

## SUPPORTING STATEMENT

### A. Justification:

On October 27, 2011, the Commission adopted a *Further Notice of Proposed Rulemaking* (“FNPRM”) in MM Docket 00-168, FCC 11-162, *In the Matter of Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*. The FNPRM proposes that three times a week, the station identification for television stations must include a notice stating that the station’s public file is available for viewing at the FCC’s website. At least one of the announcements must occur between the hours of 6 p.m. and midnight.<sup>1</sup> **(This is a new proposed requirement that requires OMB approval.)**

### **Information collection requirements that were approved by OMB and have not changed since the previous approval:**

**47 CFR Section 73.1201(a)** requires television broadcast licensees to make broadcast station identification announcements at the beginning and ending of each time of operation, and hourly, as close to the hour as feasible, at a natural break in program offerings. Television and Class A television broadcast stations<sup>2</sup> may make these announcements visually or aurally. **(This information collection requirement has not changed since OMB approval was last received).**

**47 CFR Section 74.783(b)** requires licensees of television translators whose station identification is made by the television station whose signals are being rebroadcast by the translator, must secure agreement with this television station licensee to keep in its file, and available to FCC personnel, the translator's call letters and location, giving the name, address and telephone number of the licensee or his service representative to be contacted in the event of malfunction of the translator. It shall be the responsibility of the translator licensee to furnish current information to the television station licensee for this purpose. **(This information collection requirement has not changed since OMB approval was last received).**

**47 CFR Section 73.1201(b)(1)** requires that the official station identification consist of the station's call letters immediately followed by the community or communities specified in its license as the station's location. The name of the licensee, the station's frequency, the station's channel number, as stated on the station's license, and/or the station's network affiliation may be inserted between the call letters and station location. Digital Television (DTV) stations, or DAB Stations, choosing to include the station's channel number in the station identification must use the station's major channel number and may distinguish multicast program streams. For example, a DTV station with major channel number 26 may use 26.1 to identify a High Definition Television (HDTV) program

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<sup>1</sup> See 47 CFR 1201(b)(3) of the proposed rules for FCC 11-162.

<sup>2</sup> Class A television broadcast stations are required to (1) broadcast a minimum of 18 hours per day and (2) broadcast an average of at least three hours per week of locally produced programming each quarter.

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service and 26.2 to identify a Standard Definition Television (SDTV) program service. A radio station operating in DAB hybrid mode or extended hybrid mode shall identify its digital signal, including any free multicast audio programming streams, in a manner that appropriately alerts its audience to the fact that it is listening to a digital audio broadcast. No other insertion between the station's call letters and the community or communities specified in its license is permissible. A station may include in its official station identification the name of any additional community or communities, but the community to which the station is licensed must be named first. **(This information collection requirement has not changed since OMB approval was last received).**

**47 CFR Section 74.783(e)** permits low power TV permittees or licensees to request to be assigned four-letter call signs in lieu of the five-character alpha-numeric call signs. **(This information collection requirement has not changed since OMB approval was last received).**

**47 CFR Section 74.1283(c)(1)** requires a FM translator station licensee whose identification is made by the primary station must arrange for the primary station licensee to furnish the translator's call letters and location (name, address, and telephone number of the licensee or service representative) to the FCC. The licensee must keep this information in the primary station's files. **(This information collection requirement has not changed since OMB approval was last received).**

**History:**

**Section 73.1201(b)(1):** In May 2007, the Commission released the *Second Report and Order, Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service* ("Second Order"), FCC 07-33, MM Docket 99-325. Provisions of the *Second Order* require station identification requirements DAB stations to facilitate public participation in the regulatory process. Both AM and FM stations with DAB operations will be required to make station identification announcements at the beginning and end of each time of operation, as well as hourly, for each programming stream.

**Section 73.1201(a):** On August 4, 2004, the Commission adopted a Report and Order in MB Docket No. 03-15, FCC 04-192, *In the Matter of Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*. With this Report and Order, the Commission requires digital television stations to follow the same rules for station identification as analog television stations.

**Section 74.783:** On December 8, 1998, the Commission adopted a Report and Order in MM Docket No. 98-98, *In the matter of Amendment of Part 73 and Part 74 Relating to Call Sign Assignments for Broadcast Stations*. With this Report and Order, the Commission modified its practices and procedures with regard to the assignment of call signs to radio and television

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broadcast stations. Existing procedures were replaced by an on-line system for the electronic preparation and submission of requests for the reservation and authorization of new and modified call signs. Access the call sign system is made via the Internet.

**Section 74.1283(c)(1).** On November 8, 1990, the Commission adopted a Report and Order in MM Docket No. 88-140, FCC 90-375, *Amendment of Part 74 of the Commission's Rules concerning FM translator Stations* which amended rules governing FM translator stations.

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 151, 152, 154(i), 303, 307 and 308 of the Communications Act of 1934, as amended.

2. **For Section 73.1201**, station licensees provide station identification so the public is aware of who is providing TV programming, and the proposed change to this rule will inform the public where it can find television station public files. **For Sections 74.783 and 74.1283**, the furnishing of current information is used by the primary station licensee and/or FCC staff in field investigations to contact the translator licensee in the event of malfunction of the translator.

3. **For Section 73.1201**, this is a simple notification requirement **For Section 74.783**, the Commission has implemented an on-line system for the electronic preparation and submission of requests for the reservation and authorization of new and modified call signs. **For Section 74.1283**, this is a simple notification and recordkeeping requirement. We do not prescribe the method that the notification must take. Electronic mail could be used to furnish this information to the primary station. However, a paper copy must be kept in the primary station's files.

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. This collection of information is determined by respondents' need to notify the FCC of change in operation. So, it is provided as necessary.

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

8. The Commission published a Notice (76 FR 72144) in the *Federal Register* on November 22,

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2011 seeking public comment on the information collection requirements contained in this supporting statement. To date, no comments have been received from the public.

- 9. No payment or gift was provided to the respondents.
- 10. There is no need for confidentiality with this collection.
- 11. This collection of information does not address any private matters of a sensitive nature.
- 12. We report the following public burdens:

| <u>Number of Respondents</u> | <u>Number of Filings</u> | <u>Number of Responses</u> | <u>Respondent's Burden Hours</u> | <u>Annual Burden Hours</u> | <u>Respondent's Salary</u> | <u>Annual In-House Cost</u> |
|------------------------------|--------------------------|----------------------------|----------------------------------|----------------------------|----------------------------|-----------------------------|
| <b>Section 73.1201</b>       |                          |                            |                                  |                            |                            |                             |
| 17,017 <sup>3</sup>          | 1                        | 17,017                     | 1                                | 17,017                     | \$18.00                    | \$ 306,306.00               |
| <b>Section 74.783</b>        |                          |                            |                                  |                            |                            |                             |
| 1,000 <sup>4</sup>           | 1                        | 1,000                      | 0.166                            | 166                        | \$24.04                    | \$ 3,990.64                 |
| <b>Section 74.1283</b>       |                          |                            |                                  |                            |                            |                             |
| 6,141 <sup>5</sup>           | 1                        | 6,141                      | 1                                | 6,141                      | \$24.04                    | \$ 147,629.64               |
| <b>Totals</b>                |                          | <b>24,158</b>              |                                  | <b>23,324<sup>6</sup></b>  |                            | <b>\$457,926.28</b>         |

**Total Number of Annual Respondents: 1,774 television broadcast station licensees/permittees**

<sup>3</sup> There are 1,774 full-power television broadcast licensees and permittees, 515 Class A television broadcast licensees, and 14,728 radio broadcast licensees and permittees that will notify the public of their station identification. This represents the licensees' notification and recordkeeping requirements.

<sup>4</sup> These translator stations will furnish current information to primary stations.

<sup>5</sup> There are 6,141 FM translator/booster stations that will furnish current information to the primary station. This represents the licensees' recordkeeping and notification requirements.

14,728 radio broadcast station licensees/permittees  
1,000 LPTV licensees  
515 Class A television broadcast stations  
6,141 FM translator licensees  
24,158 (respondents)

**Total Number of Annual Responses:** 24,158 responses

**Total Annual Burden Hours:** 23,324 hours

**Total Annual "In-house" Cost:** \$457,926.28

These estimates are based on FCC staff's knowledge and familiarity with the availability of the data required.

**13. Annual Cost Burden:**

- (a) Total annualized capital/startup costs: None
- (b) Total annual costs (O&M): None
- (c) Total annualized cost requested: None

14. There is no cost to the Federal Government.

15. On October 27, 2011, the Commission adopted a *Report and Order* in MM Docket 00-168, FCC 11-162, *In the Matter of Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*. The *FNPRM* proposes that three times a week, the station identification for television stations must include a notice stating that the station's public file is available for viewing at the FCC's website. At least one of the announcements must occur between the hours of 6 p.m. and midnight. The Commission believes that the proposed notification requirement will have a de minimis impact on the number of respondents, total number of responses and annual burden hours for this collection. Therefore, there are no changes to any of these figures.

16. The data will not be published.

17. OMB approval of the expiration date of the information collection will be displayed at 47 CFR Section 0.408.

18. There are no other exceptions to the Certification Statement.

**OMB Control Number: 3060-0466**

**November 2011**

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

No statistical methods are employed.