

SUPPORTING STATEMENT

A. Justification:

1. 47 CFR Section 73.37(d) requires an applicant for a new AM broadcast station, or for a major change in an authorized AM broadcast station, to make a satisfactory showing that objectionable interference will not result to an authorized AM station as a condition for its acceptance if new or modified nighttime operation by a Class B station is proposed.

47 CFR Section 73.37(f) requires applicants seeking facilities modification that would result in spacings that fail to meet any of the separation requirements to include a showing that an adjustment has been made to the radiated signal which effectively results in a site-to-site radiation that is equivalent to the radiation of a station with standard Model I facilities.

The Commission is requesting an extension of this information collection in order to receive the full three year OMB approval/clearance for this collection.

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

Statutory authority for this collection of information is contained in Section 154(i) of the Communications Act of 1934, as amended.

2. FCC staff use these data to ensure that objectionable interference will not be caused to other authorized AM stations.

3. We do not believe the use of information technology is feasible in this situation.

4. This agency does not impose a similar information collection on the respondents. There are no similar data available.

5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.

6. The frequency for this collection of information is determined by respondents, as necessary.

7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. The Commission published a Notice (71 FR 65515) in the *Federal Register* on November 8, 2006. No comments were generated as a result of the Notice. A copy of the Notice is attached.

9. No payment or gift was provided to the respondents.

10. There is no need for confidentiality.

Title: Section 73.37 - Applications for Broadcast Facilities, Showing Required

11. This collection of information does not address any private matters of a sensitive nature.

12. We estimate that 365 respondents will file showings. The average burden on the licensee is one hour per request. Thus, we estimate that the respondents will take a total of 350 hours to review and complete the Section 73.37(d) showings and 15 hours to review and complete the Section 73.37(f) showings. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

$$\begin{aligned}
&350 \text{ showings per Section 73.37(d)} \times 1 \text{ hour} = 350 \text{ hours} \\
&15 \text{ showings per Section 73.37(f)} \times 1 \text{ hour} = \underline{15 \text{ hours}} \\
&\quad \textbf{Total Annual Burden Hours} = \textbf{365 hours}
\end{aligned}$$

We assume that the respondents would complete the general portions of these information collections. It is estimated that the respondent would have an average salary of \$70,000/year (\$33.52/hour).

$$\begin{aligned}
&350 \text{ showings per Section 73.37(d)} \times 1 \text{ hour} \times \$33.52/\text{hour} = \$11,732.00 \\
&15 \text{ showings per Section 73.37(f)} \times 1 \text{ hour} \times \$33.52/\text{hour} = \underline{\$ 502.80} \\
&\quad \textbf{Total "In House" Cost Burden} = \textbf{\$12,234.80}
\end{aligned}$$

13. Annual Cost Burden: The respondents would use a consulting engineer to comply with the engineering requirements of these rule sections, we estimate that it will take 15 hours to review and prepare each Section 73.37(d) showing and 5 hours to review and prepare each Section 73.37(f) showings. The average cost of a consulting engineer is \$150/hour.

$$\begin{aligned}
&350 \text{ showings per Section 73.37(d)} \times 15 \text{ hours} \times \$150/\text{hour} = \$787,500 \\
&15 \text{ showings per Section 73.37(f)} \times 5 \text{ hours} \times \$150/\text{hour} = \underline{\$ 11,250} \\
&\quad \textbf{Total Annual Cost Burden} = \textbf{\$798,750}
\end{aligned}$$

14. Cost to the Federal Government: The Commission will use attorneys at the GS-12, step 5 level (\$36.26/hour) and engineers at the GS-13, step 5 level (\$43.12/hour) to process these showings.

$$\begin{aligned}
&350 \text{ showings per Section 73.37(d)} \times 2 \text{ hours} \times \$36.26/\text{hour} = \$ 25,382.00 \\
&350 \text{ showings per Section 73.37(d)} \times 8 \text{ hours} \times \$43.12/\text{hour} = \underline{\$120,736.00} \\
&\quad \quad \quad \$146,118.00
\end{aligned}$$

$$\begin{aligned}
&15 \text{ showings per Section 73.37(f)} \times 1 \text{ hour} \times \$36.26/\text{hour} = \$ 543.90 \\
&15 \text{ showings per Section 73.37(f)} \times 3 \text{ hours} \times \$43.12/\text{hour} = \underline{\$1,940.40} \\
&\quad \quad \quad \$2,484.30
\end{aligned}$$

$$\$146,118 + \$2,484.30 + 44,580.69 \text{ (30\% overhead)} = \$193,182.99$$

Total Cost to the Federal Government = \$193,182.99

15. There are no program changes. The Commission had an adjustment to the total annual cost burden. This adjustment was due to the Commission reevaluating the actual cost more accurately with this submission.

16. The data will not be published for statistical use.

17. OMB approval of the expiration of the information collection will be displayed at 47 CFR Section 0.408.

18. There are no exceptions to the Certification Statement in Item 19.

B. Collections of Information Employing Statistical Methods

This information collection does not employ any statistical methods.