

SUPPORTING STATEMENT

A. Justification:

1. On September 17, 1998, the Commission adopted an Amendment of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System (ULS) in the Wireless Telecommunications Service *Report and Order*. The *Report and Order* consolidated the Commission's licensing rules creating a single set for all wireless radio services. The Commission established a streamlined set of rules that minimized filing requirements; eliminated redundant, inconsistent, or unnecessary submission requirements; and assured ongoing collection of reliable licensing and ownership data.

On June 10, 1999, the Commission adopted an Amendment of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System (ULS) in the Wireless Telecommunications Service *Memorandum Opinion and Order on Reconsideration*. The purpose of the *MO&O on Reconsideration* was to revise and clarify certain rules based upon petitions for reconsideration of the *Report and Order*.

This information collection contains personally identifiable information on individuals (PIA).

- (a) The FCC maintains a system of records notice (SORN), FCC/WTB-1, "Wireless Services Licensing Records," that covers the collection, purpose(s), storage, safeguards, and disposal of the PII that individual wireless service licensees maintain under the various rule sections contained in this information collection (see item 12).
- (b) The FCC published this SORN most recently on April 5, 2006 (71 FR 17234, 17269).
- (c) Going forward, if the FCC makes substantive change to the Wireless Services Licensing Records, the Commission will conduct a full Privacy Impact Assessment of the SORN covered by FCC/WTB-1, update this SORN, publish a Notice in the Federal Register, and post these two documents on the FCC webpage, as required by OMB Memorandum, M-03-22 (September 22, 2003).

Because there are no changes in the reporting, recordkeeping, or third party disclosure requirements for this submission, the Commission is seeking to extend this information collection for the next three years.

Statutory authority for this collection of information is contained in 47 U.S.C. Sections 154(i) and 309(j), as amended.

2. The Commission's implementation of the electronic filing system via ULS has and will continue to enhance the productivity and response time of the Commission, applicants, licensees, and the public by making relevant licensing data in the wireless services available more quickly and at reduced cost. The information collection requirements that were newly implemented or modified by these items continue to be drastically streamlined and simplified. Previously, wireless

applicants and licensees used a myriad of forms for various wireless services and types of requests, and the information provided on these applications has been collected in separate databases, each for a different group of services. That process has been drastically simplified and streamlined.

3. The ULS eliminates the filing of duplicative applications for wireless carriers; increases the accuracy and reliability of licensing information; and enables all wireless applicants and licensees to file all licensing-related applications and other filings electronically, thus increasing the speed and efficiency of the application process. The ULS also benefits wireless applicants/licensees by reducing the cost of preparing applications, and speeds up the licensing process in that the Commission can introduce new entrants more quickly into this already competitive industry. Finally, ULS enhances the availability of licensing information to the public which has access to all publicly available wireless licensing information on-line, including maps depicting a licensee's geographic service area.
4. This information is not duplicated by other Commission information collections nor is any other information available that would yield a desired result.
5. Because the Commission has removed certain requirements and drastically reduced others, the collection of this information assists small businesses by reducing costs due to the convenience of electronic filings versus manual filings.
6. If the information required in these collections were not maintained, important licensing data would not be available when needed by the Commission, other licensees, or the public. The information being collected is maintained in the normal course of business.
7. There are two instances in which special circumstances arise. First, geographic licensees in the LMDS, 220 and 800 MHz services must provide information about internal sites to third-parties within ten days of request about such sites. Second, licensees must retain all required information until the license expires, which may represent a period of as long as ten years.
8. Notice of the information collection appeared at 72 FR 16786 (April 5, 2007), in compliance with 5 C.F.R. § 1320.8(d). Additionally, whenever possible, Commission staff members attend and participate in industry meetings to consult with the affected public. No comments were received as a result of the Notice. A copy of the 60-day Notice is included in this submission to the OMB.
9. No payment or gift is provided to respondents.
10. There is a need for confidentiality with respect to all Private Land Mobile Radio service filers in this collection. Pursuant to § 208(b) of the E-Government Act of 2002, 44 U.S.C.A. § 3501, in conformance with the Privacy Act of 1974, 5 U.S.C. 552(a), the Wireless Telecommunications Bureau (Bureau) instructs licensees to use the FCC's ULS, ASR, Commission Registrations System (CORES) and related systems and subsystems to submit information.¹ CORES is used to receive an FCC Registration Number (FRN) and password, after which one must register all current call sign and Antenna Structure Registration (ASR) numbers associated with a FRN

¹ These instructions have been approved by the Office of Management and Budget (OMB) under Control Number 3060-1042.

within the Bureau’s system of records (ULS database). Although ULS stores all information pertaining to the individual license via the FRN, confidential information is accessible only by persons or entities that hold the password for each account, and the Bureau’s Licensing Division staff. Upon the request of a FRN, the individual licensee is consenting to make publicly available, via the ULS database, all information that is not confidential in nature.

Information on the private land mobile radio licensees is maintained in the Commission’s system of records, FCC/WTB-1, “Wireless Services Licensing Records.” The licensee records will be publicly available and routinely used in accordance with subsection b. of the Privacy Act. Taxpayer Identification Numbers (TIN) and material which is afforded confidential treatment pursuant to a request made under 47 C.F.R. § 0.459 will not be available for public inspection. Any personally identifiable information (PII) that individual applicants provide is covered by a system of records, FCC/WTB-1, “Wireless Services Licensing Records,” and these and all other records may be disclosed pursuant to the Routine Uses as stated in this system of records notice.

11. This collection does not address any private matters of a sensitive nature with the exception of the personally identifiable information (PII) that individuals are required to maintain, as noted elsewhere in this supporting statement.

12. Annual Burden Hours:

Please see the chart below for the number of respondents, frequency of response, time per response, total annual burden hours. Our explanation of the estimates for each item follows the chart.

1 2-	Burden	Number of Respondents	Frequency of Response	Time per Response (Hours)	Total Annual Burden Hours
a.	Sections 90.683, 90.763, and 101.61	3,111	3,111	1 .5	3,111 1,556
b.	Section 87.347	2,094	2,094	.50	1,047
c.	Section 95.115	429 10	429 10	.166 1	71 10
d.	Section 97.17	29,500	29,500	.25	7,375
e.	Section 101.701	100	100	1	100
f.	Sections 22.709(b)(2), 22.803(b)(2), 22.929(b)(2), and 22.929(d)	0	0	0	0
g.	Sections 22.529(c), 22.709(f), and 22.929(d)	401	401	1 .5	401 200
h.	Section 80.21	126	126	1	126
i.	Section 80.511	145	145	1	145
j.	Section 80.513	115	115	1	115
k.	Section 80.605	0	0	0	0
l.	Section 80.553	52	52	1	52
m .	Section 87.215	597	597	1	597

n.	Section 90.625	4,061 200	4,061 200	1 1	4,061 200
o.	Section 97.207	2 2	2 2	4 1	16 4
p.	Section 97.509	29,500	3	.5	44,250
q.	Section 101.205	2	4	.5 + 1	9
	TOTAL	70,447	70,447		63,446

Calculations of Hours: As with any licensing and operational plans, a certain number of regulatory burdens are necessary. We include the most current number of licensees and applicants according to the ULS and CORES databases (which identifies the number of licensees in each service by FRN Service Codes). There are a total of 70,447 licensees/applicants affected by the rule sections set out in this information collection.

- a) In sections 90.683, 90.763, and 101.61 geographic licensees in the LMDS, 220 MHz and 800 MHz services must maintain site information as part of their station records and to provide it to site-based incumbents upon request. However, geographic licensees may need to provide site-based information to incumbent licensees to prevent harmful interference. See 47 CFR §§ 90.683, 90.763, 101.61. This permits the standardization of the information required for submission across services which comprise geographic area licenses. The burdens on applicants and licensees will be reduced by the elimination of certain information that is reported to the Commission.

According to the ULS database, there are 3,111 geographic licensees in Local Multi-point Distribution Service (LMDS), 800 MHz service, and Phase II 220 MHz service. We estimate that 1/3 of the licensees (1,037) will be required to meet this burden per annum. Maintaining site-based information for a geographic market should require one hour per year of clerical time per licensee at the GS 8, Step 5 level (earning \$20/hr.). It should take 30 minutes per licensee per year to satisfy third-party requests.

$3,111(\text{licensees}) \times [1\text{hr. (clerical)} + .5\text{ hrs. (3}^{\text{rd}}\text{ party)}] = 3,111 + 1,555.5 = 4,666.5\text{ hrs.}$
Total “LMDS, 800 MHz and Phase II 220 MHz” hour burden: 4,667 hours.

- b) Section 87.347 requires that an applicant for an aeronautical utility station operating on a Unicom frequency or the frequency 122.900 MHz must: maintain a list of the vehicle(s) in which the station is to be located; certify on the application that the applicant is the airport owner or operator, or a state or local government aeronautical agency, or that the airport owner or operator has granted permission to operate the vehicle(s) on the airport movement area; and certify that the Air Traffic Manager of the airport control tower approves the requested use of the tower or RCO frequency via the FCC Form 601. According to the ULS database, there are 698 applications per year, (2,094 for the last three years) pertaining to aeronautical utility stations operating on a Unicom frequency. Applicants meeting this requirement should require 30 minutes of clerical time per applicant per year at the GS 8, Step 5 level (earning \$20/hr.).

$2,094(\text{applicants}) \times .5\text{ hrs. (clerical)} = 1,047\text{ hrs.}$
Total “Aeronautical Utility Station Operator” hour burden: 1,047 hours.

- c) Section 95.115 requires that GMRS system licensees must make their stations and system records available for inspection, upon request, by authorized FCC representatives. According to the CORES database, there are approximately 85,947 GMRS system licensees. We estimate that less than 1% of these 85,947 licensees (429) will request to inspect GMRS system records per year. Maintaining this information will require 10 minutes of clerical time at the GS 8, Step 5 level (earning \$20/hr.) per request. Additionally, sections 95.217 and 95.419 require that in order to operate an R/C or CB transmitter by wireline remote, a licensee must obtain specific approval in writing from the FCC, and that those approvals must be kept as part of the station records. See 47 C.F.R. 95.217 and 95.419. There is an estimated 1-hour recordkeeping requirement for sections 95.217 and 95.419 respectively. Maintaining the information will require an expenditure of 1 hour of time each.

429 (licensees) x 10 minutes or .166 hours (clerical) = 71 hrs.

10 (licensees) x 1 hr. (clerical) = 10 hrs.

Total “GMRS System Licensee” hour burden: 81 hrs.

- d) Section 97.17 changes the requirement for applications for new club or military recreation station licenses to be filed with the Commission on FCC Form 601. Each candidate for an amateur radio operator license must present all information required by the rules to the Administering Volunteer Examiners (VEs), having tax-exempt status, who must submit the information to the Commission by sending the information in an electronic batch file, and retain the information for 15 months and make it available to the FCC upon request. According to ULS, we expect to receive approximately 29,500 applications per year for new club or military recreation station licenses that will be submitted by 4 parties. Submitting and maintaining the information will require an expenditure of 15 minutes for each application.

29,500 (respondents) x 15 minutes or .25 hours = 7,375 hrs.

Total “New Club or Military Station Licensee” hour burden: 7,375 hrs.

- e) Section 101.701 requires that applicants certify, via the FCC Form 601, that at least fifty percent of the customers on the microwave system involved, including those served through an interconnecting carrier(s), receiving applicant’s service, will not be affiliated or related in any degree with the applicant, and that the terms of hours of use and channels delivered, must constitute at least fifty percent of the usage of the applicant’s microwave service. According to ULS, there are 9,729 fixed point-to-point microwave licensees. There are estimated to be 100 applications for stations that will relay broadcast television signals and need to maintain this information. Maintaining this information should require the expenditure of 1 hour of clerical time per year per applicant.

Total “Fixed Point-to-point Microwave licensees” hour burden: 100 respondents x 1 hour per response = 100 hrs.

- f) Sections 22.709(b)(2), 22.803(b)(2), 22.929(b)(2), and 22.875(d)(5) were removed in the R&O. Therefore, no calculations are reported, in keeping with the initial submission.

- g) Pursuant to 47 CFR 22.529(c), 22.709(f), and 22.929(d), the applicant must maintain antenna information as part of their station records and provide it to incumbents upon request. Licensees may also need to provide antenna information to incumbent licensees to prevent harmful interference.

According to the ULS and CORES databases, there are 400 applications for new or modified stations in the Paging and Radiotelephone Service, Rural Radiotelephone Service, and Cellular Radiotelephone Service. There are 432 licensees in the Air-Ground Radiotelephone Service. Of those 432 licensees, only 1 filed an application annually. We estimate a one hour timeframe for each application, the total of these two categories is 401 respondents per annum. Providing this information should require the expenditure of 1 hour of clerical time per year per applicant. There is an additional 30 minute burden for third-party disclosures.

$401 \text{ (respondents)} \times [1\text{hr. (clerical)} + .5 \text{ hrs. (3}^{\text{rd}} \text{ party)}] = (401 + 200) = 601$
Total “Paging, Rural, Cellular, & Air-Ground Radiotelephone Licensee” hour burden: 601 hrs.

Certifications/Notifications:

- h) Section 80.21 requires an applicant for a new station on a vessel not located in the United States to submit, upon Commission request, a statement to the Commission that the vessel is not documented or registered by any foreign authority and that the foreign authority will not or cannot license the vessel radio equipment. Because the information that must be maintained is necessary to determine eligibility for a maritime station license, the maintenance of these records would be normal and customary business practice. According to the CORES database, there are approximately 5,851 vessels which are not currently located in the U.S. However, we expect to receive no more than 126 new applications for a new station on a vessel pursuant to Section 80.21 per year. Maintaining this information should require one hour of a clerical persons time per year, per applicant.

$126 \text{ (new applications)} \times 1 \text{ hr. (clerical)} = 126 \text{ hours.}$
Total “Foreign Vessel Station licensee” hour burden: 126 hrs.

- i) Section 80.511 requires that an applicant applying for an additional maritime frequency to submit a showing to the Commission upon its request, verifying that for any four periods of five consecutive days each, in the preceding six months, the assigned frequency was in use at least twenty-five percent of the time during three hours of daily peak activity. On such occasions, an applicant may be asked to provide records documenting the frequency congestion. Because the applicant is cognizant of its frequency congestion, compliance with the Commission's informational request should be minimal. According to the CORES database, there are approximately 5,552 maritime licensees. Of these 5,552 licensees, we expect 145 of them will, on an annual basis, apply for additional maritime frequencies. We estimate that 1 hour of clerical time per year, per applicant would be necessary to meet this requirement.

$145 \text{ (applicants)} \times 1 \text{ hr. (clerical)} = 145 \text{ hours.}$
Total “Additional Maritime Frequency applicant” hour burden: 145 hrs.

- j) Section 80.513 requires that, in lieu of a field study, an applicant or licensee modifying an existing license, may acquire a statement from a frequency coordinating committee, and must certify on the application concerning the recommendations of the coordinating committee via the FCC Form 601. According to the CORES database, there are currently 6,650 VHF private coast station licenses. We expect there to be 115 applicants who will, on an annual basis, submit applications certifying the recommendations of the frequency coordinating committee. It should take 1 hour of clerical time per year, per applicant to maintain this information.

115 (applicant) x 1 hr. (clerical) = 115 hours.

Total “VHF Private Coast Station licensee” hour burden: 115 hrs.

- k) Section 80.605 requires that maritime applicants or licensees provide a copy of their approved request for coordination submitted to the Coast Guard when asked by the Commission to do so. This normal and customary business practice is necessary for proper coordination with the U.S. Coast Guard. This information collection also appears in OMB control no. 3060-0325. Therefore, the burden hours and costs are not included in this information collection.
- l) Section 80.553 requires that an applicant for an operational fixed station certify, in an attachment to FCC Form 601, that it is the licensee of a coast station and that other suitable telecommunication facilities are not available to satisfy coast station requirements. All maritime applicants or licensees must submit the FCC Form 601 in order to acquire a license. Therefore, this certification would not warrant an extensive time increase. According to the CORES database, there are currently 5,642 operational fixed station licensees. It is expected that 52 applications for an operational fixed station will be received per year. Maintaining the information should require an expenditure of 1 hour of clerical time per year, per applicant.

52 (applicants) x 1 hr. (clerical) = **Total “Operational Fixed Station licensee” hour burden: 52 hrs.**

- m) Section 87.215 requires that an applicant for a UNICOM station must certify upon application that notice has been given to the owner of the airport and related aviation service organizations that it intends to file an application with the Commission. No recordkeeping burden has been added. According to the CORES database, there are currently 9,642 UNICOM station licensees. It is expected that 597 applications for UNICOM stations will be received a year. Maintaining the information should require an expenditure of 1 hour of clerical time per year, per applicant.

597 (applications) x 1 hr. (clerical) = 597 hours.

Total “Unicom Station licensee” hour burden: 597 hrs.

- n) Section 90.625 requires that an applicant must certify on its application via the FCC Form 601, that a channel will be loaded to seventy mobile stations for its exclusive use in the area in which it proposes to operate. Additionally, according to Section 90.621(e) (5)(i.e., public safety) and (f)(1)(i.e., business radio) the frequency coordinator must certify that frequencies are not available in the applicant's own category, and

coordination is required from the applicable out-of-category coordinator. According to the CORES database, there are currently 16,243 licensees in the Business or Industrial/Land Transportation category channels. We estimate that 25% of these licensees (4,061) will request modification of their licenses to authorize use of the channels. Further, we estimate that approximately 200 new licensees may be affected by these rules on an annual basis. Providing this information should require a total of 1 hour of clerical time per year, per applicant.

4,061 (applicants) + (200) out-of-category coordinators)) x 1 hr. (clerical) = 4,261 hours.
Total “Business or Industrial/Land Transportation licensee” hour burden: 4,261 hrs.

- o) Section 97.207 requires that the license grantee of each space station (1) must make two written pre-space notifications, one written in-space, and one written post-space notification to the FCC’s International Bureau. We are estimating that space travel will occur approximately “twice a year.”

It is expected that the following respondent and burden hours will be involved in this collection:

Pre-space I: 1 respondent x 2 notifications per year at 4 hours each = 8 hours.
Pre-space II: 1 respondent x 2 notifications per year at 4 hours each = 8 hours.
In-space: 1 respondent x 2 notifications per year at 1 hour each = 2 hours.
Post-space: 1 respondent x 2 notifications per year at 1 hour each = 2 hours

Total “Space Travel” annual hour burden: 20 hours.

- p) Section 97.509 requires that Volunteer Examiners (VEs) must certify, on the examinee’s application document, that the examinee is qualified for the license grant and that the VEs have complied with the administering VE requirements. According to the CORES and ULS databases, there are currently 654,734 Amateur Operator licensees. It is expected that approximately 29,500 applications per year with three certifications required for each application. Each certification would require the expenditure of 30 minutes.

29,500 (applications) x 3 (certs) x .5 (hrs.) = 44,250 hours.
Total “Amateur Operator licensee” annual hour burden: 44,250 hrs.

- q) (R&O) Section 101.205 requires that licensees notify the Commission stating the nature of any emergency use of its station, to what use the station will be put, and when the special use of the station is terminated. It is expected that 2 licensees will file emergency notifications with the Commission per year. Each notification will require two notices: (1) Each notification of emergency use will take 1 hour; and (2) each notification of discontinuation of emergency use will take 30 minutes.

2 (respondents) x 4 (notifications) x [1 hr. (emerg. note) + .5 hrs. (discontinuance note)] is 8.5 hours, which when rounded off = 9 hours.
Total “Emergency/Discontinuance of Station Usage” hour burden: 9 hrs.

Total burden hours (items a through q) = 4,667 + 1,047 + 81 + 7,375 + 100 + 601 + 126 + 145 + 115 + 52 + 597 + 4,261 + 20 + 44,250 + 9 = 63,446.

TOTAL ANNUAL BURDEN HOURS : 63,446 hours

13. Cost Calculations: The Commission estimates that licensees will use in-house staff to provide the information, maintain the records and prepare the necessary third-party disclosure documents. We estimate that each requirement will require 30 minutes per respondent at approximately \$20 per hour.

70,447 respondents x .50 per response x \$20/hr. = \$704,470.

TOTAL ANNUAL COST BURDEN : \$704,470.

There are no start-up and operation and maintenance costs associated with this collection.

14. There are no costs to the FEDERAL GOVERNMENT.

15. This information collection contains a burden reduction of -20,493 hours. This is due to an adjustment in the number of responses by licensees who operate within the various service categories of this information collection gathered from our ULS and CORES databases.

16. The results of these information collections will not be published.

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 Item 19. When the Commission published the 60-day notice, we miscalculated some of the burden estimates affecting this collection. Therefore, with this submission to the OMB, we are reporting more accurate estimates.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.