

SUPPORTING STATEMENT

**A. Justification:**

1. On February 11, 2009, the DTV Delay Act was signed by the President and enacted into law, extending the nationwide DTV transition date from February 17 until June 12, 2009. As a result, after June 12, 2009, full-power television broadcast stations must transmit only digital signals, and may no longer transmit analog signals,<sup>1</sup> except for limited analog “nightlight” service.<sup>2</sup> The DTV Delay Act directs the Commission to take any actions “necessary or appropriate to implement the provisions, and carry out the purposes” of the DTV Delay Act, and to do so within 30 days.<sup>3</sup> Congress extended the transition date in order to permit analog service to continue until consumers have had additional time to prepare.<sup>4</sup> But Congress also directed the Commission to provide flexibility for stations wanting to transition prior to the new date.<sup>5</sup> Stations may have made extensive preparations for a February 17 digital transition and some may have difficulty altering their commitments at this time. The Commission’s challenge is to provide opportunities for some stations to end analog broadcasting early without sacrificing the goal of giving consumers additional time to prepare. The Commission is in the process of releasing a Public Notice which will slightly modify the CDBS

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<sup>1</sup>See DTV Delay Act, Pub. L. No. 111-4, 123 Stat. 112 (2009). The DTV Delay Act (to be codified at 47 U.S.C. §§ 309(j)(14) and 337(e)), amends Section 309(j)(14) of the Communications Act to establish June 12, 2009 as the new nationwide deadline for the end of analog transmissions by full-power stations. 47 U.S.C. § 309(j)(14)(A) (“A full-power television broadcast license that authorizes analog television service may not be renewed to authorize such service for a period that extends beyond June 12, 2009.”). See also 47 U.S.C. § 337(e)(1) (“Any full-power television station licensee that holds a television broadcast license to operate between 698 and 806 megahertz may not operate at that frequency after June 12, 2009.”).

<sup>2</sup> See the Short-term Analog Flash and Emergency Readiness Act, Pub. L. No.110-459, 122 Stat. 5121 (2008) (“Analog Nightlight Act”).

<sup>3</sup> DTV Delay Act § 4(c) (“Notwithstanding any other provision of law, the Federal Communications Commission ... shall, not later than 30 days after the date of enactment of this Act, each adopt or revise its rules, regulations, or orders or take such other actions as may be necessary or appropriate to implement the provisions, and carry out the purposes, of this Act and the amendments made by this Act.”). . In addition, the DTV Delay Act amends the Digital Television and Public Safety Act of 2005 (“DTV Act”), Pub. L. No. 109-171, 120 Stat. 4 (2006), to direct the Commission to “take such actions as are necessary (1) to terminate all licenses for full-power television stations in the analog television service, and to require the cessation of broadcasting by full-power stations in the analog television service, by June 13, 2009; and (2) to require by June 13, 2009, ... all broadcasting by full-power stations in the digital television service, occur only on channels between channels 2 and 36, inclusive, or 38 and 51, inclusive (between frequencies 54 and 698 megahertz, inclusive).” 47 U.S.C.A. § 309 Note.

<sup>4</sup> See, e.g., Cong. Rec. H895 (daily ed. February 4, 2009).

<sup>5</sup> DTV Delay Act, § 4(a) (“PERMISSIVE EARLY TERMINATION UNDER EXISTING REQUIREMENTS.— Nothing in this Act is intended to prevent a licensee of a television broadcast station from terminating the broadcasting of such station’s analog television signal (and continuing to broadcast exclusively in the digital television service) prior to the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service (as amended by section 2 of this Act) so long as such prior termination is conducted in accordance with the Federal Communications Commission’s requirements in effect on the date of enactment of this Act, including the flexible procedures established in the Matter of Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television (FCC 07–228, MB Docket No. 07–91, released December 31, 2007”).

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**May 2009**

**Title: Special Temporary Authorization (STA) Requests, Section 47 CFR 73.1635; Notifications, Section 47 CFR 73.1615; and Informal Filings, Section 47 CFR Part 73.**

filing procedures to enable the Commission to better track and monitor the Analog Nightlight Participation Notifications, Analog Nightlight Participation Requests, Analog Nightlight Program Objections to Eligibility Showings and Analog Nightlight Program Revocations. Therefore, rather than using the STA “Legal” and “Engineering” filings, we have created the following simpler, specific informal CDBS forms for the nightlight program: (1) Participation Notice of Pre-Approved Eligible Station (Analog Nightlight Program); (2) Eligibility Showing (Analog Nightlight Program); (3) Objection to Eligibility Showing (Analog Nightlight Program); and (4) Revocation of Participation (Analog Nightlight Program).

**Non-Substantively Revised Information Collection Requirements Which Require OMB Review and Approval:**

**Analog Nightlight Participation Notifications.** Stations that are pre-approved by the FCC to be eligible to participate in the analog nightlight program may notify the Commission of their intent to participate in the analog nightlight program by either filing a the informal form “Participation Notice of Pre-Approved Eligible Station (Analog Nightlight Program)” electronically through the Commission’s Consolidated Database System (“CDBS”) using the Informal Application filing form or by sending an e-mail to [nightlight@fcc.gov](mailto:nightlight@fcc.gov).

**Analog Nightlight Participation Requests.** Stations that are not pre-approved by the FCC to be eligible to participate in the analog nightlight program may nonetheless request Commission approval to participate in the analog nightlight program by filing “Eligibility Showing (Analog Nightlight Program)” electronically through CDBS using the Informal Application filing form.

**Objections to Nightlight Eligibility Showings.** Stations or other interested parties may file an objection to an Eligibility Showing, with their own engineering showing that the station seeking eligibility is not eligible to participate in the program. Objections should be filed electronically through CDBS using the Informal Application filing form: “Objection to Eligibility Showing (Analog Nightlight Program).”

**Revocation of Nightlight Participation.** Stations may revoke their notice to participate in the analog nightlight program by filing electronically through CDBS using the Informal Application filing form: “Revocation of Participation (Analog Nightlight Program).”

**These requirements are also approved under this information collection and have not changed since last approved by OMB:**

**Special Temporary Authority (STA) Requests, 47 CFR 73.1635.** Broadcast stations (licensees or permittees) may file a request for STA approval to permit a station to operate a broadcast facility for a limited period at a specified variance from the terms of the station’s authorization or requirements of the FCC rules. Stations may file a request for STA approval for a variety of reasons. The request must describe the operating modes and facilities to be used.

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**DTV STA for Phased Transition and Continued Interim Operations.** Stations may file a request for Special Temporary Authorization (STA) approval to temporarily remain on their in-core, pre-transition DTV channel after the transition date through the CDBS using the Informal Application Filing Form.

**DTV STA for Phased Transition / Build-Out.** Stations may file a request for STA approval to build less than full, authorized post-transition facilities by the transition date through the CDBS using the Informal Application Filing Form.

**DTV STA for Permanent Service Reduction or Termination.** Stations may file a request for STA approval to permanently reduce or terminate analog or pre-transition DTV service where necessary to facilitate construction of final, post-transition facilities through the CDBS using the Informal Application Filing Form.

**DTV Notification/Informal Letter of Temporary Service Disruption.** Stations may file a notification or informal letter pursuant to Section 73.1615 to temporarily reduce or cease existing analog or pre-transition DTV service where necessary to facilitate construction of final, post-transition facilities through the CDBS using the Informal Application Filing Form. **(This notification requirement as it relates to permanently terminating analog service is replaced by the new notification requirements.)**

**DTV Notification of Service Reduction or Termination.** Stations may file a notification to permanently reduce or terminate analog or pre-transition DTV service within 90 days of the transition date through the CDBS using the Informal Application Filing Form. **(This notification requirement as it relates to permanently terminating analog service is replaced by the new notification requirements.)**

**DTV Informal Filings.** Stations claiming a “unique technical challenge” (as defined in the Report and Order)<sup>6</sup> warranting a February 17, 2009 construction deadline may file a notification to document their status through the CDBS using the Informal Application Filing Form.

**Notifications, 47 CFR 73.1615.** Broadcast stations (AM, FM, TV or Class A TV licensees or permittees) must file a notification under 47 CFR 73.1615(c) when such a station is in the process of modifying existing facilities as authorized by a construction permit and determines it is necessary to either discontinue operation or to operate with temporary facilities to continue program service for a period not more than 30 days. Licensees or permittees of directional or nondirectional FM, TV or Class A TV or nondirectional AM must file a notification and comply with 47 CFR 73.1615(a). Licensees or permittees of a directional AM station

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<sup>6</sup> As discussed in the Third DTV Periodic Report and Order, stations may face specific and unique technical challenges that would prevent them from meeting their deadline to construct final, post-transition facilities. Such challenges include stations that have a side-mounted digital antenna and top-mounted analog antenna and will need to install a top-mounted antenna for post-transition digital use, but cannot do so before the end of the transition because the tower cannot support the additional weight of third antenna, or face other circumstances in which the operation of a station’s analog service prevents the completion of construction of the station’s full, authorized post-transition facility, including stations whose local power company cannot provide sufficient electrical capacity to the tower site to power both analog and full power digital operations, and stations that do not have space at their antenna site for both analog and digital equipment.

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whose modification does not involve a change in operating frequency must file a notification and comply with 47 CFR 73.1615(b). Licensees or permittees of a directional AM station whose modification does involve a change in frequency and determines it is necessary to discontinue operation for a period not more than 30 days must file a notification and comply with 47 CFR 73.1615(d)(2).

**Informal Filings, 47 CFR 73.1615.** Broadcast stations (AM, FM, TV or Class A TV licensees or permittees) must file an informal letter request under 47 CFR 73.1615(c)(1) when such a station is in the process of modifying existing facilities pursuant to 47 CFR 73.1615(a) or (b) and determines it is necessary to either discontinue operation or to operate with temporary facilities to continue program service for a period of more than 30 days. Licensees or permittees that filed notifications under 47 CFR 73.1615(d)(2) but which determine that it is necessary to discontinue operation for a period more than 30 days must file an informal letter request and comply with 47 CFR 73.1615(d)(1) and (2).

**Revocation of Early Analog Termination Form** is used to allow stations to revoke a planned early termination and instead transition on the June 12 transition date.

**Updates to Analog Termination Form** is used to allow stations to update their Analog Termination Form to change their (i) time of day for termination and/or (ii) consumer referral telephone number.

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 1, 4(i) and (j), 7, 301, 302, 303, 307, 308, 309, 312, 316, 318, 319, 324, 325, 336, and 337 of the Communications Act of 1934, as amended.

2. The data is used by FCC staff to determine whether to grant and/or accept the requested special temporary authority (“STA”) (or other request for FCC action), the required notification, informal filing or other non-form submission.<sup>7</sup> FCC staff will review for compliance with legal and technical regulations, including but not limited to ensuring that impermissible interference will not be caused to other stations.

3. All STA requests, notifications, informal filings and other “non-form” submissions *may* be filed electronically via the FCC’s Consolidated Database System (“CDBS”). These filings may also be filed by letter, but only if expressly authorized by rule or Commission approval.

**For DTV Transition-related:** All STA requests, notifications, informal filings and other “non-form” submissions related to the DTV transition *must* be filed electronically via CDBS. Stations may email courtesy copies of their STA requests, notifications, and informal filings to the appropriate email address: [analogrequests@fcc.gov](mailto:analogrequests@fcc.gov), [dtvrequests@fcc.gov](mailto:dtvrequests@fcc.gov), or [dtvnotifications@fcc.gov](mailto:dtvnotifications@fcc.gov).

4. No other agency imposes a similar information collection on the respondents. There is no similar data

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<sup>7</sup> Generally, “non-form” filings are notifications or request filed with the Commission that are submitted by informal letter as opposed to a specific Commission form.

available.

5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. The revised information collection requirements permit broadcasters to request and obtain regulatory flexibility from the Commission, if necessary, to meet their DTV construction deadlines. The requirements are only necessary should the station seek to obtain the benefit of one of the provisions for regulatory flexibility. Although these requirements will impose some costs on small broadcasters, they will also ensure that small broadcasters continue to retain their audiences after the transition by fully informing viewers of the steps necessary to keep watching. Small broadcasters rely completely on their viewing audience for their revenue stream, so this benefit should far outweigh any costs for this temporary requirement. Therefore, this collection of information will not have a significant economic impact on a substantial number of small entities/businesses.

6. Congress has mandated that after June 12, 2009, full -power broadcast stations must transmit only in digital signals, and may no longer transmit analog signals. The Commission must ensure that, by the February 17, 2009 transition date, all full-power television broadcast stations (1) cease analog broadcasting and (2) complete construction of, and begin operations on, their final, DTV facility. Broadcasters may need regulatory flexibility in order to achieve these goals. Without these submissions, the Commission will not be able to determine eligibility for certain opportunities for regulatory flexibility. 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 1320.5(d)(2).

8. The Commission received OMB approval to waive the Federal Register public comment period for the new information collection requirements contained in this supporting statement due to the Commission immediately having to collect the information collections from the public.

9. No payment or gift was provided to the respondents.

10. There is no need for confidentiality with this collection of information.

11. This information collection does not address any private matters of a sensitive nature.

12. We make the following estimates for STA requests, notifications and informal filings.

**a) STA Requests.** We estimate that a total of 2,500 STA requests will be filed with the Commission annually. We estimate that 10% of these filings (or 250 filings) will be made by the station licensee/permittee without outside consultation and will require four (4) hours preparation, while 90% of these filings (or 2,250 filings) will be contracted out to outside attorneys and/or consulting engineers and will require one (1) hour of consultation with these outside parties.

**b) Notifications, Certifications and Showings.** We estimate that a total of 2,050 notifications for early analog termination will be filed with the Commission and we estimate that 800 of these notifications will contain either a required certification or showing. Our estimate is as follows:

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- We estimate that a total of 300 notifications will be filed pursuant to Section 73.1615. Roughly 67% of the notification filings (200 notifications) will be made by the station licensee/permittee without outside consultation and will require 30 minutes (0.5 hours) preparation, while the other 33% of these filings (100 notifications) will be contracted out to outside attorneys and/or consulting engineers and will require one (1) hour consultation with these outside parties.
- We estimate that 33% of the notification filings (400 notifications) will be made by the station licensee/permittee without outside consultation and will require 30 minutes (0.5 hours) preparation, while the other 66% of these filings (800 notifications) will be contracted out to outside attorneys and/or consulting engineers and will require one (1) hour consultation with these outside parties.
- The certifications (790) will solely be filed by the respondent and take 0.5 hours to file. The respondent will consult with an outside attorney or engineer before making the certification filings with the Commission. This consultation will take the respondent one (1) additional hour.<sup>8</sup>
- The showings (10) will be filed by an outside attorney or engineer. The respondent will meet with the consultant to discuss the showings. This consultation will take the respondent one (1) additional hour.<sup>9</sup>
- We estimate that a total of 40 Revocation of Early Analog Termination notifications will be filed by the respondent and take 0.5 hours to file. The respondent will consult with an outside attorney or engineer regarding the remaining 10 filings that will be made by the outside consult. The consultation will take the respondent 1 hour.
- We estimate that a total of 450 Update to Analog Termination notifications will be filed by the respondent and take 0.5 hours to file. The respondent will consult with an outside attorney or engineer regarding the remaining 50 filings that will be made by the outside consult. The consultation will take the respondent 1 hour.

**c) Informal Filings.** We estimate that a total of 150 informal letters will be filed with the Commission annually. We estimate that 20% of these filings (or 30 informal letters) will be made by the station licensee/permittee without outside consultation and will require four (4) hours preparation, while 80% of these filings (or 120 filings) will be contracted out to outside attorneys and/or consulting engineers and will require one (1) hour consultation with these outside parties.

**d) Participation Notifications via CDBS (Analog Nightlight Program).** We estimate that a total of 300 notifications will be filed with the Commission via CDBS. We estimate that the licensee/permittee will file the notifications without outside consultation and will require 30 minutes (0.5 hours) preparation.

**e) Participation Email Notifications via “[Nightlight@fcc.gov](mailto:Nightlight@fcc.gov)” (Analog Nightlight Program).** We estimate that a total of 450 notifications will be filed with the Commission via email. We estimate that the

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<sup>8</sup> These certifications may be filed in the same form as the required binding notifications.

<sup>9</sup> These showings may be filed in the same form as the required binding notifications.

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licensee/permittee will file the notifications without outside consultation and will require 30 minutes (0.5 hours) preparation.

**f) Participation Requests or “Eligibility Showings” via CDBS (Analog Nightlight Program).** We estimate that a total of 25 showings will be filed with the Commission. We estimate that these filings will be contracted out to outside attorneys and/or consulting engineers and will require one (1) hour consultation with these outside parties.

**g) “Objections to Eligibility Showing” via CDBS (Analog Nightlight Program).** We estimate that a total of 25 objections will be filed with the Commission. We estimate that these filings will be contracted out to outside attorneys and/or consulting engineers and will require one (1) hour consultation with these outside parties.

**h) Revocations via CDBS (Analog Nightlight Program).** We estimate that a total of 25 revocation notifications will be filed with the Commission via CDBS. We estimate that the licensee/permittee will file the revocation notices without outside consultation and will require 30 minutes (0.5 hours) preparation.

Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents <sup>10</sup>	Annual In-House Cost
<b>12a. STA Requests (47 CFR § 73.1635)</b>						
STA filed by Licensee/ Permittee	250	250	4 hrs	1,000 hrs	\$48.08	\$ 48,080.00
STA filed by outside engineer/attorney but will require the respondent to consult with outside parties regarding the filings	2,250	2,250	1 hr consultation	2,250 hrs	\$48.08	\$108,180.00
<b>Total STA Requests</b>	<b>2,500</b>	<b>2,500</b>		<b>3,250 hrs</b>		<b>\$156,260.00</b>
<b>12b. Notifications, Certifications and Showings (47 CFR Part 73)</b>						
Rule 73.1615 Notifications filed by Licensee/ Permittee <sup>11</sup>	200	200	0.5 hrs	100 hrs	\$48.08	\$4,808.00
Rule 73.1615 Notifications filed by outside engineer/attorney but will require the respondent to consult						

<sup>10</sup> This estimate is based on an average salary for a station manager of \$100,000 per year or \$48.08 per hour.

<sup>11</sup> This burden is reduced to reflect that stations that would permanently terminate analog service via this notification will now do so using the new binding analog TV service notification.

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Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents	Annual In-House Cost
with outside parties regarding the filings <sup>12</sup>	100	100	1 hr consultation	100 hrs	\$48.08	\$4,808.00
Analog TV Service Termination Notifications filed by Licensee/Permittee	400	400	0.5 hours	200 hrs	\$48.08	\$9,616.00
Analog TV Service Termination Notifications filed by outside engineer/attorney but will require the respondent to consult with outside parties regarding the filings	800	800	1 hr consultation	800 hrs	\$48.08	\$38,464.00
Certification of Compliance with Public Interest Condition Filings	790	790	1.5 hr <sup>13</sup>	1,185 hrs	\$48.08	\$56,974.80
Showing (Exigent Circumstance) Filings filed by outside engineer/attorney but will require the respondent to consult with outside parties regarding the filings	10	10	1 hr consultation	10 hrs	\$48.08	\$480.80
Revocation of Early Analog Termination Filings filed by Licensee/Permittee	40	40	0.5 hr	20 hrs	\$48.08	\$961.60
Revocation of Early Analog Termination Filings filed by						

<sup>12</sup> This burden is reduced to reflect that stations that would permanently terminate analog service via this notification will now do so using the new binding analog TV service notification.

<sup>13</sup> This time includes 1 hour of consultation with an outside attorney regarding the Certification of Compliance filings. The respondent will file the certification once he or she has met with the outside attorney to discuss the document. The actual filing will take 0.5 hours of the respondent's time to complete.



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Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents	Annual In-House Cost
outside engineer/attorney but will require the respondent to consult with outside parties regarding the filings	10	10	1 hr consultation	10 hrs	\$48.08	\$480.80
Updates to Analog Termination Form filed by Licensee/Permittee	450	450	0.5 hr	225 hrs	\$48.08	\$10,818.00
Updates to Analog Termination Form by outside engineer/attorney but will require the respondent to consult with outside parties regarding the updates	50	50	1 hr consultation	50 hrs	\$48.08	\$2,404.00
<b>Total Notifications, Certifications and Showings</b>	<b>2,850</b>	<b>2,850</b>		<b>2,700 hrs</b>		<b>\$129,816.00</b>
<b>12c. Informal Filings (47 CFR Part 73)</b>						
Rule 73.1615 Informal Letters filed by Licensee/ Permittee	30	30	4 hrs	120 hrs	\$48.08	\$5,769.60
Rule 73.1615 Informal Letters filed by outside engineer/attorney but will require the respondent to consult with outside parties regarding the filings	120	120	1 hr consultation	120 hrs	\$48.08	\$5,769.60
<b>Total Informal Filings</b>	<b>150</b>	<b>150</b>		<b>240 hrs</b>		<b>\$11,539.20</b>
<b>12d. Analog Nightlight Program Participation Notifications</b>						
Participation Notifications via CDBS for the Analog Nightlight Program filed by						

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Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents	Annual In-House Cost
Licensee/Permittee	300	300	0.50 hrs	150 hrs	\$48.08	\$7,212.00
<b>Total Participation Notifications via CDBS (Analog Nightlight Program)</b>	<b>300</b>	<b>300</b>		<b>150 hrs</b>		<b>\$7,212.00</b>
<b>12e. Analog Nightlight Program Participation Email Notifications</b>						
Participation Email Notifications for the Analog Nightlight Program filed by Licensee/Permittee	450	450	0.50 hrs	225 hrs	\$48.08	\$10,818.00
<b>Total Analog Nightlight Program Participation Email Notification Filings</b>	<b>450</b>	<b>450</b>		<b>225 hrs</b>		<b>\$10,818.00</b>
<b>12f. Analog Nightlight Program Participation Requests or “Eligibility Showings”</b>						
Participation Requests or “Eligibility Showings for the Analog Nightlight Program	25	25	1 hr consultation	25 hrs	\$48.08	\$1,202.00
<b>Total Analog Nightlight Program Participation Requests or Eligibility Showings</b>	<b>25</b>	<b>25</b>		<b>25 hrs</b>		<b>\$1,202.00</b>
<b>12g. Analog Nightlight Program Objections to “Eligibility Showings”</b>						
Objections to Eligibility Showing for the Analog Nightlight Program	25	25	1 hr consultation	25 hrs	\$48.08	\$1,202.00
<b>Total Analog Nightlight Program Objections to Eligibility Showings</b>	<b>25</b>	<b>25</b>		<b>25 hrs</b>		<b>\$1,202.00</b>
<b>12h. Analog</b>						

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Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents	Annual In-House Cost
<b>Nightlight Program Revocations</b>						
Revocations for Nightlight Program	25	25	0.50 hrs	12.5 hrs	\$48.08	\$601.00
<b>Total Analog Nightlight Program Revocations</b>	<b>25</b>	<b>25</b>		<b>12.5</b>		<b>\$601.00</b>

**Total Annual Number of Respondents and Responses:**

2,500 + 2,850 + 150 + 300 + 450 + 25 + 25 + 25 = **6,325**

**Total Annual Burden Hours:**

3,250 hrs + 2,700 hrs + 240 hrs + 150 hrs + 225 hrs + 25 hrs + 25 hrs + 12.5 hrs = **6,627.5 hours**  
**6,628**

(rounded)

**Total Annual "In-House Cost":**

\$156,260.00 + \$129,816.00 + \$11,539.20 + \$7,212.00 + \$10,818 + \$1,202.00 + \$1,202.00 + \$601.00 =  
**\$318,650.20**

**13. ANNUAL COST BURDEN:**

a) STA Requests. A contract consulting engineer and/or an attorney would prepare and submit the request for special temporary authority depending on the circumstances. We estimate that the average salary for a consulting engineer is \$150/hour and for the attorney is \$200/hour. Because these filings may be reviewed and/or filed by either or both an outside attorney or engineer consultant, we estimate the average salary to be \$175/hour. In addition, a licensee must submit a fee for each request by a commercial broadcast station for special temporary authority at \$160/request. We estimate that 86% of all requests filed will be for commercial stations (2,500 x 86% = 2,150 requests).

2,250 STA requests x \$175/hour x 1 hour =	\$393,750
2,150 STA requests x \$160 fee/ request =	<u>\$344,000</u>
<b>Annual Cost Burden =</b>	<b>\$737,750</b>

b) Notifications, Certifications and Showings. A contract consulting engineer and/or an attorney would prepare and submit the notification, certifications and showings depending on the circumstances. We estimate that the average salary for a consulting engineer is \$150/hour and for the attorney is \$200/hour. Because these filings may be reviewed and/or filed by either or both an outside attorney or engineer consultant, we estimate the average salary to be \$175/hour.

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960 notifications x \$175/hour x 1 hour =	\$168,000
790 certifications for the consultant to discuss with respondent x \$175/hour x 1 hour =	\$138,250
10 showings x \$175/hour x 2 hours =	<u>\$ 3,500</u>
<b>Annual Cost Burden =</b>	<b>\$309,750</b>

c) Informal Filings. A contract consulting engineer and/or an attorney would prepare and submit the informal letter depending on the circumstances. We estimate that the average salary for a consulting engineer is \$150/hour and for the attorney is \$200/hour. Because these filings may be reviewed and/or filed by either or both an outside attorney or engineer consultant, we estimate the average salary to be \$175/hour. In addition, a licensee must submit a fee for each request by a commercial broadcast station for special temporary authority at \$150/request. We estimate that 86% of all requests filed will the Commission will be for commercial stations (150 x 86% = 129 requests).

120 informal letter requests x \$175/hour x 1 hour =	\$21,000
129 informal letter requests x \$160 fee / request =	<u>\$20,640</u>
<b>Annual Cost Burden =</b>	<b>\$41,640</b>

d) Analog Nightlight Program Participation Notifications. – No cost assessed. The respondent will prepare the notifications without outside assistance.

e) Analog Nightlight Program Participation Email Notifications. – No cost assessed. The respondent will prepare the notifications without outside assistance.

f) Analog Nightlight Program Participation Requests or Eligibility Showings. A contract consulting engineer and/or an attorney would prepare and submit the showings depending on the circumstances. We estimate that the average salary for a consulting engineer is \$150/hour and for the attorney is \$200/hour. Because these filings may be reviewed and/or filed by either or both an outside attorney or engineer consultant, we estimate the average salary to be \$175/hour.

25 showings x \$175/hour x 1 hour =	\$4,375
<b>Annual Cost Burden =</b>	<b>\$4,375</b>

g) Analog Nightlight Program Objections to Eligibility Showings. A contract consulting engineer and/or an attorney would prepare and submit the showings depending on the circumstances. We estimate that the average salary for a consulting engineer is \$150/hour and for the attorney is \$200/hour. Because these filings may be reviewed and/or filed by either or both an outside attorney or engineer consultant, we estimate the average salary to be \$175/hour.

25 objections x \$175/hour x 1 hour =	\$4,375
<b>Annual Cost Burden =</b>	<b>\$4,375</b>

h) Analog Nightlight Program Revocations. – No cost assessed. The respondent will prepare the notifications without outside assistance.

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Total Annual Cost Burden = \$737,750 + \$309,750 + \$41,640 + \$4,375 + \$4,375 = \$1,097,890

**14. Cost to the Federal Government:**

a) STA Requests. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the STAs to take from 0.50 to 2 hours to process.

2,500 STAs x \$55.78 x 2 hours =	\$278,900.00
2,500 STAs x \$33.12 x 2 hours =	\$165,600.00
2,500 STAs x \$18.07 x 0.50 hour =	<u>\$ 22,587.50</u>
<b>Cost to the Federal Government:</b>	<b>\$467,087.50</b>

b) Notifications. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the notifications to take from 0.50 to 1 hour to process.

2,850 notifications, certifications and showings x \$55.78 x 1 hour =	\$158,973.00
2,850 notifications, certifications and showings x \$33.12 x 1 hour =	\$ 94,392.00
2,850 notifications, certifications and showings x \$18.07 x 0.50 hours =	<u>\$ 25,749.75</u>
<b>Cost to the Federal Government:</b>	<b>\$279,114.75</b>

c) Informal Filings. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the informal filings to take from 0.50 to 2 hours to process.

150 STAs x \$55.78 x 2 hours =	\$16,734.00
150 STAs x \$33.12 x 2 hours =	\$ 9,936.00
150 STAs x \$18.07 x 0.50 hour =	<u>\$ 1,355.25</u>
<b>Cost to the Federal Government:</b>	<b>\$28,025.25</b>

d) Analog Nightlight Program Participation Notifications. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5

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level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the notifications to take from 0.50 to 1 hour to process.

300 notifications x \$55.78 x 1 hour =	\$16,734.00
300 notifications x \$33.12 x 1 hour =	\$ 9,936.00
300 notifications x \$18.07 x 0.50 hours	<u>\$ 2,710.50</u>
<b>Cost to the Federal Government:</b>	<b>\$29,380.50</b>

e) Analog Nightlight Program Participation Email. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the notifications to take from 0.50 to 1 hour to process.

450 STA notifications x \$55.78 x 1 hour =	\$25,101.00
450 STA notifications x \$33.12 x 1 hour =	\$14,904.00
450 STA legal notifications x \$18.07 x 0.50 hours	<u>\$ 4,065.75</u>
<b>Cost to the Federal Government:</b>	<b>\$44,070.75</b>

f) Analog Nightlight Program Participation Requests or Eligibility Showings. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the notifications to take from 0.50 to 1 hour to process.

25 showings x \$55.78 x 1 hour =	\$1,394.50
25 showings x \$33.12 x 1 hour =	\$ 828.00
25 showings x \$18.07 x 0.50 hours =	<u>\$ 225.88</u>
<b>Cost to the Federal Government:</b>	<b>\$2,448.38</b>

g) Analog Nightlight Program Objections to Eligibility Showings. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the notifications to take from 0.50 to 1 hour to process.

25 objections x \$55.78 x 1 hour =	\$1,394.50
25 objections x \$33.12 x 1 hour =	\$ 828.00
25 objections x \$18.07 x 0.50 hours =	<u>\$ 225.88</u>
<b>Cost to the Federal Government:</b>	<b>\$2,448.38</b>

h) Analog Nightlight Program Revocations. We estimate the government will use legal and engineer staff at the GS-14, step 5 level (\$55.78/hour), paraprofessional staff at the GS-11, step 5 level (\$33.12/hour) and clerical staff at the GS-5, step 5 level (\$18.07/hour). We expect the processing for the notifications to take from 0.50 to 1 hour to process.

25 notifications x \$55.78 x 1 hour =	\$1,394.50
25 notifications x \$33.12 x 1 hour =	\$ 828.00

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25 notifications x \$18.07 x 0.50 hours                      \$ 225.88  
**Cost to the Federal Government:                      \$2,448.38**

**Total Cost to the Federal Government:**

\$467,087.50 + 279,114.75 + \$28,025.25 + \$29,380.50 + \$44,070.75 + \$2,448.38 + \$2,448.38 + \$2,448.38 = **\$855,023.89**

15. There are program changes to the annual burden hours of -92 hours and annual cost burden of -\$54,250. These program changes will be due to the Commission releasing a Public Notice which will slightly modify the CDBS filing procedures to enable the Commission to better track and monitor the Analog Nightlight Participation Notifications, Analog Nightlight Participation Requests, Analog Nightlight Program Objections to Eligibility Showings and Analog Nightlight Program Revocations.

16. The data will not be published.

17. OMB approval of the expiration of the information collection will be displayed at 47 C.F.R. Section 0.408.

18. There are no exceptions to the Certification Statement.

**B. Collections of Information Employing Statistical Methods**

No statistical methods are employed.