

SUPPORTING STATEMENT

A. Justification:

1. 47 CFR 73.1125(d)(1) requires AM, FM or TV licensees to notify the Commission when the main studio is relocated from one point to another within the locations described in 73.1125(a) or (c) and from a point inside the locations specified in Section 73.1125(a) or (c) to one within those locations.

47 CFR 73.1125(d)(2) requires licensees to receive written authority to locate a main studio outside the locations specified in paragraph (a) or (c) of this section for the first time must be obtained from the Audio Division, Media Bureau for AM and FM stations, or the Video Division for TV and Class A television stations before the studio may be moved to that location. Where the main studio is already authorized at a location outside those specified in paragraph (a) or (c) of this section, and the licensee or permittee desires to specify a new location also located outside those locations, written authority must also be received from the Commission prior to the relocation of the main studio. Authority for these changes may be requested by filing a letter with an explanation of the proposed changes with the appropriate division. Licensees or permittees should also be aware that the filing of such a letter request does not imply approval of the relocation request, because each request is addressed on a case-by-case basis. A filing fee is required for commercial AM, FM, TV or Class A TV licensees or permittees filing a letter request under the section (see Sec. 1.1104 of this chapter).

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 Sections 154(i) and 307(b) of the Communications Act of 1934, as amended.

2. The notification required by 47 CFR 73.1125(d)(1) is used by FCC staff to assure that the station main studio is located within the community of license, principal community contour of any station licensed to its community of license, or 25 miles from the reference coordinates of the center of its community of license. The explanatory letter required by 47 CFR 73.1125(d)(2) will enable FCC staff to determine whether the circumstances are sufficient to warrant a waiver of the Commission's main studio rules.

3. This is a notification requirement. We do not believe the use of information technology is feasible at this time.

4. No other agency imposes a similar information collection on the respondents. There is no similar data available.

5. These requirements do not impose any significant impact on small businesses.

6. The frequency for this collection of information is determined by respondents, as necessary. If we did not collect the information in 47 CFR 73.1125(d)(1), we could not assure that the main studio was located within the community of license, the principal community contour of any station of any service licensed to its community of license or 25 miles from the reference coordinates of the center

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of its community of license. If we did not collect the information in 47 CFR 73.1125(d)(2), we could not determine whether the circumstances were sufficient to justify a waiver of the main studio rules.

- 7. These collections of information are consistent with the guidelines in 5 CFR 1320.5(d)(2).
- 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. A copy of the Notice is attached.
- 9. No payment or gift was provided 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 6 notifications and 66 waiver requests will be filed annually. We expect respondents to use 0.5 hours to process notifications and 2 hours for waiver requests.

Total Number of Annual Respondents: 72 Station Licensees

Total Number of Annual Responses: 6 notifications + 66 waiver requests = 72 responses

Total Annual Burden Hours:

Section 73.1125(d)(1) - 0.5 hours/notification x 6 notifications	=	3 hours
Section 73.1125(d)(2) - 2 hours/notification x 66 waiver requests	=	<u>+132 hours</u>
		135 hours

Total Annual In-House Costs:

We assume that station licensee will prepare the notifications and contract out for the preparation of the waiver request. The respondent will consult with an outside attorney and engineer regarding the waiver requests which will take two hours per waiver request. We estimate that the station licensee's salary is \$70,000/year (\$33.65/hour).

0.5 hours/notification x 6 notifications x \$33.65/hour	=	\$ 100.95
2 hours/notification x 66 waiver requests x \$33.65/hour	=	<u>+ \$4,441.80</u>
		\$4,542.75

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

13. ANNUAL COST BURDEN: The licensee will consult with an engineer and an attorney to prepare the waiver requests. We estimate the engineer's salary at \$150 per hour and the attorney at \$200 per hour. The filing fee is \$895 per waiver request.

66 waiver requests x \$150/hour x 2 hours/waiver request = \$19,800.00
66 waiver requests x \$200/hour x 1 hour/waiver request = \$13,200.00
66 waiver requests x \$895/request/waiver request = \$59,070.00
Total Annual Cost Burden: \$92,070.00

14. Cost to the Federal Government: The notifications(Section 73.1125(d)(1)) will be processed by staff at the GS-5, step 5 level (\$16.50/hour) and staff at the GS-11, step 5 level (\$30.25/hour). The waiver requests (Section 73.1125(d)(2)) will be processed by staff at the GS-13, step 5 level (\$43.12/hour).

0.25 hours x \$16.50/hour x 6 notifications = \$ 24.75
0.25 hours x \$30.25/hour x 6 notifications = \$ 45.38
\$ 70.13
3 hours x \$43.12/hour x 66 waiver requests = \$8,537.76
Total Cost to the Federal Government: \$8,607.89

15. We have adjusted the annual burden cost. This adjustment is due to an increase in the filing fee for the waiver request. There are no program changes.

16. The data will not be published.

17. OMB approval of the expiration date of the information collection will be displayed at 47 C.F.R. Section 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.