

## SUPPORTING STATEMENT

### A. Justification:

1. Licensees and permittees of AM broadcast stations are required to file FCC Form 302-AM to obtain a new or modified station license, and/or to notify the Commission of certain changes in the licensed facilities of these stations. Additionally, when changes are made to an AM station that alter the resistance of the antenna system, a licensee must initiate a determination of the operating power by the direct method. The results of this are reported to the Commission using the FCC Form 302-AM.

On October 22, 1998, the Commission adopted a *Report and Order* in MM Docket Nos. 98-43 (1998 Biennial Regulatory Review - Streamlining of Mass Media Applications, Rules, and Processes) and 94-149 (Policies and Rules Regarding Minority and Female Ownership of Mass Media Facilities). Among other things, this *Report and Order* substantially revised the FCC Form 302-AM to facilitate electronic filing by replacing narrative exhibits with the use of certifications and an engineering technical box. The Commission also deleted and narrowed overly burdensome questions. The FCC Form 302-AM was supplemented with detailed instructions to explain processing standards and rule interpretations to help ensure that applicants certify accurately. These changes will reduce applicant filing burdens in the preparation and submission of exhibits in support of applications. In addition, these changes streamlined the Commission's processing of FCC Form 302-AM applications. The Commission adopted a formal program of pre- and post-application grant random audits to preserve the integrity of our streamlined application process.

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

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 154(i), 303 and 308 of the Communications Act of 1934, as amended.

2. FCC staff used the data to confirm that the station has been built to terms specified in the outstanding construction permit, and to update FCC station files. Data is then extracted from FCC Form 302-AM for inclusion in the subsequent license to operate the station.

3. The Commission requires applicants to file FCC Form 302-AM electronically.<sup>1</sup>

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<sup>1</sup> Paper-filed copies of FCC Form 302-AM will be accepted only if accompanied by an appropriate request for waiver of the electronic filing requirement. Filers must plead with particularity the facts and circumstances warranting grant of a waiver. Waivers will not be routinely granted.

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.
6. The frequency for this collection of information is determined by 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 (79 FR 42791) in the Federal Register on July 23, 2014 seeking comments on the information collection requirements contained in this collection. No comments were received from the public.
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 assume that there are 380 applications (300 direct measurement of power applications and 80 new license applications). It is estimated that the respondent would spend 4 hours (Direct Measurement of power applications) or 20 hours (new license applications) in the review of the complete application and consultation with an attorney and consulting engineer. We estimate that it will take between 4 – 20 hours to review each application. The following estimates are provided for public burden:

**Total Number of Annual Respondents: 380 Licensees/Permittees**

**Total Number of Annual Responses:** 300 Direct Measurement of Power Applications  
80 New License Applications  
**380 FCC Form 302-AM Applications**

**Annual Burden:**

4 hours/application x 300 FCC Form 302 - AM applications = 1,200 hours  
20 hours/application x 80 FCC Form 302 - AM applications = 1,600 hours  
**Total Annual Burden: 2,800 hours**

These estimates are based on FCC staff's knowledge and familiarity with the availability of the data required.

**Annual "In-house" Costs:**

We assume that the respondents would contract with an attorney and consulting engineer to complete the FCC Form 302-AM applications. We estimate that the respondent would have an average salary of \$100,000/year (\$48.08/hour).

$$\begin{aligned}
&4 \text{ hours/application} \times 300 \text{ FCC Form 302-AM applications} \times \$48.08/\text{hr} = \$ 57,696 \\
&20 \text{ hours/application} \times 80 \text{ FCC Form 302-AM applications} \times \$48.08/\text{hr} = \underline{\$ 76,928} \\
&\qquad\qquad\qquad \textbf{Total "In-House" Costs} = \textbf{\$134,624}
\end{aligned}$$

**13. Annual Cost Burden:** We assume that the respondents would use an attorney (\$300/hr) and a consulting engineer (\$250/hr) to complete the FCC Form 302-AM applications. In addition, respondents would pay a fee with the filing of each application for a new license (application with **directional antenna** filing fees are \$635/application plus \$730/application and for **non-directional antenna** the filing fee is \$635). About 45 of 80 license applications operate with non-directional antenna. The remaining license applications are directional so around 35 of 80 are directional. Applications for direct measurement of power do not pay a fee.

$$\begin{aligned}
&8 \text{ hours/application} \times 300 \text{ FCC Form 302-AM applications} \times \$300/\text{hour} = \$ 720,000 \\
&40 \text{ hours/application} \times 300 \text{ FCC Form 302-AM applications} \times \$250/\text{hour} = \$3,000,000 \\
&12 \text{ hours/application} \times 80 \text{ FCC Form 302-AM applications} \times \$300/\text{hour} = \$ 288,000 \\
&80 \text{ hours/application} \times 80 \text{ FCC Form 302-AM applications} \times \$250/\text{hour} = \$1,600,000 \\
&45 \text{ application} \times \$635 \text{ filing fee/application} = \$ 28,575 \\
&35 \text{ application} \times \$1365 (\$635+\$730) \text{ filing fee/application} = \underline{\$ 47,775} \\
&\qquad\qquad\qquad \textbf{Total Annual Cost Burden} = \textbf{\$5,684,350}
\end{aligned}$$

**14. Cost to the Federal Government:** The Commission will use paraprofessional and professional staff at the GS-13/5 level (\$48.83/hour), and clerical staff at the GS-9/5 level (\$28.32/hour) to process FCC Form 302-AM applications.

$$\begin{aligned}
&15.0 \text{ hours/application} \times \$48.83/\text{hour} \times 380 \text{ applications} = \$278,331.00 \\
&1.0 \text{ hour/application} \times \$28.32/\text{hour} \times 380 \text{ applications} = \underline{\$ 10,761.60} \\
&\qquad\qquad\qquad \textbf{Total Cost to the Federal Government} = \textbf{\$289,092.60}
\end{aligned}$$

**15.** The Commission had adjustments to the total annual cost burden of -\$10,967,250. These adjustments are due to over-estimate of hours for outside consultants in its previous submission to OMB. There are no programs changes.

**OMB Control Number: 3060-0627**

**September 2014**

**Title: Application for AM Broadcast Station License, FCC 302-AM**

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 prevent the Commission from needing to update electronic files upon the expiration of the clearance. OMB approval of the expiration date of the information collection will be displayed at 47 C.F.R. Section 0.408.

18. There are no exceptions to the Certification Statement.

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

No statistical methods are employed.