



(REFERENCE COPY - Not for submission)

Annual DTV Ancillary/Supplementary Services Report

File Number: **BAFEDT-20091124AEK** | Submit Date: **11/24/2009** | Call Sign: **WXEL-TV** | Facility ID: **61084** | FRN:
0001822923 | State: **Florida** | City: **WEST PALM BEACH**
 Service: **DTV** | Purpose: **Annual Ancillary/Supplemental Service Report** | Status: **Received** | Status Date: **11/25/2009** |
 Filing Status: **Active**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
BARRY TELECOMMUNICATIONS, INC. Applicant Doing Business As: BARRY TELECOMMUNICATIONS, INC.	STATIONS WXEL-TV /FM P.O. BOX 6607 WEST PALM BEACH, FL 33405 United States	+1 (561) 737- 8000	JCARR@WXEL. ORG	Other

Authorization Holder Name

Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

**Contact
Representatives
(1)**

Contact Name	Address	Phone	Email	Contact Type
MALCOLM G. STEVENSON SCHWARTZ, WOODS & MILLER	United States	+1 (202) 833- 1700	STEVENSON@SWMLAW. COM	Legal Representative

**Ancillary
/Supplementary
Services**

Section	Question	Response
	For the twelve-month period ended September 30th, has the DTV licensee or permittee provided, at any time during the period, an ancillary or supplementary service as defined by 47 C.F.R. Section 73.624?	Yes

Ancillary/Supplementary Services Provided. Briefly describe below the service provided; whether a fee was charged for the provision of such service; and, if so, the amount of gross revenues received therefrom and the amount of DTV bitstream used to provide such service.

Description of Service	Feeable (Y/N)	Gross Revenues (\$)	Bitstream Used
NOTE: ROYALTIES EARNED FOR 2006-2007 AND 2007-2008 BUT INADVERTENTLY NOT REPORTED TOTALLED \$307.69. LICENSEE IS PAYING A 25% PENALTY ON THE APPLICABLE FEE.			
DATACASTING SERVICES 2008-2009	Yes	330.08	200 KBPS
Total amount of gross revenues derived from feeable ancillary or supplementary services:		\$ 637.77	
The Annual DTV Service Fee which is 5 percent of the total of gross Revenue is:		\$	

Certification

Section	Question	Response
<p>General Certification Statements</p>	<p>The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).</p>	
	<p>The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.</p>	
<p>Authorized Party to Sign</p>	<p>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).</p>	
	<p>I certify that this application includes all required and relevant attachments.</p>	
	<p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p>	<p>JERRY CARR</p>

Attachments

Information not provided.