

SUPPORTING STATEMENT

A. Justification:

1. The FCC Form 302-CA is used by Low Power TV (LPTV) stations that seek to convert to Class A status and for existing Class A stations seeking a license to cover their authorized construction permit facilities. The FCC Form 302-CA requires a series of certifications by the Class A applicant as prescribed by the Community Broadcasters Protection Act of 1999 (CBPA). Licensees will be required to provide weekly announcements to their listeners: (1) informing them that the applicant has applied for a Class A license and (2) announcing the public's opportunity to comment on the application prior to Commission action.

Revised Information Collection Requirements:

On October 2, 2012, the Commission released the Notice of Proposed Rulemaking, *Expanding the Economic and Innovative Opportunities of Spectrum Through Incentive Auctions*, Docket No. 12-268, FCC 12-118 ("IA NPRM"). The IA NPRM contains rules and policies for the incentive auction mandated by Congress in the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 125 Stat. 156 (2012). Following the completion of the incentive auction process, all channel sharing Class A television stations will need to file FCC Form 302-CA for a new license for their shared channel facility. **This new requirement is provided in 47 C.F.R. § 73.3700.**

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

Statutory authority for this collection of information is contained in Sections 154(i), 307, 308, 309, and 319 of the Communications Act of 1934, as amended, and the Community Broadcasters Protection Act of 1999.

2. The FCC staff use the data to confirm that the station meets the eligibility standards to convert their licenses to Class A status. Data is then extracted from FCC Form 302-CA for inclusion in the subsequent license to operate the station.

3. Form 302-CA must be filed electronically.

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 collection of information will not have a significant economic impact on a substantial number of small entities/businesses.
6. The frequency for this collection of information is determined by the respondents, as necessary.
7. This collection of information is consistent with the guidelines in 5 CFR § 1320.5(d)(2).
8. The Commission published a Notice (77 FR 69934) in the *Federal Register* on November 21, 2012 seeking comments on the proposed information collection contained in this collection. To date, no comments were received from the public as a result of the Notice.
9. No payment or gift was provided to the respondents.
10. There is no need for confidentiality with this collection of information.
11. This collection of information does not address any private matters of a sensitive nature.
12. We estimate that 471 applications will be filed to implement Class A channel sharing stations. We also estimate that 50 additional applications will be filed and processed following the completion of the incentive auction process. The total average burden for this form is 2 hours per request. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

Total Number of Annual Respondents: 521 LPTV stations¹

Total Number of Annual Responses: 521 FCC Form 302-CA Forms

Total Annual Burden Hours:

521 FCC Form 302-CA applications x 2.0 hours/application = 1,042 hours

Annual "In-house cost" burden: We assume that the respondent will complete 50% of the estimated applications. An engineer at the station will complete the remaining 50%. The respondent and station engineer are both estimated to have an average salary of \$100,000/year (\$48.08/hour).

$$\underline{260 \text{ applications} \times 2.0 \text{ hours} \times \$48.08 = \$25,001.60}$$

¹ This estimate is based on the entire universe of respondents for LPTV stations.

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**Title: Application for Class A Television Broadcast Station Construction Permit or License,
FCC Form 302-CA; 47 CFR Section 73.3700**

261 applications x 2.0 hours x \$48.08 = \$25,097.76
Total Annual "In House" Cost Burden = \$50,099.36

13. An application fee must be submitted with filing of the application (\$285/application).

Total Annual Cost Burden: 521 applications x \$285/application = **\$148,485**

14. The Commission will use professionals at the GS-13, step 5 level (\$47.21/hour) and clerical personnel at the GS-5, step 5 level (\$18.07/hour) to process the FCC Form 302-CA applications.

Professional: 2.5 hours x \$47.21/hour x 521 applications = \$61,491.03
Clerical: 1 hour x \$18.07 x 521 applications = \$ 9,414.47
\$70,905.50

Total Cost to the Federal Government: = \$70,905.50

15. If the proposed requirements contained in FCC 12-118 are adopted in a final rulemaking by the Commission 121 respondents, 121 responses, 242 burden hours and \$40,485 in annual cost will be added to OMB's inventory.

16. The data will not be published.

17. An extension of the waiver not to publish the expiration date on the form is requested. This will obviate the need for the Commission to update electronic forms upon the expiration of the clearance. OMB approval of the expiration date of the information collection will be displayed at 47 CFR Section 0.408.

18 There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.