

SUPPORTING STATEMENT

A. Justification:

1. The Commission is seeking extension of this information collection (no change in reporting requirements) in order to obtain the full three year clearance from the OMB.

This rule requires the affected applicants to submit a list of any radio facilities they hold within 40 miles of the base station transmitter site being applied for. This information is used to determine if an applicant's proposed system is necessary in light of communications facilities it already owns. Such a determination helps the Commission to equitably distribute limited spectrum and prevents spectrum warehousing. The information is collected only once – upon initial license application.

As noted on the OMB Form 83i, 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 47 U.S.C. § 308(b), as amended.

2. The information is used by licensing personnel to equitably distribute limited spectrum.
3. Prior to finalizing rule makings the Wireless Telecommunications Bureau conducts an analysis to insure that improved information technology cannot 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. 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 applications and to deter against possible abuses.
6. The information is collected only once – upon initial license application. Therefore, the frequency of filing is generally determined by the applicant. Accordingly, less frequent collection of the information is not possible.
7. Current data collection is consistent with 5 C.F.R. § 1320.6.

8. Notice of the information collection appeared in the Federal Register on January 26, 2010 (75 FR 4077), in compliance with 5 C.F.R. § 1320.8. No comments were received. A copy of the 60 day notice will be included in this submission to the OMB.
9. There are no payments or gifts to respondents.
10. No questions of a confidential nature are asked.
11. This collection does not address any private matters of a sensitive nature.
12. In the last three years, we have received a total of 11,365 applications. The average number of such applications received each year is 3,788. We estimate that the requirement of this rule places a burden of approximately 15 minutes (.25 hours) per licensee annually, for a total annual burden of 947 hours. We assume that the information will be prepared by clerical personnel at \$15 p/hr. and requires 15 minutes per response.

Total Annual Burden Hours = 3,788 (responses) x .25 (hours) = 947 hours.

13. There are no costs incurred on the respondent.
14. The government review time is estimated at 30 minutes per response with review being done by personnel at the GS-14, Step 5 level.

3,788 (responses) x .5 hours (review) x \$55 p/hr = \$104,170.

The annualized cost to the Federal Government is: \$104,170.

15. There is an adjustment to our existing estimates. The number of respondents has decreased according to data in our Universal Licensing System (ULS) database where this information is filed. In previous estimates to the OMB, the Commission averaged the number of respondents based on the last three years of collecting this data. Therefore, for this submission to the OMB, the number of responses decreased by 5,743 which decreased the total annual burden by 1,436 hours.
16. The data will not be published for statistical use.
17. No expiration date will be displayed.
18. There are no exceptions to Item 19. However, the Commission did not identify this submission as a “delegated authority” request when the 60 day notice was published. Therefore, at the end of the comment period, the Commission published a 30 day notice correcting this omission.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.