

SUPPORTING STATEMENT

A. Justification:

1. Section 90.257 require that an applicant agrees to eliminate any harmful interference caused by the operation to TV reception on either channel 4 or 5 that might develop. The FCC Form 1068A is required by the Communications Act of 1934, as amended; International Treaties and FCC rules under 47 CFR § 90.257.

The Commission is now seeking approval for an extension of a three-year clearance. There is no change to the reporting requirement. There is a slight change in the estimated respondent cost. The annual cost has been adjusted to reflect that respondents are preparing the form internally rather than contracting the work outside. Therefore, the Commission is reporting -\$5,000 adjustment in outside contracting costs. There is no change in the estimated number of respondents/responses and/or burden hours.

This information collection contains personally identifiable information on individuals (PII).

- a) The FCC maintains a System of Records Notice (SORN), FCC/WTB-1, "Wireless Services Licensing Records," that covers the collection, purpose(s), storage, safeguards, and disposal of the PII that individual applicants maintain under Section 90.257.
- b) The FCC published this SORN on April 5, 2006 (71 FR 17234, 17269).
- c) The FCC completed a Privacy Act Impact Assessment (PIA) as required by OMB Memorandum, M-03-22 (September 22, 2003) on November 5, 2008. The PIA may be viewed on the FCC's Privacy Act webpage at: http://www.fcc.gov/omd/privacyact/System_of_records/pia-uls.pdf.

Statutory authority for this information collection is contained in the Communications Act of 1934, as amended; International Treaties and FCC rules 47 CFR § 90.257.

2. The data will be used by Commission personnel to determine if the information submitted will meet the FCC rule requirements for the assignment of frequencies in the 72-76 MHz band.
3. The respondent files the FCC Form 1068A as an attachment to the FCC Form 601. The Commission anticipates that 100% of the applicants will file this form electronically.
4. This agency does not impose a similar information collection on the respondents. There is 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, regardless of size. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing each application and to deter against possible abuses of the processes.
6. FCC rules require the collection of this information on applications for new or modified radio station

licenses in the 72-76 MHz band. Commission personnel use this information to verify eligibility for assignment of frequencies in this band.

7. There are no special circumstances which would require collections to be conducted in a manner inconsistent with the guidelines in 5 CFR § 1320.6.
8. The Commission published a 60-day public comment period which appeared in the Federal Register on April 16, 2009 (74 FR 17669). No comments were received as a result of the notice. A reference to the notice is included in the submission to the OMB.
9. Respondents will not receive any payments.
10. Respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR §0.459 of the FCC rules.

Information on the FCC Form 601 and attachments is maintained in the Commission's system of records notice or 'SORN', FCC/WTB-1, "Wireless Services Licensing Records." These licensee records are publicly available and routinely used in accordance with subsection b. of the Privacy Act, 5 U.S.C. 552a(b), as amended. TIN Numbers and material that is afforded confidential treatment pursuant to a request made under 47 CFR §0.459 will not be available for public inspection.

The Commission has in place the following policy and procedures for records retention and disposal: Records will be actively maintained as long as the individual remains a licensee. Paper records are archived after being keyed or scanned into the system. Electronic records are backed up on tape. Electronic and paper records are maintained for at least twelve years and three months.

11. This collection does not address private matters of a sensitive nature.
12. Hourly Burden to the Respondent: The Commission estimates approximately **300 respondents** will be affected by this collection with an estimated *average* burden per respondent is 30 minutes.

300 respondents x 0.50 hours = 150 Total Annual Burden Hours.

13. Cost to the Respondent: Completion of FCC Form 1068A is completed by in-house engineers, application preparers and communications specialists. Using an average wage of \$65.62 per hour or a GS-15, Step 5 equivalent, we estimate the cost per application to be \$19,686.

300 Respondents x \$65.62 = \$19,686 Total In-house Cost to Respondent.

14. Cost to the Federal Government:

| | | |
|------------------|---|----------------------|
| \$46,705 x %10 | = | \$4,671 (Processing) |
| Industry Analyst | | |
| Sub-Total | = | \$4,671 |
| 25% Overhead | | <u>\$1,168</u> |
| Total | | \$5,839 |

15. There is a change to the Commission’s cost estimate reported in this collection. During the Commission’s review of this information collection, it was detected that the cost estimate to the respondents was incorrect in previous submissions to the OMB. With this submission, we are correcting this error and reporting more accurate cost estimates.
16. The data will not be published for statistical use.
17. The Commission is requesting a continued waiver from displaying the OMB expiration date on the FCC Form 1068A. Granting this waiver will prevent the Commission from updating the electronic version every time this form is submitted for re-approval with the OMB. The Commission publishes a complete list of all OMB-approved information collections under 47 CFR 0.408 of the Commission’s rules.
18. There is one exception to the “Certification Statement” in Item 19. The estimated annual cost was incorrect when we published the 60 day notice in the Federal Register. We have adjusted the cost to reflect internal costs rather than outside contracting costs because it was determined that the reporting requirement would be performed by internal staff.

B. Collections of Information Employing Statistical Methods:

This information collection does not use any statistical methods.