

SUPPORTING STATEMENT

This supporting statement duplicates the supporting statement submitted for public comment at the NPRM submission stage in Summer 2007. At the time of the submittal of this emergency PRA approval request all of the information in the supporting statement remains the most current the Commission can offer and is not expected to change in any way at the final Report and Order stage. When the final Report and Order is adopted and released it will be attached to this emergency submittal.

A. Justification:

1. Congress has mandated that after February 17, 2009, full-power television broadcast stations must transmit only in digital signals, and may no longer transmit analog signals.¹ On April 25, 2007, the Commission adopted a Notice of Proposed Rulemaking in the matter of the *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, FCC 07-70, to consider the procedures and rule changes necessary to complete the nation's transition to DTV, including how best to ensure that broadcasters complete construction of their facilities² on their final, post-transition (digital) channel³ by the statutory deadline.

The NPRM proposes that commercial television stations must use the proposed revised Form 301 when:

- Applying for post-transition facilities. The commercial stations that need to construct their post-transition facilities because they will not be using their currently authorized DTV channel for post-transition operations are expected to file after the DTV Table is adopted. The commercial stations that will use their currently authorized DTV channel for post-transition operations but need to change their facilities because they do not have an authorization for their intended operations should also file an application.
- Requesting to reduce analog TV service.
- Requesting to transition early to their post-transition channel.

¹ See Digital Television and Public Safety Act of 2005 ("DTV Act"), which is Title III of the Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120 Stat. 4 (2006) ("DRA") (codified at 47 U.S.C. §§ 309(j)(14) and 337(e)). DTV Act § 3002(a) amends Section 309(j)(14) of the Communications Act to establish February 17, 2009 as a new hard deadline for the end of analog transmissions by full-power TV stations. 47 U.S.C. § 309(j)(14)(A). DTV Act § 3002(b) directs the Commission to "take such actions as are necessary (1) to terminate all licenses for full-power television stations in the analog television service, and to require the cessation of broadcasting by full-power stations in the analog television service, by February 18, 2009; and (2) to require by February 18, 2009, ... all broadcasting by full-power stations in the digital television service, occur only on channels between channels 2 and 36, inclusive, or 38 and 51, inclusive (between frequencies 54 and 698 megahertz, inclusive)." 47 U.S.C.A. § 309 Note.

² A station's "post transition facilities" refers to the details of each station's assignment, including technical facilities and predicted service and interference information.

³ A station's "post-transition channel" is the television channel that it will use for digital broadcasting after the transition deadline (i.e., February 17, 2009). The Commission proposed channel assignments and reference facilities for stations' post-transition operations in a 2006 Notice of Proposed Rule Making in MB Docket No. 87-268. See *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MB Docket No. 87-268, Seventh Further Notice of Proposed Rule Making, 21 FCC Rcd 12100 (2006) ("Seventh FNPRM"). The Seventh FNPRM sets forth a channel for each eligible broadcast TV station in the proposed new DTV Table of Allotments, to be codified at 47 C.F.R. § 73.622(i).

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FCC Form 301 is being revised to accommodate the filing of post-transition applications. **(These proposed revisions to FCC Form 301 need OMB approval).**

FCC Form 301

FCC Form 301 is used to apply for authority to construct a new commercial AM, FM, or TV broadcast station, to make changes in existing facilities of such a station, and may be used to request a change of a station's community of license by AM and non-reserved band FM permittees and licensees.⁴ In addition, FM licensees or permittees may request, by filing an application on FCC Form 301, upgrades on adjacent⁵ and co-channels,⁶ modifications to adjacent channels of the same class, and downgrades to adjacent channels. All applicants using this one-step process must demonstrate that a suitable site exists which would comply with allotment standards with respect to minimum distance separation⁷ and principal community coverage⁸ and which would be suitable for tower construction. For applicants to seek a community of license change through this one-step process, the proposed facility must be mutually exclusive⁹ with the applicant's existing facility, and the new facility must comply with the Commission's standards with respect to minimum distance separation and principal community coverage. Applicants availing themselves of this procedure must also attach to FCC Form 301 an exhibit demonstrating that the proposed community of license change comports with the fair, efficient, and equitable distribution of radio service, pursuant to Section 307(b).¹⁰

To receive authorization for commencement of Digital Television ("DTV") operation, commercial broadcast licensees must file FCC Form 301 for a construction permit. This application may be filed anytime after receiving the initial DTV allotment but must be filed before mid-point in a particular applicant's required construction period. The Commission will consider these applications as minor changes in facilities. Applications will not have to supply full legal or financial qualification information.

This collection also includes the third party disclosure requirement of 47 CFR § 73.3580. This section requires local public notice in a newspaper of general circulation of the filing of all applications for new or major changes in facilities and AM and non-reserved band FM minor change applications to change a

⁴ This is a requirement of the Commission's proposed rulemaking, FCC 05-120. If adopted by the Commission, AM and non-reserved band FM permittees and licensees will be allowed to request a change of a station's community of license by filing FCC Form 301.

⁵ An adjacent channel is a frequency that is 10 kHz (AM) or 200 kHz (FM) from the frequency assigned to a broadcast station. See 47 C.F.R. §§ 73.14, 73.201.

⁶ "Co-channel" means the same frequency as the one assigned to a broadcast station.

⁷ FM broadcast stations of a given class must be located a minimum distance from other FM broadcast stations, which distance depends on the class and frequency of the other stations. These minimum distance separation standards are set forth at 47 C.F.R. § 73.207.

⁸ The Commission's rules require that an FM broadcast station place a 70 dBu signal over the station's entire community of license. See 47 C.F.R. § 73.315(a).

⁹ A proposed facility is mutually exclusive with the existing facility if the proposed facility does not meet the minimum distance separation requirement with the existing facility.

¹⁰ This is a requirement of the Commission's proposed rulemaking, FCC 05-120.

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station's community of license.¹¹ This notice must be completed within 30 days of the tendering of the application. This notice must be published at least twice a week for two consecutive weeks in a three-week period. A copy of this notice must be placed in the public inspection file along with the application.

History:

On June 9, 2005, the Commission adopted a *Notice of Proposed Rulemaking*, Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services, MB Docket No. 05-210, FCC 05-120. The Commission proposed to allow AM and non-reserved band FM permittees and licensees¹² to change their communities of license¹³ by filing minor modification application¹⁴ filed on FCC Form 301. Previously, to change the community of license, AM licensees went through an auction process¹⁵ and FM permittees went through a rulemaking process.

The Commission proposed to revise FCC Form 301 as follows: (1) to encompass the filing of change of community of license applications, (2) to reflect the requirement that applicants provide an exhibit demonstrating that the proposed new community of license comports with the fair, efficient, and equitable distribution of radio service under Section 307(b) of the Communications Act of 1934, as amended, and (3) to add a certification to the form, applicable only to those applicants simultaneously filing a petition or counterproposal to add a new allotment to the FM Table of Allotments¹⁶ that the applicant intends to apply to participate in the auction for the new channel if allotted. On November 29, 2006, the Commission released a Report and Order, FCC 06-163. In this proceeding, the Commission adopted the information collection requirements as proposed in FCC 05-120 (NPRM).

On September 3, 2004, the Court issued an order granting the petition for panel rehearing ("*Rehearing Order*"), allowing the new radio ownership rules to go into effect, thus partially lifting the stay. As a result

¹¹ This is a requirement of the Commission's proposed rulemaking, FCC 05-120.

¹² A "permittee" is a party that has received a construction permit for an AM or FM broadcast station. Once the permittee has constructed the station facilities according to the construction permit, it will file an application for a broadcast license. When the license application is granted, the permittee becomes a licensee.

¹³ Every broadcast station is permitted or licensed to a designated community, the needs and interests of which the station primarily serves. The station is required to place a signal of a certain strength over the entirety of its community of license, and is required to provide programming to serve its community of license. *See, e.g.*, 47 U.S.C. § 307(b); 47 C.F.R. §§ 73.24(i), 73.315(a).

¹⁴ The Commission's rules define those applications that are deemed to propose a major modification to a station's facilities. All other proposed changes are considered minor modification. Examples of major changes currently include an AM station's change of frequency to any other than a first, second, or third adjacent channel. Examples of minor changes include certain changes of transmitter power, antenna location, and antenna height. Currently, changes of community of license are considered to be major changes. *See* 47 C.F.R. §§73.3571(a), 73.3573(a).

¹⁵ In the Balanced Budget Act of 1997, Pub. L. No. 105-33, 111 Stat. 251, § 3002(a) (1997) (codified at 47 U.S.C. § 309(j)(4)(F)), Congress mandated that the Commission select commercial broadcast permittees by means of competitive bidding. Accordingly, applicants for new commercial broadcast facilities must file FCC Form 175, Application to Participate in an FCC Auction, and must comply with the Commission's auction procedures for that broadcast service. Applicants proposing major modifications to AM facilities must also apply on FCC Form 175 and comply with auction procedures. *See Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses, First Report and Order*, 13 FCC Rcd 15920, 15925-26 (1998) ("*Broadcast First Report and Order*"), *on recon.*, *Memorandum Opinion and Order*, 14 FCC Rcd 8724 (1999), *on further recon.*, *Memorandum Opinion and Order*, 14 FCC Rcd 14521(1999).

¹⁶ 47 C.F.R. § 73.202. The FM Table of Allotments lists the communities in the United States and territories to which FM channels have been allotted. The FM Table of Allotments also lists the channels and power classes that have been allotted to those communities.

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of the *Rehearing Order*, the new radio ownership rules took effect on September 3, 2004. The other new ownership rules remain subject to the stay.

Under the new radio ownership rules, radio Joint Sales Agreements (JSAs) are attributable.¹⁷ Parties with attributable radio JSAs at the time of filing an FCC Form 301 will now be required to file a copy of the JSA with the Commission as part of the application.

With respect to pending radio station applications, applicants will be required to amend their applications by submitting attributable JSAs. Radio applicants are also required to submit as part of FCC Form 301 a copy of any attributable "time brokerage agreement"¹⁸ (also known as a "local market agreement") for the subject station, or if the assignee or party to the application is the holder of an attributable LMA with any other station in the same market as the subject station.

In a June 24, 2004, Opinion and Judgment ("*Remand Order*"), the Court held that certain changes to the ownership rules in the *R&O* – specifically:

- (1) using Arbitron Metro markets to define local radio markets;
- (2) including noncommercial stations in determining the size of a radio market;
- (3) attributing joint sales agreements¹⁹ to a brokering radio station's ownership totals; and
- (4) imposing a transfer restriction – are constitutional and consistent with the Administrative Procedure Act, 5 U.S.C. § 706(2).

The Court required further explanation for all other aspects of the new ownership rules. The Commission has not yet responded to the *Remand Order*, but did file a petition for panel rehearing requesting that the Court lift the stay partially – *i.e.*, with respect to the radio ownership rules which the Court's *Remand Order* upheld.

On June 2, 2003, the Commission adopted new media ownership rules for the radio and television services in *Report and Order and Notice of Proposed Rulemakings*, In the Matter of 2002 Biennial Regulatory Review - Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 02-277, Cross-Ownership of Broadcast Stations and Newspapers, MM Docket No. 01-235, Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets, MM Docket No. 01-317, Definition of Radio Markets, MM Docket No. 00-244, and Definition of Radio Markets for Areas Not Located in an Arbitron Survey Area, MB Docket No. 03-130, 18 FCC Rcd 13620 ("*2003 R&O and NPRM*").

In this 2003 *R&O and NPRM*, the Commission complied with the statutory mandate to review, reassess, and recalibrate its broadcast ownership rules every two years. The Commission concluded that neither an absolute prohibition on common ownership of daily newspapers and broadcast outlets in the same market, nor an absolute prohibition on common ownership of radio and television outlets in the same market, remained necessary in the public interest. With respect to both of these rules, the Commission found that the ends sought could be achieved with more precision through modified cross-media limits.²⁰ The *R&O* also revised the methodology for defining radio markets and counting stations for purposes of the local

¹⁷ "Attributable" means that the station is counted against the applicant's numerical ownership limit in the market pursuant to 47 CFR § 73.3555.

¹⁸ "Time brokerage," also known as "local marketing," is the sale by a broadcast licensee of discrete blocks of time to a "broker" that supplies the station with programming to fill that time and sells the commercial spot announcements in that block. See also 47 CFR § 73.3613.

¹⁹ A JSA is an agreement authorizing a broker to sell advertising time for the brokered station in return for a fee paid to the licensee.

²⁰ Cross-media ownership issues include, for example, the common ownership of broadcast stations and a newspaper in the same market.

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radio ownership rule, revised the local television multiple ownership rule, modified the national television ownership cap, and retained the dual network rule.²¹ The 2003 NPRM addressed the issue of defining radio markets for areas of the country where Arbitron Metros²² are not defined.

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), 303 and 308 of the Communications Act of 1934, as amended.

2. The data is used by FCC staff to determine whether the applicants meet basic statutory requirements to become a Commission licensee/permittee and to assure that the public interest would be served by grant of the application.

3. The Commission requires applicants to file FCC Form 301 electronically.²³

4. This agency does not impose 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. The Commission has limited the information requirements to those that are absolutely necessary for evaluating and processing the amendments to determine the community having the greater need and to deter possible abuses of the processes. Therefore, this information collection will not have a significant economic impact on small entities/businesses.

6. The frequency for filing the DTV station application will vary depending on the market. For all other uses of FCC Form 301, the frequency of filing is determined by the respondents. However, no new or modified AM, FM, TV or DTV facilities can be obtained without using FCC Form 301.

7. This collection of information is consistent with the guidelines in 5 CFR § 1320.5(d)(2).

8. The Commission submitted the Notice of Proposed Rulemaking and Federal Register Notice (“Notice”) to the Federal Register for publication. The Notice will seek public comment on the collection of information in this supporting statement.

9. No payment or gift was provided to respondents.

²¹ A television broadcast station may affiliate with a person or entity that maintains two or more networks of television broadcast stations unless such dual or multiple networks are comprised, as of February 8, 1996, of ABC, CBS, Fox and NBC. This “dual network” rule essentially prohibits any person or entity from owning two or more of the top four television networks. See 47 C.F.R. Section 73.658(g).

²² The Arbitron Method uses the Metro Survey Areas (Arbitron Metros) established by Arbitron for determining compliance with the FCC’s multiple ownership rules in Arbitron-rated radio markets. Arbitron has defined Arbitron Metros for most of the more populated areas of the country. An Arbitron radio market can consist of up to three geographic areas: Metro Survey Area (Metro or MSA), Total Survey Area (TSA) and, if applicable, and Designated Market Area (DMA).

²³ On February 2, 2001, the Commission released Public Notice DA 01-283 announcing the mandatory electronic filing of FCC Form 301. Mandatory electronic filing for this form began on February 15, 2001. Paper-filed copies of FCC Form 301 will be accepted only if accompanied by an appropriate request for waiver of the electronic filing requirement. Filers must plead with particularity the facts and circumstances warranting grant of a waiver. Waivers will not be routinely granted.

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10. There is no need for confidentiality.

11. This information collection does not address any private matters of a sensitive nature.

12. The following estimates are provided for public burden for this information collection:

<u>Services</u>	<u>Number of</u>	<u>Applicants</u>
AM New & Major	451	
AM Minor Change With AM Multiple Ownership Showings	250	
AM Community of License Minor Change Applications	275	
	70	
FM New & Major	288	
FM Minor Change With FM Multiple Ownership Showings	1,200	
FM Community of License Minor Change Applications	264	
	50	
TV Minor Change	200	
DTV With TV Multiple Ownership Showings	1,210 ²⁴	
	20	
Total Number of Respondents:	4,278 Licensees/Permittees	

<u>Number of</u> <u>Services</u>	<u>Respondent's</u> <u>Applications</u>	<u>Annual</u> <u>Hrly. Burden</u>	<u>Burden Hours</u>
AM New & Major	451	3 hours	1,353 hours
AM Minor Change With AM Multiple Ownership Showings	250	2 hours	500 hours
AM Community of License Minor Change Applications	275	4 hours	1,100 hours
	70	3 hours	210 hours
FM New & Major	288	3 hours	864 hours
FM Minor Change With FM Multiple Ownership Showings	1,200	2 hours	2,400 hours
	264	4 hours	1,056 hours

²⁴ The NPRM, FCC 07-70, adds an additional 960 licensees/permittees to this information collection.

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FM Community of License Minor Change Applications	50	3 hours	150 hours
TV Minor Change	200	2 hours	400 hours
DTV With TV Multiple Ownership Showings	1,210 ²⁵	2 hours	2,420 hours ²⁶
	<u>20</u>	3 hours	<u>60 hours</u>
Totals:	4,278		10,513 hours
	(responses)		

Total Number of Responses: 4,278 FCC Form 301 Filings

Total Annual Burden Hours: 10,513 hours

We assume that the respondent would consult with an outside attorney and a consulting engineer to complete an FCC Form 301. The time spent in consultation with these attorneys and consulting engineer will vary depending upon the application type.

We also estimate that the respondent would spend 2 hours in consultation with a consulting engineer in the preparation of a multiple ownership analysis in connection with an application, or a waiver of the multiple ownership rules and cross-ownership rules.

We estimate that the respondent would have an average salary of \$70,000/year (\$33.65/ hour)

Services	Number of Applications	Respondent's Hrly. Burden	Hrly. Wage of Respondent	Annual In-House Cost
AM New & Major	451	3 hours	\$33.65	\$45,528.45
AM Minor Change	250	2 hours	\$33.65	\$16,825.00
AM Ownership Showings	275	4 hours	\$33.65	\$37,015.00
AM Community of License Change	70	3 hours	\$33.65	\$ 7,066.50
FM New & Major	288	3 hours	\$33.65	\$29,073.60
FM Minor Change	1,200	2 hours	\$33.65	\$80,760.00
FM Ownership Showings	264	4 hours	\$33.65	\$35,534.40
FM Community of License Change	50	3 hours	\$33.65	\$ 5,047.50
TV Minor Change	200	2 hours	\$33.65	\$13,460.00
DTV TV Multiple Ownership Showings	1,210 ²⁷	2 hours	\$33.65	\$81,433.00 ²⁸
	20	3 hours	\$33.65	<u>\$ 2,019.00</u>

²⁵ The NPRM, FCC 07-70, adds an additional 960 applications to this information collection.

²⁶ The NPRM, FCC 07-70, adds an additional 1,920 hours to this information collection.

²⁷ The NPRM, FCC 07-70, adds an additional 960 applications to this information collection.

²⁸ The NPRM, FCC 07-70, adds an additional \$64,608 In-House Cost to this information collection.

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Total Annual "In House" Cost: \$353,762.45

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

13. We assume that the applicant would use an attorney (\$200/hour) and a consulting engineer (\$150/hour) to complete the FCC Form 301.

All applicants must complete Item 4 regarding the multiple ownership rules and cross-ownership rules, and submit at least a textual explanation in response.

We expect that the vast majority (90% or more) of applicants will need to submit a very brief narrative response explaining rule compliance, and such explanations will require insignificant amounts of additional attorney and engineering time. The remainder will need to submit an expansive "showing" of compliance under our rules, including a contour overlap study where applicable.

We estimate that applications that require expansive multiple ownership showings will require two additional hours of an engineer's time and ten additional hours of an attorney's time.

An AM, FM, or TV applicant must give local public notice of the filing of its application for a new station or for a major change in facilities. Additionally, in the *2005 Allocations NPRM*, the Commission proposed that AM and non-reserved band FM minor change applicants for changes of community of license be required to give local public notice. This notice must be published in a local newspaper of general circulation at least twice a week for two consecutive weeks in a three-week period. The cost of this publication is estimated to be \$113.25.

<u>Services</u>	<u>Hrly. Wage of Consultant</u>	<u>Consultant's Hrly. Burden</u>	<u>Number of Applications</u>	<u>Annual Cost Burden</u>
<u>AM:</u>				
New & Major	\$200	6 hours	451	\$ 541,200
	\$150	89 hours	451	\$6,020,850
Minor Change	\$200	1 hour	250	\$ 50,000
	\$150	88 hours	250	\$3,300,000
Multiple Ownership Showings	\$200	16 hours	275	\$ 880,000
	\$150	91 hours	275	\$3,753,750
Community of License Change	\$200	7 hours	70	\$ 98,000
	\$150	90 hours	70	\$ 945,000
<u>FM:</u>				
New & Major	\$200	6 hours	288	\$ 345,600
	\$150	70 hours	288	\$3,024,000
Minor Change	\$200	1 hour	1,200	\$ 240,000

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	\$150	69 hours	1,200	\$12,420,000
Multiple Ownership	\$200	26 hours	264	\$1,372,800
Showings	\$150	72 hours	264	\$2,851,200
Community of License	\$200	1 hour	50	\$ 10,000
Change	\$150	70 hours	50	\$ 525,000
TV:				
Minor Change	\$200	1 hour	200	\$ 40,000
	\$150	45 hours	200	\$1,350,000
DTV:				
	\$200	1 hour	1,210 ²⁹	\$ 242,000 ³⁰
	\$150	34 hours	1,210	\$6,171,000 ³¹
Multiple Ownership	\$200	11 hours	20	\$ 44,000
Showings	\$150	47 hours	20	\$ 141,000
Total AM/FM TV and DTV:				\$44,365,400

Fees:	Number of Applications	Fee Cost	Total Fee Cost
AM New & Major	451	\$3,310	\$1,492,810
AM Minor Change	250	\$ 830	\$ 207,500
AM Multiple Ownership Showings	275	\$3,310	\$ 910,250
AM Community of License Change	70	\$ 830	\$ 58,100
FM New & Major	288	\$2,980	\$ 858,240
FM Minor Change	1,200	\$ 830	\$ 996,000
FM Multiple Ownership Showings	264	\$2,980	\$ 786,720
FM Community of License Change	50	\$ 830	\$ 41,500
TV Minor Change	200	\$ 830	\$ 166,000
DTV	1,210	\$ 830	\$ 1,004,300 ³²

²⁹ The NPRM, FCC 07-70, adds an additional 960 applications to this information collection.

³⁰ The NPRM, FCC 07-70, adds an additional \$192,000 to the total annual cost for this information collection.

³¹ The NPRM, FCC 07-70, adds an additional \$4,896,000 to the total annual cost for this information collection.

³² The NPRM, FCC 07-70, adds an additional \$796,800 to the total annual cost for this information collection.

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TV Multiple Ownership Showings	20	\$3,720	\$ 74,400
		Fee Total:	\$6,595,820

859³³ new/major/community of license change applications x 4 x \$113.25 = **\$389,127** in publication costs

Annual Cost Burden: \$44,365,400 + 6,595,820 + \$389,127 = **\$51,350,347**

14. The Commission will use legal and engineering staff at the GS-14/Step 5 level (\$50.95/hour), paraprofessional staff at the GS-11/Step 5 level (\$30.25/hour), and clerical staff at the GS-5 level/Step 5 level (\$16.50/hour) to process these applications.

New & Major Change AM/FM/TV Applications = 739³⁴

739 applications x \$50.95/hour x 40 hours =	\$1,506,082.00
739 applications x \$50.95/hour x 20 hours =	\$ 753,041.00
739 applications x \$30.25/hour x 1 hour =	\$ 22,354.75
739 applications x \$16.50/hour x 2 hours =	<u>\$ 24,387.00</u>
	\$2,305,864.75

Minor AM Applications = 250

AM Multiple Ownership Showings = 275

AM Community of License Change Minor Applications = 70

(No GS-14 Step-5 legal review required)	
595 applications x \$50.95/hour x 30 hours =	\$909,457.50
(No GS-11 Step-5 paraprofessional review required)	
595 applications x \$16.50/hour x 2 hours =	<u>\$ 19,635.00</u>
	\$929,092.50

Minor FM Applications = 1,200

FM Multiple Ownership Showings = 264

FM Community of License Change Minor Applications = 50

(No GS-14 Step 5 legal review required)	
1,514 applications x \$50.95/hour x 20 hours =	\$1,542,766.00
(No GS-11 Step 5 paraprofessional review required)	
1,514 applications x \$16.50/hour x 2 hours =	<u>\$ 49,962.00</u>
	\$1,592,728.00

Minor TV Applications = 200

DTV Applications = 1210

DTV Multiple Ownership Showings = 20

(No GS-14 Step 5 legal review required)	
1430 applications x \$50.95/hour x 20 hours =	\$1,457,170.00

³³ This number was calculated as follows: 451 AM New & Major Applications + 288 FM New & Major Applications + 70 AM Community of License Change Applications + 50 FM Community of License Change Applications = 859 Applications.

³⁴ This number was calculated as follows: 451 AM New & Major Applications + 288 FM New & Major Applications = 739 Applications.

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1430 applications x \$30.25/hour x 6 hours =	\$ 259,545.00
1430 applications x \$16.50/hour x 2 hours =	\$ 47,190.700
	\$1,763,905.00

Total Cost to the Federal Government: \$6,591,590.25

15. On April 25, 2007, the Commission adopted a Notice of Proposed Rulemaking (NPRM) in the matter of the *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, FCC 07-70. The NPRM impacts on this information collection by proposing to require commercial television stations to use the proposed revised FCC Form 301 when applying for post-transition facilities, when requesting to reduce analog TV services, and when requesting to transition early to their post-transition channel. These proposed requirements add a program change of +1,920 hours to the annual burden hours and +\$5,884,347 to the annual cost burden.

16. The data will not be published.

17. We request extension of the waiver not to publish the expiration date on the form. This will obviate the need for the Commission to update electronic forms upon the expiration of the clearance. OMB approval of the expiration date of the information collection will be displayed at 47 CFR § 0.408.

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

B. Collections of Information Employing Statistical Methods

This information collection does not employ any statistical methods.