

SUPPORTING STATEMENT

New collection entitled: Sunset of the Cellular Radiotelephone Service Analog Service Requirement and Related Matters, Memorandum Opinion and Order, FCC 07-103

A. Justification:

1. On June 15, 2007, the Federal Communications Commission released a *Memorandum Opinion and Order* (MO&O) in the matter of the Sunset of the Cellular Radiotelephone Analog Service Requirement and Related Matters, RM No. 11355, FCC 07-103. In the MO&O, the Commission denied a petition for rulemaking to extend the requirement that all cellular radiotelephone licensees provide analog service to subscribers and roamers whose equipment conforms to the Advanced Mobile Phone Service (AMPS) standard. This requirement will sunset on February 18, 2008. In the MO&O, the Commission also directed cellular radiotelephone service licensees to notify their remaining analog subscribers of the sunset date and of their intention to discontinue AMPS-compatible analog service at least four months before such discontinuance, and a second time, at least 30 days before such discontinuance (the “consumer-notice requirement”).

Statutory authority for this information collection is found in sections 4(i), 201, and 303(r) of the Communications Act of 1934, 47 U.S.C. §§ 154(i), 201, and 303(r), and section 5(d) of the Administrative Procedure Act, 5 U.S.C. § 554(e).

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

2. The consumer-notice requirement will ensure that remaining analog cellular service subscribers, including persons with hearing disabilities, are fully apprised of the sunset of the analog cellular service requirement.
3. The Wireless Telecommunications Bureau conducts an analysis to ensure 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. This agency does not impose a similar information collection on the respondents. There is 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, regardless of size. The Commission has limited the information requirements to those absolutely necessary.

6. If cellular licensees were not required to notify analog-only subscribers individually of their intention to discontinue analog service, then some analog service subscribers, including persons with hearing disabilities, may not be adequately notified of the potential loss of analog service and the need to make alternative service arrangements.
7. Current data collection is consistent with 5 CFR §1320.8.
8. The Commission published a 60 day notice in the Memorandum Opinion and Order in the Federal Register on July 16, 2007, (72 FR 38793), in compliance with 5 CFR § 1320.5(d)(2). No PRA comments were received as a result of the MO&O. A copy of the MO&O is included in this submission to the OMB.
9. There are no payments of gifts to respondents.
10. No questions of a confidential nature are asked.
11. This does not address any private matters of a sensitive nature.
12. According to the Commission ULS/CORES database, there are 452 cellular radiotelephone service licensees who are required to notify each analog-only subscriber of their intention to discontinue analog service at least four months before such discontinuance, and a second time, at least 30 days before such discontinuance. We anticipate that each licensee will notify subscribers via billing inserts, direct mail and/or direct telephone calls, among other methods. We estimate it will take each licensee 24 hours on average to meet both phases of the notification requirement. Licensees with only a few remaining analog subscribers may be able to accomplish the notification process in substantially less time, while those with many remaining analog subscribers may require additional time to accomplish the notification process.

452 (licensees) x 24 hrs = 10,848 total hours.

THE TOTAL BURDEN IS: 10,848 hours.

13. Estimate of cost to respondents: (a) There are no capital or start-up costs. (b) We estimate licensees will use in-house programming and marketing personnel to notify subscribers @ \$30.00 per hr.

452 licensees x 24 hrs per response x \$30/hr. = \$325,440.00

THE TOTAL ANNUAL COST BURDEN IS: \$325,440.00

14. Estimate of cost to the Federal Government. None.

15. This is a new information collection resulting in a program change increase of 10,848 hours.
16. The data will not be published for statistical use.
17. No OMB expiration date will be displayed because the requirements are contained in rules. The Commission does publish a list of OMB-approved information collections in 47 CFR 0.408. This list includes the OMB control number, title and OMB expiration date of each individual ICR.
18. There are no exceptions to Item 19.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.