

SUPPORTING STATEMENT

A. Justification:

1. Applicants applying for an FCC license to operate a new or modified experimental radio station are required to file FCC Form 442, under 47 CFR §§ 5.55(a)-(c), and 5.59 of the FCC Rules and Regulations.

Among the technical and applicant information that FCC Form 442 requires applicants to provide are:

- (a) Whether the application is an addition or modification/replacement of the parameters in the current authorization: frequency, emission, power, and location of their experimental radio station;
- (b) Particulars of operation: emission, modulating signal, and necessary bandwidth (KHz);
- (c) Proposed location of transmitter and transmitting antenna: fixed/base, mobile, or based and mobile;
- (d) Is a directional antenna (other than radar used)?
- (e) Will the authorization be used to fulfill a government contract requirement with a Federal agency?
- (f) Will the authorization be used exclusively to develop radio equipment for export for use under a foreign government's jurisdiction?¹
- (g) Is this authorization to provide essential communications in a research project?
- (h) Estimate the time needed to complete this project;
- (i) Would granting authorization to this project fall under 47 CFR § 1.1307 of FCC Rules and have a significant environmental impact?²
- (j) Provide the manufacturer, model number, and number of unites for the transmitting equipment, and indicate:
 - (i) Is it experimental?
 - (ii) Is it capable of station identification?

¹ In accordance with 47 CFR § 5.3(b), applicants may request an experimental license exclusively to develop radio equipment for export. If the frequencies requested are allocated for Federal Government use, then those frequencies are coordinated with the National Telecommunications and Information Agency at the U.S. Department of Commerce.

² In accordance with 47 CFR § 5.53(c), an environmental assessment as defined in § 1.1311 must be submitted with the application if installation and/or operation may significantly impact the environment as described under § 1.1307.

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- (k) Will the antenna extend more than six meters above ground and/or be mounted on an existing structure or building?
- (l) Who is the applicant: an individual, association, partnership, corporation, or other?
- (m) Is the applicant a foreign government or a representative thereof?
- (n) Has the applicant had an FCC license or permit previously revoked?
- (o) Will the applicant own and operate the station?

The Commission is requesting an extension (no change in reporting or recordkeeping requirements) in order to obtain the full three year clearance from the Office of Management and Budget (OMB).

The Commission has authority for this information collection pursuant to Secs. 4, 302, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 302, 303. Interpret or apply sec. 301, 48 Stat. 1081, as amended; 47 U.S.C. 301.

As noted on the OMB Form 83-I, this information collection does not affect individuals or household; thus, there are no impacts under the Privacy Act.

2. The Commission's information technician and engineering staff use the data supplied by this form:
 - (1) to determine if the applicant is eligible for an experimental license,
 - (2) to state the purpose of the experiment,
 - (3) to comply with the requirements of 47 CFR Part 5 of the FCC rules, and
 - (4) if the proposed operation will cause interference to existing operations.

The FCC could not grant an experimental license without the information contained on this form.

3. On August 23, 2003, the Commission released an *Order* "Amendment of Part 5 of the Commission's rules to Require Electronic Filing of Applications for Experimental Radio Licenses and Authorizations," FCC 03-207, 68 FR 59335, October 15, 2003.
 - (a) Mandatory electronic filing of applications for Experimental Radio licenses, including FCC Form 442 commenced on January 1, 2004. This change is reflected in the amendments to Part 5 of the Commission's rules, 47 CFR §§ 5.1-5.125.
 - (b) The Commission will not accept the paper version of FCC Form 442 unless it is accompanied by an appropriate request for waiver of the electronic filing requirement.
4. The FCC is the only agency that issues licenses to non-government applicants. Therefore, no duplication exists.

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5. The information collected is the minimum required by the FCC to make the determination to issue an experimental license. The same information is required regardless of the type of applicant. This information collection is only required for new or modified requests for a station license.
6. If the collection is not conducted, the information will not be available elsewhere in the Federal Government.
7. This collection of information is consistent with the specified guidelines in 5 CFR § 1320.6.
8. The Commission published a notice in the *Federal Register* (73 FR 14986) soliciting comments on March 20, 2008. No comments were received as a result of the notice. A reference to the notice is included in the submission in ROCIS.
9. No payment or gift is provided to the respondents.
10. Applicants may request that any information supplied be withheld from public inspection, pursuant to 47 CFR § 0.459 of the FCC's rules. This request must be justified pursuant to 47 CFR § 0.457.
11. No sensitive information is required for this collection.
12. There are approximately 200 respondents per year, averaging 1.4 responses per respondent, per year:
 - (a) We estimate that it will take an applicant (respondent) approximately three hours to read the directions, to perform any necessary calculations, to answer the questions regarding significant environmental impact, to describe the program of experimentation, and to read the instructions for the fee processing data.
 - (b) The estimated time to type information into FCC Form 442 on the FCC Internet Web page www.fcc.gov is 1 hour. The Electronic Filing System (ELS) automatically generates the date/data when the application is created by the applicant known as the "Date Entered" and another date known as "Receipt Date" when it is submitted by the applicant for processing.
 - (c) Therefore, the average estimated time required to complete the form is 4 hours:
3 hours/reading & reviewing form +1 hour/entering data into the system = **4 hours**.

Total Number of Respondents: 200 applicants.

Total Number of Responses Annually: 200 applicants (respondents) x 1.4 responses/applicant = **280 responses/year**.

Since some applicants may file more than one FCC Form 442 annually, the Commission has estimated the number of FCC Form 442s file annually with an average of 1.4 responses.

Total Annual Hourly Burden: 200 applicants x 1.4 applications x 4 hours = **1,120 total annual burden hours**.

13. (a) Total annualized capital/startup costs: None.

(b) Total annual costs (O&M): **\$18,000.00**

Each application must include a \$60.00 application fee. There is a \$120.00 fee per application if the applicant requests confidentiality.

Applicants file 280 FCC Form 442 applications annually x \$60.00 filing fee(s) per application; 7.5% or 20 of those applications will request confidentiality, and the fee for confidentiality is \$120.00 filing fee per application:

$$260 \text{ applications} \times \$60.00 = \$15,600.00$$

$$20 \text{ applications} \times \$120.00 = \$2,400.00$$

$$\$15,600.00 + \$2,400.00 = \mathbf{\$18,000.00}$$

(c) Total annualized cost requested: **\$18,000.00**

14. We make the following estimates for the total annual cost to the Federal Government:

(a) The Commission will use a Supervisory Electronics Engineer (GS-15: \$62.83/hour), 3 FCC staff Engineers (GS 14: \$53.42/hour), 3 FCC staff Engineers (GS 12: \$33.54/hour), an FCC Staff Information Technician (GS 7: \$21.43/hour).

(b) These FCC staff will spend approximately one-quarter of their annual work time or 2,080 x 0.25 = 520 hours. Thus, the annual cost is estimated as follows:

Sup. Electronics Engineer at \$62.83/hr.	\$62.83 x 520 =	\$32,671.60
Engineer at \$53.42/hr.	\$53.42 x 520 =	\$27,778.40
Engineer at \$53.42/hr.	\$53.42 x 520 =	\$27,778.40
Engineer at \$53.42/hr.	\$53.42 x 520 =	\$27,778.40
Engineer at \$33.54/hr.	\$33.54 x 520 =	\$17,440.80
Engineer at \$33.54/hr.	\$33.54 x 520 =	\$17,440.80
Engineer at \$33.54/hr.	\$33.54 x 520 =	\$17,440.80
Information Technician at \$21.43/hr.	\$21.43 x 520 =	<u>\$11,143.60</u>
		\$179,472.80

30% Overhead \$53,841.84

Total Annual Cost to the Federal Government **\$233,314.64***
***rounded to \$233,315.**

15. The Commission notes that there is an adjustment for this collection of information – the application filing fee for FCC Form 442 has increased to \$60.00 or \$120.00 when filing FCC Form 442.

16. The information collection will not be published.

17. The Commission is requesting a continued waiver from displaying the OMB expiration date on FCC Form 442. Granting this waiver will prevent the Commission from destroying the existing stock of forms, upon OMB approval of this information collection. The Commission will use an edition date in lieu of the OMB expiration date. Finally, the Commission displays all OMB-approved information collections in 47 CFR 0.408.
18. There are exceptions to the certification statement, identified in Item 19 of the OMB form 83-I. When the Commission published the 60 day Federal Register Notice, we incorrectly reported the total annual cost as \$17,000 rather than \$18,000. The increase adjustment is + \$1,000 due to an increase in application fees.

B. Collections of Information Employing Statistical Methods:

This collection of information does not employ statistical methods.