

Section 64.707 – Public Dissemination of Information by Providers of Operator Service

SUPPORTING STATEMENT

A. Justification

1. In 1990, Congress enacted the Telephone Operator Consumer Services Improvement Act (TOCSIA or Section 226 of the Communications Act) to address the problem of widespread consumer dissatisfaction with the high rates charged by many operator service providers (OSPs) for calls from public phones and other aggregator locations such as hotels, hospitals, and educational institutions.

The Commission adopted Section 64.707, 47 CFR § 64.707, which requires OSPs regularly to publish and to make available at no cost, upon requests from consumers, written materials that describe any changes in operator services and choices available to consumers.

The Commission is requesting an extension of this information collection in order to receive the full three year OMB approval/clearance 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. This information collection does not contain personally identifiable information on individuals (PII).

The statutory authority citation for the information collection requirements is found at Section 226 [47 U.S.C 226], Telephone Operator Services, Public Law No. 101-435, 104 Stat. 986 (1990).

2. The information is used to implement Section 226 of the Communications Act. OSPs have provided this information primarily to consumers in the form of a written report that is regularly updated at the OSPs discretion. Consumers use this information to increase their knowledge of the choices available to them in the operator services marketplace.
3. This information collection does not specifically provide for technological collection techniques or other forms of electronic technology. To the extent that OSPs wish to utilize electronic technology, they are not precluded from doing so.
4. The information collection requirements are not duplicative of any currently existing federal regulatory obligation.
5. There will not be a significant impact on a substantial number of small businesses/entities by this information being collected.
6. In the absence of the required disclosures to consumers, consumers will be less able to make informed choices in the interstate operator services market, thus lessening actual competition among telecommunications entities that seek to provide such services.
7. The collection is not conducted in any manner that is inconsistent with the guidelines in 5 CFR § 1320.6.
8. Pursuant to 5 CFR § 1320.8(d), the Commission published a notice in the *Federal Register* on August 8, 2007. See 72 FR 44530. No comments were received.
9. The Commission does not anticipate providing any payment or gift to respondents.

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10. The Commission is not requesting that respondents submit confidential information to the Commission. The requirement is a third party disclosure.
11. This information collection does not raise any questions or issues of a sensitive nature.
12. Estimates of the burden hours for the information collection are as follow(s):

The Commission estimates that approximately 436 operator service providers (OSPs) will regularly publish and make available upon request from consumers written materials that describe any changes in operator services and choices available to consumers.

This process includes a third party disclosure that will be done “on-occasion.” It will require approximately 4 hours per respondent to comply with the requirement:

Total Number of Annual Respondents: 436 Operator Service Providers (OSPs)

Total Number of Annual Responses: 436 Disclosures

Total Annual Burden Hours: 436 disclosures x 4 hours/disclosure/OSP = **1,744 hours**

Total Annual “In-House” Costs: The Commission assumes that respondents use “in-house” personnel whose pay is comparable to senior level federal employee (GS-13/5, plus 30% overhead) to make available written materials to consumers. The Commission estimates each respondent’s cost to be about \$56.06 per hour to comply with the requirement:

436 disclosures x 4 hours/disclosure/OSP x \$56.06 = **\$97,768.64**

13. The following represents the Commission’s estimate of the annual cost burden to respondents resulting from the collections of information. The Commission believes that OSPs will use “in-house” personnel to compile and maintain written materials that describe any changes in operator services that will be made available to consumers. The only cost incurred by OSPs is the print cost. Thus:
 - (a) Total annualized capital/start-up costs: **None**
 - (b) Total annual operational or maintenance cost (O&M): 436 disclosures x \$100 print cost for reports/OSP = \$43,600.
 - (c) Total annualized cost requested: \$43,600.
14. This information collection requirement involves only the operator service providers and consumers who request free, written information about operator services and choices available to consumers. The Commission has no involvement in this activity; therefore, there is no cost to the Federal Government.
15. In the previous submission, the Commission inadvertently omitted respondents’ total annualized cost to print materials that describe any changes in operator services. The Commission has re-evaluated this requirement and concludes respondents’ total annualized cost to be \$43,600. There are no program changes to the information collection.
16. There will be no publication of this information collection.

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17. The Commission does not intend to seek approval not to display the expiration date for OMB approval of the information collection.
18. In the 60 day *Federal Register* notice (Notice) published on August 8, 2007 (72 FR 44530), the Commission reported the total annual cost to be \$0. The Commission corrects the total annual cost to be \$43,600. Lastly, the obligation to respond is “required to obtain or retain benefits” instead of “mandatory” which was reported in the Commission’s Notice. There are no other exceptions to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” of OMB Form 83-I.

B. Collections of Information Employing Statistical Methods

The Commission does not anticipate that the collection of information will employ statistical methods.