

SUPPORTING STATEMENT

A. Justification:

The Commission is requesting an extension (no change in reporting requirements) in order to obtain the full three year clearance from the Office of Management and Budget (OMB).

1. In a Report and Order (FCC 99-9, released February 19, 1999) in WT Docket 97-153, the Commission, under section 90.651, adopted a revised time frame for reporting the number of mobile units placed in operation from eight months to 12 months of the grant date of their license. The radio facilities addressed in this subpart of the rules are allocated on and governed by regulations designed to award facilities on a need basis determined by the number of mobile units served by each base station. This is necessary to avoid frequency hoarding by applicants. This rule section requires licensees to report the number of mobile units served via FCC Form 601.

Statutory authority for this collection of information is contained in Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

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

2. Commission licensing personnel use the information to maintain an accurate database of frequency users. The Commission and the public use the data base information in spectrum planning, interference resolution and licensing activities.
3. Prior to finalizing rulemakings the Wireless Telecommunications Bureau conducts an analysis to insure that improved information technology cannot be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer generating the required data from existing databases in the Commission or other federal agencies.
4. No similar information is available.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to that absolutely necessary for evaluating and processing application and to deter against possible abuses.
6. The applicant, not the FCC, controls frequency of collection. Only those needing waiver of a specific rule submit the information with initial license applications.
7. Current data collection is consistent with 5 C.F.R. § 1320.6.
8. The Commission published a 60-day public notice which appeared in the Federal Register on March 28, 2007 (72 FR 14553). No comments were received as a result of the notice. A copy of the notice is included in this submission to the OMB.

9. There are no payments or gifts to respondents.
10. No question of a confidential nature are asked
11. This collection does not address any private matters of a sensitive nature.
12. Hourly Burden on the Respondent: According to ULS there are currently 2,080 applicants whose 4,947 applications have been granted. We estimate that the requirements of this rule places a burden of 10 minutes (.166 hours) per licensee annually, for a total burden of 821 hours.

$$4,947 \text{ (responses)} \times 10 \text{ (minutes or .166 hours per response)} = 821 \text{ hours.}$$

Total Annual Burden is: 821 hours.

13. Annual Cost Burden on the Respondent: We assume that the information will be prepared by in-house clerical personnel (\$15 per hours) requiring 10 minutes per response. Therefore, there are no costs incurred to the respondent.
14. Government Costs: The government review time was estimated as .166 hours per response with review being performed by personnel at the GS-7 level step 5.

$$4,947 \text{ (responses)} \times \$19 \times .166 \text{ hours} = \$15,603.$$

Total Cost to the Federal Government is: \$15,603.

15. This is an adjustment due to significantly less respondents than the last submission to the OMB which reported 16,408 respondents/responses. With this submission, we are reporting 4,947 respondents/responses. Therefore, the total annual burden has been reduced.
16. The data will not be published for statistical use
17. We do not seek approval to not display the expiration date for OMB approval of the information collection.
18. There is an exception to the 60-day Notice which published at 72 FR 14553, (March 28, 2007). In that Notice, the total annual hourly burden was inaccurately reported. We have since corrected that error via reporting a more accurate estimate for the hour burden in this Supporting Statement and on the accompanying OMB 83-I Form for this information collection.

B. Collections of Information Employing Statistical Methods:

No statistical methods were employed for submission of information.