

**SUPPORTING STATEMENT**

**A. Justification:**

1. The Federal Communications Commission ("Commission") requests that the Office of Management and Budget (OMB) approve a revision of the information collection titled, "Part 25 of the Commission's Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations" under OMB Control No. 3060-0678.

The purpose of the revision of OMB Control No. 3060-0678 is to consolidate rule sections 47 CFR 25.113, 25.118, 25.131, 25.154, 25.164, and 25.165 that are currently under OMB Control No. 3060-1007 into 3060-0678. After OMB approval of this revision, the Commission will discontinue OMB Control No. 3060-1007.

The statutory authority for this information collection is contained in Sections 4(i), 7(a), 303(c), 303(f), 303(g), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 157(a), 303(c), 303(f), 303(g), and 303(r).

None of the information collections affects individuals or households; thus there are no impacts under the Privacy Act.

2. This collection is used by the Commission staff in carrying out its duties concerning satellite communications as required by Section 301, 308, 309 and 310 of the Communications Act, 47 U.S.C. Sections 301, 308, 309, 310. This collection is also used by the Commission staff in carrying out its duties under the World Trade Organization (WTO) Basic Telecom Agreement. The information collection requirements accounted for in this collection are necessary to determine the technical and legal qualifications of applicants or licensees to operate a station, transfer or assign a license, and to determine whether the authorization is in the public interest, convenience and necessity.

As technology advances and new spectrum is allocated for satellite use, applicants for satellite service will continue to submit the information required in 47 CFR Part 25 of the Commission's rules. Without such information, the Commission could not determine whether to permit respondents to provide telecommunication services in the United States. Therefore, the Commission would be unable to fulfill its statutory responsibilities in accordance with the Communications Act of 1934, as amended, and the obligations imposed on parties to the WTO Basic Telecom Agreement.

3. Applicants are required to complete and file the "Application for Satellite Space and Earth Station Authorizations" (FCC Form 312) with the Commission electronically via the International Bureau Filing System ("MyIBFS"). A total of 100 percent of the documents are filed electronically in MyIBFS.

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

4. The agency does not impose similar information collection requirements on the respondents.
5. In conformance with the PRA, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information collection requirements to those that are absolutely necessary for evaluating and processing the application and for deterring possible abuses of the application process.
6. If the various data in this collection were collected less frequently or not filed in conjunction with our rules, then applicants and licensees would not obtain the authorization necessary to provide telecommunication services; the Commission would not be able to carry out its mandate as required by statute; and applicants and licensees would not be able to provide services to the public effectively.
7. The Commission does not propose any new or amended information collection requirements that are not consistent with the general information collection guidelines in 5 CFR § 1320.
8. On December 22, 2009, the Commission published a 60-day notice in the Federal Register (74 FR 68062). The comment period ended on February 22, 2010. No comments were received from the public in response to the notice.
9. Respondents will not receive any payments or gifts.
10. There is no need for confidentiality with this collection of information.
11. This information collection does not address any matters of a private or sensitive nature.

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

12. Estimate of Burden Hours for the 1,248 Respondents to this information collection are as follows:

<b>Explanation of Burden Estimate</b>	<b>Number of Responses</b>	<b>Time Per Response</b>	<b>Total Annual Burden Hours</b>
<b>47 CFR 25.113(c)</b>			
Third-party disclosure - Applicants for satellite earth stations must apply for determination of "no hazard" through the Federal Aviation Administration (FAA) and notify the FAA of the planned construction of new or altered height of antenna structures	3	1 hour On occasion	3 hours
<b>47 CFR 25.113(f)</b>			
Applicants planning the construction of U.S. licensed space stations must notify the Commission that they plan to begin construction at their own risk	3	1 hour On occasion	3 hours
<b>47 CFR 25.113(h)</b>			
The licensee will file FCC Form 312 with the Commission within 30 days of bringing the in-orbit spare into operation and certify that operation of this space station did not cause the licensee to exceed the total number of operating space stations authorized by the Commission and that the licensee will operate the space station within the applicable terms and conditions of the license	3	1 hour On occasion	3 hours
<b>47 CFR 25.110<sup>1</sup>, 25.114 and</b>			

<sup>1</sup> The recordkeeping requirement for Section 25.110 is included for each requirement under Section 25.110 as outlined in the chart above.

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

<b>25.140</b>			
Fixed Satellite Service Applications	19	11 hours On occasion	209 hours
<b>47 CFR 25.110, 25.114, 25.140 and 25.148</b>			
Direct Broadcast Satellite Service Applications	1	12 hours On Occasion	12 hours
<b>47 CFR 25.110 and 25.277</b>			
Temporary Fixed Earth Station Applications	79	10 hours On occasion	790 hours
<b>47 CFR 25.110, 25.115 and 25.130</b>			
Routine Fixed Earth Station Applications	142	10 hours On occasion	1,420 hours
<b>47 CFR 25.110, 25.115, 25.130, 25.218 and 25.220</b>			
Non-Routine Fixed Earth Applications	8	0.25 hours On Occasion	2 hours
<b>47 CFR 25.132</b>			
Non-Routine Fixed Earth Station Applications	16	11 hours On occasion	176 hours
<b>47 CFR 25.134(g)(4)</b>			
Non-Routine Fixed Earth Station Applications	12	1 hour On occasion	12 hours
<b>47 CFR 25.114</b>			
Applicants must submit a comprehensive proposal for each proposed space station on FCC Form 312 and Schedule S along with attached exhibits, technical information and any information that is required to be filed in narrative form	4	1 hour On occasion	4 hours

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

<b>47 CFR 25.115</b>			
Commission authorization must be obtained for authority to operate various earth station authorizations – applications must be filed on FCC Form 312 and Schedule B and include specified information <sup>2</sup>	4	1 hour On occasion	4 hours
<b>47 CFR 25.115</b>			
Notification of the complete technical parameter of each earth station site is brought into operation under the lead authorization is required to the Commission by the licensee	4	1 hour On occasion	4 hours
<b>47 CFR 25.115</b>			
CSAT licensee shall annually provide the Commission an updated list of all operational earth stations in its system	4	1 hour Annual	4 hours
<b>47 CFR 25.115</b>			
Certification that certain conditions are satisfied as specified under Section 25.115(c) (2)(iv) is required	4	1 hour On occasion	4 hours
<b>47 CFR 25.115</b>			
The copy of the Schedule B notification form must be posted at each station operation pursuant to this section	4	0.25 hours On occasion	1 hour
<b>47 CFR 25.116</b>			
Amendments can be filed to pending space station applications until designation for hearing on Form 312 and Schedule B	24	5.5 hours On occasion	132 hours
<b>47 CFR 25.116</b>			
Earth Station Amendments	97	5.5 hours On occasion	534 hours
<b>47 CFR 25.117</b>			
Applications for modification of space station authorizations must be filed on FCC Form 312 and Schedule B	36	5.5 hours On occasion	198 hours
<b>47 CFR 25.117</b>			
Applications for modification of earth station authorizations must be filed on FCC Form 312 and Schedule B	91	5.5 hours On occasion	501 hours

<sup>2</sup> See 47 CFR 25.115(a)(2) for the exception.

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

<b>47 CFR 25.118(a)</b>			
Earth station licensees must file the FCC Form 312 with the Commission within 30 days of a modification of the license to inform the Commission of this change	91	5.5 hours On occasion	501 hours
<b>47 CFR 25.118(a)(4)</b>			
Licensees changing its operations from private carrier to common carrier must notify the Commission within 30 days of the change by filing the FCC Form 312 with the Commission	4	2 hours On occasion	8 hours
<b>47 CFR 25.118(e)(3) - (9)</b>			
Space station licensees must certify that it will comply with all of the conditions of its original license and all applicable rules after relocation and file other certifications with the Commission as stated in the rule sections	4	2 hours On occasion	8 hours
<b>47 CFR 25.119</b>			
Earth Station Assignment and Transfer of Control Applications	11	11 hours On occasion	121 hours
<b>47 CFR 25.119</b>			
Earth Station Assignments and Transfer of Control	279	11 hours On occasion	3,069 hours
<b>47 CFR 25.130</b>			
Application for a new or modified transmitting earth station facility must be submitted on FCC Form 312 and Schedule B, accompanied by any required exhibits and required narrative information	4	1 hour On occasion	4 hours
<b>47 CFR 25.131(a)</b>			
Applicants for a license for a receive-only earth station must file the FCC Form 312 and any required exhibits with the Commission	7	2 hours On occasion	14 hours
<b>47 CFR 25.131(d)</b>			
Applicants for registration must be filed on the FCC Form 312 along with any required exhibits	7	2 hours On occasion	14 hours
<b>47 CFR 25.131(h)</b>			

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

Applications for renewals of registrations must be filed on the Application for Renewal of Radio Station License in Specified Services (FCC Form 312-R)	7	2 hours On occasion	14 hours
<b>47 CFR 25.131(j)(1)</b>			
Receive-only earth stations operating with non-U.S. licensed space stations must file an FCC Form 312 requesting a license or modification to operate such station	7	2 hours On occasion	14 hours
<b>47 CFR 25.137</b>			
Applications from Non-US Licensed Satellites to Enter the US Market	5	11 hours On occasion	55 hours
<b>47 CFR 25.137</b>			
New Earth Station License Applications	2	22 hours On occasion	44 hours
<b>47 CFR 25.137</b>			
Earth Station Amendments	6	11 hours On occasion	66 hours
<b>47 CFR 25.137</b>			
Earth Station Modifications	91	16.5 hours On occasion	1,502 hours
<b>47 CFR 25.154(a)(2)</b>			
Petitions to deny, petitions for other forms of relief and other objections or comments must be filed within 30 days after the public notice announcing the acceptance for filing of the application or major amendment thereto (unless Commission extends the filing deadline)	10	1 hour On occasion	10 hours
<b>47 CFR 25.154(a)(4)</b>			
Petitions to deny, petitions for other forms of relief and other objections or comments must contain specific allegations of fact to support original relief requested	10	1 hour On occasion	10 hours

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

<b>47 CFR 25.154(a)(5)</b>			
Petitions to deny, petitions for other forms of relief and other objections or comments must contain a certificate of service showing that it had been mailed to the applicant no later than the date the pleading is filed with the FCC	10	1 hour On occasion	10 hours
<b>47 CFR 25.154(a)(5)</b>			
Oppositions to petitions to deny an application, etc. may be filed within 10 days	10	1 hour On occasion	10 hours
<b>47 CFR 25.154(d)</b>			
Reply comments by the party that filed the original petition may be filed with respect to pleadings filed pursuant to paragraph (c) of this section within 5 days after the time for filing oppositions has expired unless the Commission otherwise extends the filing deadline and must be in accordance with other applicable provisions of 47 CFR 1.41 and 1.52	10	1 hour On occasion	10 hours
<b>47 CFR 25.154(e)</b>			
Applicant must file a statement with the Commission explaining whether the applicant has resolved all outstanding issues raised by the petitioner within 30 days of the date the petition for deny is filed	10	1 hour On occasion	10 hours
<b>47 CFR 25.164(a)</b>			
Milestones - Licensees of geostationary orbit satellite systems licensed on or after August 27, 2003 must comply with the implementation schedule set forth in para. (a)(1) - (a)(4) (exc. Direct Broadcast Satellite (DBS); Digital Audio Radio Service (DARS))	15	4 hours On occasion	60 hours



**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

<b>47 CFR 25.164(b)</b>			
Milestones - Licensees of geostationary orbit satellite systems licensed on or after September 11, 2003 must comply with the implementation schedule set forth in para. (b)(1) - (b)(5) (exc. Direct Broadcast Satellite (DBS); Digital Audio Radio Service (DARS))	15	4 hours On occasion	60 hours
<b>47 CFR 25.164(c)</b>			
Licensees of all satellite systems other than DBS and DARS licensed on or after September 11, 2003 must submit a copy of their binding non-contingent contract with the Commission on or before the date scheduled for entering into such a contract	15	1 hour On occasion	15 hours
<b>47 CFR 25.164(d)</b>			
Licensees of all satellite systems other than DBS and DARS licensed on or after September 11, 2003 must demonstrate that the licensee has completed the critical design review of the licensed satellite system	15	2 hours On occasion	30 hours
<b>47 CFR 25.164(e)</b>			
Licensees of all satellite systems other than DBS and DARS licensed on or after September 11, 2003 must demonstrate that the licensee has commenced physical construction of its licensed spacecraft on or before the date scheduled for such commencement	15	1 hour On occasion	15 hours

**Part 25 of the Commission’s Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

<b>47 CFR 25.164(g)</b>			
Licensees of all satellite systems including both non-geostationary orbit satellites and geostationary orbit satellites (other than DBS and DARS) and licensed on or after September 20, 2004 will be required to comply with the schedule set forth in 47 CFR 25.164(a) (GSO) and 47 CFR 25.164(b) (NGSO)	15	4 hours On occasion	60 hours
<b>47 CFR 25.165</b>			
For all satellite licenses issued after September 20, 2004 (except DBS and DARS licenses) and replacement satellite licenses as defined in para. (e), the licensee is required to post a bond within 30 days of the grant of its license. Failure to post a bond will render the license null and void automatically.	15	1 hour On occasion	15 hours
<b>TOTALS:</b>	<b>1,248 responses</b>	<b>0.25 – 22 hours per response</b>	<b>9,765 hours</b>

**“In house Cost”** – In house staff who will be working on the information collection requirements contained in the chart above is estimated to have hourly salary of \$60/hour. Therefore, the in house costs to respondents are 9,765 hours X \$60/hour = **\$585,900**

13. Estimate of the Total Annual Cost Burden to Respondents

Respondents are assumed to use outside legal or engineering assistance in order to complete their applications. The cost to applicants for these services is estimated at \$300 per hour. This figure is based on a small survey of local firms in the D.C. area and is considered to be a conservative estimate.

\$300 per hour X 1,248 respondents/responses X 2 hours per submission = **\$748,800** Annual Costs for Outside Legal/Engineering Assistance.

Application Filing Fees: Part 25-related application fees for earth station applications range from \$60 to \$2,410. The average of these two figures is \$1235. A total of 1,144 earth station respondents X \$1,235 average fee = **\$1,412,840.**

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

Part 25-related application fees for space station applications range from \$7900 to \$380,835. The average of these two figures is \$194,367.50. A total of 104 space station respondents X \$194,367.50 average fee = **\$20,214,220.**

The total of Part 25-related earth station and space station filing fees is **\$1,412,840 + \$20,214,220 = \$21,627,060.**

**Total Annualized Cost:**

<b>Total Costs to the Industry</b>	<b>Totals</b>
Estimated Application Filing Fees	\$21,627,060
Estimated Cost of Outside Legal/Engineering Assistance	\$748,800
<b>Total Cost to Respondents</b>	<b>\$22,375,860</b>

14. Estimate of Annualized Cost to the Federal Government:

The estimate of annualized cost to the Federal government is summarized in the chart below. As shown in the chart, the annualized costs to the Federal government are **\$884,810.00**. The chart contains staff salaries, burden hours and annualized costs.

<b>Federal Government Staff</b>	<b>Number of Staff</b>	<b>Salary Per Hour</b>	<b>Annual Burden Hours</b>	<b>Annualized Costs</b>
GS-15/Step 5 Attorney	1	\$67.21	500	\$33,605.00
GS-14/Step 5 Attorney	1	\$57.13	500	\$28,565.00
GS-15/Step 5 Engineers	2	\$67.21	2,000	\$268,840.00
GS-14/Step 5 Engineers	2	\$57.13	2,000	\$228,520.00
GS-12/Step 5 Analysts	4	\$40.66	2,000	\$325,280.00
	<b>10</b>		<b>7,000</b>	<b>\$884,810.00</b>

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**

15. This Supporting Statement reflects an adjustment in the number of respondents/responses from 990 to 1,248 (+258); annual burden hours from 9,342 to 9,765 (+423); and annual costs from \$20,159,370 to \$22,375,860 (+2,216,490). These changes result from the burdens associated with the additional rule sections that were incorporated into OMB Control No. 3060-0678 from OMB Control No. 3060-1007. The consolidation is the reason for the increases in the number of respondents, responses, burden hours and annual costs for this collection.

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

17. We continue to seek a waiver of the requirement to display the expiration date of OMB approval on the FCC Form 312 and Schedule S and wish to instead display an edition date. If these forms remain unchanged when it is time to renew OMB approval for this collection, the Commission would be required to destroy all stock on hand displaying the old expiration dates and then reprint and redistribute the forms with the new expiration date. Additionally, it would require the Commission to modify the electronic versions also. This would be an undue burden on Commission resources and may lead to confusion among licensees.

18. On December 22, 2009, the Commission published a 60-day notice in the Federal Register (74 FR 68062). In this notice, we stated that the following information: the total number of respondents/responses as 1,030, the estimated time per responses as 0.25 – 24 hours, the annual burden hours as 9,791 and the annual cost as \$27,749,170. With this submission, the Commission corrects these figures to read as follows: number of respondents/responses as 1,248, estimated time per response as 0.25 – 22 hours per response, the annual burden hours as 9,765 and the annual costs as \$22,375,860. Lastly, recordkeeping requirement is a part of this information collection. There are no other exceptions to the Certification Statement.

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

No statistical methods are employed.

**Part 25 of the Commission's Rules  
Governing the Licensing of,  
and Spectrum Usage by,  
Satellite Network Stations and Space Stations**

**OMB Control No. 3060-0678  
July 2010**