

SUPPORTING STATEMENT

A. Justification:

1. Licensees and permittees of FM Translator or FM Booster stations are required to file FCC Form 350 to obtain a new or modified station licensee. The Commission also has a formal program of pre- and post-application grant random audits to preserve the integrity of the Commission's streamlined application process.

The Commission is requesting an extension of this information collection in order to receive the full three year OMB clearance/approval.

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), 307, 308 and 309 of the Communications Act of 1934, as amended.

2. The data is used by FCC staff to confirm that the station has been built to terms specified in the outstanding construction permit. Data is then extracted from FCC Form 350 for inclusion in the subsequent license to operate the station.

3. On May 13, 2002, the Commission released Public Notice DA 02-1087 announcing the mandatory electronic filing of FCC Form 350. Mandatory electronic filing for this form began on May 20, 2002. A copy of the Public Notice is attached. Paper-filed copies of FCC Form 350 will be accepted only if accompanied by an appropriate request for waiver of the electronic filing requirement. Filers must plead with particularity the facts and circumstances warranting grant of a waiver. Waivers will not be routinely granted.

4. No other agency imposes a similar information collection on the respondents. There is 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. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.

6. The frequency for this collection of information is determined by the respondents, as necessary.

7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. The Commission published a Notice (75 FR 56531) in the *Federal Register* on September 16, 2010 seeking public comment on the information collection requirements contained in this

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supporting statement. No comments were received from the public.

9. No payment or gift was provided to the respondents.

10. There is no need for confidentiality for this information collection.

11. This collection of information does not address any private matters of a sensitive nature.

12. We estimate that 350 applications will be filed and processed. The average burden on licensee is 1.0 hour per request. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

Total Number of Annual Respondents: 350 Licensees/Permittees of FM Booster or Translator Stations

Total Number of Annual Responses: 350 - FCC Form 350 Applications

Total Annual Burden Hours:

350 FCC Form 350 applications x 1.0 hour/application/respondent = **350 hours**

Annual "In-House Cost": We assume that 50% of the estimated applications received will be completed by the respondent. It will take the respondent 1 hour to complete each application. The remaining 50% will be completed by an engineer at the station which will take the engineer 1 hour to complete per application. The respondent is estimated to have an average salary of \$100,000/year (\$48.08/hour). A station engineer is estimated to have an average salary of \$22/hour.

175 FCC Form 350 applications (50% of the total applications) x 1.0 hour/application x \$48.08/hr = \$8,414.00

175 FCC Form 350 applications (50% of the total applications) x 1.0 hour/application x \$22.00/hr = \$3,850.00

Total "In-House Cost" - \$8,414.00 + \$3,850.00 = \$12,264.00

13. **Annual Cost Burden:** An application fee must be submitted with filing of the application for a commercial station. We estimate that 60% of applications submitted will require the submission of a fee. The fee for a commercial FCC 350 is \$125 per application.

Total Annual Cost Burden:

210 FCC Form 350 applications (60% of the total applications) x \$125/application = **\$26,250**

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14. Cost to the Federal Government: The Commission will use professionals GS-13, step 5 (\$48.35/hour), and clerical personnel, GS-5, step 5 (\$18.50/hour) to process FCC Form 350 applications. For application processing, the GS-13 personnel requires one hour and the GS-5 personnel requires 0.50 hour.

Professional: 1.0 hour x \$48.35 x 350 applications = \$16,922.50
Clerical: 0.5 hour x \$18.50 x 350 applications = 3,237.50
Total Cost of the Federal Government: \$20,160.00

15. There are no program changes to this collection. There are adjustments of -650 to the number of annual responses, -650 hours to the annual burden hours and -\$48,750 to the annual cost burden. The number of FCC Form 350 applications filed with the Commission has decreased. Therefore, the number of responses, burden hours and cost burden has decreased for this information collection.

16. The data will not be published.

17. An extension of the waiver not to publish the expiration date on the form is requested. This will prevent the Commission from needing to update electronic files upon the expiration of the clearance.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.