

Supporting Statement

*New collection titled:* E-rate Deployed Ubiquitously (EDU) 2011 Pilot Program. This collection is being submitted as a new collection as part of the *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, *A National Broadband Plan For Our Future*, GN Docket No. 09-51, Sixth Report and Order, FCC 10-175 (rel. Sept. 28, 2010).

**A. Justification:**

1. The Commission seeks emergency processing under the Paperwork Reduction Act (PRA) under 5 CFR 1320.13. The Federal Communications Commission is requesting OMB approval for a new information collection. The Commission requests OMB approval by October 20, 2010.

On September 28, 2010, consistent with the vision outlined in the National Broadband Plan (NBP), the Federal Communications Commission (Commission) released a Sixth Report and Order (*Sixth R&O*), CC Docket No. 02-6 and GN Docket No. 09-51, FCC 10-175, upgrading and modernizing the schools and libraries universal services support program (also known as the E-rate program) to bring fast, affordable Internet access to schools and libraries across the country, and eliminating rules that no longer serve their intended purpose. These changes will help ensure that America's students can learn and develop the high-tech skills necessary to compete in the 21<sup>st</sup> Century economy.

As part of the *Sixth R&O*, the Commission launched a pilot program--EDU 2011 Pilot Program--that supports off-campus wireless Internet connectivity for mobile learning devices. Specifically, the Commission established this trial program to investigate the merits and challenges of wireless off-premises connectivity services, and to help the Commission determine whether and how those services should ultimately be eligible for E-rate support. The information requested may be used to offer E-rate support for the upcoming funding year (which starts July 1, 2011 and ends June 30, 2012) under this pilot program to fund wireless connections to a small number of selected applicants.

Specifically, to be considered for EDU 2011 Pilot Program funding, E-rate eligible applicants must have implemented or already be in the process of implementing a program to provide off-premise connectivity to students or library patrons through the use of portable wireless devices. The application must contain the following information:

- (1) a description of the current or planned program, how long it has been in operation, and a description of any improvements or other changes that would be made if E-rate funding were received for funding year 2011;
- (2) identification of the costs associated with implementing the program including, for example, costs for equipment such as e-readers or laptops,

access and connection charges, teacher training, librarian training, or student/parent training;

(3) relevant technology plans;

(4) a description of how the program complies with the Children's Internet Protection Act and adequately protects against waste, fraud, and abuse;

(5) a copy of internal policies and enforcement procedures governing acceptable use of the wireless device off the school's or library's premises;

(6) for schools, a description of the program's curriculum objectives, the grade levels included, and the number of students and teachers involved in the program; and

(7) for schools, any data collected on program outcomes.

Additionally, after the trial period, applicants will be required to submit a report to the Wireline Competition Bureau detailing any data collected as a result of the program and a narrative describing lessons learned from the program that would assist other schools and libraries desiring to adopt similar programs in the future.

Requiring schools and libraries to submit this information as part of the trial program will allow the Commission to better investigate the merits and challenges of wireless off-premises connectivity services, and help the Commission determine whether and how those services should ultimately be eligible for E-rate support. Moreover, such collection is limited to schools and libraries that chose to participate in the trial program and are already implementing or planning to implement wireless off-campus learning. Thus, any information collected from participants in this program is limited to information about their current projects.

As noted in the OMB Form 83i, this information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

The statutory authority for this collection is contained in: Sections 1-4, [201-205](#), [218-220](#), [254](#), [303\(r\)](#), [403](#) and [405](#) of the Communications Act of 1934, as amended, [47 U.S.C. § 151-154](#), [201-205](#), [218-220](#), [254](#), [303\(r\)](#), [403](#) and [405](#).

2. The purpose of this information collection is to allow the Commission to investigate the merits and challenges of wireless off-premises connectivity services, and to help the Commission determine whether and how they should ultimately be eligible for E-rate support.

All of the requirements contained herein are necessary to implement the congressional mandate for universal service.

3. Selected participants may either manually submit the requested information and mail it the Commission for review or file the requested information electronically through the Commission's electronic filing system. As indicated above, this collection is limited to schools and libraries that chose to participate in the trial program and are already implementing or planning to implement wireless off-campus learning. Thus, any information collected from participants in this program is limited to information about their current projects. Therefore, there will be a minimal burden imposed upon those selected schools and libraries as a result of this information collection.

4. There will be no duplication of information. The information sought is unique to each respondent and similar information is not already available.

5. Entities directly subject to this information collection are schools and libraries. This trial program and associated information collection is designed to impose the least possible burden on the respondents, because this information collection will only affect a limited number of schools and libraries that chose to submit an application to participate in the trial program. Moreover, the Commission has limited the information requested to what is necessary for the purposes for which the information will be used and we expect schools and libraries to use information technology and standardized practices to minimize the time necessary to comply with the Commission's requests.

6. Failing to collect this information would prevent the Commission from better investigating the merits and challenges of wireless off-premises connectivity services and prevent the Commission from determining whether and how those services should ultimately be eligible for E-rate support.

7. Not applicable. This collection is not designed in any known manner to be inconsistent with OMB's guidelines.

8. The Commission is seeking a waiver of the 60-day notice requirement due to the emergency nature of this request under 5 CFR 1320.8(d). However, the Commission has prepared and will publish a 30-day notice, attached in OMB's ROCIS system, announcing submission of this emergency request.

The Commission will conduct all the regular OMB clearance processes and procedures upon approval of the emergency request. We will publish the necessary notice(s) in the Federal Register when seeking regular OMB approval.

9. There will be no payments or gifts to respondents.

10. The Commission is not requesting that the respondents submit confidential information to the Commission. If the Commission requests applicants to submit information that the respondents believe is confidential, respondents may request confidential treatment of such information under section 0.459 of the Commission's rules.

11. There are no questions of a sensitive nature with respect to the information collected.

12. The following represents the hour burden for this information collection:

**EDU 2011 Pilot Program**

The hour burden below represents: (1) the information requested as part of the initial application to participate in the trial program, and (2) the information requested as part of the subsequent report to the Wireline Competition Bureau after the trial period for the selected schools and libraries.

1. Information Requested as Part of the Application:

- (1) Number of respondents: Approximately 100.
- (2) Frequency of response: One-time reporting requirement and third party disclosure requirement.
- (3) Annual burden per response: 2.0 hours for gathering and submitting the requested information. The total annual hour burden is: **200 hours.**
- (4) Total estimate of the annualized cost to respondents for the hour burdens for collection of information: \$8,000.
- (5) Explanation of calculation: We estimate that this obligation will take approximately 2.0 hours and will occur once for 100 respondents.  $100$  (number of respondents)  $\times$   $1$  (number of submissions required)  $\times$   $2.0$  (hours to prepare requested information and submission to the Commission)  $\times$   $\$40$  per hour (including administrative staff time and overhead) =  $\$8,000$ .

2. Information Requested as Part of the Report After Trial Period:

- (1) Number of respondents: Approximately 10 (selected schools and libraries).
- (2) Frequency of response: One-time reporting requirement and third-party disclosure requirement.
- (3) Annual burden per response: 5.0 hours for gathering and submitting the requested information. The total annual hour burden is: **50 hours.**
- (4) Total estimate of the annualized cost to respondents for the hour burdens for collection of information: \$2,000.
- (5) Explanation of calculation: We estimate that this obligation will take approximately 5.0 hours and will occur once for 10 respondents.  $10$  (number of respondents)  $\times$   $1$  (number of submissions required)  $\times$   $5.0$  (hours to prepare report and submit to the Commission)  $\times$   $\$40$  per hour (including administrative staff time and overhead) =  $\$2,000$ .

**Summary of Estimated Total Annual Burden Hours:**

**Total Number of Respondents =  $100 + 10 = 110$  Respondents.**

**Total Number of Responses =  $100 + 10 = 110$  Responses.**

**Total Annual Burden = 200 + 50 = 250 Hours.**

13. We estimate that there will be no capital or start-up costs to comply with this collection. We do not believe that these requirements will necessitate the purchase of additional equipment. We estimate that there will be no operation, maintenance or purchase of services, or costs associated with this collection.

14. There will be minimal additional cost to the Commission and the Federal government because review of any information submitted as part of this trial program is part of Commission staff duties. The Commission staff assigned to review the requested information will most likely consist of staff with a GS level 13 or above and take approximately three hours per application to review, costing approximately \$14,505 ( $\$48.35$  (GS 13/5)  $\times$  3 (hours)  $\times$  100 (applications)). The Commission is responsible for setting policy for the E-rate program and review of the submitted applications and subsequent reports to the Commission from the selected participants assists in the policymaking process related to the eligibility of wireless off-premises connectivity services.

15. This is a new information collection resulting in a program change increase of 250 burden hours.

16. Non-proprietary information from this information collection made publicly available at some point, although the Commission does not have specific plans for doing so at this time.

17. The Commission is seeking OMB approval to not display the OMB expiration date of this information collection. The Commission publishes a list of OMB-approved information collections in 47 CFR 0.408 of the Commission's rules. This lists each approved information collection by OMB control number, title and OMB expiration date.

18. There are exceptions to item 19 of the OMB 83i and certification. The Commission is seeking a waiver of the 60-day notice requirement under 5 CFR 1320.8(d). Due to the emergency nature of this request the Commission did not publish the notice. However, the Commission will publish a 30-day notice in the Federal Register soliciting public comment on the emergency. The Commission has requested an October 20, 2010 approval.

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

The Commission does not anticipate that the collection of information will employ statistical methods.