

**SUPPORTING STATEMENT**

Part A. Justification:

1. The Federal Communications Commission (“Commission”) is requesting a three-year extension of the delegated authority information collection under OMB Control No. 3060-0572 titled, “International Circuit Status Reports, 47 CFR 43.82” from the Office of Management and Budget (OMB).

Section 47 CFR 43.82 of the Commission’s rules requires that each common carrier engaged in providing facilities-based international telecommunications services between the United States and foreign points shall file annually the status of its circuits used to provide international services. The annual circuit-status report, required by Section 43.82, provides the Commission, the carriers, and others information on how U.S. international carriers use their circuits. The Commission uses the information from the circuit-status reports to ensure that carriers with market power do not use their access to circuit capacity to engage in any anti-competitive behavior. The Commission also uses the reports to implement the requirement in Section 9 of the Communications Act of 1934, as amended, that carriers pay annual regulatory fees for each of the bearer circuits they own.

The Commission has authority for this information collection pursuant to the Communications Act of 1934 Sections 4, 48, 48 Stat. 1066, as amended, 47 U.S.C. 154 unless otherwise noted. Interpret or apply Sections 211, 219, 48 Stat. 1073, 1077, as amended; 47 U.S.C. 211, 219 and 220.

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

2. Information on international circuits continues to be essential for the Commission to fulfill its mission. The circuit-status reports provide the Commission with the only information it has about the number of circuits on U.S. international routes, the ownership of such circuits, whether the circuits are in use or idle, and how the U.S. international filing entities use their circuits. These data are used to monitor the continuing transition of international routes to competition, to monitor compliance with Commission rules and policies, to gauge the effect of Commission decisions on competition in the international market, and to develop policy positions for bilateral and multilateral negotiations and for Commission participation in international organizations. The Commission also uses circuit-status information to ensure that carriers with market power do not use their access to circuit capacity to engage in anticompetitive behavior. Additionally, the Commission uses the information in analyzing merger applications to determine whether a proposed merger might result in an anticompetitive concentration of market power in the international transport market. Finally, the commission uses the information to help monitor compliance with international bearer circuit regulatory fees established in Section 9 of the Communications Act.

3. Carriers submit three paper copies of their circuit-status information. Carriers must also submit their data on compact disc (CD) media. Alternatively, carriers may also submit their circuit-status data in the form of Excel files. Approximately 25 percent of documents filed with the FCC are filed electronically.
4. This information collection requirement is not duplicated elsewhere in the Commission's rules.
5. Both large and small carriers file the section 43.82 circuit-status report. The elimination of the requirement for filing entities separately to report circuits between the 48 conterminous U.S. states and U.S. offshore points will simplify the filing of the report and will, thus, benefit small entities.
6. If the information collection were not conducted or were conducted less frequently, it would seriously undermine the Commission's authorization and regulatory process. In addition, Congress mandated the Commission to collect annual regulatory fees on active equivalent 64 kilobits international circuits. Without such information from the circuit-status report, the Commission's efforts to fulfill its statutory obligation to collect regulatory fees would be hampered.
7. There are no special circumstances that would prevent the Commission from following all guidelines regarding the information collection.
8. The Commission published a 60-day notice in the Federal Register seeking comments from the public on the information collection requirements contained in this collection on March 19, 2014 (79 FR 15337). No comments were received from the public in response to the notice.
9. The Commission will not provide any payment or gift to respondents.
10. At present, the Commission does not provide any assurance of confidentiality to carriers for their circuit-status information. Carriers that seek to protect the confidentiality of particular data elements may request such treatment under section 0.459 of the Commission's rules. That rule requires such a carrier to justify fully its request for confidentiality by providing enough information for the Commission to determine the need for confidential treatment. The rule requires a carrier requesting confidentiality to submit an unredacted version of its data, as well as a redacted version to be made publicly available. Should the Commission decide to grant a request for confidential treatment of information that does not fall within a specific exemption pursuant to the Freedom of Information Act (FOIA), that Act requires the Commission to disclose publicly the information upon an appropriate request. The Commission may grant requests for confidential treatment either conditionally or unconditionally. As such, the Commission has the discretion to release on public interest grounds information that does fall within the scope of a FOIA exemption. The Commission is requesting public comment on the granting of confidential treatment for particular pieces of data in the annual traffic and revenue or circuit-status reports.

11. The information collection does not seek information from individual persons. There are no questions of a sensitive nature with respect to the information being collected.

12. The estimate of burden hours for the 75 respondents to this information collection is as follows:

Type of Respondents	Number of Responses	Estimated Hours Per Response	Total Annual Burden Hours	Hourly In-House Costs	Total In-House Costs
Large Carriers	9	50	450	\$35.00/hour	\$15,750
Second Tier Carriers	44	6	264	\$35.00/hour	\$9,240
Third Tier Carriers (file letters only)	22	1	22	\$35.00/hour	\$770
Totals:	75		<b>736 Hours</b>		<b>\$25,760</b>

**In-House Costs:**

The hourly rate for in-house staff is estimated at \$57.70 per hour which is equivalent to the hourly rate for a GS-14/Step 5 Federal government employee. Therefore, the in-house costs are calculated as follows:

$$736 \text{ hours} \times \$57.70 \text{ hourly rate} = \mathbf{\$42,467.20.}$$

13. The estimate of costs for the respondents is as follows:

Start-Up Costs: None.

Operations and Maintenance Costs: None.

Total Costs Burden: **None.**

14. The annualized costs to the Federal government are as follows:

Government Staff	Annual Burden Hours	Costs
GS-15/Step 5 Telecommunications Specialist @ \$67.88 per hour	75 Responses Received X 3 hours of work per response received = 225 hours for staff	\$15,273.00
Annualized Costs to the Federal Government:		<b>\$15,273.00</b>

Please note that the annualized costs to the Federal government reflects an increase in the hourly rate for GS-15/Step 5 employees consistent with the 2014 Federal salary table from \$67.21 per hour to \$67.88 per hour. As a result, the annualized costs increased from \$15,122.25 to \$15,273.00, a change of \$150.75. This minor change does not impact the cost burden in this information collection because the OMB does not require annualized costs to the Federal government to be calculated in the Supporting Statement.

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

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

17. The Commission is requesting a waiver to not display the OMB control number and expiration date on the manual used by carriers in submitting the information. This will alleviate the Commission from having to update the OMB expiration date on the manual whenever it is resubmitted to OMB. The Commission will use an edition date in lieu of the OMB expiration date. Finally, all OMB-approved information collections (including this one) will be published in 47 CFR 0.408 that “displays” the title, OMB control number and OMB expiration date.

18. There are no exceptions to the Certification Statement.

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

This information collection does not employ statistical methods.