

ITSPs and CMRS Providers Can Now Review and Revise Annual Regulatory Fee Information

August 15, 2019

Annual Regulatory Fee Payment Deadline Not Yet Set

Most Federal Communications Commission (FCC or Commission) licensees and other regulated entities must pay regulatory fees annually to offset costs associated with the FCC's enforcement, public service, international, policy, and rulemaking activities.

While the regulatory fee payment deadline has not yet been set, by [Public Notice](#) released Friday, the Commission announced that Interstate Telecommunications Service Providers (ITSP) and Commercial Mobile Radio Service (CMRS) providers, two categories of providers subject to regulatory fees, can now log in to preview the provider's FY2019 regulatory fee data in the FCC's [Fee Filer](#) system. ITSPs and CMRS providers have limited time to request any revisions to the data on which fees are based and therefore are encouraged to review their proposed fee data in a timely manner. In particular, CMRS providers have an **August 28, 2019** deadline to request changes to their regulatory fee data and, although ITSPs do not have a set deadline for revisions, they should allow time for processing any data change requests.

- **Interstate Telecommunications Service Providers.** By logging into the Fee Filer system, ITSPs can preview the FCC Form 159-W ITSP Report worksheet identifying the revenues that were reported on the provider's April 1, 2019 FCC Form 499-A filing. These revenues will be used to calculate the provider's regulatory fees once the FCC's FY 2019 Regulatory Fee Report and Order is adopted and released. ITSPs should be aware that the worksheet is read-only and ***revisions to revenue amounts can be made only by the ITSP filing a revised Form 499-A worksheet with the Universal Service Administrative Company (USAC)***. ITSP revenue adjustments *cannot* be made through the Fee Filer system so ITSPs should review their data soon to ensure sufficient time for any Form 499-A revision filing to be processed before regulatory fee payments are due.
- **Commercial Mobile Radio Service Providers.** CMRS providers can now access the Fee Filer system to preview their subscriber, porting, and Operating Company Number information. The "Net NRUF Telephone Number" subscriber count listed in the system will be used in determining the CMRS provider's annual regulatory fee. If the provider agrees with the subscriber count, then the provider does not need to take any further action. Unlike with ITSPs, if a CMRS provider believes its subscriber count is incorrect the CMRS provider ***can revise subscriber count information directly via the Fee Filer system. However, any such revisions are subject to Commission review and approval and must be made by August 28, 2019*** to allow the Commission time to decide whether to accept or disapprove the revision and enter

any approved revisions in the fee filer system. Revisions made after August 28, 2019 must be sent directly to [Roland Helvajian](#) of the FCC's Office of Managing Director, and will be addressed on a case-by-case basis.

Deadline for Annual Regulatory Fee Payments Not Yet Set. While the Public Notice does not identify a deadline for submitting payments of any annual regulatory fees, based on prior year payment deadlines, we anticipate regulatory fees will be due in September. (By law, the FCC must collect the fees before the end of the federal government's fiscal year, which ends on September 30). In addition, we remind ITSPs and CMRS providers that the FCC no longer mails regulatory fee notices or assessment letters and it is the licensee's responsibility to pay the fee by the deadline. All entities paying regulatory fees should be aware that failure to meet the regulatory fee payment deadline (once established) will result in late payment penalties of 25% being applied and the FCC ***does not waive late payment penalties***. Consequently, entities subject to regulatory fees should be sure to pay attention once the payment deadline is announced and timely pay any fees.