

**Title: Application for DTV Broadcast Station License, FCC Form 302-DTV, Application for Construction Permit for Reserved Channel Noncommercial Educational Broadcast Station, FCC Form 340; Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station, FCC Form 349.**

**SUPPORTING STATEMENT**

**A. Justification:**

1. **Form 302-DTV** is used by licensees and permittees<sup>1</sup> of Digital TV (“DTV”) broadcast stations to obtain a new or modified station license and/or to notify the Commission of certain changes in the licensed facilities of those stations. It may be used: (1) To cover an authorized construction permit (or auxiliary antenna), provided that the facilities have been constructed in compliance with the provisions and conditions specified on the construction permit; or (2) To implement modifications to existing licenses as permitted by 47 C.F.R. Sections 73.1675(c) or 73.1690(c).

**FCC Form 340** is used by licensees and permittees to apply for authority to construct a new noncommercial educational (“NCE”)<sup>2</sup> FM and DTV broadcast station (including a DTS facility<sup>3</sup>), or to make changes in the existing facilities of such a station. The FCC Form 340 is only used if the station will operate on a channel that is reserved exclusively for NCE use,<sup>4</sup> or in the situation where applications for NCE stations on non-reserved channels<sup>5</sup> are mutually exclusive<sup>6</sup> only with one another.

*Form 340’s Newspaper Notice (third party disclosure) requirement; 47 CFR § 73.3580.* Form 340 also contains a third party disclosure requirement, pursuant to Section 73.3580. This rule requires stations applying for a new broadcast station, or to make major changes to an existing station, to give local public notice of this filing in a newspaper of general circulation in the community in which the station is located.

<sup>1</sup> A “permittee” is a party that has received a construction permit for a broadcast station. Once the permittee has constructed the station facilities according to the construction permit, it will file an application for a broadcast license. When the license application is granted, the permittee becomes a “licensee.”

<sup>2</sup> These stations are licensed to nonprofit educational organizations for use in the advancement of educational programs.

<sup>3</sup> DTV stations may apply to use distributed transmission system (“DTS”) technology to serve their viewers. See 47 CFR § 73.626. DTS technology employs multiple synchronized transmitters spread around a station’s service area, rather than the current single-transmitter approach. Each transmitter would broadcast the station’s DTV signal on the same channel, similar to analog TV booster stations but more efficiently. Due to the synchronization of the transmitted signals, DTV receivers should be able to treat the multiple signals as reflections or “ghosts” and use “adaptive equalizer” circuitry to cancel or combine them to produce a single signal.

<sup>4</sup> Reserved channels include FM channels 200 to 220 (see 47 CFR § 73.501), as well as any FM and DTV channels appearing with an asterisk in their respective table of allotments (see FM Table at 47 CFR § 73.202 and Post-transition DTV Table at 47 CFR 73.622(i)).

<sup>5</sup> Non-reserved channels are channels that are not reserved exclusively for NCE use and for which commercial entities could be eligible to operate full-power stations. Non-reserved channels include FM channels 221 and above appearing without an asterisk in the FM Table of Allotments (47 CFR § 73.202), and DTV channels appearing without an asterisk in the DTV Table of Allotments (47 CFR 73.622(i)).

<sup>6</sup> Mutually exclusive applications are those that either cause or receive prohibited contour overlap with other window-filed applications, thus preventing grant of more than one application.

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This local public notice must be completed within 30 days of the tendering of the application. This notice must be published at least twice a week for two consecutive weeks in a three-week period. In addition, a copy of this notice must be placed in the station's public inspection file along with the application, pursuant to Section 73.3527. This recordkeeping information collection requirement is contained in OMB Control No. 3060-0214, which covers Section 73.3527.

**FCC Form 349** is used to apply for authority to construct a new FM translator or FM booster broadcast station, or to make changes in the existing facilities of such stations.

*Form 349's Newspaper Notice (third party disclosure) requirement; 47 CFR § 73.3580.* Form 349 also contains a third party disclosure requirement, pursuant to Section 73.3580. This rule requires stations applying for a new broadcast station, or to make major changes to an existing station, to give local public notice of this filing in a newspaper of general circulation in the community in which the station is located. This local public notice must be completed within 30 days of the tendering of the application. This notice must be published at least twice a week for two consecutive weeks in a three-week period. In addition, a copy of this notice must be placed in the station's public inspection file along with the application, pursuant to Section 73.3527. This recordkeeping information collection requirement is contained in OMB Control No. 3060-0214, which covers Section 73.3527.

#### **Revised Information Collection Requirements Which Require OMB Approval:**

On June 29, 2009, the Commission adopted a *Report and Order*, Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations, MB Docket No. 07-172, FCC 09-59. In the *Report and Order*, the Commission adopted changes to the FM translator rules that would allow AM stations to use authorized FM translator stations<sup>7</sup> to rebroadcast the AM signal locally, retransmitting their AM programming as a "fill-in" service. The adopted cross service translating rules limit FM translators to providing "fill-in" service only, specifically within the AM primary station's authorized service area.<sup>8</sup> In addition, the Commission limited the cross-service rule changes to "currently authorized FM translators," that is, those translators with licenses or permit in effect as of May 1, 2009. Therefore, the rule changes affecting this information collection will add a new universe of filers – AM stations – to this information collection and OMB approval is needed. AM stations will use Form 349 to apply for authorizations to operate such FM translator stations.

Consistent with actions taken by the Commission in the *Report and Order*, the following changes are made to Form 349: Sections II and III of Form 349 include new certifications concerning compliance with the AM station "fill-in" service requirements. Specifically, in the AM service, applicants certify that the coverage contour of the FM translator station is contained within the lesser of: (a) the 2 mV/m daytime contour of the AM primary station being rebroadcast, or (b) a 25-mile radius centered at the AM station's transmitter site. The instructions for Sections II and III have been revised to assist applicants

<sup>7</sup> FM translator stations are low power facilities licensed for the limited purpose of retransmitting the signals of either a full power radio station or another translator station. 47 C.F.R. § 74.1201.

<sup>8</sup> As defined in 47 C.F.R. § 74.1201(d), the "primary station" is the AM or FM radio broadcast station radiating the signal that is to be retransmitted by the FM translator station.

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with completing the new questions.

**The Commission is currently seeking to obtain OMB approval for the revisions to FCC Form 349 and the new universe of filers with this submission.**

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), 303 and 308 of the Communications Act of 1934, as amended.

2. **Agency Use of Information:** The data is used by FCC staff to determine whether the applicants meet basic statutory requirements to become a Commission licensee/permittee and to assure that the public interest would be served by grant of the application. Specifically, the data collected by FCC Forms 302, 340 and 349 will be used as follows:

**FCC Form 302-DTV.** The data is used by FCC staff to confirm that the station has been built to terms specified in the outstanding construction permit, and to update FCC station files. Data is then extracted from FCC 302-DTV for inclusion in the subsequent license to operate the station. The Commission reviews these applications to ensure that the minor changes made by the station will not have any significant impact on other stations and the public.

**FCC Form 340.** The data is used by FCC staff to determine whether the applicant meets basic statutory requirements to become a Commission licensee and to ensure that the public interest would be served by grant of the application. In the case of mutually exclusive qualified applicants, the information will be used to determine which proposal would best serve the public interest.

**FCC Form 349.** The data is used by FCC staff to ensure that the applicant meets basic statutory requirements and will not cause interference to other licensed broadcast services. In the case of mutually exclusive qualified applicants, the information will be used to determine which proposal would best serve the public interest.

3. **Consideration Given to Information Technology:** The Commission requires applicants to file these forms electronically.

4. **Effort to Identify Duplication and Use Similar Information:** This agency does not impose a similar information collection on the respondents. There are no similar data available.

5. **Effort to Reduce Small Business Burden:** In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. The Commission has limited the information requirements to those that are absolutely necessary for evaluating and processing the applications to determine the community having the greater need and to deter possible abuses of the processes. Therefore, the information collection does not have a significant economic impact on a substantial number of small entities/businesses.

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6. **Less Frequent Data Collection:** The frequency for filing is determined by the respondents, as necessary.
7. **Information Collection Circumstances:** This collection of information is consistent with the guidelines in 5 CFR § 1320.5(d)(2).
8. **Comments Received from the Public:** The Commission published a notice in the *Federal Register* seeking public comment on the information collections contained in this supporting statement, *see* 72 FR 61356, published October 30, 2007. No comments were received from the public.
9. **Payment or Gift:** No payment or gift is provided to the respondents.
10. **Confidentiality of Information:** There is no need for confidentiality with this information collection.
11. **Justification for Sensitive Questions:** This information collection does not address any private matters of a sensitive nature.
12. **Estimate of Burden and Burden Hour Cost:** The following estimates are provided for public burden for this information collection. These estimates are based on FCC staff's knowledge and familiarity with the availability of the data required.

**a) FCC Form 302-DTV:**

We estimate that 200 applications for a license to cover a construction permit ("license applications") and 100 applications to modify an existing license ("modifications") will be filed by DTV stations with the Commission annually.<sup>9</sup> We assume that the respondent (station licensee/permittee) will file this form. We estimate that the respondent will take two (2) hours to complete each application and file it. We assume that this time period of 2 hours for the completion and filing of each application will also include approximately 0.5 hours for the respondent to consult with a consulting engineer and 0.5 hours to consult with an outside attorney to assist the station in its preparation of the application's engineering and legal sections, respectively.<sup>10</sup> We estimate that the respondent will have an average salary of \$100,000/year (\$48.08/hour).

**b) FCC Form 340:**

We estimate that a total of 1,440 Form 340 construction permit applications will be filed by NCE full-power FM and DTV stations with the Commission annually.<sup>11</sup> We assume that each respondent station licensee/permittee will contract with a consulting engineer to complete the engineering section of the application and will also contract with an attorney to complete the legal section of the application, review and file the FCC Form 340. We estimate that the respondent will

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<sup>9</sup> We note that this estimate includes the filing of amendments to these applications.

<sup>10</sup> The respondent's time to consult with the outside engineer and outside attorney is included in the 2 hours.

<sup>11</sup> We note that this estimate includes the filing of amendments to these applications.

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spend approximately 2-4 hours consulting and reviewing the application with the outside engineering and legal consultants, depending upon the application type (e.g., New & Major, Minor, DTS). We estimate that the respondent will have an average salary of \$100,000/year (\$48.08/hour).

**c) FCC Form 349:**

We estimate that a total of 1,200 Form 349 applications will be filed with the Commission annually. Most respondents will file FCC Form 349 to make repairs or other miscellaneous changes in the FM translator or FM booster station facility. We assume that the average respondent would use engineers employed at the station (\$48.08/hour), and attorneys employed at the station (\$48.08/hour).

**Form 340 and 349 Newspaper Notices (47 CFR § 73.3580):**

Section 73.3580 newspaper notices are required upon submission of construction permit applications for New & Major Changes. We estimate that it will take the respondent approximately one hour to fulfill the newspaper notice requirement. We estimate that the respondent will have an average salary of \$100,000/year (\$48.08/hour).

Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents <sup>12</sup>	Annual In-House Cost
<b>12a. Form 302-DTV (All DTV Stations)</b>						
License Applications	200	200	2 hr	400 hrs	\$48.08	\$19,232.00
Modifications	100	100	2 hr	200 hrs	\$48.08	\$9,616.00
<b>12a. Subtotal</b>	<b>300</b>	<b>300</b>		<b>600 hrs</b>		<b>\$28,848.00</b>
<b>12b. Form 340 (NCE Full-Power FM and DTV)</b>						
FM NCE New & Major	1,000	1,000	4 hr consultation	4,000 hrs	\$48.08	\$192,320.00
FM NCE Minor	300	300	2 hr consultation	600 hrs	\$48.08	\$28,848.00
DTV NCE New &	30	30	4 hr	120 hrs	\$48.08	\$5,769.60

<sup>12</sup> The Commission estimates that the average hourly salary for in-house personnel which includes station manager, engineer and attorney to be \$100,000/year or \$48.08/hour based on the fact that the Commission is unsure who exactly will complete and file the applications for the station.

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Type	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents	Annual In-House Cost
Major			consultation			
DTV NCE Minor	100	100	2 hr consultation	200 hrs	\$48.08	\$9,616.00
DTS	10	10	3 hr consultation	30 hrs	\$48.08	\$1,442.40
<b>12b. Subtotal</b>						
	<b>1,440</b>	<b>1,440</b>		<b>4,950 hrs</b>		<b>\$237,996.60</b>
<b>12c. Form 349 (All FM Translator or Booster)</b>						
Commercial (filed by Station engineer)	900 <sup>13</sup>	900	1.5 hrs	1,350 hrs	\$48.08	\$64,908.00
Commercial (filed by Station attorney)	900	900	1.5 hrs	1,350 hrs	\$48.08	\$64,908.00
<b>12c. Subtotal</b>						
	<b>1,200</b>	<b>1,200</b>		<b>3,300 hrs</b>		<b>\$158,664.00</b>
<b>12d. Form 340 and 349 Newspaper Notices (Third Party Disclosure) Requirement; 47 CFR § 73.3580</b>						
Newspaper Notices with FM NCE New & Major applications (Form 340)	1,000	1,000	1 hr	1,000 hrs	\$48.08	\$48,080.00
Newspaper Notices with DTV NCE New applications (Form 340)	30	30	1 hr	30 hrs	\$48.08	\$1,442.40
Newspaper Notices	900	900	1 hr	900 hrs	\$48.08	\$43,272.00

<sup>13</sup> This number represents a total of 900 commercial applications.

<sup>14</sup> This number represents a total of 300 noncommercial applications.

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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 Commercial FM Translator / Booster New & Major applications (Form 349)						
Newspaper Notices with NCE FM Translator / Booster New & Major applications (Form 349)	300	300	1 hr	300 hrs	\$48.08	\$14,424.00
<b>12d. Subtotal</b>	<b>2,230</b>	<b>2,230</b>		<b>2,230 hrs</b>		<b>\$107,218.40</b>
<b>TOTAL</b>	<b>5,170<sup>15</sup></b>	<b>5,170<sup>16</sup></b>		<b>11,080<sup>17</sup> hrs</b>		<b>\$532,727.00<sup>18</sup></b>

**13. Annual Cost Burden to Respondents:** The annual cost burden to the respondents was calculated as follows:

**a) FCC Form 302-DTV:**

- We estimate that each respondent station licensee/permittee will consult with a consulting engineer for 0.5 hours to assist the respondent in its preparation of the application’s engineering section and that each respondent station licensee/permittee will consult with an outside attorney for 0.5 hours to assist the respondent in its preparation of the application’s the legal section. We estimate that the consulting engineer will have an average salary of \$150/hour and the outside attorney will charge approximately \$200/hour.
- Filing Fee: There is a \$285.00 filing fee for each license application filed by a commercial DTV station.<sup>19</sup> Of the estimated 200 license applications that will be filed annually, we estimate that 90% or 180 of these applications will be filed by a commercial DTV station. The remaining 10% of the applications filed will not be subject to a filing fee.<sup>20</sup> There is no filing fee for Form 302-DTV modifications, which can be made without prior Commission approval.

<sup>15</sup> The R&O, FCC 09-59, adds an additional 400 respondents to this information collection

<sup>16</sup> The R&O, FCC 09-59, adds an additional 400 responses to this information collection

<sup>17</sup> The R&O, FCC 09-59, adds an additional 800 burden hours to this information collection

<sup>18</sup> The R&O, FCC 09-59, adds an additional \$38,464.00 to the annual in-house cost for this information collection.

<sup>19</sup> See 47 C.F.R. § 1.1104 (2009).

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**b) FCC Form 340:**

- We assume that each respondent station will contract with a consulting engineer to complete the engineering section of the application and will also contract with an attorney to complete the legal section of the application, review and file the FCC Form 340. We estimate that the time by outside engineering and legal consultants spent to complete, review and file the form will vary, depending upon the application and service type. We estimate that the consulting engineer will have an average salary of \$150/hour and the outside attorney will charge approximately \$200/hour.
- Newspaper Notice Publication Fee: FM and DTV applicants must give local public notice of the filing of its Form 340 construction permit application for a new station or for a major change in facilities. This notice must be published in a local newspaper of general circulation at least twice a week for two consecutive weeks in a three-week period, for a total of four (4) publications. The cost of this publication is estimated to be \$113.25/publication.
- Filing Fee: There is no filing fee for the Form 340, which is only filed by NCE stations.

**b) FCC Form 349:**

- We assume that the average respondent would contract with consulting engineers (\$150/hour) and attorneys in a law firm (\$200/hour) to complete their applications.
- Newspaper Notice Publication Fee: An applicant must give local public notice of the filing of its application for construction permit. This notice must be published in a local newspaper of general circulation at least twice a week for two consecutive weeks in a three-week period, for a total of four (4) publications. The cost of this publication is estimated to be \$113.25/publication.
- Filing Fee: A respondent for a commercial station must submit a \$705.00 filing fee with its Form 349.<sup>21</sup>

Type	Number of Forms	Consultant's Burden	Total Annual Burden Hours	Consultant's Hourly Fee or Application Fee	Cost Burden
<b>13a. Form 302-DTV</b>					
License Application Engineering Consultant	200	0.5 hrs	100 hrs	\$150.00	\$15,000.00
License Application Outside Attorney	200	0.5 hrs	100 hrs	\$200.00	\$20,000.00

<sup>20</sup> These applications (remaining 10%) are not commercial DTV applications but rather NCE applications. Only commercial DTV applications are subject to the filing fee.

<sup>21</sup> See 47 C.F.R. § 1.1104 (2009).



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License Application Filing Fee	180 <sup>22</sup>			\$285.00/fee	\$51,300.00
Modification Engineering Consultant	100	0.5 hrs	50 hrs	\$150.00	\$7,500.00
Modification Outside Attorney	100	0.5 hrs	50 hrs	\$200.00	\$10,000.00
<b>13a. Annual Cost Burden (for Form 302-DTV) Subtotal</b>					<b>\$103,800.00</b>
<b>13b. Form 340</b>					
FM NCE New & Major Engineering Consultant	1,000	67 hrs	67,000 hrs	\$150.00	\$10,050,000.00
FM NCE New & Major Outside Attorney	1,000	5 hrs	5,000 hrs	\$200.00	\$1,000,000.00
Newspaper Notice Publication Fee	1,000	4 publications		\$113.25/fee	\$453,000.00
FM NCE Minor Engineering Consultant	300	67.5 hrs	20,250 hrs	\$150.00	\$3,037,500.00
FM NCE Minor Outside Attorney	300	5 hrs	1,500 hrs	\$200.00	\$300,000.00
DTV NCE New & Major Engineering Consultant	30	34 hrs	1,020 hrs	\$150.00	\$153,000.00
DTV NCE New & Major Outside Attorney	30	5 hrs	150 hrs	\$200.00	\$30,000.00
Newspaper Notice Publication Fee	30	4 publications		\$113.25/fee	\$3,397.50
DTV NCE Minor Engineering Consultant	100	34 hrs	3,400 hrs	\$150.00	\$510,000.00
DTV NCE Minor Outside Attorney	100	5 hrs	500 hrs	\$200.00	\$100,000.00
DTS NCE Engineering Consultant	10	45 hrs	450 hrs	\$150.00	\$67,500.00
DTS NCE Outside Attorney	10	5 hrs	50 hrs	\$200.00	\$10,000.00

<sup>22</sup> Only commercial stations are subject to the filing fee. Therefore, only 180 applicants will have to pay the filing fee. The remaining 20 applicants are not required to pay the fee.

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<b>13b. Annual Cost Burden (for Form 340) Subtotal</b>					<b>\$15,714,397.00</b>
<b>13c. Form 349</b>					
Commercial (filed by Station engineer)	900	8 hours	7,200 hours	\$150.00	\$1,080,000.00
Commercial (filed by Station attorney)	900	1 hour	900 hours	\$200.00	\$180,000.00
Filing Fee	900			\$705/fee	\$634,500.00
Noncommercial (filed by Station engineer)	300	12 hours	3,600 hours	\$150.00	\$540,000.00
Noncommercial (filed by Station attorney)	300	5 hours	1,500 hours	\$200.00	\$300,000.00
Newspaper Notice Publication Fee	1,200	4 publications		\$113.25/fee	\$543,600.00
<b>13c. Annual Cost Burden (for Form 349) Subtotal</b>					<b>\$3,278,100.00</b>
<b>TOTAL</b>					<b>\$19,096,297.00<sup>23</sup></b>

14. **Cost to Federal Government:** The total cost to the Federal Government was calculated as follows:

**FCC Form 302-DTV:**

Clerical	0.50 hours x \$18.07/hour x 300 =	\$ 2,710.50
Paraprofessional	1.75 hours x \$33.12/hour x 300 =	\$ 17,388.00
Professional	5.25 hours x \$55.78/hour x 300 =	<u>\$ 87,853.50</u>
<b>TOTAL</b>		<b>\$107,952.00</b>

**FCC Form 340:**

***FM New and Major Applications:***

Clerical	1.5 hours x \$18.07/hour x 1,000 =	\$ 27,105.00
Paraprofessional	7.0 hours x \$33.12/hour x 1,000 =	\$ 231,840.00
Professional	36.9 hours x \$55.78/hour x 1,000 =	<u>\$2,058,282.00</u>
		<u>\$2,317,227.00</u>

***FM Minor Change:***

Clerical	2.0 hours x \$18.07/hour x 300 =	\$ 10,842.00
Paraprofessional	6 hours x \$33.12/hour x 300 =	\$ 59,616.00
Professional	25 hours x \$55.78/hour x 300 =	<u>\$418,350.00</u>
		<u>\$488,808.00</u>

<sup>23</sup> The R&O, FCC 09-59, adds an additional cost burden of \$511,600 to this information collection

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***DTV Applications (New & Major and Minor Change):***

Clerical	2 hours x \$18.07/hour x 130 =	\$ 4,698.20
Paraprofessional	6 hours x \$33.12/hour x 130 =	\$ 25,833.60
Professional	16 hours x \$55.78/hour x 130 =	<u>\$116,022.40</u>
		\$146,554.20

***DTS Applications:***

Clerical	2 hours x \$18.07/hour x 10 =	\$ 361.40
Paraprofessional	6 hours x \$33.12/hour x 10 =	\$ 1,987.20
Professional	20 hours x \$55.78/hour x 10 =	<u>\$11,156.00</u>
		\$13,504.60

**TOTAL** **\$2,966,093.80**

**FCC Form 349:**

Clerical (commercial)	1 hour x \$18.07 x 900 =	\$ 16,263.00
Professional	4 hours x \$55.78 x 900 =	\$200,808.00
Clerical (noncommercial)	1 hour x \$18.07 x 300 =	\$ 5,421.00
Professional	6 hours x \$55.78 x 300 =	<u>\$100,404.00</u>
<b>TOTAL</b>		<b>\$322,896.00</b>

**Total Cost to Federal Government** = \$107,952.00 + \$2,966,093.80 + \$322,896.00 = **3,396,947.80**

**The following data was used to calculate the total cost to the Federal Government:**

**\*FCC Form 302-DTV:** The Commission will use professional 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) to process the FCC 302-DTV applications.

**\*FCC Form 340:** The Commission will use professional 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) to process these applications.

**\*FCC Form 349:** The Commission will use professionals at the GS-14, step 5 level (\$55.78/hour) and clerical personnel at the GS-5, step 5 level (\$18.07/hour) to process these applications.

**15. Reason for Changes in Burden or Cost:** The Commission had program changes of +800 to the annual burden hours and +\$511,600 to the annual cost burden. These program changes were a result of the adoption of a Report and Order on June 29, 2009 by the Commission, Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations, MB Docket No. 07-172, FCC 09-59 which resulted to revisions to FCC Form 349 and adopted a new universe of filers to this information collection.

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16. **Plans for Publication:** The data will not be published.

17. **Display of OMB Approval Date:** We request extension of the waiver not to publish the expiration date on the form. This will obviate the need for the Commission to update electronic forms upon the expiration of the clearance. OMB approval of the expiration date of the information collection will be displayed at 47 CFR § 0.408.

18. **Exceptions to the Certification Statement:** There are exceptions to the Certification Statement for the following items: number of respondents, annual burden hours and annual cost burden. These numbers were different as published in the Commission's 60-day Federal Register Notice (*see* 72 FR 61356) from what is currently stated in this supporting statement due to revisions that were made to collection 3060-0029. These revisions were due to other rulemakings outside of FCC 09-59. Also, there is not a one-time reporting requirement in this collection as stated in the 60-day Federal Register Notice. The recordkeeping requirement for the newspaper notices is covered under OMB Control No. 3060-0214, which covers Section 73.3527.

There are no other exceptions to the Certification Statement.

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

This information collection does not employ any statistical methods.