

## SUPPORTING STATEMENT

This collection is being submitted to the Office of Management and Budget (OMB) as a revision of an existing collection in order to obtain the three-year approval.

### **A. Justification:**

1. In a *Report and Order*, FCC 99-36, CC Docket No. 95-20, the Commission eliminated outdated, unnecessary regulations, while continuing to protect against potential anticompetitive behavior by the Bell Operating Companies (BOCs) in the provision of information services. The Commission has established the following collections of information:

(a) The Commission no longer requires BOCs to file their Comparably Efficient Interconnection (CEI) plans with the Commission and to obtain pre-approval of CEI plans and amendments before initiating or altering any intraLATA information service. Instead, we require BOCs to post their CEI plans and plan amendments on their publicly accessible Internet sites linked to and searchable from the BOC's main Internet page, and to notify the Wireline Competition Bureau at the time of the posting. The substance of the notification may be limited to the Internet address and path to the relevant CEI plan or amended plan; the form may consist of a letter to the Secretary with a copy to the Bureau. The requirement extends to all CEI plans and plan amendments. In addition, if the BOC receives a good faith request for a plan from someone who does not have Internet access, the BOC must notify that person where a paper copy of the plan is available for public inspection. In a 2013 *Further Notice of Proposed Rulemaking* (FNPRM), FCC 13-69, the Commission has sought comment on proposals to eliminate the CEI posting requirement.

(b) Open Network Architecture (ONA) Reporting Requirements: The Commission sought comment in FCC 99-36 on whether we should modify current ONA reporting requirements by reducing the frequency of semi-annual reporting to annual, whether the current quarterly installation and maintenance reports and accompanying annual affidavits are necessary or effective for the nondiscrimination obligations of Computer III, or whether the Commission should eliminate current ONA reporting requirements on the BOCs and GTE. In the 1998 *FNPRM*, FCC 98-8, the Commission tentatively concluded that the BOCs should be permitted to make one consolidated filing (or posting) for all generic information they currently submit in their semi-annual ONA reports. In a separate *Report and Order* in FCC 13-69, the Commission eliminated ONA reporting requirements.

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

Note: This submission is being made pursuant to authority contained in sections 47 U.S.C. §§ 151, 152, 154, 161, 201-205, 208, 251, 260, and 271-276.

2. The collections of information relating to CEI plans will be used to ensure that BOCs comply with Commission policies and regulations safeguarding against potential anticompetitive behavior by the BOCs in the provision of information services. The disclosure of CEI information is necessary to encourage competition in the telecommunications services market by lifting barriers to entry. All of the proposed collections would be used to ensure that the BOCs comply with the Computer III, ONA requirements as modified by the *FNPRM*, and with the Communications Act, as amended, and with Commission policies and regulations.
3. Instead of requiring BOCs to file CEI plans with the Commission and wait for Commission approval before implementing them, we allow BOCs to post CEI plans on their Internet pages. The Commission has given BOCs the option to fulfill their public notice network disclosure obligations by providing public notice through industry fora, industry publications or publicly accessible Internet sites. The Commission proposes this means of collection to increase the availability and accessibility of this information to interested parties, while imposing a minimal burden on respondents.
4. There will be no duplication of information. The information sought is unique to each carrier.
5. The collections of information may affect small entities as well as large entities. However, these requirements were instituted to aid new entrants to the telecommunications market and allow them equal access to the resources available to previously estimated entities.
6. If the information sought is not collected or collected less frequently, it will be difficult for the Commission to ensure the full development of competition in information services.
7. There are no known special circumstances to this information collection.
8. Pursuant to 5 CFR Section 1320.8(d), the Commission published a 60 day notice in the *Federal Register* on February 6, 2015 (80 FR 6710). No PRA comments were received.
9. The Commission does not anticipate providing any payment or gift to respondents.
10. The Commission is not requesting respondents to submit confidential information. Any respondent who submits information to the Commission that the respondent believes is confidential may request confidential treatment of such information under section 0.459 of the Commission's rules. 47 CFR Section 0.459.
11. There are no questions of a sensitive nature with respect to the information collection.
12. The following represents the Commission's estimate of the annual hour burden for the collection of information:
  - (a) CEI Plans or Amendments:
    - (1) Number of respondents: **3**. Number of responses: 3
    - (2) Frequency of response: On occasion reporting requirement and third party disclosure requirement.
    - (3) Annual hour burden per response: 50 hours. (Third party disclosure associated with the CEI Internet posting requirement). Total annual burden: **150 hours**.\*

(4) Total “in-house cost” to the respondent: \$ 7,500.

(5) Explanation of calculation: We estimated it would take approximately 50 hours to comply with the CEI plan or amendment requirement and that each respondent would file 3 plans or amendments per year.

$3 \text{ (CEI Plans/Amendments)} \times 50 \text{ (burden hours/plans-amendment)} \times \$50 \text{ per hour} = \$7,500$

\*This burden estimate considers the time to comply with the Commission’s requirements for any new and modified CEI plan, including the time to prepare and post new and/or amended plans.

(b) Notification requirement:

(1) Number of respondents: 3. Number of Responses 3.

(2) Frequency of response: On occasion reporting requirement.

(3) Annual hour burden per response: 2 hours.

(4) Total “in-house” cost to the respondent: \$300

(5) Explanation of calculation: We estimate that the 3 BOCs would be subject to the notification requirements. It takes approximately 2 hours per notification. The total estimate of the in-house cost to the respondent for the collection of information:  $3 \text{ (notifications)} \times 2 \text{ (burden hours/notification)} \times \$50 = \$300$

**Total Respondents: 3 BOCs<sup>1</sup>**

**Total Annual Number of Responses:  $3 + 3 = 6$**

**Total Annual Burden Hours:  $150 + 6 = 156$  hours**

**Total Annual “in-house” cost to the respondent:  $\$7,500 + 300 = \$7,800$**

13. We estimate that there will be no capital or start-up costs for any of these requirements. We do not believe that these requirements will necessitate additional equipment. We estimate that there will be no operation and maintenance and purchase of service costs for these requirements.

14. There will be few if any costs to the Commission. The previous semi-annual reporting requirement no longer applies to the BOCs and the Commission therefore need not review the reports.

15. The Commission has a program change/decrease to this information collection. This program change resulted in a decrease to the annual burden hours from 162 hours to 156 hours (6 hours) because we eliminated the semi-annual reporting requirement.

16. The Commission does not anticipate publishing any of the information collected pursuant to this Order.

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

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<sup>1</sup> This information collection requires OMB approval because this respondent pool makes up the universe of the respondent pool.

18. When the 60 day notice was published in the Federal Register on February 6, 2015 (80 FR 6710), the Commission inadvertently stated the annual burden hours as 150 hours. With the 30 Day Notice, we corrected the annual burden hours to 156 hours.

There are no other exceptions to the Certification Statement.

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

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