June 2013

New information collection titled: Signal Boosters, Sections 1.1307(b)(1), 20.3, 20.21(a)(2), 20.21(a)(5), 20.21(e)(2), 20.21(e)(8)(i)(G), 20.21(e)(9)(i)(H), 20.21(f), 20.21(h), 90.203, 90.219(b)(l)(i), 90.219(d)(5), and 90.219(e)(5).

SUPPORTING STATEMENT

A. Justification:

The Commission is seeking OMB approval for a new information collection.

1. On February 20, 2013, the Federal Communications Commission (Commission or FCC) adopted and released a *Report and Order* (R&O) in WT Docket No. 10-4, FCC No. 13-21, which adopts new technical, operational, and registration requirements for signal boosters. The new rules create two classes of signal boosters – Consumer and Industrial – with distinct regulatory requirements outlined below.

   Consumer Signal Boosters are designed to be used "out of the box" by individuals to improve their wireless coverage within a limited area such as a home, car, boat, or recreational vehicle. Consumer Signal Boosters will be authorized under provider licenses subject to certain requirements. Specifically, subscribers must obtain some form of licensee consent to operate the booster; register the booster with their provider; use a booster that meets the Network Protection Standard and is FCC certificated; and operate the booster on a secondary, non-interference basis and shut it down if it causes harmful interference. Consumers may continue to use existing signal boosters provided they (1) have the consent of their provider, and (2) register the booster with that provider. The Commission will conduct consumer outreach to educate consumers, public safety entities, small businesses, and others about our new regulatory framework.

   Industrial Signal Boosters include a wide variety of devices that are designed for installation by licensees or qualified installers. These devices are typically designed to serve multiple users simultaneously and cover larger areas such as stadiums, airports, office buildings, hospitals, tunnels, and educational campuses. Industrial Signal Boosters require a FCC license or express licensee consent to operate, and must be appropriately labeled. The R&O also revises technical and operational requirements for duly licensed Part 90 Private Land Mobile Radio (PLMR), non-consumer signal boosters, and adopts a registration requirement for Part 90 Class B signal boosters.

   The Commission established a two-step transition process for equipment certification for both Consumer and Industrial Signal Boosters sold and marketed in the United

States. First, as of the release date of the R&O, the Commission stopped accepting applications for equipment certification of Consumer or Industrial Signal Boosters that do not comply with the new rules and ceased certification of devices that do not comply with the new rules. Second, on or after March 1, 2014, all Consumer and Industrial Signal Boosters sold and marketed in the United States must meet the new requirements.

Provider Reporting Requirement: In order to facilitate review of wireless providers' behavior regarding Consumer Signal Boosters, the R&O requires that on March 1, 2015, and March 1, 2016, all nationwide wireless providers publicly indicate their status regarding consent for each Consumer Signal Booster that has received FCC certification as listed in a Public Notice to be released by the Wireless Telecommunications Bureau 30 days prior to each reporting date. For each listed Consumer Signal Booster, wireless providers should publicly indicate whether they (1) consent to use of the device; (2) do not consent to use of the device; or (3) are still considering whether or not they will consent to the use of the device.

Registration Requirements:

Section 20.21(a)(2) - The rules require signal booster operators to register Consumer Signal Boosters, existing and new, with their serving wireless providers prior to operation. This is a mandatory requirement to continue or begin operation of a Consumer Signal Booster. The registration requirement will aid in interference resolution and facilitate provider control over Consumer Signal Boosters.

As noted on the Form OMB 83-I, this information collection affects individuals or households; thus, there are impacts under the Privacy Act. However, the government is not directly collecting this information and the R&O directs carriers to protect the information to the extent it is considered Customer Proprietary Network Information (CPNI).

Section 20.21(h) - By March 1, 2014, all providers who voluntarily consent to the use of Consumer Signal Boosters on their networks must establish a free registration system for their subscribers. At a minimum, providers must collect (1) the name of the Consumer Signal Booster owner and/or operator, if different individuals; (2) the make, model, and serial number of the device; (3) the location of the device; and (4) the date of initial operation. Otherwise, the Commission permits providers to develop their own registration systems to facilitate provider control and interference resolution, providers should collect only such information that is reasonably related to achieving these dual goals. Wireless providers may determine how to collect such information and how to keep it up-to-date.

Section 90.219(d)(5) - This rule requires operators of Part 90 Class B signal boosters to register these devices in a searchable on-line database that will be maintained and operated by the Wireless Telecommunications Bureau via delegated authority from

the Commission. The Commission believes this will be a valuable tool to resolve interference should it occur.

Labeling Requirements.

Sections 20.21(a)(5), 20.21(f), 90.219(e)(5) - In order to avoid consumer confusion and provide consumers with needed information, the Commission adopted labeling requirements for Consumer and Industrial Signal Boosters. Consumer Signal Boosters must be labeled to identify the device as a "consumer" device and make the consumer aware that the device must be registered; may only be operated with the consent of the consumer's wireless provider; may only be operated with approved antennas and cables; and that E911 communications may be affected for calls served by using the device. Industrial Signal Boosters must include a label stating that the device is not a consumer device, is designed for installation by FCC licensees or a qualified installer, and the operator must have a FCC license or consent of a FCC licensee to operate the device. Accordingly, all signal boosters marketed on or after March 1, 2014, must include the advisories (1) in on-line point-of-sale marketing materials; (2) in any print or on-line owner's manual and installation instructions; (3) on the outside packaging of the device; and (4) on a label affixed to the device. Part 90 signal boosters marketed or sold on or after March 1, 2014, must include a label stating that the device is not a consumer device; the operator must have a FCC license or consent of a FCC licensee to operate the device; the operator must register Class B signal boosters; and unauthorized use may result in significant forfeitures.

Section 1.1307(b)(1) - Radiofrequency (RF). This rule requires that a label is affixed to the transmitting antenna that provides adequate notice regarding potential RF safety hazards and references the applicable FCC-adopted limits for RF exposure.

Certification Requirements:

Sections 20.3, 20.21(e)(2), 20.21(e)(8)(i)(G), 20.21(e)(9)(i)(H), 90.203 - These rules, in conjunction with the R&O, require that signal booster manufacturers demonstrate that they meet the new technical specifications using the existing and unchanged equipment authorization application, including submitting a technical document with the application for FCC equipment authorization that shows compliance of all antennas, cables and/or coupling devices with the requirements of § 20.21(e). The R&O further provides that manufacturers must make certain certifications when applying for device certification. Manufacturers must provide an explanation of all measures taken to ensure that the technical safeguards designed to inhibit harmful interference and protect wireless networks cannot be deactivated by the user. The R&O requires that manufacturers of Provider-Specific Consumer Signal Boosters may only be certificated with the consent of the licensee so the manufacturer must certify that it has obtained such consent as part of the equipment certification process. The R&O also requires that if a manufacturer claims that a device will not affect E911 communications, the manufacturer must certify this claim during the equipment

certification process. **Note:** The "application for equipment" certification requirements are met under OMB Control Number 3060-0057, FCC Form 731.

Antenna Kitting Documentation Requirement:

Sections 20.21(e)(8)(i)(G), 20.21(e)(9)(i)(H) - The rules require that all consumer boosters must be sold with user manuals specifying all antennas and cables that meet the requirements of this section.

Part 90 Licensee Consent Documentation Requirement:

Section 90.219(b)(1)(i) - This rule requires that non-licensees seeking to operate part 90 signal boosters must obtain the express consent of the licensee(s) of the frequencies for which the device or system is intended to amplify. The rules further require that such consent must be maintained in a recordable format that can be presented to a FCC representative or other relevant licensee investigating interference.

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.

Statutory authority for this collection of information is contained in Sections 4(i), 303(g), 303(r), and 332(a) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(g), 303(r), 332(a).

2. The Commission will use the information collected from the provider reporting requirement to assess providers' treatment of Consumer Signal Boosters, including the level of consumer access. This information will inform the Commission's decision whether it is necessary to revisit the Consumer Signal Booster authorization mechanism. The provider-based registration requirement will facilitate licensee control over Consumer Signal Boosters, help providers rapidly resolve interference issues, and assist in consumer outreach. The labeling and marketing requirements will inform signal booster operators of their legal responsibilities, facilitate coordination with providers, and assist in interference prevention. The Part 90 registration requirement will help resolve interference should it occur. The RF labeling requirement will inform consumers about the potential RF safety hazards and references the applicable FCC-adopted limits for RF exposure. The certification requirements will ensure that manufacturers comply with our new technical rules for Consumer and Industrial Signal Boosters. The antenna kitting documentation requirement will aid consumers in the correct installation and use of their devices so as to mitigate interference. The consent documentation requirement will ensure that signal booster operators have the proper authority to operate their devices.

3. The Commission's Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology cannot be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-

generating the required data from existing databases in the Commission or other Federal agencies. The Commission believes information technology will reduce the burden on the public. Providers are allowed to submit the required annual report electronically and Part 90 Class B signal booster operators will register using an on-line database. The existing equipment authorization application can be found on-line. The Commission expects that providers will establish online registration systems.

4. The Commission does not impose 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, regardless of size. For example, the Commission allows providers the flexibility to develop their own registration processes and determine how to collect registration information. Further, in order to minimize the burden on small businesses, the reporting requirement only applies to the four nationwide wireless providers.

6. The reporting requirement only requires providers to file once per year for two years. Less frequent reporting would not give an accurate portrayal of whether providers are consenting to the use of signal boosters on their network. This would undermine the purpose of the requirement. The required labeling and marketing materials information is limited to the information the Commission believes is necessary to inform consumers which devices are appropriate for their use and how to comply with the rules. With regard to the registration requirement, consumers and Part 90 licensees will determine whether or not they wish to operate a signal booster. Thus, the frequency of filing is determined by the respondents' decision to act or not.

7. No special circumstances exist.

8. The Commission has met the notice requirements of 5 C.F.R. § 1320.8. The public has been given the opportunity to comment via publication of the Notice in the Federal Register on April 8, 2013 (78 FR 20916). No PRA comments were received.

9. Respondents will not receive any payments.

10. There is a need for confidentiality with respect to individuals who register with their wireless carriers. Pursuant to 47 U.S.C. § 222(h)(1)(A) and Section 64 of the Commission's Rules, 47. C.F.R. § 64.2001 *et.seq.,* telecommunications carriers are required to protect "customer proprietary network information."

11. This collection does not address any private matters of a sensitive nature. As noted above in Question 1, this information collection may affect individuals or households. Any personally identifiable information that is submitted by individuals to their carriers should be protected to the extent it is considered CPNI.

12. Cost to the respondents:

a. *Provider Reporting Requirement.* There are 4 nationwide licensees who are required to publicly indicate their status regarding consent for each Consumer Signal Booster that has received FCC certification, in response to a Public Notice. This response would be prepared and submitted by a member of the licensee's regulatory staff, which would take approximately 5 hours per submission, for a total of 20 burden hours.

    4 (licensees) x 5 hrs. = **20 hours**

b. *Registration Requirement.* The Commission estimates that 624,000 consumers will register their devices and that each registration will take approximately ½ hour. **Note:** This registration is free of charge to the consumer.

    624,000 consumers x .5 hrs. = **312,000 hours**

c. *Registration System Requirement.* The Commission estimates that 95 wireless providers will establish registration systems and that it will take a member of their IT staff 40 hours to develop and maintain such a system.

    95 (providers) x 40 hrs. = **3,800 hours**

d. *Part 90 Registration Requirement.* The Commission estimates that there are 2,083 Part 90 signal booster operators who will register their devices. The Commission estimates that each registration will take 1 hour.

    2,083 (operators) x 1 (device) x 1 hr. = **2,083 hours**

e. *Labeling Requirement*. The Commission estimates that there are twenty signal b**o**oster manufacturers, who each manufacture ten products, who will develop labels for their devices. The Commission estimates that a product design specialist will spend one hour designing the label and four hours implementing the labeling requirement for a total of five hours per product.

    20 (manufacturers) x 10 (products) x 5 hrs. = **1000 hours**

f. *RF Labeling Requirement.* The Commission estimates that there are twenty manufacturers who each make ten products that will require an RF label. The Commission estimates a product design specialist will spend four hours implementing the labeling requirement.

    20 (manufacturers) x 10 (products) x 4 hrs. = **800 hours**

g. *Certification Requirement.* The Commission estimates that there are twenty signal booster manufacturers, who each manufacture ten products, who will seek

certification. The Commission estimates that a staff engineer will spend approximately ½ hour making the required certifications.

20 (manufacturers) x 10 (products) x .5 hrs. = **100 hours**

h. *Antenna Kitting Documentation Requirement.* The Commission estimates that there are twenty signal booster manufacturers, who each manufacture five products, which will require antenna kitting documentation. The Commission estimates that a staff engineer will spend approximately 4 hours preparing the required documentation.

20 (manufacturers) x 5 (products) x 4 hrs. = **400 hours**

i. *Part 90 Licensee Consent Documentation Requirement.* The Commission estimates that there are 8,333 Part 90 non-licensee signal booster operators who will obtain and maintain licensee consent documentation for their devices. The Commission estimates that maintaining documentation will take each operator ½ hour.

8,333 (operators) x 1 (device) x .5 hr. = **4,167 hours**

Burden to the Respondents:

a.	Provider Reporting Requirement	= 20 hrs.
b.	Registration Requirement	= 312,000 hrs.
c.	Registration System Requirement	= 3,800 hrs.
d.	Part 90 Registration Requirement	= 2,083 hrs.
e.	Labeling Requirement	= 1000 hrs.
f.	RF Labeling Requirement	= 800 hrs.
g.	Certification Requirement	= 100 hrs.
h.	Antenna Kitting Documentation Requirements	= 400 hrs.
i.	Part 90 Licensee Consent Documentation Requirement	= 4,167 hrs.
		324,370 hours

THE TOTAL NUMBER OF RESPONDENTS IS: 634,595.
TOTAL ANNUAL BURDEN IS: 324,370 HOURS.

13. Cost to the Respondents: The Commission estimates the following in-house staff costs to applicants affected by this collection on its knowledge of the respondents providing this information.

a. *Provider Reporting Requirement:* 4 respondents x 5 hrs. x $25/hr. (regulatory staff) = **$500**

b. *Registration Requirement:* 624,000 (respondents) x. $0/hr. = **$0**

c. *Registration System Requirement:* 95 (providers) x 40 hrs. x $25/hr. = **$95,000**

d. *Part 90 Registration Requirement:* 2,083 licensees x 1 hr. x $28/hr. (engineer) = **$58,324**

e. Labeling Requirement: 20 (manufacturers) x 10 (devices) x 5 hrs. x $20/hr. (product design specialist) = **$20,000**

f. *RF Labeling Requirement:* 20 (manufacturers) x 10 (devices) x 4 hrs. x $20/hr. (product design specialist) = **$16,000**

g. *Certification Requirement:* 20 (manufacturers) x 10 (devices) x .5 hrs. x $28/hr. (engineer) = **$2,800**

h. *Antenna Kitting Documentation Requirement:* 20 (manufacturers) x 5 (devices) x 4 hrs. x $28/hr. (engineer) = **$11,200**

i. *Part 90 Licensee Consent Documentation Requirement:* 2,083 (operators) x 1 (device) x .5 hr. x $28/hr. (engineer) = **$29,162**

Total In-House Cost Burden is: $232,986.

14. Cost to the Federal Government is estimated as follows:

Provider Reporting Requirement: It should take an attorney performing at the GS-14 level, earning $68.56/hr., approximately one hour per submission, to review the required annual report.

4 (reports) x 1 hr. x $68.56/hr. (attorney) = **$274**

Part 90 Registration: It should take an engineer at the GS-13 level earning $58.02/hr., approximately 40 hours to create and maintain the Part 90 registration database.

40 hrs. x $58.02 (engineer) = **$2,321**

Labeling Requirement: It should take an engineer at the GS-13 level earning $58.02/hr., approximately 1 hour per submission, to review the labels.

200 (labels) x 1 hr. x $58.02/hr. (engineer) = **$11,604**

RF Labeling Requirement: It should take an engineer at the GS-13 level earning $58.02/hr., approximately 1 hour per submission, to review the labels.

200 (labels) x 1 hr. x $58.02/hr. (engineer) = **$11,604**

Certification Requirement: It should take an engineer at the GS-13 level earning $58.02/hr., approximately 1 hour per submission, to review the certifications.

20 (manufacturers) x 10 (devices) x 1 hr. x $58.02/hr. (engineer) = **$11,604**

Antenna Kitting Documentation Requirement: It should take an engineer at the GS-13 level earning $58.02/hr., approximately 4 hours per submission, to review the certifications.

20 (manufacturers) x 5 (devices) x 4 hrs. x $58.02/hr. (engineer) = **$23,208**

TOTAL COST TO THE FEDERAL GOVERNMENT IS: $60,615.

15. This is a new information collection resulting in a program change increase of 324,370 total annual burden hours.

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

17. No OMB expiration date will be displayed since these requirements are contained in rules sections.

18. There are exceptions to Item 19. This is due to an error in the 60 day notice for the total annual burden. With the publication of the 30 day notice we have corrected~~are correcting~~ the error and are providing ~~-~~more accurate estimates.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.