

**SUPPORTING STATEMENT**

**A. Justification:**

1. The Commission adopted on September 9, 2004, the *Report and Order (R&O)*, In the Matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations, MB Docket No. 03-185, FCC 04-220. The following rule sections which contain information requirements were adopted:

47 CFR Section 74.703(f) states that a licensee of a digital low power TV (LPTV) or TV translator station operating on a channel from 52-69 is required to eliminate at its expense any condition of interference caused to the operation of or services provided by existing and future commercial or public safety wireless licensees in the 700 MHz bands. The offending digital LPTV or translator station must cease operations immediately upon notification by any primary wireless licensee, once it has been established that the digital low power TV or translator station is causing the interference.

47 CFR Section 74.703(g) states that an existing or future wireless licensee in the 700 MHz bands may notify (certified mail, return receipt requested), a digital low power TV or TV translator operating on the same channel or first adjacent channel of its intention to initiate or change wireless operations and the likelihood of interference from the low power TV or translator station within its licensed geographic service area. The notice should describe the facilities, associated service area and operations of the wireless licensee with sufficient detail to permit an evaluation of the likelihood of interference. Upon receipt of such notice, the digital LPTV or TV translator licensee must cease operation within 120 days unless: (1) It obtains the agreement of the wireless licensee to continue operations; (2) the commencement or modification of wireless service is delayed beyond that period (in which case the period will be extended); or (3) the Commission stays the effect of the interference notification, upon request.

47 CFR 74.703(h) requires in each instance where suspension of operation is required, the licensee shall submit a full report to the FCC in Washington, DC, after operation is resumed, containing details of the nature of the interference, the source of the interfering signals, and the remedial steps taken to eliminate the interference.

The Commission is requesting an extension of this information collection in order to receive the full three year OMB approval/clearance for the 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 154(i) of the Communications Act of 1934, as amended.

2. The data is used by FCC staff to determine that the licensee has eliminated all interference caused by operation of their station.
3. We do not believe the use of information technology is feasible in this situation.
4. No other agency imposes a similar information collection on the respondents. There is no similar data available.
5. This information collection does not impose any significant impact on small businesses.
6. The frequency for this collection of information is determined by respondents, as necessary.
7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).
8. The Commission published a Notice (73 FR 14987) on March 20, 2008. No comments were generated as a result of the Notice.
9. No payment or gift was provided to the respondent.
10. There is no need for confidentiality with this information collection.
11. This collection of information does not address any private matters of a sensitive nature.
12. We estimate that 100 licensees of low power TV or TV translator stations will spend time with the consulting engineer to provide information to the engineer for the notifications of interference and/or reports concerning interference. The average hour burden is 2 hours of consulting time per notification/report for the licensee. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

**Total Number of Respondents: 100 Licensees**

**Total Number of Responses:** Section 74.703(f) - 100 Notifications  
Section 74.703(g) - 100 Notifications  
Section 74.703(h) - 10 Reports  
**210 Notifications/Reports**

**Total Annual Burden Hours:**

210 notifications/reports x 2 hours/notice/report/licensee/annum/consultation time = **420 hours**

**Annual "In-House" Cost:** We estimate that 100% of the licensees would use a consulting engineer to identify the source of interference and to eliminate interference. We estimate that the licensee would spend 2 hours in consultation with this consulting engineer to provide information

for the notices/reports. The licensee is estimated to have an average salary of \$100,000/year (\$48.08/hour).

200 interference notices x 2 hours consulting time x \$48.08/hour = \$19,232.00  
10 interference reports x 2 hours consulting time x \$48.08/hour = \$ 961.60  
**Total Annual "In-House" Cost: \$20,193.60**

13. Annual Cost Burden: We estimate that it would take approximately 8 hours for a consulting engineer to resolve interference issues and prepare reports and notifications for the licensee. This consulting engineer would have an average salary of \$150/hour.

200 interference notifications x 8 hours<sup>1</sup>/notification x \$150/hour = \$240,000  
10 reports x 8 hours/report x \$150/hour = \$ 12,000  
**Total Annual Cost Burden: \$252,000**

14. Cost to the Federal Government: The Commission will use professional staff at the GS-11, step 5 grade level (\$31.61/hour) and clerical staff at the GS-5, step 5 grade level (\$17.24/hour) to process these reports.

10 reports x 8 hours/report x \$31.61/hour = \$2,528.80  
10 reports x 2 hours/report x \$17.24/hour = \$ 344.80  
**Total Cost to the Federal Government = \$2,873.60**

15. There are no program changes. There are adjustments of -1,000 to the total annual burden hours and -600,000 to the total annual cost burden which are due to decreases in the total annual respondents and responses for this information collection.

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. The Commission published a Federal Register Notice on March 20, 2008 (73 FR 14987) seeking public comment on the information collection requirements contained in this supporting statement. Third party disclosure requirement was omitted from the notice. It is a requirement that should be included in this information collection. Also, the estimated time per response is 2 hours instead of 10 hours. There are no other exceptions to Item 19 of the Certification Statement.

## B. Collections of Information Employing Statistical Methods

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<sup>1</sup> This time includes time that is needed for the consultant to identify and resolve interference issues and prepare the necessary notifications for the licensee.

**OMB Control Number: 3060-0236**  
**Title: Section 74.703, Interference**

**June 2008**

No statistical methods are employed.