

year license term.¹² We are proposing no change to the rules for calculating and submitting regulatory fees for amateur vanity call-sign licensees. See *FY 1994 Order*, Appendix B at para 12.

2. Mass Media

28. The regulatory fees for the Mass Media fee category apply to broadcast licensees and permittees.

a. Commercial AM and FM Radio

29. These categories include licensed commercial AM (Classes A, B, C, and D) and FM (Classes A, B, B1, C, C1, C2, and C3) radio stations operating under Part 73 of the Commission's rules. In developing our FY 1995 individual fee amounts for AM and FM stations, we determined that the public interest required that we retain the operational class distinctions among AM and FM stations that Congress established in its statutory fee schedule. Also, as a permissive amendment and consistent with petitions for rulemaking filed by Teddy Bear Communications, Inc. and La Paz Broadcasting, Inc., we included a further distinction in order to recognize that the population density of a station's geographic location was also a public interest factor warranting recognition in the fee schedule. After due consideration, we decided that stations located in Arbitron radio markets vis-a-vis those not located in these markets provided a logical distinction for allocating a fee ratio burden.¹³ We quantified this distinction by adopting a fee ratio between the Arbitron and non-Arbitron markets similar to the ratio of the fee requirement the statutory fee scheduled established for the larger television station markets and the schedule's "remaining markets."¹⁴ Thus, for AM and FM stations we exercised our authority to make permitted amendments to the fee schedule in order to lower the fees for stations with

relatively small coverage areas and daytime only operations and for stations operating in rural areas. The following are our proposed regulatory fees for AM and FM stations.

AM Radio:

Class A (Arbitron Market)	\$1,525
Class A (Non-Arbitron Market)	565
Class B (Arbitron Market)	850
Class B (Non-Arbitron Market)	315
Class C (Arbitron Market)	340
Class C (Non-Arbitron Market)	125
Class D (Arbitron Market)	425
Class D (Non-Arbitron Market)	155

FM Radio:

Classes C, C1, C2, B (Arbitron Market)	\$1,525
Classes C, C1, C2, B (Non-Arbitron Market)	565
Classes A, B1, C3 (Arbitron Market)	1,025
Classes A, B1, C3 (Non-Arbitron Market)	375

We are proposing no change to the rules for calculating and submitting regulatory fees by AM and FM radio station licensees. See *FY 1994 Report*, Appendix B at paras. 14–17 and 19.

b. Construction Permits—Commercial AM Radio

30. This category includes holders of permits to construct new AM stations. The FY 1995 cost allocation for commercial AM construction permit fee category is \$9,480, resulting from the mandatory adjustment to its FY 1994 revenue requirement under the statutory fee schedule. Payment units for the category are estimated to be 79 AM construction permits. Dividing the revenue requirement for AM construction permits by estimated payment units results in a regulatory fee of \$120 per construction permit. See Appendix E. Thus, for FY 1995, we are proposing to assess permittees \$120 for each permit held. Upon issuance of an operating license, this fee would no longer be applicable and licensees would be required to pay the applicable fee for the designated class/market of the station. We are proposing no change in the rules for calculating and submitting the regulatory fee by AM construction permittees. See *FY 1994 Order*, Appendix B at para. 18.

c. Construction Permits—Commercial FM Radio

31. This category includes holders of permits to construct new commercial FM stations. The FY 1995 cost allocation for commercial FM radio construction permits is \$418,285, resulting from the mandatory adjustment to the category's FY 1994 revenue requirement under the statutory fee schedule. Payment units are

estimated to be 703 FM construction permits. Dividing the revenue requirements for FM construction permits by estimated payments units results in a regulatory fee \$595 per permit. See Appendix E. Thus, for FY 1995, we are proposing to assess permittees \$595 for each permit held. Upon issuance of an operating license, this fee would no longer be applicable. Instead, licensees would pay a regulatory fee based upon the designated class/market of the station. We are proposing no change in the rules for calculating and submitting regulatory fees by FM construction permittees. See *FY 1994 Order*, Appendix B at para. 20.

d. Commercial Television Stations

32. This category includes licensed commercial VHF and UHF television stations covered under Part 73 of the Commissions rules, except commonly owned television satellite stations, addressed separately below. We are proposing to assess commercial television stations annual fees based on the station's market rankings as published by Warren Publishing in the 1994 Edition of the Television and Cable Factbook (No. 62). The FY 1995 revenue requirements for the different categories of VHF and UHF commercial television stations are shown in Appendix E, including both an amount resulting from the services mandatory adjustment and an additional amount required to offset the reduced fee for satellite television stations, described below, pursuant to our authority to make permitted amendments to the fees. Payment units for each service category with the commercial television fee category are shown in Appendix E. Dividing the revenue requirements for each commercial television station category by the corresponding estimate of payment units results in the following proposed fees to be assessed on stations in each ADI market grouping:

VHF Markets 1–10	\$21,450
VHF Markets 11–25	19,075
VHF Markets 26–50	14,300
VHF Markets 51–100	9,525
VHF Remaining Markets	5,950
UHF Markets 1–10	17,150
UHF Markets 11–25	15,250
UHF Markets 26–50	11,450
UHF Markets 51–100	7,625
UHF Remaining Markets	4,775

See Appendix E. We are proposing no change to the rules for calculating and submitting regulatory fee payments by television stations licensees. See *FY 1994 Order*, Appendix B at para. 21–24.

¹² Section 9(h) exempts "amateur radio operator licenses under part 97 of the Commission's regulations (47 C.F.R. Part 97)" from the requirement. However, section 9(g)'s fee schedule explicitly includes "Amateur vanity call signs" as a category subject to the payment of a regulatory fee.

¹³ Arbitron has identified 261 Metro Survey Areas (MSAs) that range in population from 14,033,500 (Market 1) to 47,100 persons (Market 261). Stations operating outside Arbitron's MSAs are considered to be located in "non-arbitron markets" serving more rural geographic areas. See Arbitron rankings, *Broadcasting & Cable Yearbook*, compiled annually by R. R. Bowker, a Reed Reference Publishing Company. For the formulation of FY 1995 AM and FM fees, we have used the 1994 edition of the Yearbook since it provides the most recently published market data.

¹⁴ See Appendix for a more detailed explanation of the development of our fees for AM and FM radio stations.