

## SUPPORTING STATEMENT

### A. Justification:

1. FCC 601 is a consolidated, multi-part application form, or “long form,” that is used for general market-based licensing and site-by-site licensing for wireless telecommunications and public safety services filed through the Commission’s Universal Licensing System (ULS). FCC 601 is composed of a main form that contains the administrative information and a series of schedules used for filing technical and other information. Respondents are encouraged to submit FCC 601 electronically and are required to do so when submitting FCC 601 to apply for an authorization for which the applicant was the winning bidder in a spectrum auction.

The data collected on FCC 601 include the FCC Registration Number (FRN), which serves as a “common link” for all filings an entity has with the FCC. The Debt Collection Improvement Act of 1996 requires that those entities filing with the Commission to use a FRN.

FCC 601 is being used for auctionable services as they are implemented; FCC 601 is used to apply for a new authorization, or to amend a pending application for an authorization to operate a license wireless radio services. This includes Public Mobile Services, Personal Communications Services, General Wireless Communications Services, Private Land Mobile Radio Services (PLMRS), Broadcast Auxiliary Services, Fixed Microwave Services, Instructional Television Fixed Service (ITFS) and the Multipoint Distribution Service (MDS), Maritime Services (excluding ships), and Aviation Services (excluding aircraft). It may also be used to modify or renew an existing license, cancel a license, withdraw a pending application, obtain a duplicate license, submit required notifications, request an extension of time to satisfy construction requirements, or request an administrative update to an existing license (such as mailing address change), request a Special Temporary Authority (STA) or a Developmental License.

Records may include information about individuals or households, *e.g.*, personally identifiable information or PII, and the use(s) and disclosure of this information is governed by the requirements of a system of records notice or ‘SORN’, FCC/WTB-1, “Wireless Services Licensing Records.” There are no additional impacts under the Privacy Act.

The Commission is seeking a revision from the Office of Management Budget (OMB) because the Commission increased the total annual cost to the respondent. This program change increase is due to an increase of the filing fees during the past 3 years.

Statutory authority for this information collection is contained in Sections 1, 2, 4(i), 5(c), 7, 201, 202, 208, 214, 301, 302, 303, 307, 308, 309, 310, 311, 314, 316, 319, 324, 331, 332, 333, 336, 614, and 615 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 155(c), 157, 201, 202, 208, 214, 301, 302a, 303, 307, 308, 309, 310, 311, 314, 316, 319, 324, 331, 332, 333, 336, 534, and 535.

2. The Commission, in accordance with its statutory responsibilities under the Communications Act of 1934, as amended, uses the information provided by applicants on FCC 601 to update its database and to determine where the applicant is legally, technically and financially qualified to provide licensed services and to make proper use of the frequency spectrum.

For third party disclosure requirements, approximately 40% of the PLMRS respondents are required to comply with frequency coordination requirements. There is no additional time burden placed on the respondent for this third party requirement. Again, information about individuals or households, and the

use(s) and disclosure of this information is governed by the requirements of system of records, FCC/WTB-1. All information within PLMRS is publicly available.

3. The Commission encourages the use of electronic filing and estimates that currently. With the advent of ULS, 98% of all applications and notifications submitted to the FCC are now being filed electronically. Electronic filing is mandatory for certain categories of respondents specified in section 1.913 of the Commission's rules, 47 C.F.R. §1.913 and others have the choice of filing manually or electronically.
4. This agency does not impose a similar information collection on the respondents. There are 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. Generally, the frequency of filing FCC 601 is determined by the applicant and/or licensee. The information is verified at time of renewal, every 10 years, or at the time of modification.
7. This collection of information is consistent with the guidelines in 5 CFR § 1320.6.
8. The Commission published a 60-day notice which appeared in the Federal Register on June 3, 2010 (75 FR 31435). No comments were received as a result of the notice. A copy of the Federal Register notice is referenced in this 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 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. 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 will be archived after being keyed or scanned into the system. Electronic records will be backed up on tape. Electronic and paper records will be maintained for at least twelve years and three months.

11. This collection does not address private matters of a sensitive nature, and the PII is covered by the system of records notice or 'SORN', FCC/WTB-1, "Wireless Services Licensing Records".
12. The Commission estimates that **253,120** respondents (applicants/licensees) will file FCC 601 applications annually and that the *average* burden per respondent is 1.25 hours.

We estimate that 50% of 253,120 respondents (126,560) will complete the application themselves with no additional assistance and the remaining 50% (126,560) will contract out completing the form to a law firm or application preparation service.

We estimate it to take approximately 1.25 hours per respondent to complete FCC 601 for those respondents completing the forms themselves. For those respondents hiring a consultant, we estimate a burden of approximately 30 minutes (0.5 hours) to coordinate with the consultant.

The estimated annual burden is:

126,560 @ 1.25 hours = 158,200 hours

126,560 @ .50 hours = 63,280 hours

**Total annual hour burden is: 158,200 + 63,280 = 221,480 hours.**

The Commission also estimates that between zero and 400 entities will annually file Form 601 applications regarding eligibility for designated entity benefits. We therefore estimate that there will be 400 entities.

We estimate that 50% of 400 respondents (200) will complete the application themselves with no additional assistance and the remaining 50% (200) will contract out completing the form to a law firm or application preparation service.

We estimate it to take approximately one hour per respondent to respond for those respondents completing the form themselves. For those respondents hiring a consultant, we estimate a burden of approximately 30 minutes (0.5 hours) to coordinate with the consultant.

The estimated annual burden is:

200 @ 1 hour = 200 hours

200 @ 0.5 hours = 100 hours

**Total annual hour burden is: 200 hours + 100 hours = 300 hours.**

**TOTAL ANNUAL HOUR BURDEN: 221,480 + 300 = 221,780 HOURS.**

47 CFR Part 90 provides that certain applicants obtain frequency coordination prior to submitting their application to the FCC. We estimate that approximately 40% of the total respondents (101,248 respondents) are required to comply with frequency coordination requirements. There is no additional time burden placed on the respondent for this third party disclosure requirement, however, it adds an extra "step" to the application filing requirements. Applicants forward their applications via the non-profit private sector frequency coordinators designated by type of radio service to the FCC. The frequency coordinator then forwards the application and application remittance to the FCC. The frequency coordinator must file electronically.

Assuming that 50% of the respondents use personnel comparable in pay to a mid-to-senior level federal employee (GS-13, Step 5) to prepare the collection, we estimate the cost to be about \$48.35 per hour @ 1.25 hours per filing. The cost per filing: \$48.35 X 1.25 = \$60.44.

126,560 applications @ \$60.44 per filing = \$7,649,286.40

50% will contract out completing the form to a law firm or application preparation service and will spend approximately 30 minutes (0.5 hours) coordinating this information. Assuming they use personnel comparable in pay to a mid-to-senior level federal employee to coordinate this submission we estimate the cost to be approximately \$48.35 per hour @ 0.5 hours per filing. The cost per filing = \$24.18.

126,560 applications @ \$24.18 per filing = \$3,060,220.80

**TOTAL IN-HOUSE COST TO THE RESPONDENTS: \$7,649,286.40 + \$3,060,220.80 = \$10,709,507.20**

13. Cost to the Respondent:

a. Total annualized capital/start-up costs: \$0.00

b. Total annualized cost requested to prepare FCC 601 are:

There is no cost to file the application electronically with the FCC other than the cost of a long distance phone call and/or Internet access. Respondents filing manually will incur postage costs:

5,062 (2%) respondents filing manually x \$2.50 postage = \$12,655

FCC application filing fees:

We estimate that approximately 75% of 253,120 various applications filed require an application fee of \$60-\$385 each. (The balance of the respondents would be exempt from filing fees due to type of entity, i.e. public safety, governmental entities, non-commercial educational broadcast, or because the purpose for which they are filing does not require a fee.)

For purposes of this submission, we estimate the total application fees using an average of \$125 per filing:

253,120 total respondents @ 75% (feeable) = 189,840 feeable filings

189,840 filings @ \$125 average fee = \$23,730,000

We estimate that 50% of the respondents will contract out the completion of the form and would use an attorney/engineer or application preparation service at a cost of \$200/hour to prepare the FCC 601.

126,560 applications x 1.25 hours @ \$200/hour = \$31,640,000

**Total estimated respondent cost: \$23,730,000 + 31,640,000 = \$55,370,000**

Regarding respondents of eligibility for designated entity benefits, there is no application fee because the services involved are subject to auctions.

We estimate that 50% of the respondents will contract out the completion of the form and would use an attorney/engineer or application preparation service at a cost of \$200/hour to prepare in 1 hour the FCC 601.

200 applications x 1 hour @ \$200/hour = **\$40,000**

**TOTAL ESTIMATED RESPONDENT COST: \$55,370,000 + 40,000 = \$55,410,000**

14. Cost to the Federal Government:

FCC 601 Applications estimated to be filed: 253,120.

(Cost of printing for FCC 601 – approximately 124 pages each – is estimated to be \$1,600 per thousand.)

5 (5,000 copies) @ \$1,600 per 1,000 = \$8,000 (Printing)

5,062 applications to be data entered  
at an average of 5 minutes (.084 hrs) each using a  
data entry contractor @ \$35.39 hr. = \$15,049 (Data Entry)

126,560 applications x 30 mins. (0.50 hrs)  
@ \$22.92 per hour (GS-7 Step 5) for an  
Industry Analyst = \$1,450,378 (Processing)

126,560 applications x 10 mins. (0.166 hrs)  
@ \$22.92 per hour (GS-7 Step 5) for an  
Industry Analyst = \$481,525 (Processing)

253,120 licenses @ 0.44 each = \$111,373 (Postage)

Sub-Total	=	\$2,066,325
25% Overhead	=	<u>\$ 516,581</u>
<b>Total</b>		<b>\$2,582,906</b>

15. There is a program change increase in annual costs to the respondents which is due to increase of the Commission's filing fees during the past 3 years. Therefore, the total annual cost has increased by \$4,746,000.

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 FCC Form 601. Granting this waiver will prevent the Commission from destroying excess forms, having to update computer versions and thus reduce waste. All OMB-approved information collections are published in 47 CFR 0.408. This section includes the OMB control number, title of the collection and the OMB expiration

date.

18. There are no exceptions to the “Certification Statement” in Item 19.

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

This information collection does not use any statistical methods.