

## SUPPORTING STATEMENT

Note: This collection is being submitted to extend the existing collection (no change in reporting and/or recordkeeping requirement) with no changes in the estimated respondents/responses and burden hours.

### **A. Justification:**

1. Collection of this information is required by statute --- Section 401 of the Federal Election Campaign Act of 1971, P.L. 92-225 together with the 1971 Revenue Act (P.L. 92-178.).

Pursuant to Section 64.804 (c) of FCC Rules and Regulations, a carrier must obtain a signed, written application for service which shall identify the applicant and the candidate and state whether or not the candidate assumes responsibility for charges, and which shall state that the applicant or applicants are liable for payment and that the applicant understands that service will be discontinued if payment is not rendered.

Section 64.804 (f) requires that the records of each account, involving the extension by a carrier of unsecured credit to a candidate or person on behalf of such candidate for common carrier communications services shall be maintained by the carrier as to show separately, for interstate and foreign communication services all charges, credits, adjustments, and security, if any, and balance receivable.

Section 64.804(g) requires communications common carriers with operating revenues exceeding \$1 million who extend unsecured credit to a political candidate or person on behalf of such candidate for Federal office to report, annually, data including due and outstanding balances. See 47 C.F.R. § 64.804.

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

The statutory authority for this collection is contained in Section 64.804 of Commission's Rules and Regulations together with the 1971 Revenue Act (P.L. 92-178) and Section 401 of the Federal Election Campaign Act of 1971 (P. L. 92-225.)

2. This information is used by the agency to monitor the extent of credit extended to candidates for Federal office.

3. The collection imposes minimal requirements on the respondents and would not be subject to technology improvements to reduce burdens.

4. The information required by this requirement is of interest only to this Commission. Carriers do not provide this information to other agencies. There is no other similar information available.

5. The collection is designed to minimize burden on all subject carriers regardless of size. Only basic information, consisting of seven items, is required so that the agency can monitor the extent of credit extended to candidates for Federal office as it is required by statute. See 47 C.F.R. § 64.804(g).

6. The report is filed annually with the Commission. If the collection were conducted less frequently, the Commission would not be able to effectively accomplish its responsibilities.

7. There are no known special circumstances which would require the collection to be conducted in a manner inconsistent with the guidelines in 5 C.F.R. § 1320.5.

8. A notice was published in the Federal Register on September 18, 2008, as required by 5 CFR § 1320.8(d). See 73 FR 54158. No comments were received. The notice is referenced in the submission to the OMB.

9. The collection does not involve any payment or gift to respondents.

10. Ordinarily, questions of a sensitive nature are not involved in the filed data. The Commission contends that areas in which information is required are fully subject to regulation and the issue of data being regarded as sensitive will arise in special circumstances only. In such circumstances, the respondent is instructed on the appropriate procedures to follow to safeguard sensitive data. 47 C.F.R. § 0.459 contains procedures for requesting such information not be made routinely available for public inspection.

11. The collection does not involve any information of a sensitive nature.

12. The following represents the estimate of hour burden of the information collection under Section 64.804:

(a)(1) Number of respondents: 13.

(2) Frequency of response: Annual reporting requirement and recordkeeping requirement.

(3) Annual hour burden per respondent: 8 hours. Total annual burden: **104 hours**.

(4) Total estimate of annualized cost to respondents for collection of information: \$2,704.

(5) Explanation of calculation: We estimate that it will take approximately 8 hours for the respondent to comply with the requirement.  $13$  (number of respondents)  $\times$   $1$  (frequency of reporting)  $\times$   $8$  (hours per respondent)  $\times$   $\$26$  per hour =  $\$2,704$ .

13. There should be no capital, start-up, maintenance or operating costs associated with the collection of information.

14. Cost to the Federal government: approximately \$1,004. We estimate that it takes approximately 1% of a work year to review the requested data. Using a GS-13/2 salary level

including benefits of 9.3%, plus agency overhead of 30%, we estimate governmental cost to be \$1,004.

15. No change in burden is requested at this time. The burden for this collection continues to be estimated at 104 burden hours.

16. There will be no publication of this information collection.

17. Not applicable. We are not seeking approval to not display the expiration date for OMB approval of the information collection.

18. Exception in rules 47 CFR § 64.804 (d). If changes for services rendered are not paid to the carrier within 15 days from rendition of a bill therefore, the carrier shall forthwith at the end of the 15-day period serve written notice on the applicant of intent to discontinue service within 7 days of date of such notice for nonpayment and shall discontinue service at the end of the 7-day period unless all such sums due are paid in full within such 7-day period.

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

The Commission does not anticipate that the collection of information will employ statistical methods.