

## SUPPORTING STATEMENT

### **A. Justification:**

1. The Commission has been directed by the United States Congress, in the Balanced Budget Act of 1997, to dedicate 24 megahertz of electromagnetic spectrum in the 746-806 MHz band for public safety services. On July 31, 2007, pursuant to this mandate, the Commission adopted the *700 MHz Second Report and Order* to create a nationwide, interoperable public safety broadband network. One major component of this process is the establishment of a public safety band plan consistent with such a network. The *700 MHz Second Report and Order* consolidates narrowband operations in the upper twelve megahertz of the 700 MHz Public Safety band and designates the lower ten megahertz of that band solely for broadband communications. It also shifts the public safety spectrum block down by one megahertz in order to avoid interference problems along the border with Canada. This requires relocation of all public safety narrowband operations in channels 63 and 68, and the upper one megahertz of channels 64 and 69.

The *700 MHz Second Report and Order* requires the winner of the Upper 700 MHz Band D Block license to pay the costs associated with relocating public safety narrowband operations to the consolidated channels. It also assigns responsibility to a newly created Public Safety Broadband Licensee to administer the relocation process consistent with the requirements and deadlines set forth in *700 MHz Second Report and Order*. To facilitate such relocation, the *700 MHz Second Report and Order* seeks to identify the actual numbers of radios and base stations for which the D Block licensee will be responsible for paying the relocation costs.

The specific information collection for which we seek OMB approval requires every 700 MHz Band public safety licensee, whether holding individual narrowband authorizations or operating pursuant to a State License, to provide the following information to the Commission: (1) the total number of narrowband mobile and portable handsets in operation in channels 63 and 68, and the upper one megahertz of channels 64 and 69, as of 30 days after the date of adoption of the *700 MHz Second Report and Order*, (2) the total number of narrowband base stations serving these handsets in operation, (3) contact information for each identified set of handsets and base stations, as appropriate, (4) the areas of operation of the mobile and portable units (such as defined by the jurisdictional boundaries of the relevant public safety departments), and (5) the location, in latitude and longitude, of the base stations. This collection is described in paragraphs 336 and 337 of the attached *700 MHz Second Report and Order*.

Statutory authority for this collection of information is contained in Sections 4(i), 303(f), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(1), 303(f), and 303(r), unless otherwise noted.

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 Public Safety Broadband Licensee (PSBL) will use the information to relocate public safety narrowband operations to the new public safety narrowband spectrum. The Commission, which has significant oversight functions in the establishment of the nationwide public safety interoperable broadband network, needs to review that information prior to passing it on to the PSBL in order to determine completeness and accuracy and to establish for our own records the number and location of public safety narrowband systems in the United States.

3. Prior to finalizing rulemakings, the Public Safety and Homeland Security Bureau conducts an analysis to ensure that improved information technology cannot be used to reduce the burden on information submitters. 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 are 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 to carry out the relocation of 700 MHz Band public safety narrowband operations.

6. Without the submission of type and location of narrowband public safety equipment, the Commission and the PSBL could not identify the operations that must be relocated. This would jeopardize the entire effort to create a nationwide, interoperable public safety communications network.

7. Current data collection is consistent with 5 C.F.R. § 1320.6.

8. The Commission will publish a notice in the Federal Register informing the public that the Commission has requested emergency processing of this information collection by OMB and that the public may submit comments on the collection to OMB and the FCC by August 31, 2007. The notice should appear in the Federal Register on August 16, 2007.

9. Respondents will not receive any payments.

10. There is no need for confidentiality.

11. There are no requests of a sensitive nature considered or those considered as a private matter being sought from the applicants on this collection.

12. The Commission has derived the following estimates of the burden on respondents:

(1) Number of Respondents: Approximately 94 public safety licensees.

(2) Frequency of Response: One time reporting requirement.

(3) Annual Burden per Respondent: The Commission estimates an average of approximately 21 hours per respondent. **Total annual burden is 1,974 hours.**

(4) Total Estimate of Annualized Cost to Respondents of Burden Hours for Collection of Information: \$1,974 hours x \$20.00 per hour = \$39,480. We base the \$20.00 per hour estimate on the national average hourly wage of law enforcement personnel.

13. The Commission believes that this information collection will impose no annual burden on respondents from either capital or start-up costs, or from operation and maintenance of equipment, or from purchase of outside services. The Commission believes that the public safety licensees already possess the necessary materials, and that the public safety licensees will have procured these materials in the course of conducting their customary and usual business. The Commission further believes that the affected entities already employ a large pool of highly able professional and clerical workers, which makes the likelihood of purchase of outside services minute.

14. Cost to Federal Government: To review the 94 responses will require approximately 240 hours of analysis and review, or approximately 2.5 hours on average per plan. The Commission anticipates that of those 240 hours, half will be performed by staff at the GS 13/6 level and half by staff at the GS 15/6 level. Thus the total cost is  $120 \times \$ 44.39 + 120 \times \$ 61.69 = \$ 12,729.60$ .

15. Since this is a new one-time collection there will be a program change increase of 1,974 burden hours.

16. No data will be published for statistical use.

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

18. There were no exceptions to Item 19 on OMB Form 83i.

**B. Collections of Information Employing Statistical Methods:**

No statistical methods are employed.