

## **SUPPORTING STATEMENT**

### **A. Justification:**

1. Applicants/licensees/permittees are required to file FCC Form 347 when applying for a Low Power Television, TV Translator or TV Booster Station License.

### **Proposed Information Collection Requirements Which Require Review and Approval from the Office of Management and Budget (OMB):**

On October 10, 2014, the Commission released a Notice of Proposed Rulemaking, In the Matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations, MB Docket No. 03-185, FCC 14-151. This document contains proposed rules for channel sharing by and between low power television and TV translator stations. FCC Form 347,<sup>1</sup> Application for Low Power TV, TV Translator (LPTV) or TV Booster Station License, will be modified to allow applicants to propose that their stations be licensed on a shared basis. Basically, this is the license form that the Commission uses to license LPTV and TV translator stations and we are proposing new rules to allow these stations to share a single channel. The applicants will propose a shared arrangement using the license form. Question 4 of the proposed FCC Form 347 has a new entry where the stations can state that they are proposing a shared facility and where they can report the other channel sharing station(s).

### **History:**

On October 22, 1998, the Commission adopted a *Report and Order* in MM Docket No. 98-43, *1998 Biennial Regulatory Review - Streamlining of Mass Media Applications, Rules, and Processes*, and No. 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 347 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. FCC Form 347 has been supplemented with detailed instructions to explain processing standards and rule interpretations to help ensure that applicants certify accurately. These changes will streamline the Commission's processing of FCC Form 347 applications. The Commission has

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<sup>1</sup> 47 CFR 74.800(b) proposes to require that the LPTV or TV translator channel sharing station relinquishing its channel must file an application for the initial channel sharing construction permit (FCC Form 346), include a copy of the channel sharing agreement as an exhibit, and cross reference the other sharing station(s). Any engineering changes necessitated by the channel sharing arrangement may be included in the station's application. Upon initiation of shared operations, the station relinquishing its channel must notify the Commission that it has terminated operation pursuant to section 73.1750 of this part and each sharing station must file an application for license (FCC Form 347).

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also adopted a formal program of pre- and post-application grant random audits to preserve the integrity of the streamlined application process.

Statutory authority for this collection of information is contained in Sections 154(i), 301, 303, 307, 308 and 309 of the Communications Act of 1934, as amended.

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

2. FCC staff use the data from FCC Form 347 to confirm that the TV station was built as specified in the outstanding construction permit. Data from FCC Form 347 is also used for inclusion in the subsequent license to operate the station. In addition, the Form 347 data will be used to license channel sharing stations in the low power television services.

3. The Commission requires applicants to file FCC Form 347 electronically.

4. No other agency imposes a similar information collection on the respondents. There are 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. Therefore, this information collection will not have a significant economic impact on a number of small entities/businesses.

6. The frequency for this collection of information is determined by the respondent, 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 70824) in the *Federal Register* on November 28, 2014 seeking comments from the public on the proposed information collection requirements contained in this collection. To date, no comments have been received from the public.

9. No payment or gift was provided to the respondents.

10. There is no need for confidentiality with collection of information.

11. This collection of information does not address any private matters of a sensitive nature.

12. The Commission estimates that 550 FCC Form 347 applications will be filed annually. We expect half of these applications (275) will be completed by respondents and the other half (275) by engineers at the stations. It is estimated that it will require 1.5 hours to complete the form by these parties. Respondents are estimated to be paid \$48.08/hour and the station engineers are estimated to be

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paid \$31.61/hour. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

**Total Number of Annual Respondents: 550 Licensees/Permittees**

**Total Number of Annual Responses: 550 FCC Form 347 Applications**

**Total Annual Burden Hours: 550 applications x 1.5 hours = 825 hours**

**Annual "In-house Cost":**

275 FCC Form 347 applications x 1.5 hrs x \$48.08/hr = \$19,833

275 FCC Form 347 applications x 1.5 hrs x \$31.61/hr = \$13,039

**TOTAL ANNUAL "IN-HOUSE COST" = \$32,872**

**13. Annual Cost Burden:**

(a) Total annualized capital/startup costs: **None**

(b) Total annual costs (O&M): An application filing fee of \$120 is required with each submission. 550 FCC Form 347 applications x \$120/application = \$66,000

(c) Total annualized cost requested: **\$66,000**

**14. Cost to the Federal Government:** The Commission will use staff at the GS-13, Step 5 (\$49.32/hr.) and GS-7, Step 5 (\$23.38/hr.) to process the FCC Form 347 applications.

2 hours x \$49.32 x 550 applications = \$54,252

1 hour x \$23.38 x 550 applications = \$12,859

**\$67,111**

**Total Cost to the Federal Government: \$67,111**

15. If the proposed requirements in FCC 14-151 are adopted in a final rulemaking by the Commission the following program changes/increases will be added to OMB inventory: 100 to the number of respondents, 100 to the annual number of responses, 150 to the annual burden hours and \$12,446 to the annual cost burden.

There are no adjustments to this collection.

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.

18. There are no exceptions to the Certification Statement.

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

No statistical methods are employed.