

# Wireless Industry Finds Consensus on Regulatory Fees

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The wireless industry has found consensus that wireless and wireline should be kept separate as the FCC considers how it will assess and collect regulatory fees in 2013.

In a [filing](#) [1] that addresses the FCC's Notice of Proposed Rulemaking ("NPRM") and the Further Notice of Proposed Rulemaking ("FNPRM"), AT&T expressed "grave concerns" about the possibility of combining wireless and wireline telecommunications services into one category for fee-assessment purposes.

"The assertion that the two services 'encompass similar regulatory policies and programs' is a misleading generalization," AT&T argued.

The carrier noted a range of points on which wireless and wireline differ, such as tariffing and pricing requirements, spectrum auctions, pole siting rules, 911 location accuracy measurements, and radio frequency regulations, among others.

"On top of that, they have two separate core bureaus addressing those concerns," the filing noted. "We believe that it is at least premature to combine these services into one category."

AT&T also pointed out that mechanism for assessing fees for wireline and wireless service differ as well. The company said that (Interstate Telecommunication Service Providers) ITSPs use end-user revenue to calculate the fee, while CMRS providers, on the other hand, use number of subscribers.

"Were the Commission to combine these services for fee calculation purposes, it shouldn't be a foregone conclusion that wireless ought to migrate to a revenue-based calculation," AT&T said.

CTIA, meanwhile, expressed [support](#) [2] for reforming the FCC's regulatory fee framework and, in particular, the FCC's proposal to use current FTE data for each of the core bureaus. However, CTIA expressed concern with what it called "several ill-conceived proposals for reform included in the NPRM."

Specifically, CTIA has asked the FCC to reject the proposal to incorporate wireless regulatees into the regulatory fee for ITSPs, which it says could result in a 24 percent or greater increase in wireless regulatory fees.

CTIA also asks that the FCC ensure that any reallocation of FTEs away from certain bureaus is consistent with Section 9 of the Act and is administrable; Decline to add a new regulatory fee category for broadband services; Encourage Congress to

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Published on Wireless Design & Development (<http://www.wirelessdesignmag.com>)

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appropriate excess fees for Commission use in the next funding year.

CTIA also took issue with the suggestion that wireless regulatees do not bear a proportionate share of the overall regulatory fee burden. CTIA claims that argument fails to recognize that wireless spectrum licensees contribute more of the FCC's overall budget than any other segment of the communications industry.

"Therefore, CTIA further urges the FCC to reject any proposal or comment suggesting an increase of the wireless industry's fees based on purported fairness grounds," CTIA wrote in its filing.

Even the Competitive Carriers Association (CCA) is arguing for a distinction between wireless and wireline providers.

In its own filing with the FCC, the CCA says that it's unclear whether the FCC is considering requiring payors of CMRS and BRS fees to continue paying those fees and also pay into a new ITSP category, or if the FCC is considering combining all wireline and wireless service assessments into one fee category.

"But what is clear is that neither proposal has a sound basis in the record; rather, the Commission should continue to calculate wireless carriers' regulatory fees separately, and continue to base this calculation on a carrier's number of subscribers or licenses (as may be the case), instead of revenues," the CCA said.

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