

SUPPORTING STATEMENT

A. Justification:

1. **47 CFR Section 74.781 and 47 CFR Section 74.1281** require that a licensee of a low power TV, TV translator, or TV booster station shall maintain adequate station records, including the current instrument of authorization, official correspondence with the FCC, contracts, permission for rebroadcasts, and other pertinent documents.

Sections 74.781 and 74.1281 also require that records be kept for any observed or otherwise known extinguishment or improper functioning of a tower light. The records must list the following: the nature of such extinguishment or improper functioning; the date and time the extinguishment or improper operation was observed or otherwise noted; and the date, time and nature of adjustments, repairs or replacements made.

The station records shall be maintained for inspection at a residence, office, or public building, place of business, or other suitable place, in one of the communities of license of the translator or booster, except that the station records of a booster or translator licensed to the licensee of the primary station may be kept at the same place where the primary station records are kept. The record keeper, together with the address of the place where the records are kept, shall be posted in accordance with 47 CFR 74.765(c). The station records shall be made available upon request to any authorized representative of the Commission.

Station logs and records shall be retained for a period of two years.

47 CFR Section 78.69 requires each licensee of a Cable Television Relay Service (CARS) station shall maintain records showing the following:

* For all attended or remotely controlled stations, the date and time of the beginning and end of each period of transmission of each channel;

* For all stations, the date and time of any unscheduled interruptions to the transmissions of the station, the duration of such interruptions, and the causes thereof;

* For all stations, the results and dates of the frequency measurements made pursuant to 47 CFR 78.113 and the name of the person or persons making the measurements;

* For all stations, when service or maintenance duties are performed, which may affect a station's proper operation, the responsible operator shall sign and date an entry in the station's records, giving pertinent details of all transmitter adjustments performed by the operator or under the operator's supervision.

* When a station in this service has an antenna structure which is required to be illuminated, appropriate

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entries shall be made as follows:

*The time the tower lights are turned on and off each day, if manually controlled.

*The time the daily check of proper operation of the tower lights was made, if an automatic alarm system is not employed.

*In the event of any observed or otherwise known failure of a tower light:

(i) Nature of such failure.

(ii) Date and time the failure was observed or otherwise noted.

(iii) Date, time, and nature of the adjustments, repairs, or replacements made.

(iv) Identification of Flight Service Station (Federal Aviation Administration) notified of the failure of any code or rotating beacon light not corrected within 30 minutes, and the date and time such notice was given.

(v) Date and time notice was given to the Flight Service Station (Federal Aviation Administration) that the required illumination was resumed.

*Upon completion of the 3-month periodic inspection the records should contain the following information:

*The date of the inspection and the condition of all tower lights and associated tower lighting control devices, indicators, and alarm systems.

* Any adjustments, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.

*For all stations, station record entries shall be made in an orderly and legible manner by the person or persons competent to do so, having actual knowledge of the facts required, who shall sign the station record when starting duty and again when going off duty.

*For all stations, no station record or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention required by rule. Any necessary correction may be made only by the person who made the original entry who shall strike out the erroneous portion, initial the correction made, and show the date the correction was made.

* For all stations, station records shall be retained for a period of not less than 2 years. The Commission reserves the right to order retention of station records for a longer period of time. In cases where the licensee or permittee has notice of any claim or complaint, the station record shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for filing of suits upon such claims.

The Commission is seeking an extension of this information collection in order to receive the full three year OMB approval/clearance for the collection.

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As noted on the OMB Form 83-I, this information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

Statutory authority for this collection of information is contained in Sections 154(i) of the Communications Act of 1934, as amended.

2. The FCC staff use the data in field investigations to assure reasonable measures are taken to maintain proper station operation and to ensure compliance with the Commission's rules.
 3. This is a recordkeeping requirement. Use of information technology is not feasible for this disclosure of information.
 4. No other agency imposes 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. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.
 6. The frequency for this collection of information is determined by respondents, as necessary.
 7. This collection of information is consistent with the guidelines in 5 CFR Section 1320.5(d)(2).
 8. The Commission published a Notice (74 FR 6407) in the *Federal Register* on February 9, 2009. No comments were generated as a result of the Notice.
 9. No payment or gift was provided to the respondents.
 10. There is no need for confidentiality with this collection of information.
 11. This collection of information does not address any private matters of a sensitive nature.
12. We report the following public burden:

	Number of	Total	Respondent's	Total	Hrly. In-	Total Annual
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<u>Number of Respondents</u>	<u>Filings/ Responses</u>	<u>Number of Responses</u>	<u>Burden Hours</u>	<u>Annual Burden Hours</u>	<u>House Cost</u>	<u>In-House Cost</u>
Section 74.781						
6913 ¹	1	6913	0.375 hrs.	2592.37 hrs.	\$48.08	\$124,623.36
	1	6913	0.375 hrs	2592.37 hrs.	\$25.00	\$ 64,809.25
Section 74.1281						
4949 ²	1	4949	1 hr.	4949 hrs.	\$25.00	\$ 89,082.00
1237	1	1237	1 hr.	1237 hrs.	\$25.00	\$ 30,925.00
Section 78.69						
712	1	712	0.5 hr.	356 hrs.	\$25.00	\$ 6,408.00
Totals:	13,811	20,724		11,726 hrs.		\$315,847.61

Total Number of Annual Respondents: 13,811

Total Number of Annual Responses: 20,724

Total Annual Burden Hours: 11,726 hours

Total Annual “In-house” Cost: \$315,847.61

These estimates are based on FCC staff’s knowledge and familiarity with the availability of the data required.

13. **Annual Cost Burden:** We estimate that LPTV/TV Translator/TV Booster station licensees (6,913) will employ a contract service technician to inspect the tower lights so that the records can be properly noted by the technician. We estimate the cost associated with this contract service technician is a \$100/month.

¹ There are 6,913 LPTV/TV Translator/TV Booster station licensees that are required to keep station records. The average burden on each licensee is 45 minutes (0.75 hours) per year. We assume that the maintenance of station records is completed by the licensee (50% or 0.375 hours) and by clerical personnel (50% or 0.375 hours). We estimate that 100% of licensed LPTV/TV Translator/TV Booster stations would maintain their own station records. The licensees will employ outside technicians to inspect the tower lights so that the records can be properly noted by the technician.

² There are 6,186 FM translator/booster stations that are required to keep station records. We estimate that 4,949 (80%) of all FM translator/booster stations are owned by the primary FM full service station and assume that the FM licensee will use a clerical personnel to maintain the station records. We also estimate that 1,237 (20%) of all FM translator stations are independently owned and assume that the licensee of these stations will maintain the station records.

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6,913 stations x \$100/month x 12 = **\$8,295,600**

14. There is no cost to the Federal Government.

15. There are no program changes to this information collection. There is an adjustment of +1,600 burden hours which is due to an increase in the number of responses under Section 74.1281. There is an adjustment of -\$944,400 to the annual cost burden which is due to a decrease in the number of LPTV/TV translator/TV booster station licensees under Section 74.781 which impact the amount of cost incurred by these licensees.

16. The data will not be published.

17. OMB approval of the expiration date of the information collection will be displayed at 47 CFR Section 0.408.

18. There are no other exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.