

SUPPORTING STATEMENT

A. Justification

1. 47 CFR 76.936 states that a franchising authority must issue a written decision in a rate-making proceeding whenever it disapproves an initial rate for the basic service tier or associated equipment in whole or in part, disapproves a request for a rate increase in whole or in part, or approves a request for an increase in whole or in part over the objections of interested parties. Public notice must be given of any written decision required in this section, including releasing the text of any written decision to the public.

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.

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

2. Franchising authorities are required to issue a written decision in rate-making proceedings pursuant to Section 76.936 so that cable operators and the public are made aware of the results of the proceeding.

3. Use of information technology is not feasible in this situation, as each written decision is unique.

4. This agency does not impose a similar disclosure requirement on the respondents.

5. This information collection requirement does not have a significant impact on a substantial number of small businesses.

6. If the Commission did not require this disclosure, cable operators and the public would have no formal method for learning the results of franchising authority adjudicatory rate-making proceedings.

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

8. The Commission published a Notice (72 FR 57939) in the *Federal Register* on October 11, 2007. No comments were generated as a result of the Notice.

9. There will be no payment or gifts given to respondents.

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 franchising authorities annually issue 1,200 written decisions in rate-making proceedings. We estimate the average burden to both issue the decision and to give public notice to be one hour per occasion.

Total number of annual respondents = 1,200 Franchising Authorities

Total number annual responses = 1,200 Written Decision Rate Making Proceedings/Public Notices

Total annual burden hours = 1,200 Written Decision Documents/Public Notices x 1 hour/document/notice = 1,200 hours

Total Annual "In-house costs": We estimate an average hourly wage of \$30.00 per hour for individuals tasked with issuing the written decision and giving public notice. These estimates are based on Commission staff's knowledge and familiarity with the availability of the data required.

1,200 Written Decision Documents/Public Notices x 1 hour/document/notice x \$30.00 per hour = **\$36,000**

13. Annual Cost Burden:

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

14. There is no cost to the Federal Government.
15. There are no adjustments or program changes.
16. These data will not be published for statistical use.
17. We do not seek approval to not display the expiration date for OMB approval of this information collection.

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

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.