

SUPPORTING STATEMENT

A. Justification:

1. Each licensee in the Private Land Mobile Radio Service (PLMRS) must comply with the recordkeeping requirements of 47 CFR § 90.443 of the Commissions rules. Specifically, paragraph (b) of this section requires that the dates and pertinent details of any maintenance performed on station equipment, and the name and address of the service technician who did the work be entered in the station records. These records will reflect whether or not maintenance of the licensee's equipment has been performed.

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 records of private land mobile radio licensees under 47 CFR 90.443.
- (b) The FCC published this SORN on April 5, 2006 (71 FR 17234, 17269).
- (c) The FCC completed a Privacy 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 collection of information is contained in 47 U.S.C. Section 303(j), as amended.

2. The maintenance records may be used by the licensee or Commission field personnel to note any recurring equipment problems or conditions that may lead to degraded equipment performance and/or interference generation. Tower lighting records are required to ensure that the licensee is aware of the tower light condition and proper operation, in order to prevent and/or correct any hazards to air navigation.
3. Prior to finalizing rule makings the Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology may be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other federal agencies.

4. This agency does not impose a similar collection on the respondent. No similar information is 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 that absolutely necessary for evaluating and processing the application and to deter against possible abuses of the processes.
6. Licensees meeting these recordkeeping requirements generate only documentation as circumstances warrant, and not on a regular schedule. Accordingly, a reduction in the frequency of collection is not feasible.
7. This collection is inconsistent with 5 CFR 1320.6 because licensees are required to maintain paper and electronic records for at least eleven years.
8. Notice of the information collection appeared in *Federal Register* on September 16, 2009 (74 FR 47583), in compliance with 5 C.F.R. Section 1320.8(d). No comments were received.
9. There are no payments or gifts to respondents.
10. There is a need for confidentiality with respect to all Private Land Mobile Radio service filers in this collection. Pursuant to § 208(b) of the E-Government Act of 2002, 44 U.S.C. § 3501, in conformance with the Privacy Act of 1974, 5 U.S.C. 552(a), the Wireless Telecommunications Bureau (Bureau) instructs licensees to use the FCC's Universal Licensing System (ULS), Antenna Structure Registration (ASR), Commission Registrations System (CORES) and related systems and subsystems to submit information.¹ CORES is used to receive a FCC Registration Number (FRN) and password, after which one must register all current call sign and ASR numbers associated with a FRN within the Bureau's system of records (ULS database). Although ULS stores all information pertaining to the individual license via the FRN, confidential information is accessible only by persons or entities that hold the password for each account, and the Bureau's Licensing Division staff. Upon the request of a FRN, the individual licensee is consenting to make publicly available, via the ULS database, all information that is not confidential in nature.

Information on private land mobile licensees is maintained in the Commission's system of records, FCC/WTB-1, "Wireless Services Licensing Records." The licensee records will be publicly available and routinely used in accordance with subsection (b) of the Privacy Act. FRN Numbers and material which is afforded confidential treatment pursuant to a request made under 47 CFR § 0.459 will not be available for public inspection. Any personally identifiable information (PII) that individual applicants provide is covered by a system of records, FCC/WTB-1,

¹ These instructions have been approved by the Office of Management and Budget (OMB) under Control Number 3060-1042.

“Wireless Services Licensing Records,” and these and all other records may be disclosed pursuant to the Routine Uses as stated in this system of records notice.

11. The Commission believes that this information will not raise any questions or issues of a sensitive nature for respondents. In instances where consumers provide personally identifiable information (PII), the FCC has a System of Records Notice (SORN), FCC/WTB-1, and “Wireless Services Licensing Records”, to cover the collection, use storage, and destruction of PII. A full explanation of the safeguards may be found in the Privacy Impact Assessment that the FCC completed on June 2, 2007 and that may be viewed at:
http://www.fcc.gov/omd/privacyact/Privacy_Impact_Assessment.html.

12. Respondent Hourly Burden:

The requirement imposed by paragraph (b) of this section regarding equipment maintenance records would be typically generated when equipment malfunctions and not on a regular basis. The information required is likely maintained as part of a licensee's routine operating procedures or is otherwise readily available to the licensee, such as through a service company's billing invoices, and thus it should take a licensee only a few minutes on average to meet the information collection requirement.

There are approximately 195,884 licensees subject to the requirement of paragraph (b) of this section. However, not all licensees, in any given year, will perform maintenance on their systems. With this in mind, we estimate that approximately one-third of the licensees (65,295 licensees), will be required to preserve equipment maintenance records annually, with an average burden of 15 minutes.

NOTE: The burdens imposed by the requirements of paragraphs (a), (c) and (d) of this section pursuant to §§ 90.179(d), 90.215 and 90.477 are included under IC 3060-0262, 3060-0261 and IC 3060-0291 respectively, and are not recounted here.

65,295 (licensees) x .25 hours (15 mins.) (recordkeeping) = 16,324 hours per annum.

Total Annual Hour Burden is: 16,324 hours.

We presume that each licensee will use in-house clerical personnel at the GS-8 Step 5 level, earning (average \$20 per hour) to file and maintain this information.

16,324 hours x \$20/hr. (clerical) = \$326,480.00.

13. Cost to the Respondent: There are no start up or operations and maintenance costs associated with this information collection.

14. Cost to the Government: The government review time is estimated at 5 min./response with review being performed by personnel at the GS-12 level. We estimate that of the 195,884 licensees approximately 5% of their records (9,794) will be reviewed annually by field personnel.

$$9,794 \times .084 (5 \text{ mins.}) \times \$32.25/\text{hr (examiner)} = \$26,541.75$$

15. The Commission is adjusting the hour and cost burdens due to increased time estimations. Because entities are changing their systems to more sophisticated operations, and have deployed cellularized architecture that are being converted to broadband, data-centric systems, etc., the Commission has slightly increased the time allotment for licensees in effort to give them adequate time to meet this requirement. Finally, the total burden hours also increased due to an increase in the number of respondents/responses (57,410 in 2007; and 65,295 now being reported to OMB.

13. The data will not be published for statistical use.

14. We do not seek approval to not display the expiration date for OMB approval of the information collection.

15. There are no exceptions to Item 19.

B. Collections of Information Employing Statistical Methods:

No statistical methods were employed.