

July 2006

SUPPORTING STATEMENT

This collection is being submitted to extend an existing collection.

A. Justification:

1. Bell Operating Companies (BOCs) are required to provide nondiscrimination reports on a quarterly basis. Without provision of these reports, the Commission would be unable to ascertain whether the BOCs were discriminating in favor of their own payphones.

As noted on the OMB Form 83i, this information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

Note: This submission is being made pursuant to authority contained in Sections 1, 4, 201-205, 215, 218-220, 226 and 276 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 201-205, 215, 218-220, 226 and 276.

2. The report allows the Commission to determine how the BOCs will provide competing payphone providers with equal access to all the basic underlying network services that are provided to its own payphones.

3. The BOCs are permitted to use information technologies at their mutual option.

4. There is no duplication of information. In most instances, the information sought is unique to each carrier.

5. The collection of information will not significantly impact on small businesses or other small entities.

6. If the Commission did not collect this information, it would not be able to ascertain whether the BOCs were providing competing payphone providers with equal access to all the basic underlying network services that are provided to its own payphones. This would derail the Commission's goal of maintaining a competitive payphone market.

7. Generally, FCC requirements do not impose any obligations that would require parties to report information to the FCC more often than quarterly, nor will these requirements impose any other special circumstances.

8. A notice was placed in the Federal Register as required by 5 C.F.R. § 1320.8(d). *See* 71 FR 10529 (March 1, 2006). Copy attached. No comments were received.

9. The Commission does not anticipate providing any payment or gift to respondent.

10. The Commission is not requesting respondents to submit confidential information to the Commission. However, if the respondents wish to submit information which respondents believe is confidential, respondents may request confidential treatment of such information under section 0.459 of the Commission's rules. Further, the agency will be permitted to use the information only for the purpose of evaluating the BOCs' provision of equal access to all the basic underlying network services to competing payphone providers. The agency will not be permitted to share the reports with any other entities.

11. There are no questions of a sensitive nature with respect to the information collected.

12. The following represents the estimate of hour burden of the collection of information:

1. Number of respondents: 4.
2. Frequency of response: Quarterly reporting requirement.
3. Annual burden per respondent response: **50 hours**. Total annual hour burden of 800 (4 respondents x 4 quarterly responses x 50 hours per response).
4. Total estimate of annualized cost to respondents for the hour burdens for collection of information: \$33,040.
5. Explanation of calculation: The annual burden would entail the labor of two clerical employees (at \$17.00 per hour) and three professional employees (at \$55 per hour) for 10 hours each. Each respondent would have the burden of a maximum of fifty hours of labor to prepare is report. Therefore the 4 BOCs would together have a burden of 800 hours for the report. The cost for the report to each BOC would be, at a maximum, \$2065 (\$1990 for labor and \$75 for printing and overhead). The total annual cost of the reports for all 4 BOCs would be \$33,040.

13. There is no cost to the respondent.

14. There is no cost to the Federal government.

15. Total burden for this collection continues to be 800 annual burden hours.

16. Not applicable. The Commission does not anticipate that it will publish the results of this collection of information.

17. Not applicable, the information collection requirements are contained in FCC rules.

18. Not applicable. No exceptions to the certification statement are requested.

B. Collections of Information Employing Statistical Methods:

Not applicable.