

SUPPORTING STATEMENT

A. Justification:

1. This rule is necessary because applicants are required to obtain written permission from the Coast Guard in the area where radio-navigation/radio-location devices are located. This rule insures that no hazard to marine navigation will result from the grant of applications for non-selectable transponders and shore based radio-navigation aids. The Coast Guard is responsible for making this determination under 14 U.S.C. § 18. Section 308(b) of the Communications Act of 1934, as amended, 47 U.S.C. 308(b) mandates that the Commission have such facts before it to determine whether an application should be granted or denied. The potential hazard to navigation is a critical factor in determining whether this type of radio device should be authorized. A copy of the rule is attached.

Statutory authority for this collection of information is contained in Sections: 4, 303, 307(e), 309, and 332, 48 Stat. 1066, as amended; 47 U.S.C. 154, 303, 307(e), 309, and 332, unless other wise noted.

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

2. The information is used by Licensing Division personnel to determine whether an applicant for non-selectable transponder ship and coast or shore based radio-navigation stations should be granted. If the collection of this information collection was not conducted, stations posing a hazard to marine navigation could be licensed inadvertently and/or long delays in the processing of applications could result due to the necessity for coordination between the FCC, the Coast Guard and the applicant.
3. Prior to finalizing rule makings the Wireless Telecommunications Bureau conducts an analysis to insure that improved technology may be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing databases in the Commission or other Federal agencies.
4. This agency does not impose a similar information collection on respondents. There is 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, regardless of size. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing each application and to deter against possible abuses of the processes.
6. This information is only required when an applicant applies for a non-selectable transponder ship and coast station or shore-based radio-navigation station. If the collection was conducted less frequently, i.e., or not at all, the FCC would not know whether such stations pose a hazard to marine navigation without engaging in a longer, more burdensome coordination process with the Coast Guard and the applicant.

7. There are no special circumstances which would require collections to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.
8. The Commission initiated a 60-day public comment period which appeared in the Federal Register on June 30, 2008 (73 FR 36869). No comments were received as a result of the Notice. A copy of the Federal Register Notice is referenced in this submission to the OMB.
9. Respondents will not receive any payments.
10. There is no need for confidentiality.
11. There are no requests of a sensitive nature being sought from the applicants in regards to this collection.
12. Approximately 10 applications for non-selectable transponder ship and coast stations and shore-based radio-navigation stations are received per year from non-Governmental entities seeking to operate a private radio-navigation aid. Based on a review of past applications, staff experience in coordinating radio-navigation frequency assignments and discussions with the Coast Guard, it is estimated that an in-house professional employee would spend approximately 1.1 hours preparing and handling the necessary documentation.

The estimated annual burden hour is:

$$10 \text{ (respondents)} \times 1.1 \text{ hrs/notice (Prof. secretary/clerk)} = \mathbf{11 \text{ hours.}}$$

13. Estimate of cost to respondents. None.
 - a. There are no capital or start-up costs.
 - b. There are no operational or maintenance costs.
14. Estimated annual cost the Federal Government:
 $\$16.50 \text{ (GS-5 examiner)} \times 1.1 \text{ (hr/notice)} \times 10 \text{ (notices/year)} + 10\% \text{ overhead} = \199.65
15. The Commission is reporting an adjustment of -41 hours due to fewer respondents submitting applications. Therefore, the total annual burden hours have been adjusted to reflect more accurate estimates.
16. The data will not be published for statistical use.
17. No expiration date will be displayed.
18. There were no exceptions to the Certification Statement in Item 19.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.