

**Supporting Statement for Information Collection Submission
3090-00XX - Wireless Telecommunications Company Application**

A. Justification

1. Necessity of Information Collection

The Wireless Telecommunications Company Application is needed to streamline the collection of business information that will be used by the Federal Government to negotiate specific antenna installation contracts and to obtain a point of contact for each applicant.

2. Needs and Uses

Section 6409 of Public Law 112-96 requires all executive landholding agencies to use a common application. Agencies will send the application to carriers expressing interest in leasing space for the installation of an antenna to support expansion of their wireless networks.

3. Use of Improved Technology to Minimize Burden

Since an application for use by all executive landholding agencies does not currently exist, it is anticipated that this common form in electronic format will speed up response and collection time, thereby minimizing the burden on both industry and the Government. The form is created as a fillable PDF and therefore electronic submission is anticipated.

4. Efforts to Identify Duplication

A common application for use by all executive landholding agencies does not currently exist; therefore, duplication of a currently existing application is not an issue. Moreover, the adoption of a common governmentwide application will relieve executive landholding agencies of the burden of developing their own individualized information collection system.

5. Minimizing Burden on Small Businesses

Having a common application that identifies and collects all relevant information needed to pre-qualify an applicant, together with identified points of contact, will minimize the process burden on small businesses.

6. Consequences of Less Frequent Collection

The Government cannot collect the requested information less frequently. An agency will only send the application to a carrier that expresses interest in leasing space to install an antenna to support expansion of its wireless network. The application is project or

building specific and is not a blanket application for multiple installations at multiple locations. Once the applicant completes the form, it is submitted to the agency point of contact for review.

7. Consistency with OMB Guidelines

The General Services Administration collects the information in a manner that complies with OMB guidelines. No special circumstances exist to require this data collection to be inconsistent with the Guidelines in 5 CFR § 1320.5(d)(2).

8. Consultation Outside the Agency

Consultations were held with the U.S. Department of Agriculture Forest Service, the Department of the Interior Bureau of Land Management and National Park Service and the Department of Defense. Federal executive agencies with landholding authority, such as the Department of Veterans Affairs, the Department of the Interior and the Department of Homeland Security, will likely use this form. GSA published a *Federal Register* notice at 80 FR 13004, on March 12, 2015. One respondent submitted nineteen comments in response to this notice.

The analysis of the public comments is summarized as follows:

1. Comment: The proposed application form requests site-specific, detailed information that may not be available to the applicant at the time of the application.

Response: The submission of site-specific, detailed, complete, and accurate drawings and specifications is not required at the time the application is submitted. However, if the application is approved, detailed drawings and specifications are required and critical to determine if an installation would be suitable, particularly for a rooftop antenna. The Government reserves the right to reject a request if the applicant does not provide detailed drawings and specifications of the proposed equipment, structures and installation prior to the completion of contract negotiations.

2. Comment: GSA should require each agency to provide a contact person for handling applications related to each property.

Response: The application requests the name of individuals who will serve as the respective points of contact for the applicant and the Government. Since the application is project/building specific (*i.e.*, not a blanket application for multiple installations at multiple locations), the desired results will be attained with use of the application. GSA already maintains an online map of all federally owned properties under GSA's

jurisdiction, custody, and control with point-of-contact information specific to using space for private sector antenna installations and will encourage the other executive landholding agencies to do the same.

3. Comment: Online tracking mechanisms should be utilized.

Response: GSA agrees online tracking mechanisms are useful tools. GSA, in consultation with other executive landholding agencies, will work to develop an online tracking system.

4. Comment: RFI certification report requirement should be clarified.

Response: The RFI certification is listed as a potential requirement because it is not required for all projects; for instance, the RFI certification is of no benefit for land-sited towers, as these types of towers are secured against unauthorized access. The RFI certification is a longstanding requirement for rooftop antenna installations so that the many individuals requiring access to building rooftops may do so safely and the new antenna microwave frequencies will not cause interference with existing rooftop antennas. This certification requirement is a business practice that GSA encourages other executive landholding agencies to adopt for their rooftop antenna installations. It is not the intention of this application to require a RFI certification for those secured Government campuses where access to the antenna installation is restricted.

5. Comment: “Federal, state and local statutory recording requirements” should be clarified or deleted.

Response: GSA currently requires vendors to comply with all Federal, state and local statutory requirements and will encourage other executive landholding agencies to adopt this practice. No change will be made in response to this comment.

6. Comment: Requirements for a security deposit should be eliminated at the application stage.

Response: The security deposit is not required until after the application is approved. GSA requires a security deposit for antenna installations to protect against damage and abandonment. While the majority of large carriers are responsible tenants, carrier bankruptcy is a possibility. The Government reserves the right to avoid the necessity of using appropriated funds to address damage or equipment abandonment.

7. Comment: Requirements for a performance bond should be

eliminated.

Response: Requiring a performance bond is standard business practice. The purpose of the application is to pre-qualify the carrier. The applicant is not expected to furnish the performance bond at the time it submits the application. This provision is intended to notify applicants that a performance bond may be required prior to commencing installation of the equipment.

8. Comment: Certain information requested is too broad, the Federal Communications Commission (FCC) License does not apply to all and clarification needed for Check List items 1 and 7.

Response: The information being collected is standard business information required to establish the financial viability of a business to determine whether to enter into negotiations. The information would only be collected by the Contracting Officer (CO) or the Contracting Officer's Representative (COR). The CO and the COR may not handle day-to-day site issues, but are reliable agency points of contact for the carrier throughout the life of the contract.

If the application is being used for a system that does not require an FCC license, the carrier can notify the agency and the agency can, in turn, confirm with the FCC that a license is not required for the proposed installation.

With regard to the Potential Document Check List, item No. 1 refers to the business license that most, if not all, states require for a commercial business to be conducted in their state. Item No. 7 refers to the contractual requirement that lessees must comply with all applicable Federal, state, local government, and municipal laws, statutes, ordinances, rules, regulations, codes, decrees, orders, and other such requirements, including, without limitation, those regarding wages and hours, health, safety, building codes, emergencies, and security.

9. Comment: GSA should clarify the title of the proposed common form application.

Response: The posting to the Federal Register for the second request for comments will use the correct title for the application.

10. Comment: The application form should be used by all federal agencies.

Response: The current draft application for wireless antenna installations is being processed as a Common Form for use by all federal agencies. Once the Federal Register posting process is complete, the application will be submitted to OMB for approval. An application for right-of-way and easements, the SF-299 “Application for Transportations and Utility Systems on Federal Land,” is already in existence and its use is required by all federal agencies. The SF-299 was developed by the Departments of Agriculture, Interior and Transportation.

11. Comment: Moratoria on accepting applications are prohibited.

Response: This comment speaks not to the application, but rather to shared policy and procedures to be developed by the executive landholding agencies acting in common in support of the application process. This comment will be taken into consideration; however, no change will be made to the application in response to this comment.

12. Comment: Timely responses to applications are mandatory.

Response: It is agreed that timely responses are important; however, the comment speaks not to the application, but rather to shared policy and procedures to be developed by the executive landholding agencies acting in common in support of the application process. No change will be made to the application in response to this comment.

13. Comment: Applications should be “deemed approved” upon passage of time.

Response: While timely approval is a shared goal, federal agencies must perform the due diligence required to confirm that implementation of a proposal is in the best interests of the Government and the taxpayer.

14. Comment: Applications should be presumed consistent with each agency’s mission and property use.

Response: Given the different missions and property uses existent among the executive landholding agencies, it is not clear how making such a presumption is in the best interest of the Government and the taxpayer.

15. Comment: The application form should not implicate a Joint Spectrum Center review for commercial providers of unlicensed wireless services.

Response: The decision to use unlicensed wireless services is an internal

policy decision to be developed in concert among the executive landholding agencies in support of the application process. No change will be made to the application in response to this comment.

16. Comment: Applicants may opt in to the rates, terms and conditions of other providers located at the federal property.

Response: This comment speaks not to the application, but rather to shared policy and procedures to be developed by the executive landholding agencies acting in common in support of the application process. No change will be made to the application in response to this comment.

17. Comment: The “Notice of Competitive Procedures” should be posted to FedBizOps.gov upon receipt of an application.

Response: This comment speaks not to the application, but rather to shared policy and procedures to be developed by the executive landholding agencies acting in common in support of the application process. No change will be made to the application in response to this comment.

18. Comment: Application forms should be utilized to initiate amendments to existing installations and the applicable lease, easement or right-of-way.

Response: This comment speaks not to the application, but rather to shared policy and procedures to be developed by the executive landholding agencies acting in common in support of the application process. No change will be made to the application in response to this comment.

19. Comment: Executive agencies may utilize easements or leases with 25-year terms for wireless siting requests.

Response: This comment speaks not to the application, but rather to shared policy and procedures to be developed by the executive landholding agencies acting in common in support of the application process. No change will be made to the application in response to this comment.

9. Explanation of Decision to Provide any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality of Response

Business documents are handled only by COs and CORs who are required to adhere to procedures securing sensitive documents.

11. Justification for Sensitive Questions

Not applicable.

12 & 13. Estimated Total Annual Public Hour and Cost Burden

Business documentation collection is a one-time occurrence per installation request. GSA awards approximately 20 contracts per fiscal year; therefore, the burden is estimated at 20 responses per year and each response is estimated to take approximately one hour to complete. Accordingly, the total burden hours on the public is estimated to be 20 hours per year.

Annual Reporting Burden:

Total Annual Requests.....	20
Estimates hours/response.....	<u>x 1</u>
Estimated total burden/hours.....	20
Average Cost/hour.....	<u>x \$41</u>
Total Cost to Public.....	\$820

A cost estimate of \$41 per form was assumed using the Department of Labor’s 2013 National Occupational Employment and Wages Estimates chart. The information requested is standard business information that is readily available, and it is assumed that it will take one hour to complete the application. Using the mean hourly wage for Sales Representatives for tech and scientific products, the hourly wages are estimated to be \$41 per hour. It is assumed that each request will take one hour to complete and the total annual cost burden to the public will be \$41 per request, or \$820 for the 20 applications that are assumed to be submitted.

14. Cost to Federal Government

Estimate of the burden hours to the Federal Government is 20 hours. Reviewing and processing each response should take approximately 1 hour; the total number of responses is estimated to be 20 each fiscal year (20 responses x1 hour = 20 hours per year).

Based on the 20 burden hours to the Federal Government, using the annual salary of a GS-12, step 5, of \$ 86,564, and an hourly wage of \$33.49, the total burden to the Federal Government is assumed to be \$660 per year (20 hours x \$34 per hour = \$680).

Annual Reporting Burden and Cost

Total annual responses.....	20
Reviewing time/hr.....	<u>x 1</u>
Total annual review time.....	20
Average wages/hr.....	<u>x \$34</u>
Total Government cost.....	\$680

15. Reason for Change in Burden

This is a request for a new information collection. There is no change in burden.

16. Plans for Tabulation, Statistical Analysis and Publication (Project Schedule)

None.

17. Request to Not Display Expiration Date

Not applicable.

18. Exceptions to the Certification

No exception to the certification statement is being requested.

B. Collections of Information Employing Statistical Methods

Not applicable. No statistical analysis will be performed on the private business information collected.