

## SUPPORTING STATEMENT

### **A. Justification:**

1. The Commission is revising this information collection in order to obtain the full three year clearance from the Office of Management and Budget (OMB). The Commission has added rule section 90.187 to this existing information collection. See below for an explanation of the changes.

In the *CMRS Third Report and Order*, 59 FR 59945 (November 21, 1994), the Commission streamlined and conformed its rules concerning the transmission of station identification information by CMRS licensees. The Commission concluded that CMRS licensees operating on an exclusive basis in Commission-defined service areas should generally not be required to transmit station identification. In the case of all other CMRS licensees, however, whether licensed exclusively on a site-specific basis or licensed on shared channels, the Commission continued to require transmission of station identification information on a regular basis in accordance with the standards set forth in Commission rules.

On reconsideration, the Commission, in addition to resolving various petitions, clarified that Part 90 licensees need only transmit station identification once an hour as specified in an amended Section 90.425(e). Consistent with that change, the Commission also amended Section 90.647 to clarify that CMRS providers operating trunked systems are also subject only to the streamlined requirements of Section 90.425(e), *Memorandum Opinion and Order on Reconsideration*, 65 FR 24419 (April 26, 2000).

Because digital call sign transmission greatly reduces the burden of the call sign requirement for CMRS systems providing digital service, the Commission also permits all CMRS licensees on exclusive channels to transmit call signs digitally. To use a digital call sign, however, the licensee must provide the Commission with information sufficient to decode the digital transmission and ascertain the call sign transmitted.

For this submission to the OMB, on April 18, 2013, the Commission, in a *Fifth Report and Order*, 78 FR 28749 (May 16, 2013), adopted changes to §90.425 to allow PLMR licensees in the bands between 150 and 512 MHz that are licensed on an exclusive basis to transmit station identification information in digital format, on the condition that the licensee will provide the Commission with information sufficient to decode the digital transmission to ascertain the call sign transmitted. This requirement already applies to CMRS licensees that are permitted to transmit station identification information in digital format. However, this gives a new group of licensee stations (PLMRs) an option regarding the method of transmission of required

call sign information; it modifies the existing burden, and slightly increases the in-house cost burden – specifically the cost associated with providing the Commission sufficient information to decode the transmission – unless they choose the digital transmission option.

As is the case for CMRS licensees, the ability to transmit call signs digitally greatly reduces the burden of the call sign requirement for PLMR systems providing digital service also. To use a digital call sign, however, the licensee must provide the Commission with information sufficient to decode the digital transmission and ascertain the call sign transmitted.

***New requirements for OMB approval:***

§ 90.647(c): This rule section allows licensees operating in either the 806-824/851-869 MHz or 896-901/935-940 MHz bands on an exclusive basis to transmit station identification information in digital format, on the condition that the licensee will provide the Commission with information sufficient to decode the digital transmission to ascertain the call sign transmitted.

§ 90.187(d)(1)(B)(ii): Frequency coordinators of applications for centralized and decentralized trunked systems operating on frequencies between 150-512 MHz (except 220-222 MHz) shall perform calculations of service and interference contours using generally accepted engineering practices and standards, including appropriate derating factors, agreed to by a consensus of all certified frequency coordinators. Frequency coordinators shall make this information available to the Commission upon request. In other words, the Frequency Coordinators are to inform the Commission what “criteria” they are using to enable the Commission to evaluate the accuracy of frequency coordination.

§ 90.187(d)(2): The written consent from an affected licensee shall state all terms agreed to by the parties and shall be signed by the parties. The written consent shall be maintained by the operator of the centralized trunked station and be made available to the Commission upon request. An application for a centralized trunked station shall include either a certification from the applicant that written consent has been obtained from all affected licensees (incumbents), or a certification from the frequency coordinator that there are no affected licensees to enable the Commission to evaluate the accuracy of frequency coordination.

§ 90.187(g)(1): No more than 10 channels for new centralized trunked operation in the Industrial/Business Pool may be applied for at a single transmitter location or at locations with overlapping service contours as specified in paragraph (d) of this section. Subsequent applications for centralized trunked operation are limited to no more than an additional 10 channels, and must be accompanied by a certification, submitted to the certified frequency coordinator coordinating the application, that all of the applicant’s existing channels authorized for centralized trunked operation at that location or at locations with overlapping service contours have been constructed

and placed in operation. Certified frequency coordinators are authorized to require documentation in support of the applicant's certification that existing channels have been constructed and placed in operation.

§ 90.187(g)(2): Applicants for Public Safety Pool channels may request more than 10 centralized trunked channels at a single location or at locations with overlapping service contours if accompanied by a showing of sufficient need. The requirement for such a showing may be satisfied by submission of loading studies demonstrating that requested channels in excess of 10 will be loaded with 50 mobiles per channel within a five year period commencing with the grant of the application.

Statutory authority for this collection of information is contained in 47 U.S.C. §§ 154(i), 309(j) and 332, as amended.

2. The information requested in this collection is used by Commission staff to enable the Commission to evaluate the accuracy of frequency coordination pursuant to its rules under §§ 90.187, 90.425 and 90.647.
3. The Wireless Telecommunications Bureau conducts analysis to determine whether or not improved information technology may 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.
4. This agency does not impose a similar collection on the respondent. No similar information is available.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is continually seek ways to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to that absolutely necessary for observing licensees to deter against possible abuses of the processes.
6. Generally, the respondents determine the frequency of filing.
7. Current data collection is consistent with 5 C.F.R. 1320.6.
8. The Commission published a notice in the Federal Register to solicit public comment on this information collection. It was published on June 17, 2013 (78 FR 36188) in compliance with 5 CFR Section 1320.8(d). We received no PRA comments in response to this Notice. Additionally, whenever possible, Commission staff members attend and participate in industry meetings to consult with the affected public.
9. There are no payments or gifts to the respondents.
10. No questions of a confidential nature are asked.
11. This collection does not address any private matters of a sensitive nature.

12. According to §90.425(e)(3) (CMRS licensees), §90.425(f)(2) (PLMR licensees), and § 90.647(c), (licensees operating in either the 806-824/851-869 MHz or 896-901/935-940 MHz bands), each of these licensees must provide the Commission with information sufficient to decode the digital transmission to ascertain the transmitted call sign. According to our database, there are approximately 144 CMRS licensees, 2,102 (PLMR) licensees, and 1,010 (806-824/851-869 MHz or 896-901/935-940 MHz bands licensees), who will be required to comply. We estimate that each response would take approximately 1.66 hours.

144 (CMRS responses) x 1.66 hours = 239.04 hours (**rounded to 239 hours**)  
2,102 (PLMR responses) x 1.66 hours = 3,489.32 hours (**rounded to 3,489 hours**)  
1,010 (806-824/851-869 MHz or 896-901/935-940 MHz bands licensees) x 1.66 hours = 1,676.6 (**rounded to 1,677**) hours

239 + 3,489 + 1,677 = 5,405 hours.

§ 90.187(d)(1)(B)(ii), we estimate that 1,927 Frequency Coordinators may be required to inform the Commission of what “criteria” they have agreed to when gathering information from licensees for centralized and decentralized trunked systems operating on frequencies between 150-512 MHz. We estimate that each response would take approximately .25 hours.

1,927 (Freq. Coordinators) x .25 hours = 481.75 (**rounded to 482 hours**)

Pursuant to § 90.187(d)(2), incumbent licensees must gather, maintain and make available to the Commission, upon request, the signed written consent of all termed agreements by the parties, of an affected licensee. We estimate that 1,072 licensees would need approximately 1 hour to gather and maintain this information.

1,072 (Licensees) x 1 hour = 1,072 hours.

Pursuant to § 90.187(g)(1), we estimate that 287 Industrial/Business Pool licensees requesting more than 10 centralized trunked channels at a single location, who must present a showing of sufficient need. We estimate that an Engineer will need 3 hours to review and/or approve each request.

287 (Ind./BP licensees) x 3 hours = 861 hours.

Pursuant to § 90.187(g)(2), we estimate that will be 137 Public Safety Pool licensees requesting more than 10 centralized trunked channels at a single location, who must present a showing of sufficient need. We estimate that an Engineer will need 3 hours to review and/or approve each request.

137 (PSP licensees) x 3 hours = 411 hours.

**The Total Number of Respondents/responses:**  $144 + 2,102 + 1,010 + 1,927 + 1,072 + 287 + 137 = 6,679$ .

**The Total Annual Hour Burden is:**  $5,405 + 2,826 = 8,231$  hours.

We assume that the respondents submitting the information would use an attorney or engineer @ \$200 per hour to prepare the information.

13. There are no outside contracting costs incurred, as the gathering and dispersing of information will be conducted by in-house personnel, and is considered in the cost of doing business.

CMRS and PLMR Costs:

$5,405 \text{ hours} \times \$200/\text{hr.} = \$1,310,800.00$

806-824/851-869 MHz or 896-901/935-940 MHz bands licensees Costs:

$1,677 \text{ hours} \times \$200/\text{hr.} = \$335,400.00$

Frequency Coordinating Costs:

$(482 \times \$200/\text{hr.} = 96,400.00) + (1,072 \times \$200/\text{hr.} = \$214,400.00) + (861 \times \$200/\text{hr.} = \$172,200.00) + (411 \times \$200/\text{hr.} = \$82,200.00) = \$565,200.00$ .

**The Total Cost Burden is:**  $\$1,310,800.00 + 335,400.00 + \$565,200.00 = \$2,211,400.00$

14. The government review time is estimated at 2 hours, per CMRS and PLMR response, and 0.25 mins. per Frequency Coordinator response, with review being performed by personnel at the GS-12 level.

$144 \text{ responses} \times \$55.80 \times 2 \text{ hours} = \$16,070.40$

$2,102 \text{ responses} \times \$55.80 \times 2 \text{ hours} = \$234,583.20$

$1,010 \text{ responses} \times \$55.80 \times 2 \text{ hours} = \$112,716.00$

$1,927 \text{ (Freq. Coord. Responses)} \times \$55.80 \times .25 \text{ hours} = \$26,881.65$

$1,072 \text{ (Written Consent)} \times \$55.80 \times .25 \text{ hours} = \$14,954.40$

$287 \text{ (Industrial/Bus. Resp.)} \times \$55.80 \times .25 \text{ hours} = \$4,003.65$

$137 \text{ (Publ. Safety Pool Resp.)} \times \$55.80 \times .25 \text{ hours} = \$1,911.15$

**Total Costs to the Federal Government is:** \$411,120.45

15. This is a Program Change. There are increases in both the cost and hour burdens to this Information Collection as a result of deliberate Federal Government action due the addition of PLMR system licensee requirements set out in § 90.425(e),

§90.647(c), and also the addition of requirements set out in § 90.187 for frequency coordinators.

16. The data will not be published for statistical use.
17. The Commission is not seeking approval to not display the OMB expiration date. The Commission publishes a list of all OMB-approved information collections including their OMB control numbers, titles, and OMB expiration dates in 47 CFR 0.408 of the Commission's rules. Therefore, display of the OMB expiration date is satisfied.
18. We do not seek approval to not display the expiration date for OMB approval of the information collection.

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

No statistical methods were employed.