

Title: Digital Audio Broadcasting Systems and their Impact on the Terrestrial Radio Broadcast Service**SUPPORTING STATEMENT****A. Justification:****Revised Information Collection Requirements:**

1. In May 2007, the Commission released the *Second Report and Order, Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service* (“*Second Order*”), FCC 07-33, MM Docket 99-325. Provisions of the *Second Order* require radio station licensees to provide information necessary for the implementation of interim hybrid digital operations. Implementation of hybrid digital operations is entirely voluntary.

47 CFR 73.404(b) states in situations where interference to other stations is anticipated or actually occurs, AM licensees may, upon notification to the Commission, reduce the power of the primary Digital Audio Broadcasting (DAB) sidebands by up to 6 dB. Any greater reduction of sideband power requires prior authority from the Commission via the filing of a request for special temporary authority¹ or an informal letter request for modification of license. **(This is a new information collection requirement and OMB approval is needed).**

47 CFR 73.404(e) states licensees (commercial and noncommercial AM and FM radio stations) must provide notification to the Commission in Washington, DC, within 10 days of commencing in-band, on channel (IBOC) digital operation.² The notification must include the following information:

- (1) call sign and facility identification number of the station;
- (2) date on which IBOC operation commenced;
- (3) certification that the IBOC DAB facilities conform to permissible hybrid specifications;
- (4) name and telephone number of a technical representative the Commission can call in the event of interference;
- (5) certification that the analog effective radiated power remains as authorized;
- (6) transmitter power output; if separate analog and digital transmitters are used, the power output for each transmitter;
- (7) if applicable, any reduction in an AM station's primary digital carriers;
- (8) if applicable, the geographic coordinates, elevation data, and license file number of the auxiliary antenna employed by an FM station as a separate digital antenna;
- (9) if applicable, for FM systems employing interleaved antenna bays, a certification that adequate filtering and/or isolation equipment has been installed to prevent spurious emissions in excess of the limits specified in § 73.317;
- (10) a certification that the operation will not cause human exposure to levels of radio frequency radiation in excess of the limits specified in § 1.1310 of the Commission's rules and is therefore categorically excluded from environmental processing pursuant to §

¹ Licensees may request special temporary authority (STA) to operate new or modified equipment. The requests must contain complete details about the proposed operation and the circumstances that fully justify and necessitate the grant of STA.

² IBOC digital operations permit the licensee to introduce digital operation efficiently and rapidly.

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1.1306(b). Any station that cannot certify compliance must submit an environmental assessment ("EA") pursuant to § 1.1311 and may not commence IBOC operation until such EA is ruled upon by the Commission. **(This information collection requirement has already been approved by OMB and remains the same as previously approved).**

History:

In October 2002, the Commission released the *First Report and Order, Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service* ("First Order"), FCC 02-286, MM Docket 99-325, (67 FR 78193). Pursuant to this Order, the Commission selected in-band, on-channel (IBOC) as the technology that permits AM and FM radio broadcasters to introduce digital operations efficiently and rapidly.

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

Statutory authority for this collection of information is contained in Sections 154(i), 303, 310, and 533 of the Communications Act of 1934, as amended.

2. The data is used by the FCC staff to track the rate at which radio stations make the transition from analog to digital operation; to confirm continuing compliance with radio frequency radiation (RFR) exposure restrictions; to provide updated transmitter output power (TPO) levels for FM stations; and to assist in the resolution of interference complaints, if any, which may result from digital operations.

3. Applicants/licensees must file this notification via regular mail, since the Commission does not have a system in place for receipt of these notification letters electronically.

4. No other agency imposes 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. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.

6. Foregoing the digital notification would deprive Commission staff of the means to assess the rate of digital conversion in the radio broadcasting service. In addition, the Commission would not be able to resolve expeditiously any cases of interference from digital operations without the information included in the digital notification letter.

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

8. The Commission published a Notice (72 FR 45811) in the *Federal Register* on August 15, 2007. The Commission received no comments following publication of the Notice.

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- 9. No payment or gift was provided to the respondent.
- 10. There is no need for confidentiality.
- 11. This collection of information does not address any private matters of a sensitive nature.
- 12. The following estimates are provided for annual public burden:

Total Number of Annual Respondents: **710 Commercial and Noncommercial AM and FM Radio Stations**

Total Number of Annual Responses: **710 notifications and requests for Special Temporary Authority**

Total Annual Burden Hours: 710 notifications and requests x 2
hours/ notification or request = **1,420**
hours

Annual “In-House” Cost: We assume that the respondent’s radio station manager or other staff would complete and file the notification or request. We estimate that these respondents would have an average annual salary of \$100,000 (\$48.08/hour).

Total Annual “In House” Cost: 710 notifications and requests x 2 hours/notification or request x \$48.08/hour = **\$68,273.60**

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

13. Annual Cost Burden to Respondents:

- (a) Total annualized capital/startup costs: **None**
- (b) Total annual costs (O&M): **None**
- (c) Total annualized cost requested: **None**

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14. **Cost to the Federal Government:** The Commission will use professional staff at the GS-14, step 5 level (\$50.95/hour) to review and record the notifications and requests.

Total Cost to the Federal Government:

710 notification letters and requests x 1 hour/notification or request x \$50.95/hour
= **\$36,174.50**

15. As a result in the Commission action in May 2007, regarding the *Second Report and Order, Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service* ("Second Order"), FCC 07-33, MM Docket 99-325 the burdens in this collection have decreased due to the fact licensees no longer need to request special temporary authority for modifications to AM DAB sidebands that are less than 6 dB when necessary to prevent interference. By this requirement no longer being in effect, the total number of annual respondents and the total number of annual burden hours decreased for this information collection.

16. The data will not be published.

17. A waiver not to publish the expiration date is requested, because this information does not involve an FCC form. OMB approval of the expiration date of the information collection will be displayed at 47 CFR § 0.408.

18. There are no exceptions to Item 19 of the Certification Statement.

B. Collections of Information Employing Statistical Methods.

No statistical methods are employed.