

Response to OMB comments regarding
3072-0061 – MTO Schedules and Related Form FMC-1

- **Significant decline in responses.** What is the reason for the decline of 379 responses? Although FMC states fewer MTO’s opted to file schedules, we recommend FMC explain in more detail a decline of this magnitude.

In past submissions, BTA has used the entire universe of MTOs, whereas the ICR Summary of Burden specifically asked for “Annual Number of Responses,” “Annual Time Burden (HR),” and “Annual Cost Burden (s).” While the universe of MTOs at the time of our submission was 258, only 153 of the 258 opt to make their schedules available to the public. Over the past 3 years, on average there are only 20 MTOs that submit a new or revised Form FMC-1. MTOs are not required to update their FMC-1 every year. If we included all of the MTOs in our burden estimates, the response would be misleading as it is not an “annual” burden.

- **Requirements.** To be clear, all MTOs—20 in total—are required to submit Form FMC-1 each year? Of those 20, 12 make their schedules available publicly and incur additional reporting burden? Why does this webpage indicate the universe of MTOs is greater than 20 (<https://www2.fmc.gov/FMC1Users/scripts/ExtReports.asp?tariffClass=mto>)?

No, MTOs are not required to submit Form FMC-1 annually. The Form FMC-1 is submitted only when it is new or revised. The website mentioned above displays the total number of MTOs registered with FMC -- 258. Twenty MTOs is the average number of MTOs over the past 3 fiscal years that have either submitted a new Form FMC-1 or corrected their existing form. Since it is optional for MTOs to publish their schedules, only 60% choose to do so.

- **Government cost data.** Why does FMC spend 310 hours collecting 20 electronic forms and 12 schedules with a total industry burden of 70 hours? Should FMC adjust its burden to reflect fewer responses?

We agree that this burden is overstated. BTA calculates 40 hours rather than 310 hours for this process. The breakdown is as follows:

Office Director	3.0 hours
Sr.Transportation Specialist	9.25 hours
Transportation Specialists 2 @ 9.25 hours each =	18.50 hours
Information Processing Assistant	9.25 hours

This new estimate will require that No. 14 in the Supporting Statement, along with Attachment 2, be revised, as follows.

14. Total estimated costs to the Federal Government for this rule and form is 40 hours, at an estimated cost of \$2,905 (see Attachment 2).

- **Industry cost data:** What is the source of the \$38 per hour industry cost estimate? If FMC is drawing upon its estimate of the cost of clerk time plus overhead (\$37.55), we recommend specifying.

This method of determining “costs” was developed upon the initiation of this information collection in 1998, and has been used with each subsequent extension of the collection. FMC agrees that this is not a very clear estimate, and would like to amend its supporting statement to conform to the methodology used in the supporting statements of other FMC information collections, as shown below.

12. The estimated reporting respondent universe is 20.¹ Of these 20 respondents, it is estimated that 12² respondents will opt to publish schedules and submit location addresses.

a. The time per response for completing Form FMC-1 (mandatory) averages 0.5 hours. With a respondent universe of 20, this would amount to 10 hours.

b. Regarding the optional provisions of this rule, the estimated time to complete an MTO schedule page is 0.5 hours; the average schedule is 10 pages, for an average total of 5 hours per schedule. If 12 respondents were to file these schedules, the total hours would amount to 60.

Total hour burden for this collection is estimated to be 70 hours.

The annual cost to respondents is estimated at \$4,002 (see Attachment 1). The cost has been calculated in consideration of the time to gather information and furnish it to the Commission, as well as comply with the requirements of 46 CFR 525. It also includes clerical time as well as overhead and operational expenses.

¹ This decrease in the respondent universe is due to FMC’s use of actual figures for FY 2010.

² This decrease in the estimate is based on the actual respondent universe figure for FY 2010.

Attachment 1

10 hours (completing Form FMC-1) + 60 hours (optional MTO schedules) = 70 total hours

33% Pricing Manager (23 hours)

67% Tariff Publisher (47 hours)

The annual salary calculations have been formulated using the Federal Government's March 2010 salary table (overhead of \$20.10 per hour and benefits of 24.23% per year have been added to the basic salary). The salary for the pricing manager was calculated using the salary of a GS 13/5 Senior Transportation Specialist, and the salary for the tariff publisher was calculated using the salary of a GS 6/5 Transportation Specialist.

Formula: Annual salary + (annual salary X benefits rate) = adjusted annual salary/2,080 + overhead = adjusted hourly salary

$\$100,904 + (100,904 \times 24.23\%) = \$125,353/2,080 = \$60.27 + \$20.10 = \$80.37 =$ Pricing Manager adjusted hourly salary

$\$43,046 + (43,046 \times 24.23\%) = \$53,476/2,080 = \$25.71 + \$20.10 = \$45.81 =$ Tariff Publisher adjusted hourly salary

Employee	Hourly Salary	Number of Hours	Total
Pricing Manager	\$80.37	23	\$1,849
Tariff Publisher	\$45.81	47	\$2,153
TOTALS		70	\$4,002

14. Estimated Burden and Costs, Including Overhead, to Federal Government

The annual salary calculations have been formulated using the Federal Government's March 2010 salary table (overhead of \$20.10 per hour and benefits of 24.23% per year have been added to the basic salary).

Office Director 14/3 – 3 hours

$\$112,224 + (112,224 \times 24.23\%) = \$139,416/2,080 = \$67.03 + \$20.10 = \$87.13$ adjusted hourly salary

Sr. Transportation Specialist 13/5 – 9.25 hours

$\$100,904 + (100,904 \times 24.23\%) = \$125,353/2080 = \$60.27 + \$20.10 = \$80.37$ adjusted hourly salary

Transportation Specialists (2) 12/9 – 9.25 hours each

$\$94,837 + (94,837 \times 24.23\%) = \$117,816/2,080 = \$56.64 + \$20.10 = \$76.74$ adjusted hourly salary

Information Processing Assistant 7/9 – 9.25 hours

$\$53,468 + (53,468 \times 24.23\%) = \$66,423/2,080 = \$31.93 + \$20.10 = \$52.03$ adjusted hourly salary

Employee	Hourly Salary	Number of Hours	Total
Office Director	\$87.13	3	\$ 261
Sr. Transportation Specialist	\$80.37	9.25	\$ 743
Transportation Specialists (2)	\$76.74	18.50	\$1,420
Information Processing Assistant	\$52.03	9.25	\$ 481
TOTALS		40	\$2,905

Estimated cost to the Federal Government: \$2,905