



Virginia Association of Broadcasters Legal Review



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Legal Memorandum

Stations Must Pay Regulatory Fees By Tomorrow, September 26, 2017

As we have previously advised, **the deadline for paying regulatory fees is 11:59 p.m. Eastern Time on September 26, 2017.** Payments that are even one minute late face a penalty of 25%; thus, for example, a station that owes \$5,000 in regulatory fees would have to pay \$6,250 if it misses the deadline. We have previously distributed tables setting forth the regulatory fees of greatest interest to broadcasters. A [Public Notice](#) released by the FCC on September 5 details the multi-step regulatory fee payment process. The FCC released a [Fact Sheet for Media Bureau](#) licensees (including radio and television stations) discussing the regulatory fees imposed on broadcast stations. (Of course, some broadcast stations hold licenses in certain services other than those governed by the Media Bureau, e.g., Part 25 earth station licenses, which are overseen by the International Bureau.) The FCC's [regulatory fees webpage](#) provides additional resources for broadcasters.

Payments by Check Will Not Be Accepted. All payments must be made by wire transfer, or online via ACH (Automated Clearing House) payment, or credit card. The FCC will reject all other forms of payment (e.g., cash, checks, cashier's checks, and money orders). Further payment procedure details have been provided by the FCC in [this Public Notice](#).

Maximum Credit Card Transaction Level. The maximum amount that can be charged on a credit card for transactions with federal agencies—including the FCC—is \$24,999.99. Attempted transactions for amounts greater than \$24,999.99 will be rejected. This limit applies to single payments, divided payments, and to combined payments of more than one bill. More information about making payments is available in [this Public Notice](#).

Limited Exemption for De Minimis Regulatory Fees (\$1,000 or Less). Broadcasters whose total FY 2017 annual regulatory fee liability, *including all categories of fees for which payment is due*, is \$1,000 or less are exempt from payment of FY 2017 regulatory fees. This *de minimis* threshold is not a permanent exemption. Rather, each broadcaster will need to reevaluate its total fee liability

each fiscal year to determine whether it meets the *de minimis* exemption. Regulatees are responsible for calculating their own total fee obligation to determine whether they qualify for this *de minimis* exemption, and the FCC might request documentation from a broadcaster demonstrating that it really meets the exemption.

If you have any questions concerning the information discussed in this memorandum, please contact your communications counsel or any of the undersigned.

Stephen Hartzell, Editor

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