

SUPPORTING STATEMENT

A. Justification

On August 3, 2012, the Commission released a Notice of Proposed Rulemaking, In the Matter of Cable Television Technical and Operational Requirements, MB Docket No. 12-217; FCC 12-86. This rulemaking proposes to revise information collection 3060-0332 which supports the Commission's signal leakage monitoring, logging and repair rules that are codified at 47 CFR 76.614 and 76.1706, as required by the obligation to manage the radio frequency spectrum, as codified at 47 USC 302 and 303. Currently, Section 76.614 requires cable operators to monitor for leaks which exceed a particular threshold. This threshold was designed to protect over-the-air users of the spectrum from interference from analog cable systems. The NPRM proposes to adopt a lower threshold for digital systems in order to provide over-the-air users of the spectrum with an equivalent level of protection.

The NPRM proposes to create a digital equivalency for the Commission's analog rules. As a result, these rules are designed to capture the same respondents previously covered by the Commission's analog rules, but who have transitioned, or are transitioning, to digital operation. Further, this digital equivalency is designed to take an equivalent amount of time to fulfill. As a result, absent external factors, the hourly estimated burden will not change as a result of this NPRM (there will not be an increase or decrease to the hourly burden). However, widespread industry consolidation has resulted in fewer, though larger, respondents, resulting in a decrease in the total number of estimated responses.

Requirements that remain unchanged and do not require additional OMB review and approval:

47 CFR 76.1706 states that cable operators shall maintain a log showing the date and location of each leakage source identified pursuant to 47 CFR 76.614, the date on which the leakage was repaired, and the probable cause of the leakage. The log shall be kept on file for a period of two years and shall be made available to authorized representatives of the Commission upon request.

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 302 and 303 of the Communications Act of 1934, as amended.

2. Cable television systems and the Commission use the data to locate and eliminate harmful interference as it occurs, to help assure safe operation of aeronautical and marine radio services,

Title: Section 76.614, Cable Television System Regular Monitoring, and Section 76.1706, Signal Leakage Logs and Repair Records

and to minimize the possibility of interference to these safety-of-life services. If this collection of information is not conducted, there would be a greater likelihood of harmful interference to aeronautical and marine radio services; Commission efforts to locate and eliminate such interference would be impaired; and potentially there would be a greater risk to safety-of-life and property.

3. The use of information technology is becoming moderately feasible for this information collection. Many cable operators have installed computer storage programs that automatically detect and log the occurrence of signal leaks. We estimate that approximately 80% of cable television systems currently use these computer programs.
4. This agency does not impose similar requirements on the respondents. There are no similar data available.
5. This information collection requirement does not have a significant impact on a substantial number of small entities/businesses.
6. If we conducted this collection of information less frequently, the Commission's efforts to locate and eliminate harmful interference to aeronautical and marine radio services would be impaired; there would be a greater likelihood of interference to these safety-of-life radio services; and potentially there would be a greater risk to the safety-of-life and property.
7. There are no special circumstances associated with this collection of information.
8. The Commission published a Notice (77 FR 61351) in the *Federal Register* on October 9, 2012 seeking comments from the public on the information collection requirements contained in this collection. No comments were received from the public as a result of the Notice.
9. There will be no payment or gifts given to respondents.
10. There is no need for confidentiality with this collection of information.
11. This information collection does not address any private matters of a sensitive nature.

Title: Section 76.614, Cable Television System Regular Monitoring, and Section 76.1706, Signal Leakage Logs and Repair Records

12. The paperwork burden for maintaining logs is estimated as follows:

We estimate that there are approximately 5,000 cable television systems currently operating on aeronautical frequencies, of which approximately 20% do not use computer storage programs that automatically detect and log the occurrence of signal leaks. Therefore, these cable television systems will be required to record the leakage manually.

$$5,000 \text{ systems} \times 20\% = 1,000 \text{ systems}^1$$

We estimate that there will be an average of five leaks per system per month (60 annually) and that the average burden of logging is one minute per leak.

$$1,000 \text{ systems} \times 5 \text{ leaks/month} \times 12 \text{ months/year} \times 0.0167 \text{ (1 minute) per leak} = 1,002 \text{ hours}$$

In addition, all system operators undergo a recordkeeping burden for keeping the signal leakage log on file for a period of two years and making the file available to authorized representatives of the Commission upon request. We estimate the average annual recordkeeping burden to all respondents to be 0.5 hours (30 minutes).

$$5,000 \text{ systems}^2 \times 0.5/\text{system} = 2,500 \text{ hours}$$

$$\text{Total Annual Burden Hours} = 1,002 \text{ hours} + 2,500 \text{ hours} = 3,502 \text{ hours}$$

Estimates "In-house costs": We estimate an average hourly wage of \$20.00 per hour for individuals tasked with the signal leakage logging and recordkeeping requirements.

$$3,502 \text{ hours} \times \$20.00 \text{ per hour} = \$70,040$$

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

13. Annual Cost Burden: There are no annual costs that are associated with this collection of information.

14. There is no cost to the Federal Government.

¹ There are a total of 1,000 (20% of 5,000 cable TV systems) that are affected by this requirement. Since the remaining 80% of the cable systems have computer storage programs that automatically detect and log the occurrence of signal leaks these systems are not affected and are not included in this count of systems.

² The entire 5,000 systems are affected by this requirement.

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Title: Section 76.614, Cable Television System Regular Monitoring, and Section 76.1706, Signal Leakage Logs and Repair Records

15. The Commission will have program changes of -800 to the number of respondents, -800 to the number of responses, and -560 to the annual burden hours if the proposed requirements contained in FCC 12-86 are adopted in a final rulemaking.

16. These data will not 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 Certification Statement.

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.