



LAND MOBILE COMMUNICATIONS COUNCIL

May 12, 2011

Ms. Ruth Milkman, WTB Chief
Mr. Steven VanRoekel, Managing Director
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Filing Fee Exemptions – Narrowband Filing Requirements

Dear Ms. Milkman and Mr. VanRoekel:

On behalf of those LMCC organizations representing the interests of Business/Industrial and Land Transportation licensees who have a regulatory mandate to modify their wireless communications systems and associated licenses to comply with FCC Rule Section 90.209(b)(5)(6), this letter requests that the FCC issue a Public Notice describing fully the procedures under which affected licensees would not be required to submit a licensing fee in accordance with Rule Section 1.1116(a).¹ It would also be helpful if the Public Notice could describe the method by which licensees who may have submitted an unnecessary fee payment in the past, in their efforts to comply with the FCC's narrowbanding mandates, may file for and receive reimbursement.

LMCC members recently become aware of this possibility and are advising their constituencies of this potential and what little is known about the fee waiver application process. Affirmative policy statements and confirmation from the FCC in the form of a Public Notice, however, would certainly provide needed clarity and necessary confirmation. It would also serve to support the FCC's and the industry's efforts to ensure that the maximum number of licensees meet the narrowbanding requirement on or before January 1, 2013.

Please contact me if you have any questions or comments, and we look forward to hearing from you. We appreciate your assistance in this matter.

Sincerely,

Douglas M. Aiken

Douglas M. Aiken
President

cc: LMCC Membership

¹ Title 47 of the Code of Federal Regulation, Rule Section 1.1116(a) allows the filing of applications without remittance of an application fee in accordance with those provisions which state that "No fee established in Sections 1.1102 through 1.1109 of this subpart, unless otherwise qualified herein, shall be required for (a) Applications filed for the sole purpose of modifying an existing authorization (or a pending application for authorization) in order to comply with new or additional requirements of the Commission's rules or rules of another agency."