

2010 - SUPPORTING STATEMENT

OMB Control No. 0572-0133

Telecommunications Field Trials

OMB TERMS OF CLEARANCE: NONE

A. JUSTIFICATION

1. Circumstances that make this collection of information necessary.

The Rural Utilities Service (RUS), is a credit agency of the U.S. Department of Agriculture. To protect loan equity, the RUS establishes the minimum acceptable performance criteria for materials and equipment to be employed on telecommunications systems financed by telecommunications utility program (Authority: 7 U.S.C. 901 et seq.). These RUS telecommunications performance specifications cover a variety of materials and equipment, ranging from multipair cables for direct burial in the earth, to highly sophisticated, computerized central office digital switches. Manufacturers, wishing to sell their products to RUS telecommunications borrowers, request consideration for acceptance of their products and submit data demonstrating their products' compliance with RUS specifications for the telecommunications program or RUS selected industry specifications. Compliance with the specifications is demonstrated to a large extent via presentation of laboratory tests results and upon field experience that the product has undergone a working telecommunication system.

At times, certain technologically advanced products are developed which promise to offer RUS telecommunications borrowers and rural telecommunication's customers' extraordinary capabilities which may include significantly reduced costs or improved operational or service benefits. However, because of the advanced technology, it is not possible to determine the acceptability of products from test results and, because they are so newly developed, there may be limited available field experience. When such products appear and there is a demand for their immediate use on a RUS financed project, RUS must rely on a "field trial," or a limited and monitored installation of the equipment, as a means of determining acceptability.

Title 7 CFR Part 1755.3, prescribes the conditions and provision of a field trial. A field trial consists of limited field installations of a qualifying product in closely monitored situations designed to determine - to RUS's satisfaction - the products effectiveness under actual field conditions. Field trials are used only as a means for determining - to RUS's satisfaction - the operational effectiveness of a new or revised product where such experience does not already exist. The field trial process allows manufacturers a means of immediate access to the RUS borrowers' market, allows RUS telecommunications borrowers opportunity to immediately utilize advanced products, and allows RUS a means to safely, in a controlled manner, obtain

necessary information on technically advanced products which will address the products suitability for use in the harsh environment of rural America.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate that actual use the Agency has made of the information received from the current collection.

Field trials are contractual obligations that a manufacturer and a RUS telecommunications borrower enter into with one another using Rural Development Forms 399 Supplemental Agreement to Equipment Contract for Field Trial, 399a Supplemental Agreement to Equipment Contract for Field Trial (Secondary – Deliver, Installation, Operation) and 399b, Telecommunications Equipment Field Trial.

Forms 399 and 399a are single page contract forms which are used to addend other RUS contract forms to simply identify the products or products within a financed project which are under field trial. The Form 399 is for primary field trials and Form 399a is for a secondary field trial. The borrower uses either one or the other form. The difference between the two forms is that on a Secondary Field Trial (Form 399a), the borrower and the manufacturer agree that no money will be advanced for the product and its installation until all primary field trials of the product have been completed and properly closed out. All but ninety percent of the money is advanced for a product and its installation on a primary field trial (Form 399) until the trial is completed and the project is properly closed out.

The Form 399b establishes an agreement by RUS, the manufacturer and a borrower on (1) what product is to undergo a field trial, (2) who manufactures the product, (3) who is to install the product, (4) what information is to be collected, (5) who is to perform tests and collection information, (6) how long the trial will last, and (7) who will be responsible for system restoration should be the product prove unsatisfactory. Rural Development completes the Form 399b; the manufacturer and the RUS borrower review the terms and conditions and show agreement with the trial requirements by signing and returning the form to RUS. The information collection asks for the submission of periodic reports that relate: (1) product installation details, (2) details of any problems that arise at installation or during the trial, (3) details of how problems are rectified, and (4) measurement results of telecommunications transmission characteristics and other applicable information on which acceptance of the product may be based. The minimum trial duration is 6 months. RUS telecommunications specialists and engineers evaluate data and reports that are provided to determine that the product is acceptable and that its use will not jeopardize loan security. Form 399a, Supplemental Agreement to Equipment Contract for Field Trials is used by the borrower and manufacturer. It was previously documented as being accounted for under OMB collection 0572-0059, and mistakenly not accounted for in collection 0572-0133 during the last cycle.

The information is used to be certain that the products comply with the established RUS specifications or RUS - selected industry specifications and that the products are otherwise acceptable for use on rural telecommunications systems. Again, the review and determination of product acceptability is made to help assure that the products will perform properly and provide

service lives that assure reliable revenue incomes and repayment of RUS loan funds in a manner consistent with the terms and conditions of the RUS loan. Unacceptable products may fail prematurely and interrupt service, require costly replacements, and reduce revenues.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection.

The forms required by this collection are available on the RUS website. These forms are available in Adobe PDF format for use by borrowers. The borrower prints the form 399 or 399a, as appropriate, and inserts it in the contract. Then, the contract has to be signed by the contractor (contract proposal) and returned to the borrower for signature (contract acceptance). After signing the contract the borrower mails to RUS (DC) for approval. The form 399b is prepared by RUS and is emailed for the borrower's signature. The borrower prints and signs it and mails it to the manufacturer for signature who in turn returns it to RUS to be approved (signed). The Contract containing form 399 or 399a and form 399b require multiple signatures from different parties. RUS does plan to offer an electronic submission solution for this collection of information when an "electronic signature" solution becomes available on handling these multiple signatures from different parties at different locations. To the extent possible, RUS complies with the E-government act.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

RUS does not require field trials if acceptable data and field experience are already available and we always question and seek that such experience is available before consideration of a field trial is approved

Available product field experience, in most cases, could and would be used. Manufacturers requesting RUS acceptance of a product are routinely asked whether field experience is available for their new materials or equipment. Inasmuch as their products' acceptance and, therefore, their general access to the RUS-financed market may be significantly accelerated by the demonstration of acceptable field experience, there is significant incentive for them to identify any installation of the product. The RUS staff evaluates the information provided on existing installation and, if it is determined to be acceptable and indicates that the product will function as required, field trials will not be conducted. Any existing installations must, however, be of a nature to provide the required information

5. If the collection of information impacts small businesses or other small entities (item 5 of OMB Form 83-I), describe any methods used to minimize burden.

The information collection may be made by small rural telecommunication companies and/or small manufacturers. RUS staff works with these entities on a case-by-case basis to assure that only testing and information collection which is absolutely necessary for the purpose of the field trial will be required. In some instances, should the required actions become outside the ability of the rural telecommunications company, RUS staff of field personnel would be assigned to assist. Borrowers and manufacturers are expected to have the expertise and the technological and financial resources to conduct a successful field trial.

RUS would also be willing to work with a small manufacturer (as it would with any manufacturer) to help administratively or in other capacities and personally ensure the trial involves as little burden as possible as long as it could be done without prejudicing the trial and its results.

Efforts are made to match the requirements of the field trial with the capability of the telecommunications company at which it is to be conducted. For example, a long-term evaluation of a highly sophisticated fiber optical transmission system, which could require complex measurements at periodic intervals, would not normally be allocated to a RUS borrower with only 700 to 800 subscribers, 1 or 2 employees, and only an absolute minimum of test equipment. Every reasonable effort would be made to locate such a trial on the system of a borrower where it could be supported in the proper manner without undue burden to the telecommunications company.

Telecommunications borrowers participate in field trials on a voluntary basis and in most cases these borrowers have an avid interest and need for the product under evaluation. Most of the information sought by RUS for the field trials is information in which the borrower is also interested and would attempt to obtain on its own anyway.

By holding required information to the absolute minimum in all cases, RUS is able to minimize the burden for both large and small business alike. As data requirements are product oriented rather than producer oriented, no efforts is made to reduce the burden as a function of business size.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Data is only collected on new or modified products and field trials are usually limited to 6 months duration, less frequent data collection or duration is impractical.

Without this collection, RUS has no means of determining the acceptability of advanced technology in a manner that is timely enough for RUS borrowers to take advantage of the improved benefits and promise that such products may provide for rural America.

7. Explain any special circumstances that would cause an information collection to conduct in a manner:

a. Requiring respondent to reporting information more than quarterly.

There is no requirement to respond more frequently than quarterly.

b. Requiring written response in less than 30 days.

There is no requirement to respond in less than 30 days.

c. Requiring more than an original and two copies.

There is not requirement of more than original and two copies to be submitted.

d. Requiring respondent to retain records for more than 3 years.

No.

e. In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

This collection is not a survey.

f. Requiring the use of a statistical data classification that has not be reviewed and approved by OMB.

This collection does not employ statistical sampling.

g. Requiring a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

This is no requirement of a pledge of confidentiality.

h. Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There is no requirement to submit propriety trade secrets.

8. If applicable, identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection. Summarize public

comments received and describe actions taken by the agency in response to these comments. Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, reporting format (if any), and on data elements to be recorded, disclosed, or reported.

As required by 5 CFR 1320.8(d), a Notice to request comments was published in the *Federal Register* on January 30, 2009 74 FR 5636 (copy attached). No public comments were received.

RUS maintains close contact with borrowers through general field representatives and a headquarters staff. RUS also conducts seminars for its borrowers and associated organizations. Suggestions are always considered by RUS.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Payments or gifts are not provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy.

This information does not require confidentiality.

11. Provide additional justification for any question of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private.

The determination has been made that material submitted to RUS under these requirements may be subject to the Freedom of Information Act. While RUS has, to date, been able to prevent disclosure of proprietary data; decisions to appeal requests to release this information are made on a case-by-case basis and no assurances are given to submitters that our success in withholding this type of information will continue. Those who submit information are routinely alerted to this situation and advised to furnish only such material as they feel should be of public record.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

RUS has established a rate of \$19.22 an hour for clerical time and a rate of \$45.05 an hour for professional time.

Cost to the Public:

Form 399b

Form 399b is completed by RUS personnel and sent to the RUS borrower and the manufacturer involved for review and signature. Review and follow-through of Form 399b by the borrower and manufacturer, on average, involves 30 minutes of professional time.

	No. of Respondents	No. of Responses	Total Responses	Burden per Field Trial	Total Burden Hours	Total Cost
Professional	14	1	14	30 mins.	7 hrs	\$315.35

On the average, a field trial involves submission of six reports detailing various technical performance data. Nowadays these reports are submitted by emails which minimizes the amount of clerical time involved, so we are estimating 10 minutes or 0.17 hour of clerical time and 4.08 hour of professional time, which may be either (not both) the borrower or the manufacturer; borrowers generally provide reports. Reports average about 2 pages in length and average 14 field trials per year.

	No. of Respondents	No. of Responses	Total Responses	Burden per Field Trial	Total Burden Hours	Total Cost
Professional	14	6	84	4.08	342.72	15,439.54
Clerical	14	6	84	0.17	14.28	274.46
TOTALS	14	12	84	4.25	357	15,714.00

Form 399 and 399a

Forms 399 and 399a are completed by the borrower and, depending on the type of field trial involved would be attached to and become part of the construction/installation contract which the borrower executes with a contractor/installer. On the average, it takes the borrower 15 minutes professional and 15 minutes clerical time to complete the form(s). The contractor has no pages to photocopy and the same burden times as the borrower (i.e., 15 minutes for professional and clerical, each).

	No. of Respondents	No. of Responses	Total Responses	Burden per Field Trial	Total Burden Hours	Total Cost
Professional	14	1	14	.5	7	315.35
Clerical	14	1	14	.5	7	134.54
TOTALS	14	1	14	1 hr	14	\$449.89

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

a. Total capital and start-up cost component (annualized over its expected useful life); and

There are no capital or start-up costs associated with this collection.

b. Total operation and maintenance and purchase of services component.

There are no operations and maintenance or purchase of services components associated with this collection.

14. Provide estimates of annualized cost to the Federal Government.

RUS has established a rate of \$19.22 (GS 6/05) an hour for clerical time and a rate of \$45.05 (GS 13/05) an hour for professional time for a total cost of \$4572.58.

Form 399b

On the average, the government burden in completing the form involves 1 hour of professional time and no clerical time.

	No. of Field Trials	Burden per Field Trial	Cost per Burden Hour	Total Cost
Professional	14	1 hr.	@ \$45.05 per hr.	\$630.70

Reports

On the average, a field trial involves submission of six reports detailing various technical performance data. Government review of these reports averages 1 hour of professional time.

	No. of Field Trials	No of Reports	Total Reports	Burden Hour(s)	Cost per Burden Hour	Total Cost
Professional	14	6	84	1.00	@ \$45.05 per hr. 24	\$3,784.20

Form 399

The government burden averages 15 minutes of professional.

	No. of Field Trials	Burden Hours	Cost per Burden Hour	Total Cost
Professional	14	.25 hr.	@ \$45.05 per hr..	\$157.68

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of the OMB Form 83-1.

This is a revision of a currently approved package. There was an increase in total annual burden hours from 54 to 371 because there was an increase in the number of field trials and the number of reports per field trial which is required (4 to 6 reports). Also, burden hours for Form 399a which was omitted from the prior collection is now accounted for under this package.

16. For collection of information whose results will be published, outline plans for tabulation and publication.

There are no plans to publish this information collection.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

No such approval is requested.

18. Explain each exception to the certification statement identified in item 19 on \OMB 83-1.

There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.