

## SUPPORTING STATEMENT

### A. Justification:

The Commission is submitting this collection to extend the current approval for three years. There are no changes to the reporting, recordkeeping and/or third party disclosure requirements. The number of responses has increased. See item 15 of this supporting statement for a detailed explanation.

1. These information collections are necessary to provide consumers ready access to information concerning the rates, terms, and conditions governing the provision of interstate, domestic, interexchange services offered by nondominant interexchange carriers (IXCs) in a detariffed and increasingly competitive environment. These information collections are consistent with OMB's "strong recommendation" earlier in this proceeding that the Commission consider mechanisms to make pricing information available to consumers, State regulators, and other interested parties.

a. Information Disclosure Requirement: The *Second Order on Reconsideration* reinstated the public disclosure requirement that was originally established in the *Second Report and Order* released in October 1996 (CC Docket 96-61) and requires nondominant IXCs to make available to the public information on the current rates, terms, and conditions for all of their interstate, domestic, interexchange services. See 47 C.F.R. § 42.10(a).

b. Internet Posting Requirement: The *Second Order on Reconsideration* requires nondominant IXCs that have Internet websites to make the rate and service information described above in section 1.a available on-line in a timely and easily accessible manner, and to update this information regularly. See 47 C.F.R. § 42.10(b).

c. Recordkeeping Requirement: Nondominant IXCs are required to maintain at their premises service information regarding all of their interstate, domestic, interexchange service offerings so that they can submit such information to the Commission upon request. See 47 C.F.R. § 42.11. Statutory authority for this information collection is Sec. 4(i), 47 U.S.C. § 154(i); interprets or applies sections 219 and 220, 47 U.S.C. §§ 219, 220.

d. Certification Requirement: Nondominant IXCs must file a certification stating that they are in compliance with their statutory geographic rate averaging obligations under Section 254(g). See 47 C.F.R. § 64.1900.

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

Statutory authority for this information collection is contained in: sections 1, 4, 10, 201-205, 215, 218, 220, 226, and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154, 160, 201-205, 215, 218, 220, 226, and 254.

2. The information collected under the information disclosure requirement and the Internet posting requirement must be disclosed to the public to ensure that consumers have access to the information they need to select a telecommunications carrier and to bring to the Commission's attention possible violations of the Communications Act without a specific public disclosure requirement. The information collected under the recordkeeping and certification requirements will be used by the Commission to ensure that affected IXCs fulfill their obligations under the Communications Act, as amended.

3. Commission rules impose the Internet posting requirement described in item 1.b above to ensure that consumers and consumer groups that analyze rate and service information can access this information easier using information technology.

4. We know of no duplication of this information. There is no similar information available in this area.

5. The information collection will affect large and small entities. Because the information required to be disclosed is relatively modest, we do not believe that the requirements severely impact small businesses or other small entities. The *Second Order on Reconsideration* minimizes the burden of compliance by exempting nondominant IXCs that do not have an Internet website from the Internet posting requirement described in item 1.b above.

6. If the information required to be disclosed is not collected or is collected less frequently, it will delay implementation of the Commission's detariffing policy, and may make it difficult for the Commission to ensure that carriers fulfill their obligations under the Communications Act, as amended, and the Commission's policies and rules. In addition, consumers may find it more difficult to obtain the information they need to select a telecommunications carrier and to bring to the Commission's attention possible violations of the Communications Act without a specific public disclosure requirement.

7. Nondominant IXCs are required to maintain rate and service information in a manner that allows them to produce such records within ten business days of receipt of a Commission request. This requirement will enable the Commission to meet, in a timely manner, its statutory duty of ensuring that such carriers' rates, terms, and conditions for service are just reasonable, and not unreasonably discriminatory, and that these carriers comply with the geographic rate averaging and rate integration requirements of the 1996 Act. In addition, maintenance of such records will enable the Commission to investigate and resolve complaints quickly. There are no other special circumstances.

8. Pursuant to 5 C.F.R. § 1320.8(d), the Commission published a 60-day notice in the Federal Register to solicit public comment on July 13, 2011. See 76 FR 41256. No PRA comments were received.

9. The Commission does not anticipate providing any payment or gift to respondents.

10. No confidential information is being sought; however, respondents may request materials or information submitted to the Commission be withheld from public inspection under section 0.459 of the Commission's rules. See 47 C.F.R. § 0.459.

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

12. The following represents the hours burden estimates of the information collections:

**a. Information Disclosure Requirement (Third Party Disclosure):**

(1) Number of respondents: Approximately **700**.

(2) Frequency of response: One time.

(3) Total number of responses annually: Approximately **700**.

(4) Estimated time per response: 1 hour.

(5) Total annual burden: **700 hours**.

The Commission estimates that approximately 700 respondents will require one hour each per filing.

$700 \text{ respondents} \times 1 \text{ response/year} \times 1 \text{ hour} = 700 \text{ hours}$ .

(6) Total estimate of “in house” cost to respondents: **\$28,000**.

(7) Explanation of calculation:

The Commission estimates that the average cost per hour is \$40.

$700 \text{ responses} \times 1 \text{ hour per response} \times \$40 \text{ per hour} = \$28,000$ .

**b. Internet Posting Requirement (Third Party Disclosure):**

(1) Number of respondents: Approximately **700**.

(2) Frequency of response: One time.

(3) Total number of responses annually: Approximately **700**.

(4) Estimated time per response: 1 hour.

(5) Total annual burden: **700 hours**.

The Commission estimates that approximately 700 respondents will require one hour each per filing.

$700 \text{ respondents} \times 1 \text{ response/year} \times 1 \text{ hour} = 700 \text{ hours}$ .

(6) Total estimate of “in house” cost to respondents: **\$28,000**.

(7) Explanation of calculation:

The Commission estimates that the average cost per hour is \$40.

$700 \text{ responses} \times 1 \text{ hour per response} \times \$40 \text{ per hour} = \$28,000$ .

**c. Recordkeeping Requirement:**

(1) Number of respondents: Approximately **700**.

(2) Frequency of response: On occasion.

(3) Total number of responses annually: Approximately **700**.

(4) Estimated time per response: 1 hour.

(5) Total annual burden: **700 hours**.

The Commission estimates that approximately 700 respondents will require one hour each per filing.

$700 \text{ respondents} \times 1 \text{ response per year} \times 1 \text{ hour} = 700 \text{ hours}$ .

(6) Total estimate of "in house" cost to respondents: **\$28,000**.

(7) Explanation of calculation:

The Commission estimates that the average cost per hour is \$40.

$700 \text{ responses} \times 1 \text{ hour per response} \times \$40 \text{ per hour} = \$28,000$ .

**d. Certification Requirement (Reporting Requirement):**

(1) Number of respondents: Approximately **700**.

(2) Frequency of response: One time.

(3) Total number of responses annually: Approximately **700**.

(4) Estimated time per response: .5 hours.

(5) Total annual burden: **350 hours**.

The Commission estimates that it will take no more than .5 hours to complete and send the certification requirement to the Commission.

$700 \text{ respondents} \times 1 \text{ response per year} \times .5 \text{ hours per year} = 350 \text{ hours}$ .

(6) Total estimate of "in house" cost to respondents: **\$14,000**.

(7) Explanation of calculation:

The Commission estimates that the average cost per hour is \$40.

$700 \text{ responses} \times .5 \text{ hour per response} \times \$40 \text{ per hour} = \$14,000$ .

The following is a list of the hours burden estimated under this control number:

a. Information Disclosure Requirement	700 hours
b. Internet Posting Requirement	700 hours
c. Recordkeeping Requirement	700 hours
d. Certification Requirement	+350 hours
Total Annual Hours Currently Requested	2,450 total annual burden hours

Total Annual Hours for all collections under this control number: **2,450 hours**.

The following is a list of the number of responses under this control number:

a. Information Disclosure Requirement	700
b. Internet Posting Requirement	700
c. Recordkeeping Requirement	700
d. Certification Requirement	+700
Total Responses Currently Requested	2,800

Total Responses for all collections under this control number: **2,800 responses.**

13. Cost to the Respondents: None.

14. The estimated annualized cost to the Federal Government is at a minimum the proportion of the annual budget of the Pricing Policy Division that is dedicated to reviewing and filing the annual certifications.

15. The Commission notes the following adjustment since the previous submission:

a. The number of responses was miscalculated in the previous submission. As such, the number of responses has increased from 700 to 2,800 (an increase of 2,100 responses).

16. The Commission does not anticipate that it will publish any of the information.

17. The Commission does not seek approval to not display the expiration date for OMB approval of the information collection.

18. There are exceptions to the certification statement because the 60 day notice was not published on "delegated" letterhead.

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

Not applicable. The Commission does not anticipate that the collections of information will employ statistical methods.