

See Appendix D. As a result, we are proposing to continue to assess two levels of regulatory fees for these services, exclusive use services and shared use services, on the basis of the quality of the communications channel provided to the licensee. Our action here is consistent with section 9's directive that fees take into account the benefits provided to the payee of the fees and with the policy reflected in the statutory schedule, which provides for higher fee payments for exclusive use services within the Private Radio category of services. See 47 U.S.C. 159(b)(1)(A), (g). Further, it is consistent with the statutory fee schedule's formulation of fees for exclusive and shared services.

16. We are proposing no change to the rules for calculating fee payments and submitting regulatory fee payments for private radio services. See *FY 1994 Order*, Appendix B at paras. 2–12. Rather, due to the relatively small regulatory fees generally assessed for these services, we propose to continue to require applicants for new, reinstatement and renewal licenses in these services to submit the entire regulatory fee for the full term of their requested license at the time they file their license applications.<sup>10</sup> See 47 U.S.C. 159(f)(1). Applicants for modification or assignment of an existing authorization will not be required to submit a regulatory fee. However, the expiration date of these authorizations will reflect only the unexpired term of the underlying license rather than a new license term.

#### a. Exclusive Use

17. *Land Mobile Services*, set forth in the FY 1995 regulatory fee schedule within the wireless radio service category, include those authorized under Part 90 of the Commission's Rules to provide limited access wireless radio service that allows high quality voice or digital communications between vehicles or to fixed stations to further the business activities of the licensee. These Services, using the 220–222 MHz band and frequencies at 470 MHz and above, may be offered on a private carrier basis in the Specialized Mobile Radio Services (SMRS). Our FY 1995 cost allocation to the Land Mobile Services fee category is \$462,455, resulting from the mandatory adjustment of its FY 1994 revenue requirement under the statutory fee schedule. Payment units for Land

Mobile Services are estimated to be 13,213 licenses. Dividing the cost allocation to the Land Mobile Service fee category by its payment units and its license term of five years results in an annual fee of \$7 per license.<sup>11</sup> See Appendix D. Thus, we are proposing that Land Mobile licensees be subject to a \$7 annual regulatory fee per license, payable for an entire five or ten year license term at the time of application for a new, renewal or reinstatement license. The total regulatory fee due would be either \$35 for a license with a five year term or \$70 for a license with a 10 year term. We are proposing no change to the rules for calculating and submitting regulatory fees by Land Mobile licensees. See *FY 1994 Order*, Appendix B at para. 4.

18. *Microwave Services*, set forth in the FY 1995 fee schedule within the wireless radio service category, include private microwave systems and private carrier systems authorized under Part 94 of the Commission's Rules to provide telecommunications services between fixed points on a high quality channel of communications. Microwave systems are often used to relay data and to control railroad, pipeline and utility equipment. Our FY 1995 cost allocation to Microwave Services is \$225,400, resulting from the mandatory adjustment to its FY 1994 revenue requirement under the statutory fee schedule. Payment units for Microwave Services are estimated to be 6,440 licenses. Dividing the revenue requirement of Microwave Services by its payment units and license term of five years results in an annual fee of \$7 per license. See Appendix D. Thus, we are proposing that microwave licensees be subject to a \$7 annual regulatory fee per license, payable for an entire five year license term at the time of application for a new, reinstatement or renewal license. The total regulatory fee due would be \$35 for the five year license term. We are proposing no change to the rules for calculating and submitting regulatory fee payments by Microwave Services. See *FY 1994 Order*, Appendix B at para. 5.

19. *Interactive Video Data Service (IVDS)*, set forth in the FY 1995 fee schedule within the wireless radio service category, is a two-way point-to-multi-point radio service allocated high quality channels of communications and authorized under Part 95 of the Commission's Rules. IVDS provides information, products and services, and

also the capability to obtain responses from subscribers in a specific service area. IVDS is offered on a private carrier basis. Our FY 1995 revenue requirement attributable to IVDS is \$50,750, resulting from the mandatory adjustment to its FY 1994 revenue requirement under the statutory fee schedule. Payment units for IVDS are estimated at 1,450 licenses. Dividing the revenue requirement of IVDS by its payment units and license term of five years results in an annual fee of \$7 per license. See Appendix D. We are proposing that IVDS licensees be subject to a \$7 annual regulatory fee per license, payable for an entire five year license term at the time of application for a new, reinstatement or renewal license. The total regulatory fee due would be \$35 for the five year term of the license. We are proposing no change to the rules for calculating and submitting regulatory fee payments for IVDS. See *FY 1994 Order*, Appendix B at para. 6.

#### b. Shared Use Services

20. Licensees in the following services, set forth in the FY 1995 fee schedule within the wireless radio service category, generally operate on shared frequencies.

21. *Marine (Ship) Service* is a shipboard radio service authorized under Part 80 of the Commission's Rules to provide telecommunications between watercraft or between watercraft and short-based stations. Radio installations are required by domestic and international law for large passenger or cargo vessels. Radio equipment may be voluntarily installed on smaller vessels, such as recreational boats. Our FY 1995 cost allocation to the Marine (Ship) Service fee category is \$5,070,420, resulting from the mandatory adjustment to its FY 1994 revenue requirement under the statutory fee schedule. Payment units for Marine (Ship) Service are estimated to be 169,014 stations. Dividing the revenue requirement of the Marine (Ship) Service by its payment units and license term of ten years results in an annual fee of \$3 per station. See Appendix D. Thus, we are proposing that marine (ship) station licensees be subject to a \$3 annual regulatory fee per station, payable for an entire ten year license term at the time of application for a new, reinstatement or renewal license. The total regulatory fee due would be \$30 for the ten year license term. We are proposing no change to the rules for calculating and submitting regulatory fee payments by the Marine (Ship) Service licensees. See *FY 1994 Order*, Appendix B at para. 9.

<sup>10</sup> In the event that the subject application is not granted, the entire regulatory fee submitted will be returned upon request of the payor of the fee. See 47 C.F.R. § 1.1159(a)(2)(iii).

<sup>11</sup> Although this fee category includes licenses with ten year terms, the estimated volume of ten year license applications in FY 1995 is less than one tenth of one percent and, therefore, is statistically insignificant.