

Response To FCC Form 312, Question 35

REQUEST FOR WAIVER

Pursuant to Section 1.1119 of the Commission's rules,¹ Applicants hereby request a waiver of the fees paid in connection with the attached application ("Application") to transfer control to AT&T Inc. of the Direct Broadcast Satellite ("DBS") space station authorizations of DIRECTV Enterprises, LLC (call signs S2430, S2455, S2632, S2669, and S2673).

The Commission's rules provide for a refund of any fee submitted "when no fee is required for the application or other filing."² In this case, neither the Commission's rules nor the FCC's International and Satellite Services Fee Filing Guide ("Fee Guide") require any application fees for the transfer of DBS space station authorizations.³ Since both the rules and Fee Guide specify fees for transferring or assigning other types of international and satellite services and for other types of applications involving DBS authorizations (e.g. License to Operate, Special Temporary Authority), the fact that they do not do so for the transfer of DBS space station authorizations is further support that the FCC did not intend for such fees. Thus, a refund is fully warranted under this waiver standard since there is no fee required for this Application.

In accordance with 47 C.F.R. § 1.1119(e) and the Fee Guide,⁴ Applicants also will submit a copy of this waiver request to the FCC Managing Director for a refund of the fees that already have been paid in connection with the Application.

¹ 47 C.F.R. § 1.1119.

² 47 C.F.R. § 1.1115(a)(1).

³ 47 C.F.R. § 1.1107(10) (Schedule of charges for applications and other filings for the international services); FCC International and Satellite Services Fee Filing Guide, at 15 (June 21, 2011).

⁴ 47 C.F.R. § 1.1119; FCC International and Satellite Services Fee Filing Guide, at 4 (June 21, 2011).