

SUPPORTING STATEMENT

**A. Justification:**

1. Section 90.129(b) require that applicants proposing to use transmitting equipment that is not type certified by FCC laboratory personnel to provide a description of the proposed equipment. This assures that the equipment is capable of performing within certain tolerances that limit the interference potential of the device.

This information collection contains personally identifiable information on individuals (PII).

- (a) The FCC maintains a system of records notice (SORN), FCC/WTB-1, "Wireless Services Licensing Records," that covers the collection, purpose(s), storage, safeguards, and disposal of the PII that individual private land mobile radio licensees maintain under 47 CFR 90.443(b).
- (b) The FCC published this SORN on April 5, 2006 (71 FR 17234, 17269).
- (c) Going forward, if the FCC makes substantive change to the Wireless Services Licensing Records, the Commission will conduct a full Privacy Impact Assessment of the SORN covered by FCC/WTB-1, update this SORN, publish a Notice in the Federal Register, and post these two documents on the FCC webpage, as required by OMB Memorandum, M-03-22 (September 22, 2003).

Statutory authority for this collection of information is contained in Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), and 332(c)(7).

The Commission is submitting this information collection as an extension (no change in requirements).

2. This information collected is used by FCC engineers to determine the interference potential of the proposed operation.
3. Prior to finalizing rule makings the Wireless Telecommunications Bureau conducts an analysis to insure that improved information 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 data bases in the Commission or other federal agencies.
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 that absolutely necessary to deter against possible abuses.
6. This information is collected only once upon initial application for authorization. Accordingly, less frequent submissions are not possible.

7. Current data collection is consistent 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 August 25, 2008 (73 FR 50009). 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 need for confidentiality with respect to all Private Land Mobile Radio service filers in this collection. Pursuant to § 208(b) of the E-Government Act of 2002, 44 U.S.C.A. § 3501, in conformance with the Privacy Act of 1974, 5 U.S.C. 552(a), the Wireless Telecommunications Bureau (Bureau) instructs licensees to use the FCC's ULS, ASR, Commission Registrations System (CORES) and related systems and subsystems to submit information.<sup>1</sup> CORES is used to receive an FCC Registration Number (FRN) and password, after which one must register all current call sign and Antenna Structure Registration (ASR) numbers associated with a FRN within the Bureau's system of records (ULS database). Although ULS stores all information pertaining to the individual license via the FRN, confidential information is accessible only by persons or entities that hold the password for each account, and the Bureau's Licensing Division staff. Upon the request of a FRN, the individual licensee is consenting to make publicly available, via the ULS database, all information that is not confidential in nature.

Information on the private land mobile radio licensees is maintained in the Commission's system of records, FCC/WTB-1, "Wireless Services Licensing Records." The licensee records will be publicly available and routinely used in accordance with subsection (b) of the Privacy Act. TIN Numbers and material which is afforded confidential treatment pursuant to a request made under 47 C.F.R. § 0.459 will not be available for Public inspection. Any personally identifiable information (PII) that individual applicants provide is covered by a system of records, FCC/WTB-1, "Wireless Services Licensing Records," and these and all other records may be disclosed pursuant to the Routine Uses as stated in this system of records notice.

11. The Commission believes that this information will not raise any questions or issues of a sensitive nature for respondents. In instances where consumers provide personally identifiable information (PII), the FCC has a System of Records Notice (SORN), FCC/WTB-1, and "Wireless Services Licensing Records", to cover the collection, use storage, and destruction of PII. A full explanation of the safeguards may be found in the Privacy Impact Assessment that the FCC completed on June 2, 2007 and that may be viewed at:  
[http://www.fcc.gov/omd/privacyact/Privacy\\_Impact\\_Assessment.html](http://www.fcc.gov/omd/privacyact/Privacy_Impact_Assessment.html).
12. The Commission estimates that approximately 10 applicants to provide technical specification information on transmitting equipment that is not type certified by FCC laboratory personnel. While all applicants are given the opportunity to use equipment not type certified by the FCC, normally only applicants for developmental operations do so. Each respondent would need approximately .33 hours to complete the reporting requirements and approximately 10 responses are expected for an annual burden of **3 hours**.

Estimate of cost to respondents: We assume that the respondents would use in-house engineering personnel to prepare the information. \$150/hour x 10 responses x .033 hour = \$495.00. Therefore,

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<sup>1</sup> These instructions have been approved by the Office of Management and Budget (OMB) under Control Number 3060-1042.

there are no annual costs to the respondents.

**13. Estimate of cost to respondents:**

- a. There are no capital or start-up costs.
- b. There are no operational or maintenance costs.

**14. Estimate of cost to Federal Government:**

\$36.38 per hour (GS-12/5 engineer)  
x .033 hours per request examined  
x 10 reports reviewed per year  
+ 10% overhead  
**\$132.05 Total**

15. The number of respondents has declined over the last three years, and we thereby adjust the total hour burden in this submission to the OMB to reflect the decrease.

16. The data will not be published for statistical use.

17. No expiration date will be displayed.

18. The Commission changed the total annual burden hours from 4 to 3 hours since the 60 day notice was published in the Federal Register. This was due to rounding the calculations in item 12 down rather than up.

**B. Collections of Information Employing Statistical Methods:**

No statistical methods are employed.