

SUPPORTING STATEMENT
U.S. Department of Commerce
National Telecommunications and Information Administration
Application for Low-Power Television and Translator
Upgrade Program
OMB CONTROL NO. 0660-XXXX

A. JUSTIFICATION

This is a request for a new information collection.

1. Explain the circumstances that make the collection of information necessary.

The Digital Television Transition and Public Safety Act of 2005 (Act) (see Title III of the Deficit Reduction Act of 2005, Public Law 109-171, 120 Stat. 4, 21 (Feb. 8, 2006)), as amended by the DTV Delay Act, Pub. L. 111-4, permits low-power television and translator stations to continue to broadcast in analog after June 12, 2009, the date on which full-power television facilities are required to convert to digital broadcasting. Most low-power television or translator stations extend the service area of a full-power television station by receiving the full-power station's off-air signal and then rebroadcasting the programming on another channel.

Section 3009 of the Act directs the National Telecommunications and Information Administration (NTIA) to administer a program through which an eligible low-power television or translator station may receive reimbursement for equipment to upgrade low-power television stations from analog to digital in eligible rural communities. The program is referred to in this document as the Upgrade Program.

As defined in the Act, the term "eligible low-power television station" means a low-power television broadcast station, Class A television station, television translator station, or television booster station (1) that is itself broadcasting exclusively in analog format; and (2) that has not converted from analog to digital operations prior to the date of enactment of the Digital Television Transition and Public Safety Act of 2005.

Over 8,000 low-power television and translator stations provide the only television service for many rural areas of the country.

Section 3009 of the Act further directs that NTIA provide priority compensation to those eligible stations in which the license is held by a non-profit corporation or that serve rural areas of fewer than 10,000 viewers.

Federal Communications Commission-licensed stations are informed of the program via mailings, Federal Register notices, and industry associations.

The information collection will be used by NTIA to receive applications from low-power television and translator stations requesting Federal reimbursement toward the purchase of

digital transmission equipment. The applications will be used by NTIA to determine the eligibility of applicant stations to receive funds from the Upgrade Program and to determine those stations eligible for priority compensation.

This is a limited duration program. Each station is eligible to receive one only grant and, by law, all grants must be made by NTIA before September 30, 2012.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The information will be collected via an application submitted by operators of low-power television and translators stations. This is a limited duration program and the information will be collected one-time-only as each station is eligible to receive only one grant. The information will be used solely for the purpose of providing grant assistance to the applicant through the Upgrade Program, and to prevent, fraud, waste and duplication in the administration of the programs.

The information will not be disseminated to the public. NTIA's Information Quality Guidelines do not apply.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

NTIA anticipates the use of a web-based information collection system as part of the collection system for the application.

4. Describe efforts to identify duplication.

This information collection is unique to this program and is not available from another source.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Many applicants are small entities and the information requested has been kept to a minimum to ensure that they are able to comply with the least possible burden. Applicants who operate more than one station will only need to enter the information identifying the applicant one time.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

This Federal upgrade program cannot operate without this information collection. Without this Federal assistance, millions of households that rely on broadcasts from low-power television and translator stations, located primarily in rural areas, will lose access to television after these stations are required to convert to digital broadcasting.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The data collection is consistent with OMB guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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 record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A notice was published in the Federal Register on December 15, 2008 (Vol. 73, page 76002) soliciting public comments on the information collection. No comments were received.

NTIA staff has conducted meetings with members of the broadcasting industries affected by this program, the National Translator Association and the Community Broadcasters Association. Additionally, information about the program, including proposed eligibility and application requirements, was placed on the NTIA Internet site. No specific comments were received regarding the PRA notice. Commenters made general suggestions requesting a simple, web-based form. Most of the information being collected is public information readily available to applicants from the FCC's website.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

Not applicable.

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

The data collected from consumers will not be published or used for purposes other than the awarding of grants. NTIA will treat the information collected as confidential.

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

The information collection does not contain any questions of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

It is estimated that 1,250 respondents/responses will apply X 1 hour and 15 minutes to complete the application = **1,563 burden hours.**

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

The cost to respondents will, in most cases, be part of the organization=s normal cost of doing business. It is not expected that substantial cost will be incurred specifically because of program=s application requirements. No technical reports, such as audited financial statements requiring outside preparation, are required as part of the application process.

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

The annual budget for administration of the Low-Power Television and Translator Upgrade Program is \$1 million. This includes activities for application solicitation, review, approval, processing, and monitoring. Staff costs cannot be broken out separately by function of application processing because individuals supported by this budget are involved in all of these activities.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

This is a new information collection thus no program changes or adjustments.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Not applicable. NTIA will not publish the data collected.

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

Not applicable.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of information will not employ statistical methods.