

## SUPPORTING STATEMENT

**A. Justification:**

**Background:** In 2003, the Commission modified 47 C.F.R. Section 20.18(l) to further improve the ability of public safety answering points (PSAPs) to respond quickly and efficiently to calls for emergency assistance made from non-service initialized wireless mobile handsets. Non-service-initialized wireless mobile handsets (non-initialized handsets) are not registered for service with any Commercial Mobile Radio Service (CMRS) licensee. A non-initialized handset lacks a dialable number, but is programmed to make outgoing 911 calls. The Commission addressed issues arising from the inability of a PSAP operator to call back a 911 caller who becomes disconnected when using a non-service-initialized wireless handset. These requirements also apply to manufacturers of 911-only handsets that are manufactured after May 3, 2004.

1. 47 C.F.R. Sections 20.18(l)(1)(i) and 20.18(l)(2)(i). Licensees that donate non-initialized handsets for purposes of providing access to 911 services and manufacturers of “911-only” handsets are required to program each handset with 911, plus the decimal representation of the seven least significant digits of the Electronic Serial Number (ESN), International Mobile Equipment Identifier, or any other identifier unique to that handset (911-xxx-xxxx). This unique number is conveyed to the PSAP when “911” is dialed.

47 C.F.R. Sections 20.18(l)(1)(ii) and 20.18(l)(2)(ii). Licensees that donate non-initialized handsets for purposes of providing access to 911 services and manufacturers of “911-only” handsets are required to affix to each handset a label which is designed to withstand the length of service expected, and which notifies the user that its handset can only be used to dial 911, that a 911 operator will not be able to call the user back, and that the user should convey the exact location of the emergency as soon as possible.

47 C.F.R. Sections 20.18(l)(1)(iii) and 20.18(l)(2)(iii). Licensees that donate non-initialized handsets for purposes of providing access to 911 services and manufacturers of “911-only” handsets donating non-initialized phones must institute education programs to inform users of the limitation of non-initialized handsets. An education program must include a notice, giving a detailed explanation of such limitations, including distinctions between service initialized handsets and non-initialized handsets. Wireless carriers are given the flexibility to design and execute the education program which best responds to the individual needs of the carrier's service area.

The Commission is requesting an extension (with a burden adjustment) for this information collection in order to obtain the full three-year clearance from OMB.

Statutory authority for this collection of information is contained in 47 U.S.C. Sections 154, 160, 201, 251–254, 303, and 332 unless otherwise noted.

This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

2. The burden will assist PSAPs by identifying incoming emergency calls originating from non-initialized handsets, thereby prompting the PSAP operators to obtain all the necessary information

to locate and assist the caller. This is intended to reduce the delays in response time attributed to incidents without clear location identification. Similarly, the public education requirement, along with the labeling requirement, serves to advise consumers regarding the limitations of a non-initialized handset. They also serve to advise callers using non-initialized handsets that they must be sure to provide as much specific information to the PSAP operator as soon as possible regarding the location of the emergency situation, because there is no call back capability to a non-initialized handset.

3. Before finalizing rulemakings, the Public Safety and Homeland Security Bureau conducts an analysis to ensure that improved information technology is used to reduce the burden on the public. This particular third party disclosure requirement does not lend itself to the use of improved information technology to reduce burden.
4. This agency does not impose a similar information collection on the respondents. There are no similar data available.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission strives to minimize, when and where possible, the burden on all respondents, regardless of size. In this instance, some wireless carriers and manufacturers are small entities. Public service entities and PSAPs are primarily concerned with ensuring the quickest response to an emergency service request.

The Commission believes that these requirements represent a fair balancing of the interests of all concerned parties. The Commission will continue to monitor the technical aspects of the issue and, if appropriate, reserves the ability to impose a call-back requirement on carriers and manufacturers if technological evidence proves it appropriate.

6. If non-initialized handsets were not labeled to inform users that there is no call-back capability and that they must give thorough and complete information when seeking emergency service, public safety will continue to be at risk. The inability of PSAP operators to return a call to citizens using a non-initialized handset to obtain additional information or specific needs, could have serious consequences.
7. Current data collection is consistent with 5 C.F.R. Section 1320.6.
8. The Commission initiated a 60-day public comment period which appeared in the Federal Register on July 21, 2008 (73 FR 42345). No comments were received as a result of the notice.
9. Respondents will not receive any payments.
10. There is no need for confidentiality.
11. There are no requests of a sensitive nature considered or those considered a private matter being sought from the applicants on this collection.

12. BURDEN HOURS:

The Commission currently has approval for 3,137 responses and a total of 4,885 burden hours annually for the programming requirement, labeling requirement, and the time spent executing a public education program. We are reducing the overall burden hours for this collection, by removing the hours previously attributable to the software modification to program non-initialized handsets with the 911-xxx-xxxx (number code). The number code has been an industry standard for more than five years. It is no longer an independent programming effort, but rather included in the necessary functionality software for non-initialized handsets.

The Commission estimated that the public education burden placed on wireless carriers and manufacturers of "911-only" handsets (1,397 carriers and 1 manufacturer), including the burden of creating and producing a notice to accompany the handset, is one hour per entity. This includes composing the literature and reproducing the pamphlet or notice. This duty to inform the public is a disclosure of information designed to forewarn consumers of the limitation of non-initialized handsets. If each entity has a burden of one hour to complete the education and notice requirement, the total burden will be 1,398 burden hours. Consumers are also alerted by the required placement of labels on "911-only" new, refurbished or repurposed handsets. The total number of such handsets placed in circulation each year is estimated to be approximately 225,000 handsets. The burden is estimated at thirty seconds at per handset unit, for a total of 225,000 handsets x .50 minute = 1,875 burden hours for labeling.

**Summary of Burden Hours:**

<b>Existing labeling requirement</b>	<b>1,875 hours</b>
<b>Wireless carrier and manufacturer education programs</b>	<b>1,398 hours</b>

---

<b>TOTAL ANNUAL BURDEN:</b>	<b>3,273 hours</b>
-----------------------------	--------------------

**Average burden per response:**  $3,273 \text{ hours} \div 226,398 \text{ responses (1,398 + 225,000)} = 0.014457 \text{ hour}$

IN-HOUSE COSTS TO RESPONDENTS:

The 1,397 wireless carriers and 1 manufacturer of "911-only" phones can all be expected to assign a staff member at \$70 per hour to design a public education program, draft and reproduce the required notice. The Commission expects a burden of \$70 per entity and a total burden of \$70 x 1,398 = \$97,860. Label placement on new, refurbished or repurposed handsets could be assigned to non-technical staff at \$12.00 hour x 1,875 burden hours = \$22,500.

**Summary of In-House Costs:**

<b>Existing labeling costs (annual)</b>	<b>\$ 22,500</b>
<b>Public education program</b>	<b>\$ 97,860</b>

---

<b>TOTAL IN-HOUSE COST</b>	<b>\$120,360</b>
----------------------------	------------------

13. CAPITAL, START-UP, OPERATION AND MAINTENANCE, AND PURCHASE OF SERVICES COSTS.

Not applicable.

14. There is no cost to the Commission.
15. The adjustment in burden was made to limit the information collection to requirements to inform the consumer of the limitation of non-initialized handsets through equipment labeling and consumer education notification by notice or pamphlet. The adjustment in the number of responses was made to reflect the labeling of approximately 225,000 handsets annually.
16. The data will not be published for statistical use.
17. The expiration date will be displayed as required by OMB rules.
18. There are no exceptions to the certification statement.

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

No statistical methods are employed.