

SUPPORTING STATEMENT**A. Justification:**

1. FCC Form 327 is the application for a Cable Television Relay Service (CARS) microwave radio license. Franchised cable systems and other eligible services use the 2, 7, 12 and 18 GHz CARS bands for microwave relays pursuant to Part 78 of the Commission's Rules. CARS is principally a video transmission service used for intermediate links in a distribution network. CARS stations relay signals for and supply program material to cable television systems and other eligible entities using point-to-point and point-to-multipoint transmissions. These relay stations enable cable systems and other CARS licensees to transmit television broadcast and low power television and related audio signals, AM and FM broadcast stations, and cablecasting from one point (*e.g.*, on one side of a river or mountain) to another point (*e.g.*, the other side of the river or mountain) or many points ("multipoint") via microwave.

The filing is done for an initial license, for modification of an existing license, for transfer or assignment of an existing license, and for renewal of a license after five years from initial issuance or from renewal of a license. Filing is done in accordance with 47 CFR Sections 78.11 to 78.40 of the Commission's Rules.

FCC Form 327 consists of multiple schedules and exhibits, depending on the specific action for which it is filed. Initial applications are the most complete and renewal applications are the most brief. The data collected is used by Commission staff to determine whether grant of a license is in accordance with Commission requirements on eligibility, permissible use, efficient use of spectrum, and prevention of interference to existing stations.

History:

On May 22, 2002, the Commission released a Report and Order (R&O) in CS Docket No. 99-250, FCC 02-149, *In the Matter of: Amendment of Eligibility Requirements in Part 78 Regarding 12 GHz Cable Television Relay Service*. The R&O expanded the class of those eligible to hold CARS licenses to all Multichannel Video Programming Distributors (MVPDs) and, thus, the reporting requirement is imposed on an additional group of persons. Previously, only cable systems/wireless cable systems (MDS and MMDS) were eligible for CARS licenses.

This action revised and simplified the form in anticipation of implementation of electronic filing pursuant to the Commission's R&O in CS Docket No. 00-78, FCC 03-55, *Implementation of Electronic Filing for the Multichannel Video and Cable Television Service and Cable Television Relay Service*, which was released on March 19, 2003, 18 FCC Rcd 5162, 68 FR 26997 (2003).

The Commission is seeking an extension of this information collection in order to receive the full three year OMB approval/clearance of this 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), 308 and 309 of the Communications Act of 1934, as amended.

2. The data is used by Commission staff to determine whether the applicant meets basic statutory requirements and is qualified to become or continue as a Commission licensee.
3. The Commission is currently completing electronic filing capability for this form. The current action is specifically to facilitate implementation of electronic filing. In the interim, to file the paper copy of FCC Form 327 licensees must follow the Commission's filing procedures outlined in 47 CFR Sections 1.1101 through 1.1119 of the Commission's Rules, including payment of the fee and filing FCC Form 159.
4. No other agency imposes a similar information collection on the respondents. There are no similar data available.
5. This collection of information does not have a significant impact on a substantial amount of small businesses.
6. If the Commission did not require the collection of this information, it would be unable to determine whether prospective applicants meet the basic statutory requirements to obtain a CARS license.
7. There are no special circumstances.
8. The Commission published a Notice (74 FR 12361) in the Federal Register on March 24, 2009. No comments were generated as a result of the Notice.
9. There are no payments or gifts given to 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. The Commission expects to receive 400 FCC Form 327 filings. The estimated average burden is 3.166 hours per filing. These estimates are based on Commission staff's knowledge and familiarity with the data required.

Total number of annual respondents/responses: 400

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Total annual burden hours: 400 FCC Form 327 filings x 3.166 hours/form = **1,266 hours**

13. Annual Cost Burden:

a. Total capital and start-up costs: **None**

b. Operation and maintenance costs: The Commission charges an application fee of \$245 for each FCC Form 327 filing filed with the Commission.

\$245 filing fee x 400 FCC Form 327 annual filings = **\$98,000**

c. Total annualized cost requested: **\$98,000**

14. Cost to the Federal Government: The Commission will use professional staff at the GS-15 (\$73.65/hours), GS-13 levels (\$54.33/hour) and paraprofessional staff at the GS-12 level (\$45.68/hour) to process these applications.

	<u>Total hours</u> <u>Per Application</u>	<u>Cost per</u> <u>Hour</u>	<u>Cost per</u> <u>Application</u>	<u>Number of</u> <u>Filings</u>	<u>Total</u> <u>Cost</u>
Professional	1.0 hour	\$73.65	\$73.65	400	\$29,460
Professional	1.0 hour	\$54.33	\$54.33	400	\$21,732
Paraprofessional	2.5 hours	\$45.68	\$114.2	400	<u>\$45,680</u>
					\$96,872

Total costs to the Federal Government = \$96,872

15. There are no program changes to this information collection. There is an adjustment to the annual cost burden of \$10,000 which is due to an increase in the filing fees.

16. The results of this information collection will not be published.

17. The Commission seeks approval not to display the expiration date of this collection of information.

18. There is no exception to the Certification Statement.

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.