limit further FM6 operations to only those LPTV channel 6 stations with active FM6 engineering STAs as of the release date of this *Notice of Proposed Rulemaking*?
- Should the spectrum in the 82-88 MHz band be opened to use by noncommercial FM stations in areas where there is no channel 6 television station?
- Should the FCC eliminate or revise the TV6 distance separation rules for full power noncommercial FM, LPFM, Class D, and FM translator stations in the reserved FM band?

Comments must be filed within 30 days of publication of notice of this proceeding in the Federal Register. Replies will be due 45 days after publication.

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## Computer Modeling Approved for FM Applications continued from page 1

and a broadcaster petitioned the FCC to allow FM license applicants to use a less costly method of demonstrating that a directional FM antenna will actually provide the coverage authorized in the construction permit. The petitioners explained that, in addition to being expensive, the physical measurements are time-consuming and vulnerable to problems arising from the difficulty of replicating exactly the environment where the antenna is to be installed. The petitioners asserted that a properly implemented computer model could take these factors into account and produce a more accurate and less expensive pattern verification.

The Commission was persuaded. FM license applicants covering a directional construction permit will now have the option (but not the requirement) to employ computerized models to demonstrate the antenna's performance. This flexibility comes with the restriction that the computer model must be developed by the antenna's manufacturer. The Commission reasons that the manufacturer knows its antenna better than anyone else, and therefore would be the best source of the necessary software. This naturally follows from the current practice where physical testing is conducted by the

manufacturer prior to delivery of the antenna to the station.

The Commission will now also permit multiple license applicants to rely on the same computer software to support their applications if they are using the same model of antenna. When a particular antenna model or series of elements has been verified by any license applicant using a particular modeling software, the Commission will allow all subsequent license applicants using the same antenna model number or elements and using the same modeling software to submit the computer model for the subsequent antenna installation, with a cross-reference to the file number for the application that first used it.

New rules and rule amendments generally become effective 30 days after publication in the Federal Register. However, changes adopted in this decision contain new or modified information collection requirements. Therefore, they must be reviewed by the Office of Management and Budget pursuant to the Paperwork Reduction Act before they can become effective. When that review has been successfully completed, the effective date will be published in the Federal Register.

# Petitioners Ask to Establish Content Vendor Diversity Report

The FCC's Media Bureau has invited public comment on a Petition for Rulemaking that proposes the FCC establish an annual report on the diversity of staff and management at video programming content vendors. The joint petitioners include FUSE, LLC, Common Cause, the National Hispanic Media Coalition, Public Knowledge, and the United Church of Christ Media Justice Ministry. The Bureau's *Public Notice* (DA 22-567) announcing the proceeding in Docket 22-209 set the deadline for comments on July 22, and reply comments on August 22.

The petitioners propose the FCC require licensees and regulatees in broadcast, cable, broadband, and satellite services to collect diversity data from the vendors from which they obtain their programming content. The petitioners say that collecting such data would enhance the FCC's decision-making and inform the public.

Vendors intended to be subject to this inquiry would include linear programming networks, over-the-top linear content sources, applications made available on licensees' or regulatees' traditional or online platforms, production companies and studios providing content for distribution to consumers through advertiser-supported video-on-demand or subscription services, and other sellers of content.

For the purposes of the proposed report, the petitioners suggest that the FCC adopt the definition of the term minority used in Statistical Policy Directive No. 16 of the Office of Management and Budget. This Directive provides a common framework for consistent data on race and ethnicity throughout the federal government. The petitioners ask the Commission to collect diversity information for at least four data sets: (1) ownership, (2) board membership, (3) senior leadership/management, and (4) full-time employees.

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## Various Filings Transition to LMS

The FCC's Media Bureau has announced in a *Public Notice* (DA 22-476) that many additional filings can and must now be submitted to the Commission using the online Licensing and Management System ("LMS"). Until recently, most of these filings were submitted via the Consolidated Database System ("CDBS"). During the interval since CDBS was retired in January, these filings were submitted manually via email.

The following items must now be submitted in LMS:

- Request for FM Engineering Special Temporary Authorization ("STA")
- Request for Silent STA
- Request for Extension of Engineering and Silent STA

- Notice of Suspension of Operations
- Notice of Resumption of Operations
- AM/FM Digital Notification
- Modulation Dependent Carrier Level Notification
- Change of Primary Station Notification
- Tolling Notification
- Reduced Power Notification
- Withdrawal of Pending Application

Existing records of STAs and silent notifications in CDBS have been transitioned to LMS. However, it is not possible to request in LMS an extension of an STA originally filed in CDBS. Such a filing should be submitted as a request for an original STA with an explanation in an attachment.

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## Call Sign Reservations Move to LMS

The FCC's Media Bureau has announced that the broadcast call sign reservation system will move to the Licensing and Management System ("LMS") platform effective June 22, 2022. The old Call Sign Reservation System will be decommissioned as of that date. The following call sign procedures must be handled on LMS as of then:

- Permittee initial call sign request
- Call sign change request
- Call sign exchange
- Contingent call sign change request filed in connection with a pending assignment or transfer-of-control application.

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## Regulatory Fees Proposed for Fiscal Year 2022 continued from page 1

8.51 percent for International, 21.28 percent for Wireless Telecommunications, and 33.74 percent for Wireless Competition. The 943 FTEs employed in all other bureaus and offices of the Commission were labeled as indirect FTEs, and allocated proportionately to each of the core bureaus. The total amount to be collected, \$392 million, was then allocated to each of the core bureaus in proportion to each bureau's usage of direct FTEs. The Commission then determined the categories of regulatees within each

bureau's area of responsibility, and the number of regulatees within each category to arrive at the proposed fee for each entity. This is the formula that the Commission has used in the past years and public comment is invited about its continuing validity. Comment is solicited only as to the methodology for calculating the amount of fees, and not as to whether fees should be collected. The Communications Act requires the FCC to collect regulatory fees.

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# DEADLINES TO WATCH



## License Renewal, FCC Reports & Public Inspection Files

June 1	Deadline to file license renewal applications for television stations in <b>Arizona, Idaho, Nevada, New Mexico, Utah, and Wyoming.</b>	July 10	Deadline for noncommercial stations to place quarterly report re third-party fundraising in Public Inspection File.
June 1	Deadline to place EEO Public File Report in Public Inspection File and on station's Internet website for all nonexempt radio and television stations in <b>Arizona, the District of Columbia, Idaho, Maryland, Michigan, Nevada, New Mexico, Ohio, Utah, Virginia, West Virginia, and Wyoming.</b>	July 10	Deadline for Class A TV stations to place certification of continuing eligibility for Class A status in Public Inspection File.
June 1	Deadline for all broadcast licensees and permittees of stations in <b>Arizona, the District of Columbia, Idaho, Maryland, Michigan, Nevada, New Mexico, Ohio, Utah, Virginia, West Virginia, and Wyoming</b> to file annual report on all adverse findings and final actions taken by any court or governmental administrative agency involving misconduct of the licensee, permittee, or any person or entity having an attributable interest in the station(s).	August 1	Deadline to file license renewal applications for television stations in <b>California.</b>
June	Television stations in <b>Arizona, Idaho, Nevada, New Mexico, Utah</b> and <b>Wyoming</b> begin broadcasting post-filing announcements within five business days of acceptance for filing of license renewal application and continuing for four weeks.	August 1	Deadline to place EEO Public File Report in Public Inspection File and on station's Internet website for all nonexempt radio and television stations in <b>California, Illinois, North Carolina, South Carolina</b> and <b>Wisconsin.</b>
July 10	Deadline to place quarterly Issues/Programs List in Public Inspection File for all full service radio and televisions stations and Class A TV stations.	August 1	Deadline for all broadcast licensees and permittees of stations in <b>California, Illinois, North Carolina, South Carolina, and Wisconsin</b> to file annual report on all adverse findings and final actions taken by any court or governmental administrative agency involving misconduct of the licensee, permittee, or any person or entity having an attributable interest in the station(s).
		August	Television stations in <b>California</b> begin broadcasting post-filing announcements within five business days of acceptance for filing of license renewal application for filing and continuing for four weeks.

## Deadlines for Comments in FCC and Other Proceedings

DOCKET	COMMENTS	REPLY COMMENTS
(All proceedings are before the FCC unless otherwise noted.)		
Docket 20-401; RM-11854; Public Notice (DA 22-429) Geo-targeted FM booster		June 21
Docket 22-162; Public Notice (DA 22-562) Application for transfer of control of Tegna, Inc. to Standard General, L.P.	June 22 (Petitions to Deny)	July 7 (Oppositions)
Docket 22-127; NOI (FCC 22-29) Improving receiver performance	June 27	July 27
Docket 22-203; Public Notice (DA 22-535) Competition in the Communications Marketplace	July 1	Aug. 1
Dockets 14-165, 20-36; FNPRM (FCC 22-6) Unlicensed devices in the television band white spaces	July 1	Aug. 1
Docket 22-223; NPRM (FCC 22-39) FY 2022 Regulatory Fees	July 5	July 18
Docket 22-209; Public Notice (DA 22-567) Petition for Rulemaking re New Content Vendor Diversity Report	July 22	Aug. 22
Docket 03-185; 5thFNPRM (FCC 22-40) Franken FMs	FR+30	FR+45

*FR+N means the filing deadline is N days after publication of notice of the proceeding in the Federal Register.*





# DEADLINES TO WATCH



## Paperwork Reduction Act Proceedings

The FCC is required by the Paperwork Reduction Act to periodically collect public information on the paperwork burdens imposed by its record-keeping requirements in connection with certain rules, policies, applications and forms. Public comment has been invited about this aspect of the following matters by the filing deadlines indicated.

TOPIC	COMMENT DEADLINE
Operating power and mode tolerances, Section 73.1560	June 21
Audio description of video programming, Section 79.3	June 27
TV Broadcasters Relocation Fund Reimbursement Form, Form 2100, Schedule 399	July 1
Commercial broadcast ownership report, Form 323	July 11
Experimental authorizations, Section 73.1510	Aug. 5
FM translator and booster station time of operation, Section 74.1263	Aug. 5
Satellite network non-duplication protection, and satellite syndicated program exclusivity rules, Sections 76.122, 76.123, 76.124	Aug. 8
FM license application form, Form 2100, Schedule 301-FM	Aug. 12
AM pre-sunrise authorization, Section 73.99	Aug. 12

## Lowest Unit Charge Schedule for 2022 Political Campaign Season

During the 45-day period prior to a primary election or party caucus and the 60-day period prior to the general election, commercial broadcast stations are prohibited from charging any legally qualified candidate for elective office (who does not waive his or her rights) more than the station's Lowest Unit Charge ("LUC") for advertising that promotes the candidate's campaign for office. A lowest-unit-charge period is imminent in the following states.

STATE	ELECTION EVENT	DATE	LUC PERIOD
District of Columbia	State Primary	June 21	May 7 – June 21
Virginia	State Primary	June 21	May 7 – June 21
Colorado	State Primary	June 28	May 14 – June 28
Illinois	State Primary	June 28	May 14 – June 28
New York	State Primary	June 28	May 14 – June 28
Oklahoma	State Primary	June 28	May 14 – June 28
Utah	State Primary	June 28	May 14 – June 28
Maryland	State Primary	July 19	June 4 – July 19
Arizona	State Primary	Aug. 2	June 18 – Aug. 2
Kansas	State Primary	Aug. 2	June 18 – Aug. 2
Michigan	State Primary	Aug. 2	June 18 – Aug. 2
Missouri	State Primary	Aug. 2	June 18 – Aug. 2
Washington	State Primary	Aug. 2	June 18 – Aug. 2
Tennessee	State Primary	Aug. 4	June 20 – Aug. 4
Connecticut	State Primary	Aug. 9	June 25 – Aug. 9
Minnesota	State Primary	Aug. 9	June 25 – Aug. 9
Vermont	State Primary	Aug. 9	June 25 – Aug. 9
Wisconsin	State Primary	Aug. 9	June 25 – Aug. 9
Hawaii	State Primary	Aug. 13	June 29 – Aug. 13
Alaska	State Primary	Aug. 16	July 2 – Aug. 16
Wyoming	State Primary	Aug. 16	July 2 – Aug. 16
Florida	State Primary	Aug. 23	July 9 – Aug. 23
Massachusetts	State Primary	Sep. 6	July 16 – Sep. 6
Delaware	State Primary	Sep. 13	July 30 – Sep. 13
New Hampshire	State Primary	Sep. 13	July 30 – Sep. 13
Rhode Island	State Primary	Sep. 13	July 30 – Sep. 13



# DEADLINES TO WATCH



## Proposed Amendments to the Television Table of Allotments

The FCC is considering petitions to amend the digital television Table of Allotments by changing the channel allotted to the community identified below. The deadlines for submitting comments and reply comments are shown.

COMMUNITY	STATION	PRESENT CHANNEL	PROPOSED CHANNEL	COMMENTS	REPLY COMMENTS
Orono, ME	WMEB	*9	*22	July 7	July 22

(\* ) Indicates that the channel is reserved for noncommercial use.

## Proposed Amendments to the FM Table of Allotments

The FCC is considering a request to amend the FM Table of Allotments by adding a new channel for the community identified below. The deadlines for submitting comments and reply comments are shown.

COMMUNITY	NEW CHANNEL	NEW FREQUENCY	COMMENTS	REPLY COMMENTS
Big Coppitt Key, FL	265C3	100.9	July 11	July 26

**DEADLINE FOR LPTV AND FM LICENSEES  
TO FILE CLAIMS FOR TV REPACK REIMBURSEMENT  
SEPTEMBER 6, 2022**

## Write-In Candidate Denied ‘Legally Qualified’ Status continued from page 1

qualified candidates. Section 315(a) of the Communications Act prohibits broadcasters from censoring the messages of legally qualified candidates and requires stations to afford equal opportunities to the opponents of candidates whose messages are aired. Legally qualified candidates for federal office enjoy a right to reasonable access to commercial stations under Section 312(a)(7) of the Act. Pursuant to Section 315(b) of the Act and Section 73.1942 of the FCC’s Rules, legally qualified candidates may purchase broadcast airtime at the station’s lowest unit rate during a specified period prior to an election.

The Bureau explained that to be a legally qualified candidate for the purposes of these rules, a person must (1) publicly announce an intention to run for office; (2) be qualified to hold the office being sought; and (3) have qualified for a place on the ballot or have publicly committed to seeking election by write-in. A write-in candidate must make a substantial showing that he or she is a bona fide candidate for the office being sought.

In the substantial showing, the write-in candidate must provide evidence of engaging to a substantial degree in activities commonly associated with political campaigning. A list of such activities would include making campaign speeches, distributing campaign literature, issuing press releases, maintaining a campaign committee, and establishing a campaign headquarters.

Not all of the items on the list are necessarily required to be in the showing, and the list is not exclusive. There may be additional legitimate activities that would contribute to such a demonstration.

The Media Bureau narrated the sequence of events in this case. According to the Bureau, Condit stated in his complaint that he had announced in July 2020 his intention to run for Congress. On August 14, 2020, he registered with the Hamilton County, Ohio, Board of Elections to be a write-in candidate in the 2020 election for representative from the 2nd Congressional District of Ohio in the United States House of Representatives.

Around September 1, Condit contacted the stations to buy airtime for his campaign spots. The station’s sales staff requested information about his campaign, which Condit provided. Thereupon the stations began broadcasting Condit’s ads. However, after running the spots for about three weeks, Citicasters staff had second thoughts and suspended broadcasting Condit’s advertisements. They asked him to provide additional information to support his substantial showing about his campaign activities. Condit provided an initial response on September 21 (in which he stated that his main campaign activity consisted of his radio advertising). The following day, he supplemented his showing with more detailed information. Condit explained

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## Write-In Candidate Denied ‘Legally Qualified’ Status continued from page 7

that he made campaign speeches and attended events, distributed campaign literature, maintained a campaign headquarters, utilized yard signs and bumper stickers, operated a campaign committee, established a website, and *intended* to issue press releases. Citicasters staff reviewed this information and determined that Condit had failed to provide a substantial showing and that he was not, therefore, a legally qualified candidate. It followed that he was not entitled to reasonable access to the station’s airwaves and broadcast of his messages was terminated.

Condit filed his complaint with the FCC on October 18. He maintained that Citicasters staff had originally found him to be qualified, and then decided that they did not like the content of his messages. Condit alleged that Citicaster then asked him for more information about his campaign as a pretext to terminate the carriage of his spots. Condit concluded that this was censorship and a violation of the political broadcasting rules. He accused Citicasters of acting in bad faith and took issue with the licensee’s unilateral determination that he was unqualified.

In response, Citicasters explained that its sales staff had initially been under the impression that Condit was a legally qualified candidate because his name would appear on the ballot. However, upon hearing Condit’s ads and an interview he gave on an Internet program, and reviewing his website, Citicasters’ staff concluded that Condit had no genuine intention of seeking public office. Citicasters theorized that Condit had manufactured a sham political campaign for the purpose of gaining access to the airwaves so as to be able to promote his beliefs to a large audience.

The Media Bureau’s analysis of Condit’s supplemental information supported Citicasters’ conclusion that he was not a legally qualified candidate. The specific allegedly campaign-related events in which Condit claimed to have participated were at six locations outside of the 2nd Congressional District. Commission precedent holds that, to qualify, the campaign activities must occur within the geographic area of the jurisdiction for which the candidate is seeking office. Condit did claim to be active within the 2nd District, but his activities were not campaign related, such as shopping and attending religious services, and therefore did not support his showing. Condit said he had handed out business cards at undisclosed locations in the 2nd District on unspecified dates as he went about his daily

life. He asserted that he distributed campaign literature and bumper stickers to potential voters and posted a few yard signs. However, he conceded that the literature was merely old dated brochures, and he did not indicate when, where or how extensively these materials were distributed. He maintained that he participated in meetings and conference calls. The Bureau said these vague and undocumented explanations were not probative and did not support a finding of a substantial showing.

The Media Bureau firmly rejected Condit’s claim that the advertising that he bought and which the stations broadcast prior to his suspension should count toward his substantial showing of campaign activity. An otherwise unqualified candidate cannot bootstrap himself into qualified status by adding the purchase of airtime to an otherwise deficient showing.

In a break with most of the rest of the ruling, the Media Bureau rejected Citicasters’ characterization of Condit’s home-based campaign headquarters. Citicasters disparaged this set-up as nothing more than a table and a few chairs. The Bureau said that the Commission does not dictate how a campaign headquarters should be furnished. The Bureau credited the headquarters in Condit’s favor even though it was located outside of the 2nd Congressional District. The rule acknowledges as legitimate a campaign headquarters at the candidate’s home. Condit’s home is just outside of the 2nd District, and there is no requirement that a representative reside within the district he or she represents.

The Media Bureau concluded that Condit could legitimately claim as elements of his substantial showing his website, his campaign headquarters, and one interview he gave on an Internet program. This list, however, was deemed insufficient to demonstrate that Condit had maintained a serious campaign. The Bureau ruled that Condit had not met the standard of a legally qualified candidate.

The Media Bureau rejected Condit’s accusation that Citicasters had acted in bad faith, and had stopped broadcasting his spots on the basis of their content. It found no evidence to support such a claim. The Bureau confirmed that the broadcaster has the initial responsibility to make good faith judgments about whether a party seeking access to its air is a legally qualified candidate, and that the broadcaster’s judgment is entitled to deference.

# Regulatory Fees Proposed for Fiscal Year 2022 continued from page 3

The tables at the end of this article show the proposed fees for most types of authorizations of interest to broadcasters, except for full service television stations. Broadcast radio fees are graduated to take into account the size of the facility and the population within the station's service area. The fees for full service television stations are based entirely upon the population within the station's projected noise-limited service contour as shown in the FCC's *TVStudy* database. The population figure is multiplied by \$0.008803 to calculate the amount of the regulatory fee for the station. Thus each station has its own specific fee. The amounts of the proposed fees for every commercial television station are listed in Appendix G with the *Notice of Proposed Rulemaking*, which can be found at this page on the FCC's website: <https://www.fcc.gov/edocs/daily-digest/2022/06/03>.

The Commission has previously determined that if an entity's total aggregated regulatory fee liability is less than \$1,000, it will be considered de minimis and exempt from collection. The law permits the Commission to exempt a party from paying the fee if, in the agency's judgment, the cost of collecting the fee would exceed the amount to be collected. The National Association of Broadcasters has suggested to the Commission that the de minimis threshold should be increased in order to assist small broadcasters. The Commission invites public comment on this question with the caveat that the statute does not include language to suggest that this factor can be taken into consideration.

Comments must be submitted to the Commission by July 5. Reply comments will be due by July 18.

## REGULATORY FEES FOR FISCAL YEAR 2022

Type of Authorization	Actual	Proposed	
	FY 2021	FY 2021	FY 2022
Full Power TV Construction Permit	\$ 5,100	\$ 5,210	
Class A TV, LPTV, TV/FM Translator & Booster	320	340	
AM Radio Construction Permit	610	690	
FM Radio Construction Permit	1,070	1,210	
Satellite Earth Station	595	615	

### ACTUAL FY 2021 REGULATORY FEES FOR RADIO

Population Served	AM Class A	AM Class B	AM Class C	AM Class D	FM A, B1, C3	FM B,C,C0,C1,C2
0-25,000	\$ 975	\$ 700	\$ 610	\$ 670	\$ 1,070	\$ 1,220
25,001-75,000	1,465	1,050	915	1,000	1,605	1,830
75,001-150,000	2,195	1,575	1,375	1,510	2,410	2,745
150,001-500,000	3,295	2,365	2,060	2,265	3,615	4,125
500,001-1,200,000	4,935	3,540	3,085	3,390	5,415	6,175
1,200,001-3,000,000	7,410	5,320	4,635	5,090	8,130	9,270
3,000,001-6,000,000	11,105	7,975	6,950	7,630	12,185	13,895
6,000,000+	16,665	11,965	10,425	11,450	18,285	20,850

### PROPOSED FY 2022 REGULATORY FEES FOR RADIO

Population Served	AM Class A	AM Class B	AM Class C	AM Class D	FM A, B1, C3	FM B,C,C0,C1,C2
0-25,000	\$ 1,105	\$ 795	\$ 690	\$ 760	\$ 1,210	\$ 1,380
25,001-75,000	1,660	1,195	1,035	1,140	1,815	2,070
75,001-150,000	2,485	1,790	1,555	1,710	2,725	3,105
150,001-500,000	3,735	2,685	2,330	2,570	4,090	4,665
500,001-1,200,000	5,590	4,025	3,490	3,845	6,125	6,985
1,200,001-3,000,000	8,400	6,040	5,245	5,775	9,195	10,490
3,000,001-6,000,000	12,585	9,055	7,860	8,655	13,780	15,720
6,000,000+	18,885	13,585	11,790	12,990	20,680	23,585

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