

## SUPPORTING STATEMENT

### A. **Justification:**

1. *Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.*

The Commission seeks a renewal of this information collection in order to obtain the three-year clearance from the OMB. There are adjustments to the estimated respondents/responses and burden hours, due to changes in the marketplace. Therefore, the total annual burden has been reduced by 2,602 hours.

The *Third Report and Order (Third R&O)* in CC Docket 94-102 adopted rules applicable to wireless carriers to permit the use of network-based solutions, handset-based solutions, or hybrid solutions. The adopted rules require changes both to handsets and wireless networks in providing caller location information as part of Enhanced 911 (E911) services. The Commission adopted the *Third R&O* to encourage the deployment of the best location technology for each area being served, promote competition in E911 location technology, and speed implementation of E911.

As part of the rules, the *Third R&O* also adopted a requirement that wireless carriers report their plans for implementing Phase II E911 service to the Commission. Specifically, this report must include the technology they plan to use to provide caller location as well as information to enable public safety organizations, equipment manufacturers, local exchange carriers, and the Commission to plan and support Phase II deployment. The Commission required wireless carriers to file these initial reports in 2000. Carriers are required to update these plans within thirty days of the adoption of any change. The reporting requirements are discussed in detail in 47 CFR § 20.18(i).

Statutory authority for this collection of information is contained in 47 U.S.C. §§ 1, 4(i), 201, 303, 309 and 332 of the Communications Act of 1934, as amended.

This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

2. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the last collection.*

The information submitted to the Commission will provide public service answering points (PSAPs), providers of location technology, investors, manufacturers, local

exchange carriers, and the Commission with valuable information necessary for full Phase II E911 service implementation. These reports will provide helpful, if not essential information for coordinating carrier plans with those of manufacturers and PSAPs. The reports will also assist the Commission's efforts to monitor Phase II developments and to take action, if necessary, to maintain the Phase II implementation schedule.

*3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

Submissions may be filed electronically wherever possible. The reports are placed on the Commission's E911 web site for ease of accessibility.

*4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.*

This agency does not impose a similar information collection on the respondents. There are no similar data available.

*5. If the collection of information impacts small businesses or other small entities (item 5 of OMB Form 83I), describe any methods used to minimize the burden.*

The required advance report and subsequent updates are needed to encourage carrier planning efforts and discussions with other necessary participants. Additionally, the reports are expected to provide useful information (i) to coordinate carrier plans with those of manufacturers and PSAPs, (ii) to enable the Commission to monitor Phase II developments and take necessary actions to maintain the Phase II implementation, (iii) to encourage carriers to develop targeted plans to implement Phase II consistent with the Phase II schedule, and (iv) to encourage cooperation between public safety organizations and carriers based on an understanding of carrier plans. In view of the expanded options of automatic location information (ALI) compliance offered by the *Third R&O*, it is essential that all parties and the Commission have early notice of carriers' plans and changes in plans, including ALI technology plans, prior to the implementation date. The reports should also provide important information for the deployment schedule adopted in the *Third R&O* for carriers employing handset-based solutions.

*6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing the burden.*

Respondents are not required to submit proprietary trade secrets or other confidential information. However, if a carrier believes that the only way it can satisfy the requirement for information to be included in advance carrier reports and updates, as identified in the *Third R&O*, would be to provide what it considers to be proprietary trade secrets or other confidential information, the carrier would be free to request that materials or information submitted to the Commission be withheld from public inspection and from the E911 web site (see 47 CFR § 0.459 of the Commission's rules).

7. *Explain any special circumstances that would cause an information collected in a manner inconsistent with the guidelines in 5 C.F.R. § 1320.5(d)(2).*

This collection of information is consistent with the guidelines in 5 C.F.R. § 1320.6.

8. *If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 C.F.R. § 1320.5(d), soliciting comments on the information prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to those comments. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.*

Pursuant to 5 CFR 1320.8(d) of OMB's rules, the Commission published a 60-day notice soliciting public comment which appeared in the Federal Register on May 14, 2012 (77 FR 28384). No PRA comments were received as a result of the notice.

9. *Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.*

Respondents will not receive any payments.

10. *Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.*

There is no need for confidentiality. Please see item #6.

11. *Provide additional justification for any questions of a sensitive nature.*

There are no requests of a sensitive nature considered or those considered a private matter sought from the applicants on this collection.

12. *Provide estimates of the hour burden of the collection of information. The statement should: indicate the number of respondents, frequency of responses, annual hour burden, and an explanation of how the burden was estimated. If the hour burden on respondents is expected to vary widely because of differences in activity,*

*size or complexity, show the range of estimated hour burden, and explain the reasons for the variance.*

The Commission estimates that approximately 1,398 wireless telecommunications carriers will be required to submit updated reports concerning changes to their Phase II E911 plans. Because of the nature of the information requested in the advance report and update, the Commission believes that all 1,398 carriers will use in-house staff engineers to prepare subsequent updates.

1,398 respondents x 1 hour to prepare the report = **1,398 total burden hours.**

*13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. Do not include the cost of any hour burden shown in items 12 and 14.*

The Commission estimates that the 1,398 updated reports should take an in-house staff engineer one hour to prepare at \$150 per hour and a total one-time burden of \$209,700.

There are no startup and capital costs or operation and maintenance costs. In asking for comment in the *Third R&O* and Order, as well as at the Notice stage, the Commission recognizes that some of the respondents might use contract laborers to complete these requirements and thus included such costs in its estimates. On review, the Commission reasonably assumes that, because of the simplified requirements, all of the respondents will use in-house staff attorneys and clerical staff incurring no additional costs.

*14. Provide estimates of annualized costs to the Federal government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expenses that would not have been incurred without this collection of information.*

GS-15 step 5 engineer to review 1,398 updated reports for about 30 minutes each is a total of 699 hours at \$67.21 an hour = \$46,980.

*15. Explain the reasons for any program changes or adjustments reported.*

Recently the wireless communications industry has experienced consolidation through mergers and acquisitions. The number of respondents and responses has been reduced (adjusted). The Commission is reporting a 2,602 total hour decrease.

*16. For collections of information whose results will be published, outline plans for tabulation and publication.*

The data will not be published for statistical use.

*17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reason that a display would be inappropriate.*

We are not requesting a waiver to not display the OMB expiration date because this collection of information is contained in the Commission's rules. All OMB-approved information collections are published or "displayed" in 47 CFR § 0.408.

*18. Explain any 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).*

There are no exceptions to item 18.

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

This information collection does not employ any statistical methods.