

Section 64.707 – Public Dissemination of Information by Providers of Operator Services**SUPPORTING STATEMENT****A. Justification**

1. In 1990, Congress enacted the Telephone Operator Consumer Services Improvement Act (TOCSIA, codified as Section 226 of the Communications Act of 1934, as amended) to address the problem of widespread consumer dissatisfaction with the high rates charged by many operator service providers (OSPs) for calls from public phones and other aggregator locations such as hotels, hospitals, and educational institutions.

The Commission adopted Section 64.707, 47 CFR § 64.707, which requires OSPs regularly to publish and to make available at no cost, upon requests from consumers, written materials that describe any changes in operator services and choices available to consumers.

The Commission is requesting an extension of this information collection in order to receive the full three-year OMB approval/clearance for this collection.

The statutory authority citation for the information collection requirements is found at Section 226 [47 U.S.C. § 226], Telephone Operator Services, Public Law No. 101-435, 104 Stat. 986 (1990).

2. The information is used to implement Section 226 of the Communications Act. OSPs have provided this information primarily to consumers in the form of a written report that is regularly updated at the OSPs' discretion. Consumers use this information to increase their knowledge of the choices available to them in the operator services marketplace.
3. This information collection does not specifically provide for technological collection techniques or other forms of electronic technology. To the extent that OSPs wish to utilize electronic technology, they are not precluded from doing so.
4. The information collection requirements are not duplicative of any currently existing federal regulatory obligation.
5. There will not be a significant impact on a substantial number of small businesses/entities by this information being collected.
6. In the absence of the required disclosures to consumers, consumers will be less able to make informed choices in the interstate operator services market, thus lessening actual competition among telecommunications entities that seek to provide such services.
7. The collection is not conducted in any manner that is inconsistent with the guidelines in 5 CFR § 1320.
8. Pursuant to 5 CFR § 1320.8(d), the Commission published a notice in the *Federal Register* on June 6, 2013 (78 FR 34098) seeking comment from the public on the information collection requirements contained in this collection. No comments were received.
9. The Commission does not anticipate providing any payment or gift to respondents.
10. The Commission is not requesting that respondents submit confidential information to the Commission. The requirement is a third-party disclosure.

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11. This information collection does not raise any questions or issues of a sensitive nature.

12. Estimates of the burden hours for the information collection are as follow(s):

The Commission estimates that approximately 448 operator service providers (OSPs) will regularly publish and make available upon request from consumers written materials that describe any changes in operator services and choices available to consumers.

This process includes a third party disclosure that will be done “on-occasion.” It will require approximately 4 hours per respondent to comply with the requirement:

Total Number of Annual Respondents: 448 Operator Service Providers (OSPs)

Total Number of Annual Responses: 448 Disclosures

Total Annual Burden Hours: 448 disclosures x 4 hours/disclosure/OSP = **1,792 hours**

Total Annual “In-House” Costs: The Commission assumes that respondents use “in-house” personnel whose pay is comparable to senior level federal employee (GS-13/5, plus 30% overhead) to make available written materials to consumers. The Commission estimates each respondent’s cost to be about \$62.86 per hour to comply with the requirement:

448 disclosures x 4 hours/disclosure/OSP x \$62.86 = **\$112,645.12**

13. The following represents the Commission’s estimate of the annual cost burden to respondents resulting from the collections of information. The Commission believes that OSPs will use “in-house” personnel to compile and maintain written materials that describe any changes in operator services that will be made available to consumers. The only cost incurred by OSPs is the print cost. Thus:

(a) Total annualized capital/start-up costs: **None**

(b) Total annual operational or maintenance cost (O&M): 448 disclosures x \$100 print cost for reports/OSP = \$44,800

(c) Total annualized cost requested: **\$44,800**

14. This information collection requirement involves only the operator service providers and consumers who request free, written information about operator services and choices available to consumers. The Commission has no involvement in this activity; therefore, there is no cost to the Federal Government.

15. There are no adjustments or program changes to this information collection.

16. There will be no publication of this information collection.

17. The Commission does not intend to seek approval not to display the expiration date for OMB approval of the information collection.

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18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

The Commission does not anticipate that the collection of information will employ statistical methods.