

SUPPORTING STATEMENT

1. The Federal Communications Commission (“Commission”) is requesting that the Office of Management and Budget (OMB) approve the establishment of a new collection titled, “Consummation of Assignments¹ and Transfers of Control² of Authorization.” The Commission is requesting that the OMB approve mandatory electronic filing of consummations of assignments and transfers of control of licenses for all telecommunications and satellite services in the electronic International Bureau Filing System (IBFS). Additionally, the Commission is requesting OMB approval of 47 C.F.R. Parts 73.3540 and 73.3541.

A consummation is a party’s notification to the Commission that a transaction (assignment or transfer of control of authorization) has been completed³. A consummation is applicable to all international telecommunications and satellite services, including International High Frequency (IHF), Section 214 Applications (ITC), Satellite Space Stations (SAT), Submarine Cable Landing Licenses (SCL) and Satellite Earth Station (SES) licenses.

Currently, applicants send multiple letters to various offices within the Commission for each file number and call sign that are part of the consummation. The proposed new consummation module will eliminate the applicant’s requirement to notify the Commission by letter with the details of the consummation. Instead, the applicant will complete an on-line form (consummation module) in the IBFS. After the applicant enters the FCC Registration Number (FRN) in the form, the system will generate a list of file numbers and call signs that are related to the FRN. The applicant can select the file numbers and call signs that are part of the consummation. If the OMB approves the proposed consummation module, it will save time for the applicants and Commission staff because the information will be readily accessible for viewing and processing 24 hours a day/7 days a week. Furthermore, the consummation module will eliminate the

¹ An assignment of an authorization is a transaction in which the authorization is assigned from one entity to another entity. Following an assignment, the authorization is held by an entity other than the one to which it was originally granted.

² A transfer of control is a transaction in which the authorization remains held by the same entity, but there is a change in the entity or entities that control the authorization holder. A change from less than 50 percent ownership to 50 percent or more ownership shall always be considered a transfer of control. In all other situations, whether the interest being transferred is controlling must be determined on a case-by-case basis.

³ For example, 47 C.F.R. 63.24(e)(4) states that “an assignee or transferee must notify the Commission no later than thirty (30) days after either consummation of the proposed assignment or transfer of control, or a decision not to consummate the proposed assignment or transfer of control. The notification shall identify the file numbers under which the initial authorization and the authorization of the assignment or transfer of control were granted.”

applicant's completion and mailing of letters and will expedite the Commission staff's receipt of consummations in a timely manner.

There is no rulemaking associated with this collection. The Commission is requesting that the OMB approve the proposed consummation module and mandatory electronic filing of documents in order to improve customer service to users of the IBFS and to facilitate the Commission's receipt of consummations.

The Commission has authority for this information collection pursuant to 47 U.S.C. 154(i) and 47 CFR Sections 1.767, 25.119, 63.24(e)(4), 73.3540 and 73.3541. (Note: 47 CFR Section 1.767 is approved by the OMB under OMB Control No. 3060-0944. Section 63.24(e)(4) is approved by the OMB under OMB Control No. 3060-0686).

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

2. The Commission proposes that the consummation module be implemented in the IBFS to be kept Commission staff abreast of critical information such as a change in a controlling interest in the ownership of the licensee. If approved by the OMB, applicants would utilize IBFS to inform the Commission of consummations of assignments and transfers of control of authorization for international telecommunications and satellite services, such as International High Frequency (IHF), Section 214 Applications (ITC), Satellite Space Stations (SAT), Submarine Cable Landing Licenses (SCL) and Satellite Earth Station (SES) licenses.

The information is used by the Commission staff in carrying out its duties under the Communications Act. The information collections are necessary largely to determine the qualifications of applicants to provide international telecommunications service, including applicants that are affiliated with foreign entities, and to determine whether and under what conditions the authorizations are in the public interest, convenience, and necessity. The information collections are necessary for the Commission to maintain effective oversight of U.S. providers of international telecommunications services that are affiliated with, or involved in certain co-marketing or similar arrangements with, foreign entities that have market power.

3. The Commission is requesting the OMB's approval of mandatory electronic filing of consummations of assignments and transfers of control of licenses for all telecommunications and satellite services. If approved, a total of 100 percent of the collection will involve the use of electronic collection techniques.

4. This information collection requirement is not duplicated elsewhere.

5. The Commission's implementation of the consummation module will decrease costs for small businesses or other small entities because they would not have to incur postage costs to mail letters to various Divisions within the agency. Furthermore, there is no cost to the applicant to complete an on-line form (consummation module) in the electronic

IBFS. Therefore, the consummation module is advantageous for small businesses or other small entities because it eliminates the cost of postage to mail letters to the Commission.

6. Without this collection of information, the Commission would not have critical information such as a change in a controlling interest in the ownership of the licensee. The Commission would not be able to carry out its duties under the Communications Act and to determine the qualifications of applicants to provide international telecommunications service, including applicants that are affiliated with foreign entities, and to determine whether and under what conditions the authorizations are in the public interest, convenience, and necessity. Furthermore, without this collection of information, the Commission would not be able to maintain effective oversight of U.S. providers of international telecommunications services that are affiliated with, or involved in certain co-marketing or similar arrangements with, foreign entities that have market power.

7. The collection of information is not being conducted in any manner known to be inconsistent with the guidelines in 5 CFR 1320.6. There are no special circumstances associated with this collection.

8. On April 12, 2007, the Commission published a 60-day notice (Cite: 72 FR 18477) in the Federal Register to solicit comments from the public. The comment period ended on June 11, 2007. No comments were received from the public.

9. The Commission does not provide any payment or gift to respondents.

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. This collection does not contain questions of a sensitive nature.

12. Estimate of Burden Hours/Respondent Cost:

Please see the chart below for the number of respondents, frequency of response, time per response, total annual burden hours, and explanation of burden estimate. We estimate that the average time that the respondents spend entering information in the IBFS is one hour. Please note that the time spent gathering the information would have been completed prior to submitting the initial application to the Commission via IBFS. This time has been accounted for under the applicable OMB Control Numbers including 3060-0678, 3060-1007, 3060-0686 and 3060-1035.

Assignments & Transfers - 2005 & 2006

Description of Subsystem	Subsystem Abbrev.	App Type	47 C.F.R.	2005	2006	Average
			Rule Section(s)	Count	Count	of Two Years
International High Frequency	IHF	T/C	73.3540; 73.3541	2	0	1
Section 214 Applications	ITC	ASG	63.24(e)(4)	101	66	84
Section 214 Applications	ITC	T/C	63.24(e)(4)	123	194	159
Satellite Space Station	SAT	ASG	25.119	19	2	11
Satellite Space Station	SAT	T/C	25.119	19	7	13
Submarine Cable Landing License	SCL	ASG	1.767	4	1	3
Submarine Cable Landing License	SCL	T/C	1.767	19	6	13
Satellite Earth Station	SES	ASG	25.119	100	269	185
Satellite Earth Station	SES	T/C	25.119	123	117	<u>120</u>
						589

T/C = Transfer of Control

ASG = Assignments

Explanation of Burden Estimate	Subsystem Abbrev.	App Type	Number	Frequency of Response	Time Per Response	Total Annual Burden Hours
			of Respondents (Average of Two Years)			
International High Frequency	IHF	T/C	1	On occasion	1 hour	1
Section 214 Applications	ITC	ASG	84	On occasion	1 hour	84
Section 214 Applications	ITC	T/C	159	On occasion	1 hour	159
Satellite Space Station	SAT	ASG	11	On occasion	1 hour	11
Satellite Space Station	SAT	T/C	13	On occasion	1 hour	13
Submarine Cable Landing License	SCL	ASG	3	On occasion	1 hour	3
Submarine Cable Landing License	SCL	T/C	13	On occasion	1 hour	13
Satellite Earth Station	SES	ASG	185	On occasion	1 hour	185
Satellite Earth Station	SES	T/C	<u>120</u>	On occasion	1 hour	<u>120</u>
			589			589

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13. The total capital and start-up costs is zero. The total operation and maintenance and purchase of services component is estimated to be \$118,000 for outside legal assistance.

The costs of outside legal assistance is an average of \$200 per hour.

\$200 X 1 hour X 589 respondents = \$117,800 (rounded to \$118,000) Total for outside legal assistance

14. There are no annualized costs to the Federal government because the consummation is simply a notification to the Commission that a transaction has been completed by the applicants.

15. This Supporting Statement reflects a program change of +589 annual burden hours and +\$118,000 in annual costs.

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

17. Not applicable. The Commission is not seeking approval to not display the expiration date for OMB approval of this information collection.

18. On April 12, 2007, the Commission published a 60-day notice (Cite: 72 FR 18477) in the Federal Register to solicit comments from the public. In this 60-day notice, we stated that there were 586 respondents and responses. We are correcting the number from 586 to 589 to reflect a more accurate total of the number of respondents and responses applicable to this information collection. Furthermore, we are revising the annual costs from zero to \$118,000 to include the costs for outside legal assistance.

Additionally, we stated in the notice that the title of the information collection would be "Consummation of Assignments and Transfers of Control of Station Authorization." We would like to revise the title of the collection to remove the word "station" because the authorizations include all telecommunications services in addition to satellite stations. The proposed new title is "Consummation of Assignments and Transfers of Control of Authorization."

B. Collections of Information Employing Statistical Methods:

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