

SUPPORTING STATEMENT

A. Justification:

1. Section 95.861(c) requires that licensees in the 218-219 MHz service must provide a copy of its plan to every TV Channel 13 station whose Grade B predicted contour overlaps the licensed service area as required by §95.815(a) of the Commission's rules. This plan must include an analysis of the co- and adjacent channel interference potential of proposed systems in the 218-219 MHz service, identify methods being used to minimize interference, and show how the proposed systems will meet the service requirements set forth in § 95.831 of the Commission's rules. This plan must be sent to the TV Channel 13 licensee(s) within 10 days from the date the 218-219 MHz service licensee submits the plan to the Commission. Updates to this plan must be sent to the TV Channel 13 licensee(s) within 10 days from the date that such updates are filed with the Commission pursuant to § 95.815.

Section 95.861(e) requires that each 218-219 MHz service licensee investigate and eliminate harmful interference to television broadcasting and reception, from its component cell transmitter stations (CTSs) and response transmitter units (RTUs) within 30 days of the time it is notified in writing, by either an affected television station, an affected viewer, or the Commission, of an interference complaint.

As noted on the Form OMB 83-I, this information collection does not affect individuals or households. Thus, this information collection is not impacted by the Privacy Act¹.

Statutory authority for this collection of information is contained in 47 U.S.C. §§ 151, 154(i) and 157, as amended.

2. This information will be used to monitor the co- and adjacent channel interference potential of proposed systems in the 218-219 MHz service, to identify methods being used to minimize interference, and show how the proposed systems will meet the service requirements set for in § 95.831 of the Commission's rules.
3. Prior to finalizing rule makings, the Wireless Telecommunications Bureau (Bureau) conducts an analysis to ensure that improved information technology may be used to reduce the burden on the public. This analysis uses current data in the Bureau's Universal Licensing System (ULS) to account for the number of

¹ OMB Memorandum M-03-22, Memorandum for Heads of Executive Departments and Agencies, *OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002*, September 26, 2003.

licensees affected by § 95.861 of the Commission's rules, in addition to an estimated number of licensees affected, resulting from a possible upcoming auction to be held during the next collection period.

4. No other federal agency collects this data.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing applications and to deter against possible abuses.
6. The plan or updates must be sent to Channel 13 licensees within 10 days from the date the 218-219 MHz service submits the plan, and any update to the plan, to the Commission.
7. Current data collection is consistent with 5 C.F.R. § 1320.8.
8. The 60 day notice was published in the Federal Register on June 30, 2008, 73 FR 36869. No comments in this proceeding were filed. A reference to this notice is included in the submission to the OMB.
9. Respondents will not receive any payments.
10. There is no need for confidentiality.
11. This collection does not address any private matters of a sensitive nature.
12. A review of the current ULS database indicates that all licensees in the 218-219 MHz service are beyond the initial renewal deadline and were required to provide service within the prior collection period or earlier. The Commission estimates that a possible re-auction of 563 licenses previously canceled because of voluntary request, non-construction, or failure to make required payments could occur during the next collection period. Licenses awarded pursuant to any such auction would be subject to the requirements of § 95.861 and we therefore estimate that 563 licenses may be subject to the filing requirements. Further, the Commission estimates that these engineers/technical advisors will need approximately thirty minutes, per notification, to meet this requirement.

$$563 \text{ (entities)} \times 0.5 \text{ (hours)/notification} = 282 \text{ hours.}$$

Total Annual Burden is: 282 hours.

13. Cost to Repondents. The Commission estimates that each entity will hire outside contract engineers/technical advisors to meet this requirement at a cost of \$60.00 an hour. Again, the Commission estimates that it will take these

engineers/technical advisors approximately thirty minutes, per notification, to meet this requirement.

$$282 \text{ (hours)} \times \$60.00 \text{ (eng./technical advisor)} = \$16,920.00$$

Total Annual Cost Burden is: \$16,920 (rounded to \$17,000).

14. Cost to Federal Government. The government review time per response for this submission is estimated at 15 minutes, with review being done by an Industry Analyst at the GS-11/5 level, at a cost of \$29.00 per hour.

$$563 \text{ (responses)} \times 0.25 \text{ hours} = 140.75 \text{ (hours)} \times \$30.25 \text{ (p/hour)} = \$4,257.68 \text{ (rounded up} = \$4,258).$$

Total Cost to the Federal Government is: \$4,258.00.

15. The Commission is reporting an adjustment due to a recalculation of the respondents and burden hours affected resulting from license cancellations and consolidation which took place within the last three years, and to the cost burden, because each entity will contract engineers/technical advisors to meet the notification requirement.
16. The data will not be published for statistical use.
17. No expiration date will be displayed.
18. There are no exceptions to the Certification Statement in Item 19.

B. Collections of Information Employing Statistical Methods:

19. No statistical methods are employed.