

**Supporting Statement for Information Collection Provisions of  
the Trade Regulation Rule Pursuant to the Telephone Disclosure  
and Dispute Resolution Act of 1992  
("Pay-Per-Call Rule")  
16 C.F.R. Part 308  
OMB Control No.: 3084-0102**

**(1) Necessity for Collecting the Information**

The Telephone Disclosure and Dispute Resolution Act of 1992 ("TDDRA"), 15 U.S.C. §§ 5701 *et seq.*, as amended, was enacted to curtail unfair and deceptive practices engaged in by some "pay-per-call services"<sup>1</sup> and other "telephone-billed purchases,"<sup>2</sup> and to encourage the growth of the legitimate pay-per-call industry.<sup>3</sup> The TDDRA requires the Federal Trade Commission ("FTC" or "Commission") to prescribe regulations governing various aspects of pay-per-call services and telephone-billed purchases. The Commission's Pay-Per-Call Rule, 16 C.F.R. Part 308, implements Titles II and III of the TDDRA.

- Title II of the TDDRA, 15 U.S.C. §§ 5711-5714, directs the FTC to enact regulations governing advertising by, and other service standards for, the pay-per-call industry. Title

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<sup>1</sup> The TDDRA defines "pay-per-call service" to mean, in relevant part, any service in which any person provides or purports to provide either: (1) audio information or entertainment produced or packaged by such person; (2) access to simultaneous voice conversation services; or (3) any service, including the provision of a product, the charges for which are assessed on the basis of the completion of the call. *See* 47 U.S.C. § 228(I) (Telecommunications Act of 1934, as amended by the TDDRA). This definition applies only where the caller pays a per-call or per-time-interval charge that is greater than, or in addition to, the charge for the call. *Id.* The definition is further limited to services that are accessed through use of a 900 telephone number or other prefix or area code, as designated by the Federal Communications Commission ("FCC"). *Id.* The definition does not include directory services provided by a common carrier or its affiliate or by a local exchange carrier or its affiliate, or any service for which users are assessed charges only after entering into a presubscription or comparable arrangement with the service provider. *Id.* Title II of the TDDRA, which authorizes the disclosure requirements of the Commission's Rule, incorporates this definition by reference. *See* 15 U.S.C. § 5714. Furthermore, the Telecommunications Act of 1996 authorizes the FTC to extend its Rule to cover "similar" audio information and entertainment services that are "susceptible to the unfair or deceptive acts or practices that are prohibited by" the Rule, whether or not such services are accessed through a 900 number or other prefix or area code specifically designated by the FCC under the Communications Act definition. *See* Pub. L. No. 104-104, § 701(b), 110 Stat. 56 (Feb. 8, 1996).

<sup>2</sup> 15 U.S.C. §§ 5711(c), 5721(c). Under the TDDRA, "telephone-billed purchase" refers to a purchase of goods or services (other than telephone toll services) that is "completed solely as a consequence of completion of the call or a subsequent dialing, touch tone entry, or comparable action of the caller," and includes all pay-per-call services. 15 U.S.C. § 5724(1).

<sup>3</sup> Title I of the Act directs the FCC to adopt regulations defining the obligations of common carriers in connection with providing tariffed common carrier services to providers of pay-per-call services. *See* 47 U.S.C. § 228; 47 C.F.R. §§ 64,1501 *et seq.* (FCC regulations).

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II provides, among other things, that disclosures of cost and certain other information must appear in all advertising for pay-per-call programs and in introductory messages (“preambles”) at the start of pay-per-call programs.

- Title III, 15 U.S.C. §§ 5721-5724, requires that the FTC promulgate regulations establishing procedures for resolving disputes and correcting billing errors in connection with telephone-billed purchases.

As directed by Title II, the Commission’s implementing Rule currently requires that advertisements for pay-per-call services disclose certain material information, including the cost of the call. *See* § 308.3. This material information must also be included in an introductory message (preamble) at the beginning of any pay-per-call program where the cost of the call could exceed two dollars. *See* § 308.5. The Rule also requires that anyone who calls a pay-per-call service be given the opportunity to hang up at the conclusion of the preamble without incurring any charge for the call. *Id.* In addition, the Rule requires that all preambles to pay-per-call services state that individuals under the age of 18 must have the permission of a parent or guardian to complete the call. *Id.*

Pursuant to Title III, the Rule establishes procedures for resolving billing disputes for telephone-billed purchases, such as pay-per-call services. *See* § 308.7. The Rule imposes certain obligations on entities that bill and collect for telephone-billed purchases, such as investigating and responding to billing disputes. *Id.*

In short, the Rule’s reporting and disclosure requirements are necessary because they are expressly mandated by the Act. The Rule’s one reporting requirement (found under 1a below) for common carriers is necessary for law enforcement purposes. The disclosure requirements (found under 1b below) ensure that consumers are given clear and accurate information about terms and conditions, the opportunity to decline the service, and there is a fair dispute resolution process. In addition, there are protections in place to ensure that underage children are not signed up for services without permission from a parent or guardian [found under 1b(1)-(2) below].

### **1a. Reporting requirement**

The requirement in current § 308.6, that common carriers grant the Commission, upon written request, access to records regarding their service arrangements with pay-per-call providers (“vendors”) and service bureaus continues to be necessary because the TDDRA expressly requires the Commission to adopt such a requirement.<sup>4</sup> *See* 15 U.S.C. § 5711(a)(3). Common carriers are primarily regulated by the FCC and are normally exempt from FTC jurisdiction to the extent they are engaged in common carrier activities. The reporting requirement is essential to the FTC’s exercise of its law enforcement authority by making

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<sup>4</sup> This requirement has not been categorized as record-keeping, since it does not require the maintenance of records to be reported.

explicit the agency's jurisdiction to obtain information from telephone companies that provide transmission services to pay-per-call providers. The information reported to the FTC is itself necessary and used for law enforcement purposes, *i.e.*, so that the Commission can determine legal compliance with the TDDRA and the Commission's Rule.

## **1b. Disclosure requirements**

(1) *Advertising disclosures.* The TDDRA specifically requires these disclosures. *See* TDDRA § 201(a)(1), 15 U.S.C. § 5711(a)(1) (requirements for pay-per-call advertising regulations). The advertising disclosure requirements of the Rule (§§ 308.3 and 308.4) are essential in order for consumers to understand the costs associated with the use of a pay-per-call number and any other pay-per-call service to which the caller might be transferred, and to prevent and prohibit certain unfair and deceptive practices in pay-per-call advertisements. The provider shall also ensure that any pay-per-call directed primarily to individuals under the age of 18 must have the permission of such individual's parent or legal guardian prior to calling such pay-per-call service. *See* 16 C.F.R. 308.3(f).

(2) *Preamble disclosures.* The TDDRA specifically requires these disclosures. *See* TDDRA § 201(a)(2), 15 U.S.C. § 5711(a)(2) (pay-per-call service standards, requirements for introductory disclosure message). The preamble disclosure requirements of the Rule (§ 308.9), like the advertising disclosures discussed *supra*, are necessary in order for consumers to be informed of the cost of a call and other pay-per-call service information. This includes a requirement to inform the caller that anyone under the age of 18 must have the permission of a parent or legal guardian in order to complete the call. *See* 16 C.F.R. § 308.5(a)(4).

(3) *Disclosure of telephone-billed charges in billing statements.* The TDDRA expressly mandates the Rule's current requirements for disclosure of telephone-billed charges in billing statements, § 308.5(j). *See* TDDRA § 201(a)(2)(H), 15 U.S.C. § 5711(a)(2)(H).

(4) *Disclosure of dispute resolution procedures in billing statements.* The TDDRA mandates the requirement in § 308.7(c) of the current Rule that billing statements disclose the dispute resolution procedures that are available to consumers. *See* TDDRA § 301(a)(2).<sup>5</sup>

## **(2) Use of the Information**

### **2a. Reporting requirement**

As noted in 1a, information reported by common carriers to the Commission upon request (§ 308.6) and relating to the provision of non-local telecommunications, is used by the Commission for law enforcement purposes (*i.e.*, determining legal compliance with the Rule).

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<sup>5</sup> *See* 15 U.S.C. § 5721(a)(2) (requiring that the Rule afford dispute rights substantially similar to those afforded under the Truth in Lending and Fair Credit Billing Acts).

## **2b. Disclosure requirements**

The various disclosures prescribed by the Rule are used to convey information required by the TDDRA regarding the cost and other terms and conditions of the pay-per-call service in advertisements to consumers and in the preamble to pay-per-call programs, and to inform consumers of their rights and obligation to dispute a charge if they believe a billing error has occurred. Consumers, in turn, use this information to decide whether or not to use the pay-per-call service, including the charges they must pay if they use the service, and how and whether to exercise their billing dispute rights.

### **(3) Consideration of the Use of Information Technology to Reduce Burden**

The information collection requirements of the Pay-Per-Call Rule do not prohibit affected persons from using any improved information technology to reduce the burden, which is consistent with the Government Paperwork Elimination Act, Pub. L. 105-277, § 1704, 44 U.S.C. § 3504 note. The Rule's reporting requirement is format-neutral and simply requires the production of documents upon request in whatever form they may be maintained, which may include electronic. To the extent the disclosure requirements implicitly or explicitly require that the disclosure be made in the same format as the advertisement, preamble, or other setting to which the disclosure relates, it would be impracticable to permit a service provider to make that disclosure in some alternative electronic format, which would undermine the consumer protection purpose of the disclosure. In any event, many of the disclosures, by their nature, are inherently made in an electronic format (*e.g.*, in the telephone call itself, in television advertising, etc.).

### **(4) Efforts to Identify Duplication**

The disclosure and reporting requirements of the Rule do not duplicate other information collection requirements by the Commission, or, to its knowledge, the requirements of other federal or state government agencies. To promote consistency in enforcement and compliance with respect to the pay-per-call industry, and to minimize the industry's compliance burden, the Commission and the FCC initially adopted similar prohibitions and definitions concerning pay-per-call services in their respective Pay-Per-Call Rules. The Commission's Rule governs the advertising, marketing and billing practices of the vendors, service bureaus, billing entities, and, to a limited extent, the common carriers who lease 900 numbers and other numbers to vendors of pay-per-call services. In contrast, the FCC's rule defines the obligations of common carriers with respect to the provision of 900-number services. Thus, the requirements of the Commission's Pay-Per-Call Rule do not duplicate any other information collection requirements by the FCC, but rather complement those requirements and ensure that the two agencies charged with regulation of this industry impose compatible standards.

There is no other information readily and routinely available from other sources that would provide the information that the Pay-Per-Call Rule requires to be disclosed to the public

or provided to the Commission. In fact, this is what prompted Congress to enact the TDDRA, which mandated promulgation of the Pay-Per-Call Rule.

**(5) Efforts to Minimize Burden on Small Businesses or other Small Entities**

The Commission has designed the Rule to minimize the compliance burden of these requirements as much as possible. In virtually every instance, the disclosures required by the Rule repeat exactly or follow closely the language of the requirements as set forth in the TDDRA. Thus, the Rule consistently prescribes “performance” standards rather than “design” standards (*i.e.*, specific compliance methods) that might potentially be more burdensome for regulated entities to satisfy. Similarly, as directed by the statute, the Commission patterned the billing dispute provisions of the Rule on the statutory requirements of the Truth in Lending Act and Fair Credit Billing Act without substantial change. Furthermore, while the Rule does require some reporting and disclosure, the Commission has eschewed any mandatory recordkeeping provisions.

Staff has determined that previously the Rule does not have a significant economic impact on a substantial number of small entities. *See* 63 Fed. Reg. at 58,557 (certification of no effect under the Regulatory Flexibility Act). As noted above, the Commission recently published estimate for burden costs and hours for public comment in compliance with the Paperwork Reduction Act (“PRA”) in December of 2008, and received no comment. 73 FR 79881, (Dec. 30, 2008).

**(6) Consequences of Conducting the Collection Less Frequently**

**6a. Reporting requirement**

As noted earlier, the Rule’s sole reporting requirement requires common carriers to provide financial information about vendors and service bureaus, upon request, to the FTC. These records are kept in the normal course of business and there is no requirement that the information be provided on a regular basis. To the extent this information must be made available to the Commission only upon request, the failure of the Commission to obtain this information would hamper the agency’s ability to determine whether a regulated entity is in compliance with the Rule and thus jeopardize enforcement efforts.

**6b. Disclosure requirements**

The disclosures required by the Rule provide consumers with the information necessary to make informed purchasing decisions. The TDDRA mandates these disclosures. To do less than this would violate the TDDRA and frustrate the Congressional intent underlying the statute.

**(7) Circumstances Requiring Collection Inconsistent with Guidelines**

The information collection requirements in the Pay-Per-Call Rule are consistent with all applicable guidelines contained in 5 C.F.R. § 1320.5(d).

**(8) Consultation Outside the Agency**

The Commission consulted with parties outside the agency in promulgating the original Rule. In drafting the original Rule, the staff received comments from and in some cases met with numerous members of the pay-per-call industry, including vendors, associations, telephone companies, and consumer organizations. The Commission also conducted a public workshop at which representatives of affected interests and law enforcement officials participated in a discussion of the Rule's requirements. *See* 58 Fed. Reg. 13,370 (March 10, 1993) (announcing public workshop). The Commission used this information to help it balance the need for consumers to receive certain information prior to calling and in connection with billing for pay-per-call services, with the burden such requirements would place on affected entities, within the confines of the statutory requirements.

The Commission sought public comment on the Rule and its associated burden analysis multiple times. 64 Fed. Reg. 70,031 (Dec. 15, 1999), 67 Fed. Reg. 77,066 (Dec. 16, 2002), 71 FR 9128, (Feb. 26, 2006). Although all public comments and discussion were generally directed to the compliance obligations of the Rule, the comments did not provide significant information, if any, on the FTC's specific burden hour or cost calculations regarding the current Rule's information collection requirements, despite the FTC's affirmative request for comment on these provisions.

The Commission again sought public comment on PRA aspects of the Rule, as required by 5 C.F.R. § 1320.8(d). 73 Fed. Reg. 79881 (Dec. 30, 2008). No comments were received. The FTC is providing another opportunity for public comment on its request for extension of the clearance for the Rule by publishing another Federal Register notice, contemporaneous with this submission.

**(9) Payment and Gifts to Respondents**

Not applicable.

**(10) & (11) Assurances of Confidentiality/Matters of a Sensitive Nature**

Information covered by the sole reporting requirement of the Rule (§ 308.6) is normally collected by the Commission for law enforcement purposes. In such cases, it would be subject to the confidentiality provisions of sections 6(f) and 21 of the Federal Trade Commission Act, 15 U.S.C. §§ 46(f) and 57b-2, as applicable. Section 6(f), which tracks Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), protects trade secrets and commercial or financial information obtained from a person and privileged or confidential. Section 21 of the

FTC Act protects information submitted pursuant to compulsory process or voluntarily in lieu thereof in a Commission investigation. *See* FTC Act §§ 21(b) & (f), 15 U.S.C. §§ 57b-2(b) & (f). These confidentiality provisions are also set forth in the Commission's Rules of Practice. *See, e.g.*, 16 C.F.R. § 4.10(a) (records not required to be made public).

**(12) Estimated Annual Hour and Labor Cost Burden**

The FTC's PRA analysis in the recent 60-day Federal Register notice provided estimates of the annual hour burden imposed by the Rule's information collection (*i.e.*, reporting and disclosure) requirements. *See* 73 Fed. Reg. 79881 (Dec. 30, 2008). The FTC's estimates are also set forth below first in total and then separately.

As mentioned in the Federal Register notices, the FTC is not seeking renewed clearance for the proposed rule changes that were granted in the 2006 request in our current 2009 request.<sup>6</sup> Those proposed changes have not been enacted and any final decision thereto is too uncertain to merit inclusion in this request for clearance renewal. The Commission will seek PRA clearance separately for any proposed rule amendments if that becomes necessary at a future date.

**Total estimated annual hours burden for annual reporting (a) and disclosure (b) burden:** 2,468,412 hours

**Total estimated labor costs for annual reporting (a) and disclosure (b) burden:** \$133,705,222

**Likely respondents and their estimated number:**

Respondents are telecommunications common carriers (subject to the reporting requirement only, unless acting as a billing entity), information providers (vendors) offering one or more pay-per-call services or programs, and billing entities. Staff estimates that there are 13

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<sup>6</sup> The proposed amendments had included two new advertising disclosures, a new preamble disclosure, and two new disclosures relating to the billing and dispute resolution process. We no longer include burden estimate relating to those proposals in our current burden estimates, the effect of which is explained further in our answer to Specification 15 and within the individual Information Collections set out in ROCIS.

common carriers,<sup>7</sup> approximately 13,350 vendors,<sup>8</sup> and approximately 1,250 possible billing entities.<sup>9</sup>

**(a) Reporting: 39 hours**

FTC staff has decreased its burden hour estimate to 39 hours, because of continued industry changes and the infrequency with which the Commission has relied on this requirement. FTC staff estimates roughly 13 common carriers will expend on an average estimate of 3 hours annually.

Using a \$75 blended wage rate (assuming for all labor calculations herein, \$35/hour for computer programmers, \$250/hour for attorneys, \$15/hour for skilled clerical workers, and \$50/hour for managers),<sup>10</sup> the FTC estimates an annual labor cost of \$2,925 for respondents in reporting.

**(b) Disclosure: 2,468,373 hours**

(1) Advertising. FTC staff estimates that the annual burden on the industry for the Rule's advertising disclosure requirements is 48,060 hours. The estimate reflects the burden on approximately 13,350 vendors who must make cost disclosures for all pay-per-call services and

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<sup>7</sup> This estimate is based on the North American Numbering Plan Association Report, "900-NXX Codes," (<http://www.nanpa.com/nas/public/form900MasterReport.do?method=display900MasterReport>) (updated as of November 2008), and excluding Canadian entities and one carrier that recently withdrew from carrying 900 number service. See Federal Communications Commission, "Section 63.71 Application of Sprint Communications Company L.P. for Authority to Discontinue Domestic Telecommunications Services," Order, WC Docket No. 08-116, DA 08-2557 (Wireline Competition Bureau Nov. 24, 2008) ("FCC Sprint Order").

<sup>8</sup> This number or an estimate thereof is difficult to derive as there is no ready source of such statistics. For instant purposes, FTC staff has reduced its most recent prior (2006) PRA-related estimate of the number of vendors (approximately 15,000) by 11 percent, reflecting a corresponding decrease in the allocation of 900 numbers. It is noteworthy that one carrier which recently withdrew from carrying 900-number services stated that between 2004 and 2007 claimed that it saw a 41.5 percent decrease in vendor use of such numbers. See FCC Sprint Order. However, erring conservatively, FTC staff instead is applying an 11 percent reduction in the number of vendors, tied to a comparison of the number of 900-NXX codes allocated per vendor, as reported annually by the North American Numbering Plan Administration (NANPA). In 2004, it was 133; in 2007, it fell to 118.

<sup>9</sup> The Federal Communications Commission report on telephone statistics indicated that at the end of 2007 there were approximately 1,250 local telephone companies (local exchange carriers). See Local Telephone Competition: Status as of December 31, 2007 (released 9/08) (tables 3 and 4), available at (<http://www.fcc.gov/wcb/iatd/comp.html>).

<sup>10</sup> This blended wage rate is based upon an estimate of 30 percent for computer programming, 20 percent for attorney services, 30 percent for skilled clerical workers, and 20 percent for managerial time.



additional disclosures if the advertisement is (a) directed to individuals under 18 or (b) for certain pay-per-call services.<sup>11</sup> Because of continued industry changes and the infrequency with which the Commission has relied on this requirement, staff is reducing the estimated percentage of advertising both directed to individuals under 18 and relating to certain other pay-per-call services to 20 percent of overall pay-per-call services. FTC staff estimates that each disclosure mandated by the Rule requires approximately one hour of compliance time.

The total estimated annual cost of these burden hours is \$3,316,140 applying a blended wage rate of \$69/hour.<sup>12</sup>

(2) Preamble disclosure.

Due to changes in the industry, FTC staff has reduced estimates of the industry size by 11 percent to no more than 40,819 advertised pay-per-call services. FTC staff estimates that 20 percent of all such pay-per-call services (8,164) relating to certain types of pay-per-call services require additional preamble disclosures.<sup>13</sup> On further reflection, staff has reduced its estimate to no more than one hour to draft each type of disclosure because the disclosures applicable to the preamble closely approximate in content and volume the advertising disclosures discussed above. Accordingly, staff estimates a total of 48,983 burden hours (40,819 + 8,164) to comply with these requirements. At one hour each, cumulative labor cost associated with these disclosures is \$3,379,827, using a blended wage rate of \$69/hour (*i.e.*, similar to the blended rate used for advertising disclosures).

(3) Telephone-billed charges in billing statements. Because these disclosures appear on telephone bills already generated by the local telephone companies and because the carriers are already subject to nearly identical requirements pursuant to the FCC's rules, FTC staff continues to estimate that the burden to comply would be minimal. FTC staff estimates that only 10 percent of vendors (1,335) would monitor billing statements in this manner and that it would take 12 hours per year to conduct such checks. Using the total estimated number of vendors noted above, this results in a total of 16,020 burden hours. The total annual cost would be at most \$997,245, using a blended rate of \$62.25/hour.<sup>14</sup>

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<sup>11</sup> Based on an assumed three advertisements per vendor, or a total of 40,050 ads (for 13,350 vendors, as explained in note 7), plus an estimated total 20 percent of which would require such additional disclosures, or 8,010 advertisements. Staff estimates that it would require no more than one hour to draft each type of disclosure. Accordingly, at an estimated one hour each, vendors would require cumulatively 48,060 burden hours to comply with these requirements.

<sup>12</sup> The blended rate is based upon 20 percent for attorney services, 60 percent for skilled clerical workers, and 20 percent for management time.

<sup>13</sup> See note 10.

<sup>14</sup> The blended rate is 15 percent for attorney services, 40 percent for skilled clerical workers, 25 percent for computer programming, and 20 percent for management time.

(4) Dispute resolution procedures in billing statements. These disclosures convey information required by the TDDRA to inform consumers of their rights and obligations relating to the procedures for resolving disputes in connection with telephone-billed purchases. The blended rate being used for these disclosures is \$53.5/hour.<sup>15</sup> The estimated hour burden for the annual notice component of this requirement is 6,250 burden hours (based on 1,250 possible billing entities each requiring 5 hours each), or a total cost of \$334,375.

(5) Further disclosures related to consumers reporting a billing error

These disclosures convey information required by the TDDRA to inform consumers of their rights and obligations relating to the correction of billing errors in connection with telephone-billed purchases. FTC staff has decreased its estimate of the number of those calls by 6 percent<sup>16</sup> (down to 46,981,200 calls in 2009) to reflect recent changes in the amount of pay-per-call services and their billing. Assuming the same apportionment (5 percent) of overall calls to pay-per-call services, this amounts to 2,349,060 hours, cumulatively. Applying the \$53.5/hour blended wage rate, the estimated annual cost is \$125,674,710 annually.

**(13) Estimated Annual Capital and/or Other Non-labor Related Costs**

Pursuant to OMB instructions, this item excludes the cost of burden hours already identified in item 12 *supra* and cost to the government identified in item 14 *infra*.

**a. Total capital and start-up costs**

No comments were received that provided specific information regarding capital or start-up costs relating to compliance with the current Rule. As explained earlier, compliance costs consist mainly of labor expenses incurred in meeting the reporting and disclosure requirements, and are generally expected to utilize existing equipment, facilities, functions or capabilities associated with the ordinary course of business (*e.g.*, advertising, billing, etc.).

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

Not applicable. If services necessary for compliance are purchased from outside the business rather than performed in-house, these costs would be substantially similar to the labor costs estimated earlier. Likewise, the Rule does not appear to impose special operation and maintenance costs that would be apart from those normally incurred in the ordinary course of business.

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<sup>15</sup> The blended rate is 40 percent for computer programming, 10 percent for attorney services, 30 percent for skilled clerical workers, and 20 percent for management time.

<sup>16</sup> Six percent is determined by an approximate halving of the above-noted 11% reduction staff has applied to its prior estimate of the number of vendors (see Note 7). As in past clearance requests for this Rule, it is halved on the assumption that pay-per-call services do not account for any more than half of all telephone-billed purchases.

**(14) Estimated Cost to the Federal Government**

Enforcing the information collection and reporting requirement of the Pay-per-call Rule will require approximately ½ (one half) of an attorney/investigator work year at an annualized approximate cost of \$100,000 per year. Thus, the approximate total cost to the Commission in connection with enforcing and monitoring Rule compliance will be \$50,000. Clerical and other support services are included in these estimates.

**(15) Program Changes or Adjustments**

The FTC estimates a decrease from the previous annual burden estimate of 4,401,000 hours (2006) down to 2,468,412 hours (2009). This decrease is due in part to an adjustment stemming from the ongoing changes in the pay-per-call industry as noted in our answer to specification 12. Part of the estimated decrease also stems from a program change whereby the FTC is not seeking renewed clearance for the proposed rule changes that were granted in the 2006 request this time around. Those proposed changes have not been enacted and any final decision thereto is too uncertain to merit inclusion in this request for clearance renewal. The Commission will seek PRA clearance separately for any proposed rule amendments if that becomes necessary at a future date.

**(16) Statistical Use of Information/Publication of Results**

There are no plans to publish information associated with the proposed requirements for statistical use.

**(17) Display of Expiration Date for OMB Approval**

Not applicable.

**(18) Exceptions to the “Certification of Paperwork Reduction Act Submissions”**

Not applicable.