

## SUPPORTING STATEMENT

### **A. Justification:**

1. Manufacturers of Low Power Radio Service (LPRS) used for auditory assistance, health care assistance, and law enforcement tracking purposes must include with each transmitting device the following statement: *“This transmitter is authorized by rule under the Low Power Radio Service (47 C.F.R. Part 95) and must not cause harmful interference to TV reception or United States Navy SPASUR installations. You do not need an FCC license to operate this transmitter. This transmitter may only be used to provide: auditory assistance to persons with disabilities, persons who require language translation, or persons in educational settings; health care services to the ill; law enforcement tracking services under agreement with a law enforcement agency; or automated maritime telecommunications system (AMTS) network control communications. Two-way voice communications and all other types of uses not mentioned above are expressly prohibited.”*

The reporting requirement contained in Section 95.1015 is necessary to ensure that television stations that may be affected by harmful interference from Automated Maritime Telecommunications System (AMTS) operations are notified. Manufacturers of LPRS equipment are required to include a statement regarding the use of the equipment. Additionally, prior to operating a LPRS transmitter for AMTS purposes, an AMTS licensee must notify, in writing, each television station that may be affected by such operations, as defined in Section 80.215(h). The notification provided with the station's license application is sufficient to satisfy this requirement if no new television stations would be affected.

The Commission is requesting an extension (no change in the reporting, recordkeeping and/or third party disclosure requirements) in order to obtain the full three year clearance from the OMB. The Commission is reporting a -177 hourly burden reduction and a -\$8,700 decrease in annual costs due to significantly fewer respondents/responses. Therefore, the Commission is now estimating 26 respondents with an estimated total annual burden hours of 26 hours since this IC was submitted to OMB in 2006.

Statutory authority for this collection of information is contained in Sections 4 and 303, as amended; 47 U.S.C. 154, 303 unless otherwise 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 the Commission staff and affected television stations to be aware of the location of potential harmful interference from AMTS operations. If this information was not available the location of potential harmful interference from AMTS operations would be negatively affected.
3. Prior to finalizing rulemakings the Wireless Telecommunications Bureau conducts an analysis to insure that improved information technology cannot 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 the respondents. There are 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. The information is collected only when an AMTS licensee operates a Low Power Radio Service transmitter for AMTS purposes. Therefore, a less frequent collection equates to no collection of such information and the concomitant inability to know whether the spectrum is being used effectively.
7. Current data collection is consistent with 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 50008). 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 considered or those considered a private matter being sought from the applicants on this collection.
12. We estimate that there would be 24 respondents that will prepare statements to include with the LPRS equipment and that a company would spend 1 hour completing the statement. Additionally we estimate that there would be 2 AMTS respondents preparing notifications to affected television stations and that a company would spend 1 hour completing the notification.

24 respondents + 2 AMTS respondents = **26 total respondents.**

Burden for statement/notification: 26 respondents x 1 hour = **26 hours.**

13. Estimate of cost to respondents:
  - a. We estimate that \$1,300 of start-up costs for the 24 manufacturers @ \$50.00 to produce each statement.
  - b. There are no operational or maintenance costs.
14. Estimate of cost to Federal Government: none.
15. The hour and cost burdens have been adjusted to reflect a significant decrease in the number of respondents (-177 respondents) to this information collection. Therefore, the annual cost has decreased by -\$8,700 as well as -177 in hourly burden.
16. The information will not be published.
17. We do not seek approval to not display the expiration date for OMB approval of the information collection.
18. There were no exceptions to Item 19.

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

No statistical methods were employed for submission of information covered under this submission.