

December 21, 2007

Kevin Neyland
Deputy Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Neyland:

The Federal Communications Commission requests clearance under the “emergency processing” provisions of the Paperwork Reduction Act of 1995 (5 CFR 1320.13) for the information collection OMB Control Number 3060-0029 - Application for TV Broadcast Station License, Form FCC 302-TV; Application for DTV Broadcast Station License, FCC Form 302-DTV, Application for Construction Permit for Reserved Channel Noncommercial Educational Broadcast Station, FCC Form 340; Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station, FCC Form 349. We request approval within five workdays after the Commission’s Report and Order is released to the public.

The Commission is seeking emergency approval from OMB for this collection based, in part, on the prior submission for OMB approval of this information collection requirement. This collection, as adopted, has not been substantively changed since its previous submission at the NPRM stage.

The DTV transition affects virtually every segment of the television industry and every American who watches television. Congress has mandated that after February 17, 2009, full-power television broadcast stations must transmit only digital signals and may no longer transmit analog signals. The Commission has no discretion to waive or change this statutory deadline. This information collection requirement is critical to ensure that full-power television broadcast stations meet their statutory responsibilities and can begin operations on their final, post-transition (digital) channels by their construction deadlines. Stations that are not ready to commence digital operations upon expiration of the statutory transition deadline may be forced to go dark, potentially resulting in significant loss of television service to the American public and significant harm to the broadcast TV industry and the U.S. economy. In addition, the DTV transition will enable the recovery of spectrum for critically important public safety needs and new wireless services.

Emergency OMB approval is necessary for this collection to ensure that full-power noncommercial educational television stations are able to complete their transition from analog to digital service by February 17, 2009. For stations that must apply for a construction permit to build their post-transition facilities, it is essential that the procedures and forms be effective and available for filing no later than five workdays after release of the Report and Order to afford adequate time for ordering equipment and scheduling construction in time to meet this deadline. Because these forms have previously been submitted to OMB and because any delay can result in harm to television stations, and, in turn, to their viewers, we find that there is good cause to expedite the effective date of this rule and obtain emergency PRA approval from OMB.

My staff is ready to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB’s approval of this emergency request within the time we have requested.

Mindy Ginsburg
Deputy Managing Director

Federal Communications Commission