

SUPPORTING STATEMENT

The Commission is submitting this IC as an extension (no change in reporting requirements). However, the number of respondents increased and the tariff and cost support estimate has been reduced (see item 12c and 15 of this supporting statement).

A. Justification:

1. 47 CFR Part 52, Subpart C implements the statutory requirement that local exchange carriers (LECs) and Commercial Mobile Radio Service (CMRS) providers provide local number portability (LNP) as set forth in Sections 1, 2, 4, 251 and 332 of the Telecommunications Act of 1996 (1996 Act). The Commission requires the following information to be collected from various entities:

a. Requests for long-term number portability: Long-term number portability must be provided by Local Exchange Carriers (LECs) and Commercial Mobile Radio Service (CMRS) providers in switches for which another carrier has made a specific request for number portability, according to the Commission's deployment schedule. Wireline carriers began providing LNP in 1998. In a Memorandum Opinion and Order (FCC 02-215) in CC Docket No. 95-116, the Commission extended the deadline for CMRS providers to offer LNP. CMRS providers began offering LNP in 2003.

b. Petitions to extend implementation deadline: Carriers that are unable to meet the deadlines for implementing a long-term number portability solution are required to file with the Commission at least 60 days in advance of the deadline a petition to extend the time by which implementation in its network will be completed. See 47 CFR Sections 52.23(3) and 52.31(d).

c. Tariffs and Cost Support: Incumbent LECs may recover their carrier-specific costs directly related to providing long-term number portability by establishing in tariffs filed with the Commission certain number portability charges. See 47 CFR 52.33. Incumbent LECs are required to include many details in their cost support that are unique to the number portability proceeding pursuant to the Cost Classification Order. For instance, incumbent LECs must demonstrate that any incremental overhead costs claimed in their cost support are actually new costs incremental to and resulting from the provision of long-term number portability. See Cost Classification Order.

d. Recordkeeping Requirement: Incumbent LECs are required to maintain records that detail both the nature and specific amount of these carrier-specific costs that are directly related to number portability, and those carrier-specific costs that are not directly related to number portability. See the Third Report and Order, CC Docket No. 95-116, released May 12, 1998.

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: 47 C.F.R. Part 52, sections 1, 2, 4(i), 201-205, 215, 251(b)(2), 251(e)(2), 332 of the Communications Act of 1934, as amended and the Telecommunications Act of 1996, 47 U.S.C. §§ 151, 152, 154(i), 201-205, 215, 251(b)(2), 251(e)(2), and 332.

2. The information collected and required by the Commission will be used to comply with Section 251 of the Communications Act of 1934, as amended, and the Commission's LNP orders and rules.

3. Incumbent LECs seeking to recover their number portability costs must file a tariff. All incumbent LECs were directed to file interstate tariffs and associated documents through the Internet on ETFS as of July 1, 1998, pursuant to an Order, Electronic Tariff Filing System (ETFS), adopted May 28, 1998, released May 28, 1998, DA 98-914. Accordingly, paper tariff filings will not be accepted.

4. There will be no duplication of information filed.

5. The collection of information will affect large and small entities. Because the information sought is relatively modest, we do not believe that the requirements severely impact small businesses. The tariff filing enables small entities to recover their costs so it will not negatively impact small businesses.

6. If the information sought is not collected, it will impair the Commission's ability to ensure that carriers are in compliance with the Commission's number portability rules and that long-term number portability costs are recovered in a competitively-neutral manner, in accordance with the requirements of the Telecommunications Act of 1996.

7. There are no special circumstances.

8. Pursuant to 5 CFR 1320.8(d), the Commission placed a notice in the Federal Register to solicit comment on August 25, 2008 (73 FR 50013). No comments were received. A reference to the notice is included in the submission to the OMB.

9. The Commission does not anticipate providing any payment or gift to respondents.

10. The Commission is not requesting respondents to submit confidential information to the Commission. If the Commission requests respondents to submit information which the respondents believe is confidential, respondents may request confidential treatment of such information pursuant to Section 0.459 of the Commission's rules, 47 CFR § 0.459.

11. There are no questions of a sensitive nature with respect to the information

collected.

12. The following represents the estimates of hour burden of the collection of information:

a. Requests for long-term number portability:

(1) Long-term number portability must be provided by LECs and CMRS providers within six months after a specific request by another telecommunications carrier. It is difficult to reliably estimate how many such requests will occur, since it is difficult to predict how quickly competition will develop. More specifically, it is difficult to determine the number of likely new entrants. There are approximately 9,000 switches nationwide (not counting remote switches), many of which were upgraded to accommodate number portability during the 15 months prior to December 31, 1998.

(A) Number of respondents: 300

(B) Frequency of Response: Once per geographic area

(C) Estimated Time per Response: 3 hours; Total annual hour

burden: **900 hours.**

(D) How the burden was estimated: We estimate that the preparation of a specific request for number portability will take a relatively short period of time because the request must simply state: (1) the requester's desire for long-term number portability, and (2) an identification of the switch or area covered by the request.

(E) Estimate of annualized cost to respondent for the hour burdens for collection of information: \$40 x 3 hours = \$120.00 per respondent

(2) As stated above, the states will have the option to aggregate switch requests. The Commission believes that these figures will be useful in accessing implementation of number portability.

(A) Number of respondents: 50

(B) Frequency of Response: Once per geographic area

(C) Estimated Time per Response: 3 hours; Total annual hour

burden: **150 hours.**

(D) How the burden was estimated: We estimate that the tabulation of requests for portability for each switch will take a relatively short period of time because the states can obtain statistics from carriers which are required to provide these lists to anyone who asks for the information.

(E) Estimate of annualized cost to respondent for the hour burdens for collection of information: \$40 x 3 hours = \$120 per respondent

b. Petitions to extend implementation deadline: The First Report and Order permits carriers that are unable to meet the deadlines for implementing a long-term number portability solution to file with the Commission at least 60 days in advance of the deadline a petition to extend the time by which implementation in its network will be completed. It is difficult to estimate how many carriers will file such petitions because the necessity to do so depends upon a carrier's individual circumstances.

(1) Number of respondents: 10

- (2) Frequency of Response: One-time reporting requirement
- (3) Estimated Time per Response: 10 hours; Total annual hour burden:

100 hours.

(4) How the burden was estimated: A petition to extend time must set forth: (1) the facts that demonstrate why the carrier is unable to meet the Commission's deployment schedule; (2) an explanation of the activities undertaken prior to the date of the request with respect to implementation; (3) an identification of the particular switches for which the extension is requested; (4) the time within which the carrier will complete deployment in the affected switches; and (5) a proposed schedule with milestones for meeting the deployment date.

(5) Estimate of annualized cost to respondent for the hour burdens for collection of information: \$40 x 10 hours = \$400.00 per respondent

c. Tariffs and Cost Support:

- (1) Number of respondents: 30
- (2) Frequency of response: On occasion reporting requirement.
- (3) Estimated Time per Response: 50 hours; Total annual hour burden:

1,500 hours.

(4) How the burden was estimated: Based on past experience with tariff filings, this is an estimate of the amount of time that an average incumbent LEC will spend preparing a tariff filing and cost support for submission to the Commission.

(5) Estimate of annualized cost to respondent for the hour burdens for collections of information: 1,500 hours x \$40 per hour (including labor and overhead) = \$60,000.

d. Recordkeeping Requirement

- (1) Number of respondents: 1,600
- (2) Frequency of response: On occasion reporting requirement.
- (3) Estimated Time per Response: 2 hours Total annual hour burden:

3,200 hours.

(4) How the burden was estimated: Based on the implementation of LNP by wireline carriers and CMRS providers to date.

(5) Estimate of annualized cost to respondent for the hour burdens for collection of information: 3200 hours x \$40 per hour (including labor and overhead) = \$128,000.

Burden Estimates: 900 + 150 + 100 + 1,500 + 3,200 = **5,850 total annual burden hours.**

13. The following represents the Commission's estimate of the annual cost burden to respondents or recordkeepers resulting from the collection of information:

- a. None.
- b. None.
- c. Tariffs and Cost Support
 - (1) Total capital and start-up cost component (annualized over its useful

life): \$0. The requirement will not require the purchase of additional equipment.

(2) Total operation and maintenance and purchase of services component: \$84,240, rounded off to \$84,000 on the OMB 83i form. There is a filing fee of \$775 per tariff, with 17 carriers filing one tariff each and 50 carriers filing two tariffs each ($17 \times \$775 = \$13,175$; $50 \times 2 \text{ (tariffs each)} \times \$775 = \$77,500$); thus, $\$13,175 + \$77,500 = \mathbf{\$90,675 \text{ total annual cost burden (rounded to } \$91,000)}$.

d. None.

14. There will be few, if any, costs to the Commission resulting from the information collection requirements. The following represent the Commission's estimates of the annual costs to the federal government as a result of the proposed requirements:

a. Requests for long-term number portability: No cost anticipated because no review by the Commission is necessary.

b. Petitions to extend implementation deadline: This requirement may require some level of Commission review to evaluate the petition and prepare an order granting or denying the petition. We estimate that it will take not more than 10 hours of Commission staff time to review the petition and write an order. $10 \text{ hours} \times \$80 \text{ per hour (including staff time, overhead costs and copying)} = \800.00

c. Tariffs and Cost Support: There will be few, if any, costs to the Commission because tariff review is already part the Commission's duties.

d. Recordkeeping Requirement: No cost anticipated because no review by the Commission is necessary.

15. Total annual burden for the collections contained herein is decreasing 8,483 hours for a total annual burden of 5,850 burden hours. The decrease in burden is due to an adjustment of the tariff and cost support estimate. In the 2005 OMB submission, we estimated that it would take approximately 149 hours for the estimated time per response. We have reduced that estimate to 50 hours per response. Thus, the total annual burden has been reduced. We are also reporting a reduction of respondents for tariffs and cost support from 67 in the previous submission to 30 in this submission. Overall, the total number of respondents has been reduced from 2,027 responses to 1,990. Finally, the annual cost burden increased due to an increase in the filing fee per tariff from \$720 in 2005 to \$775 which is now being reported.

16. The Commission does not anticipate that it will publish any of the information.

17. The Commission does not seek approval not to display the expiration date for OMB approval of the information collections.

18. There are no exceptions. No retention period is specified for the recordkeeping requirement.

B. Collections of Information Employing Statistical Methods:

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