

SUPPORTING STATEMENT

A. Justification:

1. The Cable Television Consumer Protection and Competition Act of 1992 required the Commission to prescribe rules and regulations for determining reasonable rates for basic tier cable service and to establish criteria for identifying unreasonable rates for cable programming services and associated equipment. FCC Form 1200 is used by cable operators to justify the reasonableness of rates in effect on or after May 15, 1994. Cable operators submit this form to local franchising authorities (“LFAs”) or the Commission, in situations where the Commission has assumed jurisdiction. FCC Form 1200 also is filed with the Commission when responding to a complaint filed with the Commission about cable programming service rates and associated equipment.

The Commission is requesting an extension of this information collection in order to receive the full three year approval/clearance from OMB for this collection.

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

Statutory authority for this collection of information is contained in Sections 4(i) and 623 of the Communications Act of 1934, as amended.

2. The data is used by Commission staff and LFAs to evaluate cable rates the first time they are reviewed on or after May 15, 1994, so that the maximum permitted rates for regulated cable services can be determined.

3. The use of information technology is feasible for this collection. Automated diskette versions of FCC Form 1200 are available to respondents. FCC Form 1200 is also available on the Commission’s internet web site.

4. This agency does not impose a similar information collection on the respondents. There are no similar data available.

5. This information collection does not have an impact on a significant number of small businesses/entities.

6. If the Commission did not collect this information, the Commission would not be able to carry out its statutory responsibilities under section 623 of the Communications Act of 1934, as amended.

7. There are no special circumstances associated with this collection of information.

8. The Commission published a Notice (72 FR 32662) in the *Federal Register* on June 13, 2007. The Commission received no comments following publication of the Notice.

9. There are no payments or gifts to respondents.

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FCC Form 1200

10. There is no need for confidentiality.

11. This collection of information does not address any private matters of a sensitive nature.

12. We estimate that 50 FCC Form 1200s are filed annually with local franchising authorities (LFAs). The average burden to complete FCC Form 1200 is estimated to be 10 hours for cable operators. Cable operators will use in-house staff to complete approximately 50% of the filings. Cable operators will use outside assistance to complete approximately 50% of the filings, undergoing a burden of 2 hours per filing to coordinate information with the outside assistance.

LFAs will review approximately 50 FCC Form 1200 filings per year at an average burden of 10 hours per filing.

Total Number of Annual Respondents:

50 cable operators filing FCC Form 1200 annually with LFAs + 50 LFAs = **100 respondents**

Total Number of Annual Responses:

50 cable operators filing 1 FCC Form 1200 annually with LFAs = **50 responses**

Annual Burden Hours:

Burden for Cable Operators:

25 (50% of 50) filings completed with in-house staff x 10 hours per filing = 250 hours

25 (50% of 50) filings coordinated with outside assistance x 2 hours per filing = 50 hours
300 hours

Burden for LFAs:

50 FCC Form 1200 filings x 10 hours per filing = 500 hours

Total Annual Burden Hours: 300 hours + 500 hours = **800 hours**

These estimates are based on Commission staff's knowledge and familiarity with the availability of the data required.

13. Annual Burden Cost:

a) Total annual capital or start up costs: None

b) Total annual costs (operation and maintenance): Cable operators will use outside assistance paid at \$150 per hour to complete approximately 25 FCC Form 1200 filings.

25 FCC 1200 filings x 10 hours per filing x \$150 per hour = \$37,500.

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FCC Form 1200**

c) Total annualized cost requested: **\$37,500.**

14. There is no cost to the Federal Government.

15. The Commission reevaluated its annual burden cost and as a result there is a decrease in the total annual burden cost of \$500 for this information collection. There are no program changes to this collection.

16. The results of this information collection requirement are not planned to be published.

17. We are seeking approval not to display the expiration date for OMB approval of the information collection.

18. The Commission omitted third party disclosure requirement from its 60 day Federal Register Notice (72 FR 32662) published on June 13, 2007. It is a requirement of the information collection. There are no other exceptions to Item 19 "Certification for Paperwork Reduction Act Submissions" on the OMB 83-I.

B. Collections of Information Employing Statistical Methods

This information collection does not employ any statistical methods.