

SUPPORTING STATEMENT**A. Justification:**

1. The Federal Communications Commission ("Commission") is requesting that the Office of Management and Budget (OMB) approve a three-year extension of OMB Control No. 3060-0994 titled, "Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the

2 GHz Band, the L Band, and the 1.6/2.4 GHz Band." There are no changes in reporting requirements, respondents, burden hours and/or costs.

In 2005, the OMB approved mandatory electronic filing of all satellite and earth station applications under OMB Control No. 3060-0678. Mobile Satellite Service providers must file the Application for Satellite Space and Earth Station Authorizations (FCC Form 312) and the FCC Satellite Space Station Authorizations Technical and Operational Description (Schedule S) with the Commission electronically via the International Bureau Filing System ("MyIBFS"). Therefore, this Supporting Statement reflects an increase in the percentage of responses collected electronically from 75 percent to 100 percent.

Rulemakings:

The information collections associated with the rulemakings below have already been approved by the OMB.

On February 5, 2003, the Commission released a Report and Order (R&O) and Notice of Proposed Rulemaking (NPRM), "In the Matter of Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands; Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands," IB Docket No. 01-185 and 02-364, FCC 03-15. This R&O permits Mobile Satellite Service (MSS) providers to integrate ancillary terrestrial components (ATCs) into their MSS networks. The benefits of MSS providers integrating ATCs into their MSS networks are to: (1) increase the efficiency of spectrum use through MSS network integration and terrestrial reuse and permit better coverage in areas that MSS providers could not otherwise serve; (2) reduce costs, eliminate inefficiencies and enhance operational ability in MSS systems; (3) provide additional communications that may enhance public protection; and (4) strengthen competition in the markets served by MSS.

On July 3, 2003, Commission adopted and released an Order on Reconsideration, "In the Matter of Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands," IB Docket Number 01-185, FCC 03-162. In this Order, the Commission reconsidered in part its January 29, 2003 decision in this proceeding. The purposes of the Order are to clarify certain issues relating to the time for filing

applications to provide ancillary terrestrial components (ATCs), the time in which the Commission may grant such applications, the time in which MSS ATC licensees may construct, test, and commence commercial ATC operations, and the Commission's process for placing applications on public notice for comment.

General Information:

The purposes of this information collection are to license commercial satellite services in the U.S.; obtain the legal and technical information required to facilitate the integration of ATCs into MSS networks in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands; and to ensure that the licensees meet the Commission's legal and technical requirements to develop and maintain MSS networks while conserving limited spectrum for other telecommunications services.

This information collection does not affect individuals and, therefore, is not subject to the Privacy Act of 1974, as amended.

The Commission has authority for the information collection pursuant to Sections 4(i), 7, 302, 303(c), 303(e), 303(f) and 303(r) of the Communications Act of 1934, as amended; 47 U.S.C. Sections 154(i), 157, 302, 303(c), 303(e), 303(f) and 303(r).

2. This information collection is used by the Commission to license commercial satellite services in the United States. Without the collection of information that would result from these final rules, the Commission would not have the necessary information to grant entities the authority to operate commercial satellite stations and provide telecommunications services to consumers.
3. Applicants are required to complete and file the Application for Satellite Space and Earth Station Authorizations (FCC Form 312) and the FCC Satellite Space Station Authorizations Technical and Operational Description (Schedule S) with the Commission electronically via the International Bureau Filing System ("MyIBFS"). In 2005, the Commission received approval from OMB for mandatory electronic filing of all Part 25 (satellite and earth station) applications under OMB Control No. 3060-0678. A total of 100 percent of documents required for licensing and application procedures are filed electronically in MyIBFS.
4. The information in this collection is not duplicated elsewhere and similar information is not available.
5. This collection will not impact small business. The entities impacted by the rules are some of the largest companies in the United States and in the world.
6. Without the collections of information that would result from the final rules, the Commission would not have the necessary information with which to grant entities the authority

to operate or provide their services. This would result in great financial losses to these entities. Additionally, American consumers would be adversely impacted by the unavailability of telecommunications services.

7. The collection of information will not be conducted in any manner known to be inconsistent with the guidelines stipulated in 5 C.F.R. 1320.6.

8. On November 1, 2006, the Commission published a 60-day notice in the Federal Register (Cite: 71 FR 64276) to solicit comments from the public. The comment period ended on January 2, 2007. No comments were received from the public.

9. The Commission will not provide any payment or gift to respondents for fulfilling their information collection requirements.

10. The Commission does not provide assurances of confidentiality to entities submitting their filings and applications. However, entities may request confidential treatment of their applications and filings under 47 C.F.R. 0.459 of the Commission's rules. With regard to certifications filed pursuant to Part 2 of the Commission's rules, parties receive minimal exemption from the Freedom of Information Act (FOIA).

11. The collection does not ask questions of a sensitive nature.

12. See **Attachment A** for the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

13. The Commission estimates that the 8 MSS licensees will use the consulting services of engineering firms and law firms to file their license modification requests and handset certification filings with the Commission. It is estimated that these firms are paid at approximately \$200 per hour to file the information with the Commission. The estimated hours for the consulting services of engineering firms and law firms is **56 hours X 8 licensees X \$200 per hour = \$89,600 (rounded up to \$90,000) for outside engineering and legal assistance.**

In addition, the application fees that would be generated as a result of this collection are estimated as follows:

8 Blanket Authorizations: \$7,935 per application X 8 MSS licensees = \$63,480

8 Device Certifications: \$575 per licensee X 8 MSS licensees = \$4,600

**Total application/certification fees: \$68,080
(rounded down to \$68,000)**

\$90,000 for outside engineering and legal assistance + \$68,000 in application/certification fees = \$158,000 total capital and startup costs.

14. The annualized costs to the Federal government for the review, analysis, processing and grant of applications are **\$231,561 (rounded to \$232,000)**. The breakdown of costs for each type of application is as follows:

Four (4) 2 GHz MSS applications = \$100,090:

(2) GS-15/Step 5 Electronics Engineers @ \$52.13 per hour X 2 engineers X 120 hours
= \$12,511 per application X 4 applications = \$50,045
(2) GS-15/Step 5 Attorneys @ \$52.13 per hour X 2 attorneys X 120 hours
= \$12,511 per application X 4 applications = \$50,045
\$50,045 for Electronics Engineers +\$50,045 for Attorneys = \$100,090

Two (2) Big LEO Applications = \$80,905:

(2) GS-15/Step 5 Electronics Engineers @ \$52.13 per hour X 2 engineers X 160 hours
= \$16,682 per application X 2 applications = \$33,363
(2) GS-15/Step 5 Attorneys @ \$52.13 per hour X 2 attorneys X 160 hours
= \$16,682 per application X 2 applications = \$33,363
(1) GS-14/Step 5 Electronics Engineer @ \$44.31 per hour X 160 hours = \$7,090 X 2
applications = \$14,179
\$33,363 for GS-15 Engineers + \$33,363 GS-15 Attorneys + \$14,179 GS-14 Engineer = \$80,905

One L-Band Application = \$50,566

(2) GS-15/Step 5 Electronics Engineers @ \$52.13 per hour X 2 engineers X 200 hours
= \$20,852 per application
(2) GS-15/Step 5 Attorneys @ \$52.13 per hour X 2 attorneys X 200 hours
= \$20,852 per application
(1) GS-14/Step 5 Electronics Engineer @ \$44.31 per hour X 200 hours = \$8,862
\$20,852 for GS-15 Engineers + \$20,852 GS-15 Attorneys + \$8,862 GS-14 Engineer = \$50,566

Four (4) 2 GHz MSS applications @ \$100,090 + Two (2) Big LEO Applications @ \$80,905 + One L-Band Application @ \$50,566 = **\$231,561 are the total costs to the Federal Government (rounded to \$232,000)**.

15. There are no program changes or adjustments.

16. The results of this collection of information will not be published for statistical use.

17. We do not seek approval to not display the expiration date of OMB approval of the collection.

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

3060-0994

January 2007

Not applicable. This information collection does not employ statistical methods.

Attachment A – Response to Item # 12

The information collection requirements described below were approved by the OMB in January 2004. The Commission would like to retain approval for the collections in the three-year extension of OMB Control No. 3060-0994. All information collection requirements fall under Section 25.149 of the Commission's rules unless noted otherwise.

Explanation of Burden Estimate	Number of Respondents	Frequency of Response	Time Per Response	Total Annual Burden Hours
MSS operator that is granted ATC authority pursuant to section 25.149(f) must notify the Commission within 30 days once it begins providing ATC service by letter that is formally filed with the Commission in the appropriate MSS license docket and contains a certification that the MSS ATC service is consistent with its ATC authority.	4 2GHz MSS Licensees/LO I Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	1 hour	8 hours
Letter notifying the Commission of the initiation of MSS system satellite construction and the MSS operator's intent to construct and test ATC facilities. The letter shall specify the frequencies on which the MSS licensee proposes to engage in pre-operational testing etc.	4 2GHz MSS Licensees/LO I Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	1 hour	8 hours

Explanation of Burden Estimate	Number of Respondents	Frequency of Response	Time Per Response	Total Annual Burden Hours
Milestone requirements: (1) satellite manufacturing contract; (2) critical design review (CDR); (3) begin physical construction; (4) end physical construction	4 2 GHz MSS Licensees/LO I Holder	1 Response (One-time filing)	40 hours	160 hours
To ensure that MSS licensees have the capability to continue operations under technical difficulties, they are required to maintain a ground spare as a replacement if the initial ground spare is destroyed. This requirement must be met as a condition of authorizing ATC	4 2GHz MSS Licensees/LO I Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	2 hours	16 hours
Applicants must demonstrate that they use a dual-mode handset to provide the proposed ATC service (OPTIONAL: Applicants may provide other technical, economic or other substantive showing IN LIEU of the dual mode handset showing; NOT COUNTED)	4 2GHz MSS Licensees/LO I Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	0.5 hours (.50 X 8 = 4 Hours)	4 hours
Licensees must certify compliance with technical rules to protect adjacent channel systems & frequency allocations	Same as above 8 TOTAL	1 Response (One-time filing)	1 hour	8 hours

Explanation of Burden Estimate	Number of Respondents	Frequency of Response	Time Per Response	Total Annual Burden Hours
Licensee must certify compliance with Section 25.253(c)(2) that limits EIRP of ATC base stations	Same as above 8 TOTAL	1 Response (One-time filing)	1 hour	8 hours
Certify compliance with ATC base station emissions near harbors and waterways in compliance with Sec. 25.253(c)(5)	4 2GHz MSS Licensees/LOI Holder + 2 Big LEO licensees + 2 L-Band MSS licensee = 8 TOTAL	1 Response (One-time filing)	1 hour	8 hours
Recordkeeping requirement - L-Band licensee must maintain a record of total number of base stations throughout U.S. operating on any given 200 kHz of spectrum	2 L-Band Licensees	1 Response (Annual response)	5 hours	10 hours
L-band ATC operators must report to the Commission annually on the peak traffic on the ATC system and to limit the peak traffic to no more than 90,000 ATC MTs.	2 L-Band Licensees	1 Response (Annual response)	1 hour	2 hours
Big LEO applicants must demonstrate that base stations are tunable across the entire 2483.5 - 2500 MHz MSS allocation in compliance with Sec. 25.254(a)(4)	2 Big LEO licensees	1 Response (One-time filing)	3 hours	6 hours

Explanation of Burden Estimate	Number of Respondents	Frequency of Response	Time Per Response	Total Annual Burden Hours
All MSS licensees, Big LEO licensees and L-Band licensees must modify their licenses using FCC Form 312 for blanket authority to construct and operate ATC base station facilities. Applicants must provide the following information and certifications: (1) terrestrial facilities will comply with technical restrictions; (2) terrestrial facilities will comply with rules on environmental impact; (3) terrestrial facilities will comply with Part 17 on antenna structure clearance with FAA; and (4) terrestrial facilities will operate consistent with international agreements	4 2GHz MSS Licensees/LOI Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	26 hours	208 hours
Filing of non-conforming application, including listing of technical parameters of individual facilities that do not meet the Commission's rule requirements to prevent delay in the grant of applications for conforming facilities filed concurrently	1 applicant estimated	1 Response (One-time filing)	50 hours	50 hours

Explanation of Burden Estimate	Number of Respondents	Frequency of Response	Time Per Response	Total Annual Burden Hours
MSS entity granted a Letter of Intent (LOI) to provide U.S. satellite services can file an application to modify its LOI authorization to use ATC in conjunction with its foreign-licensed MSS system, once operational.	1 2 GHz LOI Holder	1 Response (One-time filing)	20 hours	20 hours
Blanket authorization for mobile handset earth stations required in compliance with Part 2, Subpart J of rules; applicant must provide detailed technical information about the device	4 2GHz MSS Licensees/LOI Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	30 hours	240 hours
MSS operators that will operate ATC networks must receive equipment certification pursuant to Part 2, Subpart J of the Commission's rules for all end user equipment (in addition to blanket authorization); Note: Section 25.115(d) revised for clarification	4 2GHz MSS Licensees/LOI Holder + 2 Big LEO licensees + 2 L-Band MSS licensees = 8 TOTAL	1 Response (One-time filing)	50 hours	400 hours
85 interference analyses conducted between MSS licensees and 85 fixed stations	85 Fixed Stations	1 Response (Third-party disclosures)	2 hours	170 hours
TOTALS:	161 Respondents	161 Responses	1-40 Hours	1,326 Annual Burden Hours