

SUPPORTING STATEMENT**A. Justification:****1. Existing Information Collection Requirements:**

- (a) This information collection consists of five FCC Forms:¹
- (1) FCC Form 159, "Remittance Advice," and FCC Form 159-C, (continuation sheet for FCC Form 159),
 - (2) FCC Form 159-B, "Remittance Advice Bill For Collection,"
 - (3) FCC Form 159-E, "Remittance Voucher," and
 - (4) FCC Form 159-W Interstate Telephone Service Provider Worksheet/blank Form 159-W Worksheet
- (b) FCC Form(s) 159/159-C are remittance advice forms that applicants/licensees file when making payment(s) to the Commission, including:
- (1) Regulatory Fees,
 - (2) Application Processing Fees,
 - (3) Auctions,
 - (4) Fines,
 - (5) Forfeitures,
 - (6) Freedom of Information Act (FOIA) Billings, and/or
 - (7) Any other debt due to the Commission.
- (c) The Commission issues the FCC Form 159-B, "Remittance Advice Bill for Collection," to bill applicants/licensees and all other parties for specific financial obligations that are owed to the Commission for the following:
- (1) Regulatory Fees,
 - (2) Application Processing Fees,
 - (3) Auctions,
 - (4) Fines,

¹ These forms may found on the FCC's webpage at: <http://www.fcc.gov/fees/form159.html>.

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- (5) Forfeitures,
 - (6) Freedom of Information Act (FOIA) Billings, and/or
 - (7) Any other debt due to the FCC.
- (d) Applicants/licenses may file FCC Form 159/159-C using a paper copy or via the Commission's Internet webpage at www.fcc.gov. The Commission collects the information on the form(s) to insure that:
- (1) Applicants/licenses receive credit for making their full payment;
 - (2) Applicants/licenses receive any refunds due to them;
 - (3) Applicants/licenses can submit comments and/or complaints easily; and
 - (4) The Commission's fee filing processes comply with the *Communications Act of 1934*.
- (e) Provisions in the *Debt Collection Improvement Act of 1996* (DCIA) have encouraged the Commission to continue to improve its collection of receivables and to track the financial obligations owed to the Commission.
- (1) The Commission developed FCC Form 159-E, which it believes is a simpler, more flexible, and more accurate form for remitting fee payments.
 - (2) This form further streamlines our collection of receivables, and creates ways that will not burden the public with unnecessary paperwork.
 - (3) The FCC Form 159-E reduces the number of keying errors for Commission staff transferring data from FCC Form 159/159-C into the Commission's financial processing system.
 - (4) It permits the Commission's internal data processing mechanisms to associate more information from the Commission's internal billing systems, where appropriate, with the applicant/licensee's payment obligation(s).

The FCC Form 159-E is a remittance voucher that associates a mailed or faxed payment with regulatory fees that are filed on-line. This form thus far is used only to pay regulatory fees:

- (1) Following the applicant/licensee's electronic submission of data on FCC Form 159/159-C, the FCC's automated regulatory fee process generates a hardcopy FCC Form 159-E, which is a summary voucher, *i.e.*, it summarizes data input by the applicant/licensee.
- (2) Pertinent information is taken directly from the regulatory fee electronic filing system, as entered by the applicant/licensee in correspondence with FCC Form(s) 159/159-C, and summarized on the hardcopy FCC 159-E.

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- (3) The applicant/licensee then uses Form 159-E to remit the regulatory fee payment. Information on the form displays the applicant/licensee's payment but does not provide detailed information about the fee(s).
- (f) Interstate Telephone Service Providers and, now, interconnected Voice over Internet Protocol (VoIP) providers file the pre-completed FCC Form 159-W to pay their annual regulatory fees.
 - (1) If the provider does not receive a pre-completed copy of this form from the Commission, or if it loses its form, the provider can complete a blank Form 159-W Worksheet and submit it along with payment to the Commission's lockbox bank.
 - (2) If the provider does not agree with the Commission's assessment of the fee amount due that is shown on the pre-completed Form 159-W, the provider may amend the form or complete a blank Form 159-W Worksheet and submit it along with payment to the Commission's lockbox bank.
 - (3) If the provider agrees with the Commission's assessment of the fee amount due that is shown on the pre-completed Form 159-W, the provider simply certifies the Form 159-W and submits it to the Commission's lockbox bank with payment.

New Information Collection Requirements:

On August 6, 2007 the Commission released a *Report and Order and Further Notice of Proposed Rulemaking (R&O and FNPRM)*, In the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 2007, MD Docket No. 07-81, FCC 07-140.

- (a) This *R&O* and *FNPRM* applied regulatory fee obligations to interconnected Voice over Internet Protocol (VoIP) providers.
- (b) With the submission of this OMB collection 3060-0589, the Commission also takes this opportunity to consolidate OMB collection 3060-0949 (FCC Form 159-W Interstate Telephone Service Worksheet) into 3060-0589 so that our family of Form 159 Remittance Advice forms reside under a single OMB control number.

History:

- (1) In June 2000, the Commission made various revisions to the FCC Form(s) 159/159-C:
 - (a) The Commission added the Federal Registration Number (FRN)² to these forms.
 - (i) The FRN is issued to applicants/licensees to be a unique business account number for identification purposes only ("unique identifier").
 - (ii) The FCC Registration Number (FRN) has become the official registration number for anyone doing business with the Commission.

² Because the *Debt Collection Improvement Act of 1996* requires the Commission to obtain the TIN, the Commission developed its registration process to store the TIN in a secure environment when the applicant/licensee registered online and received the FRN.

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- (b) The Commission removed the current fee information on page one of all OMB-approved applications forms and made FCC Form 159/159-C the primary fee collection instrument. FCC Form(s) 159/159-C (along with certain application forms) is submitted to a lockbox bank for processing:
 - (i) These forms were initially made available to the public in both paper and electronic formats.
 - (ii) Additionally, the applicant can download and complete the FCC Form 159/159-C electronically as an alternative to paper submissions.
 - (iii) The forms are also available through the Commission's Fax on Demand system.
- (2) In February 2003, the Commission made several other changes:
 - (a) It removed the Taxpayer Information Number (TIN)³ from the forms. The TIN was no longer needed because the FRN collected the same information, and its use was now sufficiently entrenched.
 - (b) It also expanded its credit card service to include Discover and American Express credit cards. These credit cards are in addition to Master Card and Visa that are presently being used for credit card payments.

The statutory authorities for this collection of information are the *Communications Act of 1934*; Section 8 (47 U.S.C. 158) for Application Fees; Section 9 (47 U.S.C. 159) for Regulatory Fees; Section 309(j) for Auction Fees, and the *Debt Collection Improvement Act of 1996*, Public Law 104-134, Chapter 10, Section 31001.

This information collection affects individuals or households.

- (a) However, in February 2003, the Commission eliminated the applicant/licensee's SSN and TIN from FCC Forms 159/159-C, 159-B, and 159-E.
 - (b) Instead, filers are issued a FRN as their unique identifier, which then distinguishes each filer.
 - (c) This has obviated any privacy impacts including a requirement to conduct a Privacy Impact Assessment.
2. The Commission's family of FCC Form 159 Remittance Advice forms (Forms 159/159-C, 159-B, 159-E, 159-W and blank Form 159 Worksheet) is used to apply credit for the remittance against received by the Commission. This information becomes an official record

³ The Commission, in accordance with the *Debt Collection Improvement Act of 1996*, is required to obtain the Taxpayer Identification Number (TIN) from any applicant who does business or requests service(s) from the Commission.

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of revenue in the FCC's internal accounting system, which in turn feeds the Federal Financial System (FFS) and the General Ledger.

This information collection may affect some individuals or households; however, the Commission has in place a registration process that issues a Federal Registration Number (FRN) to each applicant/licensee, *etc.*, for use in filing any of our Remittance Advice forms. As part of the registration process, the applicant/licensee's SSN or TIN is stored in a secure environment, *e.g.*, CORES registration process, which minimizes any potential privacy risks.

3. Applicants/licensees may file the paper version or use the on-line (electronic) version of FCC Form 159/159-C at www.fcc.gov, or a combination of both. Applicants/licensees complete FCC Form(s) 159/159-C manually by following the filing guide for the type of fee being paid, including fees for applications, regulatory fees, or other requests for service that cannot be filed electronically at present.

For all payments for which the Commission can accept the application and payment electronically, the Commission offers to applicants and licensees its online electronic filing system known as Fee Filer. Fee Filer can be accessed via the Commission's Internet webpage at www.fcc.gov/fees/feefiler.

- (1) Information collected via Fee Filer is limited to the data elements contained on the Commission's Remittance Advice forms.
 - (2) If a filer pays online, then all information is collected electronically and is transferred into the FCC's internal accounting system, eliminating the need for any paper submission.
 - (3) However, if filers chose a payment option such as check, money order, or wire, then they are required to print a FCC Form 159-E, "Remittance Voucher," and mail it to the lockbox bank.
 - (4) In such cases, all information that had been collected electronically will be summarized on the form by the FCC's online system; fee details will not be collected on paper.
 - (5) The hardcopy FCC Form 159-E must accompany payment, and the information on this form will associate the payment with the electronically-collected fee details, which are transferred into the FCC's internal accounting system.
4. The Commission has developed its family of FCC Form 159 Remittance Advice forms to reduce duplications, as follows:
 - (a) The introduction of FCC Form 159/159-C streamlined the payment process by providing a standardized and efficient format for applicants/licensees to make payments and to submit comments/inquiries.
 - (b) The Commission has further reduced duplication by developing the ability to pre-fill some of its Remittance Advice forms for licensees when paying their annual regulatory fees, thereby eliminating the need for the licensee to enter this remittance information. Specifically, FCC Form 159-B and the FCC Form 159-W are generated by the FCC with

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- billing information pre-printed on them, eliminating the need for the licensee to enter remittance information.
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 created its Remittance Advice form to enable applicants and licensees to pay their regulatory fees, application processing fees, auctions, fines, forfeitures, FOIA billings, and other debts due to the Commission in a clear and standardized fashion so as to reduce the paperwork and recordkeeping burdens for applicants/licensees.
 6. Applicants/licensees use the appropriate Remittance Advice forms to pay their debts (appropriate fees, auction assessments, fines, *etc.*) to the Commission. Congress requires the Commission to collect regulatory fees from applicants/licensees in large part to pay for the Commission's operating costs. Creation standardized Remittance Advice forms was designed to reduce the public's burdens while enabling the Commission to carry out its Congressional mandates.
 7. Applicants/licensees file a Remittance Advice form, as necessary, to pay the appropriate application fee, regulatory fee, auction assessment, fine, *etc.*, whenever they choose to do business with the Commission. These levies are based on the Commission's regulatory fee schedule, auction schedules, licensing, application, or tariff requirements, *etc.*, as specified by Congress. The Commission has not established any additional or special requirements that will burden the public.
 8. On August 16, 2007, the Commission published two notices in the *Federal Register*:
 - (a) *Notice of Proposed Rulemaking (NPRM)*, Assessment and Collection of Regulatory Fees for Fiscal Year 2007, MD Docket No. 07-81, FCC 07-140 (72 FR 46010); and
 - (b) The 60 day PRA notice (72 FR 46058).

We have attached a copy of each notice. The Commission received no comments in response to the publication of the PRA notice pertaining to the information collection requirements contained in 3060-0589.
 9. Respondents will not receive any payments or gifts.
 10. Parties filing information may request that it be withheld from disclosure. If confidentiality is requested, such requests will be processed in accordance with the Commission's rules, 47 CFR § 0.459. Consistent with the provision of the Privacy Act, the Social Security Number and FRN will not be made available to the public.
 11. This collection does not address any private matters of a sensitive nature nor are there any privacy issues. In addition, the Commission will redact any personal information before it becomes available for public inspection.

In June 2000, as part of the various revisions to its registration process, the Commission created an online registration process at www.fcc.gov, whereby applicants/licensees registered with the Commission and provided their SSN or Taxpayer Information Number

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(TIN).⁴ The registration system stored the SSN and TIN information in a secure environment and issued the registrant (applicant/licensee) a Federal Registration Number (FRN) as their “unique identifier” for his/her future use when filing a Remittance Advice form with the Commission.

In February 2003, the Commission eliminated the requirement that each filer provide his/her Social Security Number on all of our Remittance Advice forms, since the FRN served the same purposes as SSNs and TINs, and its use had become entrenched by this point.

12. The Commission estimates that respondents file approximately 156,000 Remittance Advice forms annually.

The number of responses annually is 156,000.

We believe that the average burden on a respondent is approximately 15 minutes (0.25 hours) to complete a form based on Commission staff's knowledge and familiarity with the availability of the data required:

- Nearly 90% of filings involve collections of information that are automatically populated from various electronic filing systems or internal Commission systems. As such, little effort is needed by the public.
- Approximately 10% of filings originate from paper forms or are entered manually online.
- Less than 1% of filings are large regulatory fee filings, containing between ten and tens of thousands of fees in a single submission.

The change in burden is due to a more accurate estimate. The Commission verified the number of FCC Forms 159 that it receives on an annual basis and determined that approximately 90% involve electronic filing:

Total Annual Hourly Burden: 156,000 x 0.25 hours (15 minutes) = **39,000 hours**

There is no additional cost to the applicant in providing this information to the Commission with their application, or otherwise.

13. The Commission believes that its regulatees do not require any additional outside professional skills when completing any of the Commission’s Remittance Advice forms. These forms can be completed by the employees responsible for each entity’s business records.⁵ Therefore:

(a) Total annualized capital/startup costs: None

(b) Total annual costs (O&M): None

(c) Total annualized cost requested: None

⁴ The Commission, in accordance with the *Debt Collection Improvement Act of 1996*, is required to obtain the Taxpayer Identification Number (TIN) from any applicant who does business or requests service(s) from the Commission.

⁵ *R&O and FNPRM* at ¶153.

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14. Because payment transaction processes are being increasingly automated, the Commission estimates that it will require only minimal Commission staff to process the various regular fee, fines, forfeitures, billings, and all other miscellaneous monies it receives from applicants/licensees and others that use FCC Forms 159/159-C, 159-B, and 159-E. Thus:

3 FTE staff @ \$22.71/hour (GS-9/Step 5) x 2087 hours x 10% =	\$14,218.73
1 FTE staff @ \$32.93/hour x (GS 12/Step 5) x 2087 hours x 10% =	\$6,872.49
3 Contract staff member based on \$18.56 x (GS 7/Step 5) x 2087 hours 10% =	<u>\$11,620.42</u>
	\$32,711.64
30% Overhead =	<u>\$9,813.49</u>

Total Cost to Federal Government: \$42,525.13

15. This information collection is being submitted as a "revision" following reasons:

- (a) The Commission released a *R&O and FNPRM* that applied regulatory fee obligations to interconnected Voice over Internet Protocol (VoIP) providers.
- (b) The Commission is also taking this opportunity to consolidate OMB collection 3060-0949 (FCC Form 159-W Interstate Telephone Service Worksheet) into this collection so that the Commission's family of Form 159 Remittance Advice forms can reside under a single OMB control number.
- (c) The total number of respondents has increased to an estimated 156,000 and the total number of responses annually is also estimated to be 156,000.
- (d) The total annual hourly burden has increased to an estimated to be 39,000 hours.

16. The data will not be published for statistical use.

17. We are seeking OMB approval not to display the expiration date of OMB approval on all of our Remittance Advice forms.

18. The Commission notes the following:

- (a) This information collection is consolidating 3060-0949 into 3060-0589; and upon approval of this revised information collection, the Commission will cancel 3060-0949;
- (b) The total number of respondents is now estimated to be 156,000, which includes those respondents who also file the FCC Form 159-W and blank Form 159-W Worksheet, and the number of responses annually is 156,000.
- (c) The total annual hourly burden is now estimated to be 39,000 hours because of the inclusion of those respondents filing the FCC Form 159-W and blank Form 159-W

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Worksheet, and is a more accurate estimation of the number of filers for these FCC forms.

There are no other exceptions to the Certification Statement in Item 19 of OMB Form 83-I.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.