

## SUPPORTING STATEMENT

As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501– 3520), in 2008 the Federal Communications Commission (Commission) requested and received approval from the OMB to consolidate two collections: OMB control numbers 3060-0204 and 3060-0219. The combined collection is now authorized as OMB control number 3060-0204. The Commission seeks to renew or extend the combined collection for an addition three years. There are no changes to the reporting requirements.

### **A. Justification:**

1. a. Section 90.20(a)(2)(v):

Section 90.20(a)(2)(v) provides that persons claiming eligibility in the Special Emergency Radio Service on the basis of being physically handicapped must present a physician's statement indicating that they are handicapped. Submission of this information is necessary to ensure that frequencies reserved for licensing to handicapped individuals are not licensed to non-handicapped persons.

This information collection affects individuals. The personally identifiable information that it collects is covered under FCC/WTB-1, Wireless Services Licensing Records. *See* 71 FR 17234, 17269.

b. Section 90.20(a)(2)(xi):

Section 90.20(a)(2)(xi) is necessary to determine if communications common carrier applicants requesting frequencies for use as standby facilities for communications related to safety of life and public property is necessary for such purposes.

Specifically, Section 90.20(a)(2)(xi) states: "A communications common carrier operating communications circuits that normally carry essential communication of such a nature that their disruption would endanger life or public property is eligible to hold authorizations for standby radio facilities for the transmission of messages only during periods when the normal circuits are inoperative due to circumstances beyond the control of the user. During such periods the radio facilities may be used to transmit any communication which would be carried by the regular circuit. Initial applications for authorization to operate a standby radio facility must include a statement describing radio communication facilities desired, the proposed method of operation, a description of the messages normally being carried, and an explanation of how their disruption will endanger life or public property."

c. Both Rules:

Statutory authority for both collections of information is contained in Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 161, 303(g), 303(r), 332(c)(7).

2. With regard to section 90.20(a)(2)(v), Commission personnel use the data to determine the eligibility of applicants to hold a radio station authorization for specific frequencies. If the information is not collected, the Commission has no way to determine eligibility. With regard to section 90.20(1)(2)(xi), Commission personnel use the information to ensure the requested private land mobile facilities are necessary for the safety of life or protection of public property.
3. Prior to finalizing rule makings the Public Safety and Homeland Security Bureau conducts an analysis to insure that improved information technology cannot be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other federal agencies.
4. For both rules, this agency does not impose a similar information collection on the respondents. No other federal agency collects this data. There are 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, regardless of size. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing each application and to deter against possible abuses of the processes.
6. This information is collected only once, upon the initial application for a license. Accordingly, there is no way to conduct the collection less frequently and still obtain the information.
7. There are no special circumstances that would cause this information collection to be conducted in a manner inconsistent with the guidelines in 5 C.F.R. § 1320.5(d)(2).
8. On August 10, 2011 (76 FR 49476), the Commission published a notice in the Federal Register initiating a 60-day comment period for these collections. No comments were received.
9. No payment or gift will be provided to respondents.
10. Confidential information that individuals provide is treated as such under section 0.459 of the Commission's rules. In addition, as noted in paragraph 1.a. above, there is a system of records (FCC/WTB-1, Wireless Services Licensing Records; see 71 FR 17234, 17269) which covers the collection of personally identifiable information on these individuals as required under the Privacy Act of 1974, as amended.
11. The Commission must collect information about the applicant's handicap to ensure that frequencies reserved for licensing to handicapped individuals are not licensed to non-handicapped persons.
12. a. Section 90.20(a)(2)(v):

The information is required from each affected applicant who applies for a new station license. Each affected applicant is required to obtain a simple statement from a physician attesting to their handicap. The time required of the applicant to arrange an appointment with the physician is estimated at 15 minutes per response. Approximately 20 responses are made annually, for a total of 1 burden hour per year.

No. of Responses	Hrs. Per Response	Annual Burden
20	15 minutes	5 hours

Estimate of annualized cost to respondents of collection:

We assume that the doctor's certification will be prepared during a visit to the office of the respondent's physician requiring a cost to respondents of \$50.00.

$$20 \text{ responses} \times \$50.00 = \$1,000.00$$

b. Section 90.20(a)(2)(xi):

The information is required from each affected applicant upon initial license application. Since the applicants are communications common carriers, much of the information already resides in company manuals and will not have to be generated solely for this information collection requirement. Approximately 200 such responses are received annually, requiring an estimated 45 minutes each for a total annual burden of 150 hours.

No. of Responses	Hrs. Per Response	Annual Burden
200	45 minutes	150 hours

**Summary:**

**20 responses + 200 responses = 220 responses.  
5 hours + 150 hours = 155 total annual burden hours.**

Estimate of annualized in-house costs to respondents of collection:

We assume that the respondent would use an internal engineer to prepare the information at \$250 hour.

$$\$250 \text{ hour} \times 200 \text{ responses} \times .75 \text{ hours} = \$37,500.$$

13. There are no capital or start-up costs or operation and maintenance and purchase of service costs anticipated.

14. Estimate of cost to Federal Government:

With regard to section 90.20(a)(2)(v):

\$22.92	per hour (GS-7 examiner)
x .25	hours per registration
x 20	registrations per year
<u>\$ 12</u>	10% overhead
\$127	

With regard to Section 90.20(a)(2)(xi):

\$22.92	per hour (GS-7 examiner)
x .33	hours per report
x 200	reports per year
<u>+ \$151</u>	10% overhead

\$1,664

**Summary: \$127 + 1,664 = \$1,791 total government costs.**

15. The Commission has slightly adjusted the total annual burden hours because we have re-estimated the estimated time per response. In 2008, the Commission estimated 3 minutes for item 12a of this supporting statement. With this submission to the OMB, we are estimating 15 minutes for the estimated time per response – which increased the total annual burden hours by 4 hours.

16. No data will be published for statistical use.

17. We do not seek approval to not display the expiration date for OMB approval of this information collection.

18. There are no exceptions to the statement certifying compliance with 5 C.F.R. § 1320.9 and the related provisions of 5 C.F.R. § 1320.8(b)(3).

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

No statistical methods were employed for submission of information covered under this submission.