

SUPPORTING STATEMENT

A. Justification:

1. The Commission seeks three-year approval requesting an extension of OMB 3060-0813.

The Commission responded to a petition for clarification or declaratory ruling filed by the City of Richardson, Texas, by amending the Commission's rules to clarify what constitutes a valid Public Safety Answering Point (PSAP) request triggering a wireless carrier's obligation to provide E911 service to that PSAP.

Specifically, the Order in CC Docket No. 94-102. FCC 01-293, found that a wireless carrier must implement E911 service within the six month period following the date of the PSAP's request, and that if challenged by the wireless carrier, the request be deemed valid if the PSAP making the request demonstrates that:

- (1) a mechanism is in place by which the PSAP will recover its costs of the facilities and equipment necessary to receive and utilize the E911 data elements;
- (2) the PSAP has ordered the equipment necessary to receive and utilize the E911 data and the equipment will be installed and capable of receiving and utilizing that data no later than six months following its request; and
- (3) the PSAP has made a timely request to the appropriate local exchange carrier (LEC) for the necessary trunking and other facilities to enable the E911 data to be transmitted to the PSAP. In the alternative, the PSAP may demonstrate that a funding mechanism is in place, that it is E911-capable using a Non-Call Associated Signaling (NCAS) technology, and that it has made a timely request to the appropriate LEC for the necessary Automatic Location Identification (ALI) database upgrade.

Statutory authority for this collection of information is contained in 47 U.S.C. §§ 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. These showings will demonstrate that PSAPs are ready to receive E911 Phase I or Phase II information at the time that the wireless carrier's obligation to deliver that information becomes due. This will reduce the possibility of both carriers and PSAPs investing money before the PSAP is actually E911-capable.

3. Before finalizing the original rulemakings and again during the collection renewal process, the Wireless Telecommunications Bureau and now the Public Safety and Homeland Security Bureau conducted analysis to ensure that improved information technology cannot be used to reduce the burden on the public. This analysis

considered the possibility of obtaining or computer-generating the required data from existing databases in and accessible to the Commission and 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. However, the critical nature of establishing a responsive, dependable universal emergency communications system does not allow for much differentiation between the size of the parties involved. A delay in response from a small carrier could foster the same life-threatening result as a delay in response from a large carrier. In this case, the Commission believes that the clarification adopted in the Order will benefit all parties by eliminating any possible confusion s to when a carrier is obligated to provide E911 service. Many commenters supported the need for some criteria to establish that a valid PSAP request has been made. The parties disagreed, however, on the criteria to be adopted. In that regard, some parties believed that the only criteria which should be applied is the funding prerequisite, while others maintained that the PSAP must be entirely ready to receive and utilize the Phase II data elements provided by the carrier before a valid request can be made. The Commission takes the middle course of requiring that, if the wireless carrier challenges a PSAP's E911 capability, the requesting PSAP provide enough information to ensure that it is ready to utilize E911 service, while not requiring the PSAP to be fully capable of receiving and utilizing the information before any request can be made at all. For example, a suggestion by CTIA would have involved a much more detailed showing by PSAPs before service would be provided. However, a simple showing that a PSAP has a cost recovery mechanism is insufficient to demonstrate that the PSAP will have the capability to receive and utilize the data within six months.

Finally, the Commission rejected the argument by several smaller carriers that the Commission should impose an actual-readiness requirement for rural, small and mid-sized wireless carriers that do not have a large customer base to absorb their E911 implementation costs, and that are thus more vulnerable to delays in implementation caused by a PSAP's inability to receive and utilize the E911 data supplied by the carrier. The Commission, while expressing its concern for the interests of small businesses, found that, in light of the critical nature of the E911 rules and need for ubiquitous and reliable emergency services, all entities involved, regardless of size must comply with these rules, including the rule amendment adopted in the Order. Keeping in mind that many of the PSAPs are themselves small entities, the Commission believed the decision adopted in the Order balanced the concerns of all parties, including small entities, carriers and PSAPs.

6. The demonstration of the PSAP's capability of utilizing E911 service within six months of the request is necessary to make all parties affected today totally clear on what their responsibility in offering E911 service involves and when that responsibility is triggered. This will minimize the possibility of misunderstanding, which could involve unnecessary expenditures for both PSAPs and carriers.
7. Current data collection is consistent with 5 C.F.R. § 1320.6. Although the Commission does not believe that any confidential information will need to be disclosed in order to comply with the demonstration requirement, covered carriers or manufacturers are free to request that materials or information submitted to the Commission be withheld from public inspection and from the E911 web site. (See section 0.459 of the Commission's rules).
8. The Commission initiated a 60-day public comment period which appeared in the Federal Register on November 14, 2008 (73 FR 67514). No comments were received as a result of the notice. A reference to the notice(s) are included in the submission to 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. HOURLY BURDEN:

The burden adopted in the Order required that when a carrier challenges the E911 capability of a PSAP, the PSAP must demonstrate through the three-pronged approach or through proof that a funding mechanism exists, that the PSAP is using an NCAS technology, and has requested an upgrade to the ALI database.

For purposes of this PRA analysis, the Commission assumes that each PSAP will request service from a minimum of 6 carriers but that only one of the 6 will challenge the PSAP's ability to receive and use E911 data. In any case, either of the demonstration burdens will probably involve copying documents to complete this showing. Whether the PSAP submits this showing to 1 carrier or 6 carriers, all of its copies can be made at the same time and submitted at the same time, meaning that the burden hours and costs will be the same regardless of how many showings the PSAP submits. This amounts to a burden on the PSAPS and is the equivalent of making one submission.

The estimate of burden hours on PSAPs for an E911-capability showing is the same regardless of whether the PSAP elects to demonstrate capability through the three-pronged approach or through proof that a funding mechanism exists, that the PSAP is using an NCAS technology, and has requested an upgrade to the ALI

database. The Commission estimates that request for Phase I service will take a staff clerical assistant approximately 1 hour to complete for a total of 5,000 hours. In addition the Phase II submission is estimated at 5,000 total burden hours annually. Additionally, the demonstration of capability using either alternative would take a staff clerical assistant approximately 112 hours to copy and include in the submission for an additional 2,500 burden hours. 5,000 hours for Phase I notification + 5,000 hours for Phase II notification + 2,500 hours for capability showing = 12,500 total burden hours. See listing below for specific burdens associated with their requirements.

Summary of the total number of burden hours:

Notification and demonstration burden on PSAPs	=	12,500 hours
Carrier response burden	=	9,400 hours
TTY notification to new customers	=	1,735 hours
TTY notification to existing customers	=	868 hours
Draft and review of annual TTY survey	=	25 hours
Survey response:	=	6,938 hours
TTY report meeting and composition	=	35 hours
Dispatch notification to new customers	=	15,765 hours
Dispatch notification to existing customers	=	7,833 hours
Consultations to determine PSAPs	=	70,848 hours
Consultations to define Pseudo-ANI	=	4,200 hours
Composition and submission of waiver		
Requests and deployment schedules	=	68,000 hours
Total Burden Hours		198,200 hours

13. COST BURDEN FOR RESPONDENTS:

The Commission estimates that all of the 5,000 PSAPs will use staff assistants at \$15.00 per hour to complete their Phase I and Phase II notifications and the new E911 capability showing. In our original estimate, the cost burden was thus estimated at \$141,000. As indicated above, the revised total burden for these submissions is 12,500 burden hours x \$15 = \$187,500.

The total of all the in house staff cost burdens covered by this information collection is \$8,681,665.

There will be no start-up or capital costs incurred by the respondents.

14. The cost to the Commission remains none.

15. There is no change in burden.

16. The data will not be published for statistical use.

17. Display of the expiration date for OMB approval is not applicable. All OMB-approved information collections are published in 47 C.F.R. § 0.408 of the Commission's rules.

18. There are some exceptions to Item 19. The 60 day notice contained information that was not applicable to this collection, such as a recordkeeping requirement; that the obligation to respond is to obtain or retain benefits – not mandatory.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.