

SUPPORTING STATEMENT

A. Justification:

1. The Commission is requesting OMB approval for an extension of this information collection regarding disclosure, reporting, and record keeping requirements pertaining to Part 17 of the Commission's rules. This information collection is necessary to implement a uniform registration process as well as safe and effective lighting procedures for owners of antenna structures. The following are the information collection requirements:

- Antenna structure owners are required to provide tenant licensees with a copy of the antenna registration;
- Display of the registration number on or around the antenna structure;
- Notification of improper functioning of antenna structure lights;
- Recording of improper functioning of antenna structure lights.

Statutory authority for this collection of information is contained in Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

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

2. The information is used by the Commission during investigations related to air safety or radio frequency interference, as well as by the Commission, the FAA, and members of the public to ensure aircraft navigation safety when lighting is observed to be malfunctioning or extinguished. A registration number is issued to identify antenna structure owners in order to enforce Congressionally-mandated provisions related to the owners.

3. These are disclosure, notification, and record keeping requirements. The use of information technology is feasible for notification and record keeping in this situation. In addition, a petition for rulemaking has been filed with the Commission that seeks, among other things, to eliminate the current requirement in 47 C.F.R. Sections 17.4(e)-(f) and 17.6(c) that antenna structure owners provide tenants with a paper copy of Form 854R (the antenna structure registration). This matter is currently pending before the Commission.

4. This agency does not impose a similar information collection on the respondents. 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 to preserve aircraft navigation safety, while reducing the burden on small entities. The Commission believes whatever burdens small entities may incur in complying with these requirements are warranted by the overall benefit to the public from increased aircraft navigation safety as well as to antenna structure owners by overall streamlining of regulations.

6. The information is collected only when structure lights function improperly and when Antenna Structure Registration numbers are assigned. Less frequent submissions are not possible.

7. There are no special circumstances associated with this collection of information. Current data collection is consistent with 5 CFR 1320.6.

8. The Commission initiated a 60-day public comment period which appeared in the *Federal Register* on January 12, 2012 (77 FR 1935). No PRA comments were received as a result of the notice.

9. Respondents will not receive any payments.

10. There is no need for confidentiality.

11. None of the reporting burdens address any private matters or questions of a sensitive nature.

12. There are four (4) parts to this collection: Part A covers the provision of copies of the antenna registration to tenant licensees and permittees; Part B covers the ASR number display; Part C covers the outage notice; and Part D covers the record retention.

Part A: 17.4(f) - ASR copies to licensees and permittees.

We estimate that each year 36,500 Form 854R antenna registration forms will be filed. Copies of each filed form would be required to then be sent, likely by email, to each tenant licensees or permittee on the registered tower, on average approximately 8 tenant licensees and permittees. It is estimated that a secretary would spend six minutes per Form 854R to complete this task.

Total Number of Annual Respondents: 2,500

2,500 Tower Owners = 2,500 Annual Respondents.

Total Number of Annual Responses: 240,000

30,000 Form 854Rs filed x 8 tenants (licensees and permittees) to be notified = 240,000 Annual Responses.

Total Annual Burden Hours: 24,000 hrs.

240,000 Responses x .1 hrs/response = 24,000 Annual Burden Hours.

Total Annual “In-House” Cost for Part A: \$240,000

We assume that a secretary, at \$10 an hour, will provide copies of each Form 854R to the appropriate tenants.

240,000 Responses x .1 hrs/Form 854R x \$10.00/hr.=\$240,000

Part B: 17.4(g) - ASR Number Display.

We estimate that there will be approximately 5,300 new towers per year that would be subject to this collection.

Total Number of Annual Respondents: 2,500

2,500 Tower Owners = 2,500 Annual Respondents.

Total Number of Annual Responses: 5,300

5,300 new towers x 1 display each = 5,300 Annual Responses.

Total Annual Burden Hours: 1,060 hrs.

5,300 Responses x 1 display each x .2 hrs/response = 1,060 Annual Burden Hours.

Total Annual “In-House” Cost for Part A: \$21,200

We assume that the tower owners will post the display(s) using in-house staff technician at \$20 an hour.

5,300 Responses x 1 display each x .2 hrs/response x \$20.00/hr.=\$21,200

Part C 17.48 - Outage Notice.

We estimate that there are currently approximately 2,500 tower owners that own 103,500 constructed towers and approximately 13,500 licensed unconstructed towers. Therefore, there would be approximately 117,000 towers that would be subject to this collection. We estimate that 10% of the towers will have malfunctioning lights that would require notification. Therefore, we estimate that there will be 11,700 responses for this collection. We also estimate that reporting will require 0.1 hours for each occurrence.

Total Number of Annual Respondents: 250

2,500 tower owners x .10 (percentage of the towers that will have malfunctioning lights that would require notification) = 250 Annual Respondents.

Total Number of Annual Responses: 11,700

117,000 towers x .10 (percentage of the towers that will have malfunctioning lights that would require notification) = 11,700 Annual Responses.

Total Annual Burden Hours: 1,170 hrs.

11,700 Responses x 0.1 hr./response = 1,170 Annual Burden Hours.

Total Annual “In-House” Cost for Part B: \$11,700

We assume that the tower owners will send the notification(s) using in-house staff secretary at \$10 an hour.

11,700 Responses x 0.1 hr./response x \$10.00/hr.= \$ 11,700

Part D 17.49 – Record Retention.

We estimate that there are currently approximately 2,500 tower owners that own 103,500 constructed towers and approximately 13,500 licensed unconstructed towers. Therefore, there would be approximately 2,500 tower owners that would be subject to this collection. We also estimate that ensuring record retention compliance will require .25 hours per notification per tower.

Total Number of Annual Respondents: 2,500

2,500 tower owners = 2,500 Annual Respondents.

Total Number of Annual Responses: 11,700

117,000 towers x .10 (percentage of the towers that will have malfunctioning lights that would require notification) = 11,700 towers x 1 annual record per tower = 11,700 Annual Responses.

Total Annual Burden Hours: 2,925 hrs.

11,700 towers x 1 annual record x .25 hrs./notification = 2,925 Annual Burden Hours.

Total Annual “In-House” Cost for Part D: \$29,250

We assume that the tower owner will ensure record retention compliance retailer by using in-house staff secretary at \$10 an hour.

11,700 towers x 1 annual record x .25 hrs./notification x \$10.00/hr.= \$29,250

Total Number of Annual Respondents for the entire collection: 2,500 (Note: The respondents for each particular part of the collection are the same 2,500 tower owners.)

Total Number of Annual Responses for the entire collection: Part A (240,000) + Part B (5,300) + Part C (11,700) + Part D (11,700) = 268,700

Total Number of Annual Burden Hours for the entire collection: Part A (24,000) + Part B (1,060) + Part C (1,170) + Part D (2,925) = 29,155

Total Annual “In-House” Cost for the entire collection: Part A (\$240,000) + Part B (\$21,200) + Part C (\$11,700) + Part D (\$29,250) = \$302,150

13. Estimated annual cost to respondents:

Part A: 17.4(f) - ASR copies to licensees and permittees.

- (a) Total Annualized Capital/Startup Cost: None
- (b) Total annual costs (O&M): None
- (c) Total annualized cost requested: None

There will be no annualized costs incurred by the respondents from part C of the collection.

Part B: 17.4(g) - ASR Number Display.

- (a) Total Annualized Capital/Startup Cost: \$53,000.

Annual Capital/Startup Cost: Only new towers per year which is currently approximately 5,300 New Towers = 5,300 Annual Responses x 1 display each x \$10/display frame and hardware to post = \$53,000.

- (b) Total annual costs (O&M): None
- (c) Total annualized cost requested: \$53,000

Part C: 17.48 - Continuous Outage Notice.

- (a) Total Annualized Capital/Startup Cost: None
- (b) Total annual costs (O&M): None
- (c) Total annualized cost requested: None

There will be no annualized costs incurred by the respondents from part C of the collection.

Part D: 17.49 – Two Year Record Retention.

- (a) Total Annualized Capital/Startup Cost: None
- (b) Total annual costs (O&M): None
- (c) Total annualized cost requested: None

There will be no annualized costs incurred by the respondents from part D of the collection.

Total Number of Annualized Capital/Startup Costs Requested for the entire collection: Part A (\$0) + Part B (\$53,000) + Part C (\$0) + Part D (\$0) = \$53,000.

Total Number of Annual Costs (O&M) Requested for the entire collection: Part A (\$0) + Part B (\$0) + Part C (\$0) + Part D (\$0) = \$0.

Total Number of Annualized Cost Requested for the entire collection: Part A (\$0) + Part B (\$53,000) + Part C (\$0) + Part D (\$0) = \$53,000.

14. There are no costs to the Federal Government because: (1) the third-party disclosure is between the antenna structure owner and tenant licensees; (2) posting the registration number near the antenna structure is done by the antenna structure owner and involves no federal cost; (3) notification of lighting outages to the FAA is done by the antenna structure owner and results in FAA, not FCC, action; and (4) reporting lighting outages in the antenna structure owner's records in and of itself requires no federal action. Disclosures will not be actively monitored in the absence of consumer complaints.

15. The Commission is reporting an 11,174 hour burden reduction and a \$3,147,000 reduction in annual costs. The reason for the reductions is decreases in the number of respondents/responses. Therefore, the total burden hours and annual costs have been reduced.

16. The data will not be published for statistical use.

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

18. There are no exceptions to the "Certification Statement" in Item 19.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.