

**Application to Participate in an FCC Auction,  
FCC Form 175**

## SUPPORTING STATEMENT

The Federal Communications Commission (Commission) is seeking approval from the Office of Management and Budget (OMB) for a revision to a currently approved collection, with no change in burden estimates. The currently approved collection requires revisions to implement modified and new collection requirements as a result of (1) various Commission actions in which the Commission adopted general rules and procedures to govern the upcoming broadcast incentive auction (BIA) and, (2) the Commission's adoption of new and modified competitive bidding rules and information collection requirements that apply to applicants seeking to participate in future auctions for Commission licenses and permits.

**A. Justification:**

1. *Circumstances that make the revised collection necessary.* The Commission seeks emergency processing under the Paperwork Reduction Act (PRA), 5 U.S.C. § 1320.13. The Commission is requesting approval from OMB for this revised information collection no later than twenty six (26) days after it is received at OMB.

***Current Information Collection Requirement Which Received OMB Review and Approval:***

FCC Form 175 is used by the public to apply to participate in non-reverse auctions for Commission licenses and permits. Statutory authority for the currently approved information collection is contained in sections 154(i) and 309(j)(5) of the Communications Act of 1934, as amended, and sections 1.2105, 1.2110, 1.2112 of the Commission's rules, as amended. See 47 U.S.C. §§ 4(i), 309(j)(5), 47 C.F.R. §§ 1.2105, 1.2110, 1.2112.

***Revised Information Collection Requirements Which Require OMB Review and Approval:***

On February 22, 2012, the President signed the Spectrum Act, which, among other things, authorized the Commission to conduct incentive auctions, and directed that the Commission use this innovative tool for an incentive auction of broadcast television spectrum to help meet the Nation's growing spectrum needs.<sup>1</sup>

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<sup>1</sup> See Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §§ 6402, 6403, 125 Stat. 156 (2012) (Spectrum Act), codified at 47 U.S.C. §§ 309(j)(8)(G), 1452.

The modified and new information collection requirements reported under the revised collection are the result of various Commission actions to implement this new and novel approach for use in the BIA.

The BIA will have three main components: (1) a “reverse auction” in which broadcast television licensees will submit bids to voluntarily relinquish their spectrum usage rights in exchange for defined shares of proceeds from the “forward auction”; (2) a “repacking” of the broadcast television bands; and (3) a “forward auction” of initial licenses for flexible use of the newly available spectrum.<sup>2</sup>

On June 2, 2014, the Commission released a Report and Order, *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, FCC 14-50, 29 FCC Rcd 6567 (2014) (*Incentive Auction R&O*), in which it adopted general rules to govern the BIA, including additional application disclosure and certification requirements that must be made by applicants seeking to participate in the forward auction component of the BIA.

On December 17, 2014, the Commission released a Public Notice, FCC 14-191, 29 FCC Rcd 15750 (2014), in which it sought comment on the detailed procedures to be used to conduct the BIA consistent with the rules and policies adopted in the *Incentive Auction R&O*. On August 11, 2015, the Commission released a Public Notice, FCC 15-78, 30 FCC Rcd 8975 (2015), in which it adopted procedures for bidding in the reverse and forward auctions and additional information collection requirements for both auctions, and announced that the auction was scheduled to begin on March 29, 2016.

On October 15, 2015, the Commission’s Wireless Telecommunications Bureau released a Public Notice, DA 15-1183, in which it adopted the procedures for applying to participate in the reverse and forward auctions, including some additional information collection requirements for both auctions, and announced the deadlines for filing applications to participate in the reverse and forward auctions. The filing window for forward auction applications is scheduled to open on January 26, 2016 and close on February 9, 2016.

On July 20, 2015, the Commission released a Report and Order in which it updated many of its Part 1 competitive bidding rules.<sup>3</sup> Of relevance to the information collection at

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<sup>2</sup> See *id.* § 6403(a), (b) and (c), codified at 47 U.S.C. § 1452(a), (b), (c). See also *id.* § 6001(16) and (30) (defining “forward auction” and “reverse auction,” respectively).

<sup>3</sup> See *Updating Part 1 Competitive Bidding Rules; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Petition of DIRECTV Group, Inc. and EchoStar LLC for Expedited Rulemaking to Amend Section 1.2105(a)(2) (xi) and 1.2106(a) of the Commission’s Rules and/or for Interim Conditional Waiver; Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission’s Competitive Bidding Rules and Procedures*, Report and Order, Order on Reconsideration of the First Report and Order, Third Order on Reconsideration of the Second Report and Order, and Third Report and Order, 30 FCC Rcd 7493 (2015), modified by Erratum, DA 15-959 (rel. Aug. 25, 2015) (*Part 1 R&O*).

issue here, the Commission: (1) modified the eligibility requirements for small business benefits, and updated the standardized schedule of small business sizes, including the gross revenues thresholds used to determine eligibility; (2) established a new bidding credit for eligible rural service providers; (3) adopted a rule prohibiting the same individual from serving as an authorized bidder for more than one auction applicant; (4) adopted targeted attribution rules to prevent the unjust enrichment of ineligible entities; (5) revised the former defaulter rule; (6) adopted rules prohibiting joint bidding arrangements with limited exceptions; (7) adopted rules prohibiting the same individual or entity as well as entities that have controlling interests in common from becoming qualified to bid on the basis of more than one auction application in a specific auction, with a limited exception for certain rural wireless partnerships and individual members of such partnerships; and (8) adopted a rule requiring entities with non-controlling interests in other entities to establish internal controls to ensure that bidding information does not flow between them in situations where both entities seek to separately bid in an auction. The updated Part 1 rules apply to applicants seeking to participate in future non-reverse auctions for Commission licenses and permits, including the forward auction component of the BIA.

The Commission seeks approval for revisions to its previously approved collection of information under OMB Control Number 3060-0600 to permit the collection of the additional information in future auctions for Commission licenses and permits, including the forward auction component of the BIA, pursuant to the rules and information collection requirements adopted by the Commission in the above-described decisions. The Commission also seeks approval for various other, non-substantive editorial/consistency edits and updates to FCC Form 175 that correct inconsistent capitalization of words and other typographical errors, and better align the text on the form with the text in the Commission rules both generally and in connection with recent non-substantive, organizational amendments to the Commission's rules.

Statutory authority for the revised information collection is contained in sections 154(i) and 309(j)(5) of the Communications Act of 1934, as amended, and sections 1.2105(a)(2), 1.2105(a)(2)(iii)-(vi), (a)(2)(viii)-(x), (a)(2)(xii), 1.2105(a)(3), 1.2105(c)(3), 1.2110(b)(1), 1.2112(b), and 1.2112(b)(1)(iii)-(vi) of the Commission's rules, as amended. See 47 U.S.C. §§ 4(i), 309(j)(5), 47 C.F.R. §§ 1.2105(a)(2), 1.2105(a)(2)(iii)-(vi), (a)(2)(viii)-(x), (a)(2)(xii), 1.2105(a)(3), 1.2105(c)(3), 1.2110(b)(1), 1.2112(b), 1.2112(b)(1)(iii)-(vi).

The modified and new information collection requirements for this revised collection are as follows:

- a. *Applicant Information.* To implement both the new general prohibition on the filing of auction applications by entities controlled by the same individual or set of individuals and the limited exception to this general prohibition for qualifying rural wireless partnerships, the Commission will require an applicant to indicate on FCC Form 175 whether the applicant, or any member of the applicant (in the case of a joint venture or consortium) is a qualifying rural wireless partnership or

- a qualifying rural partnership member that claims the exception provided in section 1.2105(a)(3) of the Commission's rules. If the applicant is a qualifying rural wireless partnership or a qualifying rural partnership member that claims the exception, it must list each member of the qualifying rural wireless partnership on its FCC Form 175.
- b. Authorized Bidders. FCC Form 175 has been revised to advise applicants that the same individual may not serve as an authorized bidder for more than one auction applicant in order to implement the prohibition adopted by the Commission in the *Part 1 R&O*.
  - c. Designated Entity Bidding Credit Eligibility – Small Business Bidding Credit. An applicant requesting a small business bidding credit must assert on FCC Form 175 that it meets the revenue threshold required to qualify for the level of small business bidding credit it wishes to claim based on the revised schedule of small business sizes, and must select the revenue threshold that applies to the applicant. An applicant seeking status as a small business for purposes of qualifying for a small business bidding credit must disclose on FCC Form 175, separately and in the aggregate, the gross revenues for each of the previous three years of the applicant, its affiliates, its controlling interests, and the affiliates of its controlling interests.
  - d. Designated Entity Bidding Credit Eligibility – Rural Service Provider Bidding Credit. An applicant requesting a rural service provider bidding credit must assert on FCC Form 175 that it meets the qualification requirements for this credit and must disclose the total number of combined wireless, wireline, broadband and cable subscribers for the applicant, its affiliates, its controlling interests, and the affiliates of its controlling interests. FCC Form 175 contains a checkbox that allows an applicant to assert that a particular disclosable interest holder is not an affiliate of the applicant, a controlling interest of the applicant, or an affiliate of a controlling interest of the applicant within the meaning of the Commission's rules and, therefore, no subscriber information for such disclosable interest holder is being provided. The applicant must also indicate whether the applicant, or any member of the applicant (in the case of a consortium), is an existing rural partnership within the meaning of section 1.2110(f)(4)(i)(C)(2) of the Commission's rules whose individual members' subscribers are not required to be attributed aggregated and attributed to the applicant. If the applicant or a member of the applicant is an existing rural partnership within the meaning of the Commission's rules, it must submit an attachment listing each member of the existing rural partnership and briefly describe the applicant's eligibility to claim the exception.
  - e. Selection of License Areas in Which to Bid on Reserved Spectrum and Certification of Reserve Eligibility. An applicant may, but is not required to, indicate the license areas in which it wishes to bid on reserved spectrum. By selecting any license area in which to bid on reserved spectrum, the applicant is

certifying that it is eligible for reserved spectrum in each such license area. If the applicant wishes to assert qualification to bid on reserved spectrum in a license area based on status as a non-nationwide provider notwithstanding an attributable relationship with a nationwide provider, the applicant must submit an attachment certifying and detailing that it meets the criteria for non-attribution of its relationship with a nationwide provider.

- f. Agreements with Other Parties and Joint Bidding Arrangements. The existing question on FCC Form 175 concerning whether the applicant has entered into any partnerships, joint ventures, consortia, or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, and the directive that the applicant identify all of the parties to, and briefly describe, any such partnerships, joint ventures, consortia, or other agreements, arrangements or understandings have each been revised to align them with the current text in the Commission's rules as a result of the rule changes adopted in the *Part 1 R&O*.
- g. Ownership Disclosure Requirements. The Commission has revised various aspects of FCC Form 175 ownership disclosure section as a result of the modified and new ownership disclosure requirements adopted in the *Part 1 R&O* for applicants seeking status as a designated entity for purposes of a bidding credit.
  - (1) Rural Service Provider Bidding Credit. An applicant requesting a rural service provider bidding credit must disclose the same ownership information on FCC Form 175 as an applicant seeking a small business bidding credit is required to submit, and must provide all information necessary to demonstrate that it meets the criteria for such credit as set for the in the Commission's rules.
  - (2) Applicant Applying as a Consortium. An applicant applying as a consortium of designated entities must separately provide for each member of the consortium the same ownership and other information required of an applicant claiming designated entity status.
  - (3) Limitation on Spectrum Use by a Disclosable Interest Holder in a Designated Entity. An applicant that is applying for either a small business bidding credit or a rural service provider bidding credit must indicate for each of its disclosable interest holders (as defined in the Commission's rules) whether the disclosable interest holder uses, or has an agreement to use, in any manner, on a license-by-license basis, more than 25% of the spectrum capacity of any license that may be won by the applicant in any license area selected in the applicant's auction application. The applicant must make a disclosable interest holder entry on FCC Form 175 for each disclosable interest holder with such a spectrum use agreement, and must submit an attachment that lists the particular license area(s) that are the subject of any such spectrum use agreement.

An applicant that is applying for a rural service provider bidding credit must also indicate on FCC Form 175 whether attribution of the disclosable interest holder's subscribers to the applicant will cause the applicant to exceed the threshold to qualify for the bidding credit with respect to any license that may be won by the applicant in any license area selected in its auction application for which the disclosable interest holder has an agreement to use more than 25% of the spectrum capacity. If the applicant answers "yes," it must specify in an attachment for each license area selected in its application in which a license may be won by the applicant whether attribution of the disclosable interest holder's subscribers to the applicant causes the applicant to exceed the threshold to qualify for the bidding credit with respect to each such license area, and must indicate whether the disclosable interest holder independently meets the eligibility requirements for the bidding credit and whether the disclosable interest holder's spectrum use agreement(s) is/are otherwise permissible under the Commission's rules. If the applicant answers "yes," it must submit information in an attachment demonstrating that the disclosable interest holder is independently eligible for the bidding credit.

- h. Disclosure of a Designated Entity's Spectrum Capacity Agreements or Arrangements. In the *Part 1 R&O*, the Commission reinstated the requirement that a designated entity applicant list on its FCC Form 175 application all parties with which it has entered into any agreements or arrangements for the use of any of the spectrum capacity of any of the designated entity applicant's spectrum. Applicants must therefore submit this information with their FCC Form 175 applications.
- i. Deletion of Requirement to Disclose Agreements Supporting Eligibility as a Designated Entity. In the *Part 1 R&O*, the Commission repealed the requirement that a designated entity applicant list and summarize in its auction application all agreements that support its eligibility as a designated entity. Applicants will therefore no longer be required to submit this information with their FCC Form 175 applications.
- j. Deletion of Disclosure Requirements for an Applicant's Attributable Material Relationships. FCC Form 175 has been revised to delete any ownership information and gross revenue disclosure requirements for entities with which an applicant has an attributable material relationship in light of the Commission's elimination of the attributable material relationship (AMR) rule in the *Part 1 R&O*.
- k. Rural Telephone Cooperative Exemption. FCC Form 175 has been revised to add a checkbox for purposes of enabling an applicant to assert that a particular disclosable interest holder is an eligible rural telephone cooperative within the meaning of section 1.2110(b)(4)(iii) of the Commission's rules whose gross revenues are exempt from attribution to the applicant.

- l. Application Attachments. The Commission has added various attachment name types in the drop down list to facilitate the submission of attachment consistent with the above-described modified and new collection requirements.
- m. Former Defaulter, Delinquency Statement. The former defaulter/delinquency certification on FCC Form 175 has been revised to implement the new criteria adopted by the Commission in the *Part 1 R&O* for determining what can be excluded from consideration as a former default or delinquency. Under the revised certification, an applicant must certify whether it or any of its controlling interests have ever been in default on any Commission license or have ever been delinquent on any non-tax debt owed to any Federal agency within the meaning of section 1.2105(a)(2)(xii) of the Commission's rules.
- n. General Certifications. The Commission has revised the general certifications that must be made by all applicants on FCC Form 175 to implement the modified and new rules adopted in the *Part 1 R&O*.

The Commission modified one of the existing certifications to require all applicants to certify that the applicant has provided in its application a brief description of, and identified each party to, any partnerships, joint ventures, consortia or other agreements, arrangements or understandings of any kind relating to the licenses being auctioned, including any agreements that address or communicate directly or indirectly bids (including specific prices), bidding strategies (including the specific licenses on which to bid or not to bid), or the post-auction market structure, to which the applicant, or any party that controls as defined in section 1.2105(a)(4) of the Commission's rules or is controlled by the applicant, is a party.

The Commission also added the following three new certifications that must be made by all applicants:

- (1) Certification that the applicant (or any party that controls as defined in section 1.2105(a)(4) of the Commission's rules or is controlled by the applicant) has not entered and will not enter into any partnerships, joint ventures, consortia or other agreements, arrangements, or understandings of any kind relating to the licenses being auctioned that address or communicate, directly or indirectly, bidding at auction (including specific prices to be bid) or bidding strategies (including the specific licenses on which to bid or not to bid), or post-auction market structure with: any other applicant (or any party that controls or is controlled by another applicant); with a nationwide provider that is not an applicant (or any party that controls or is controlled by such a nationwide provider); or, if the applicant is a nationwide provider, with any non-nationwide provider that is not an applicant (or with any party that controls or is controlled by such a non-nationwide provider), other than agreements, arrangements, or understandings specifically excluded under section 1.2105(a)(2)(ix)(A)-(C) of the Commission's rules.

- (2) Certification that if applicant has an interest disclosed pursuant to sections 1.2112(a)(1)-(6) of the Commission's rules with respect to more than one short-form application for an auction, it will implement internal controls that preclude any individual acting on behalf of the applicant as defined in section 1.2105(c)(5) from possessing information about the bids or bidding strategies (including post-auction market structure), of more than one party submitting a short-form application or communicating such information with respect to a party submitting a short-form application to anyone possessing such information regarding another party submitting a short-form application.
- (3) Certification that if the applicant or a member of the applicant claims the exception under section 1.2105(a)(3) of the Commission's rules, it will implement internal controls to insulate itself from the bidding process of the cellular partnership and any other members of the partnership, except that it may, prior to the deadline for resubmission of short-form applications, express to the partnership the maximum amount it is willing to spend as a partner.

2. *Use of information.* The Commission's auction rules and related requirements are designed to ensure that the competitive bidding process is limited to serious qualified applicants, deter possible abuse of the bidding and licensing processes, and enhance the use of competitive bidding to assign Commission licenses and permits in furtherance of the public interest. The information collected on FCC Form 175 is used by the Commission to determine if an applicant is legally, technically, and financially qualified to participate in a non-reverse auction for Commission licenses or permits. Additionally, if an applicant applies for status as a particular type of auction participant pursuant to Commission rules, the Commission uses information collected on FCC Form 175 to determine whether the applicant is eligible for the status requested. Commission staff reviews the information collected on FCC Form 175 for a particular auction as part of the pre-auction process, prior to the auction being held. Staff determines whether each applicant satisfies the Commission's requirements to participate in the auction and, if an applicant claims status as a particular type of auction participant, whether that applicant is eligible for the status claimed. The Commission is now revising this information collection to permit the collection of the additional information in future auctions for Commission licenses and permits, including the forward auction component of the BIA, pursuant to the rules and information collection requirements adopted by the Commission in the above-described decisions. The Commission plans to continue to use the Form 175 for all upcoming non-reverse auctions for Commission licenses and permits, including those required or authorized to be conducted pursuant to the Spectrum Act, collecting only the information necessary for each particular auction.

3. *Technological collection techniques.* Pursuant to the Commission's rules, an auction applicant is required to complete and submit its FCC Form 175 electronically through the FCC Auction System. The Commission developed a centralized electronic system for collecting the information to reduce both public and agency administrative burden.



4. *Efforts to identify duplication.* There will be no duplicative information collected. The information sought is unique to each respondent and is not already available because the Commission does not impose a separate similar information collection on the respondents. Thus, there is no similar data available under another information collection. Moreover, the information proposed to be collected under the revised collection implements a new statutory requirement.

5. *Impact on small entities.* In conformance with the Paperwork Reduction Act of 1995, the Commission has made an effort to minimize the burden on all respondents regardless of size by limiting the information collected on Form 175 to that which is necessary to evaluate and process the application, deter possible abuse of the processes, and confirm applicants' compliance with various applicable regulatory and statutory spectrum auction requirements. In addition, the Commission has made available tutorials and related information to assist respondents, including small entities, in understanding what information should be submitted on FCC Form 175.

Decisions regarding whether to submit an application to participate in a given auction rest exclusively with the respondents. Thus, the frequency of filing is determined by the respondent. Filing information to support an applicant's qualification as a designated entity and eligibility for a small business bidding credit or a rural service provider bidding credit, either generally or with respect to specific licenses, is also determined by the respondent/applicant. Small business ownership and gross revenues information/calculations and rural service provider ownership and subscriber information must be updated when changes occur, and the need to make filings to reflect such changes are generally determined by the respondent/applicant.

6. *Consequences if information is not collected.* The Commission's auction program could not function in its current form without the collection of information on FCC Form 175. Licensing access to the public spectrum resource and recovery for the public of a portion of the value of the public spectrum resource depends in large part on the information collected on FCC Form 175. Without the information collected on FCC Form 175, the Commission would not be able to determine if an applicant is legally, technically, and financially qualified to participate in a Commission auction and has complied with the various applicable regulatory and statutory spectrum auction requirements.

7. *Special circumstances.* FCC Form 175 as currently approved does not have any of the characteristics that would have required separate justification under 5 C.F.R. § 1320.5(d)(2), and the proposed revisions to FCC Form 175 do not change the characteristics such that a separate justification is now required.

8. *Federal Register notice; efforts to consult with persons outside the Commission.* Emergency approval is being sought for this revised information collection, and the Commission seeks a waiver of the 60-day notice requirement in 5 C.F.R. § 1320.8(d) due to the emergency nature of this request. However, the Commission has published a 21-

day emergency PRA notice in the Federal Register seeking public comments on the revised information collection (see 80 FR 77340 (Dec, 14, 2015)).

The Commission will follow all of the regular OMB clearance processes and procedures for the revised information collection upon approval of its emergency request, and will publish the necessary notices in the Federal Register when seeking regular OMB approval.

9. *Payments or gifts to respondents.* Respondents will not receive any payments or gifts.

10. *Assurances of confidentiality.* Information collected on FCC Form 175 is made available for public inspection, and the Commission is not requesting that respondents submit confidential information to the Commission as part of the pre-auction application process. However, to the extent that a respondent seeks to have certain information collected on FCC Form 175 withheld from public inspection, the respondent may request confidential treatment of such information pursuant to section 0.459 of the Commission's rules. See 47 C.F.R. § 0.459.

11. *Questions of a sensitive nature.* Neither the currently approved nor the revised information collection asks questions of a sensitive nature.

12. *Estimate of the time burden of the revised collection on respondents.* Auctions occur on an irregular schedule. The Commission estimates that up to 500 respondents/applicants may submit a FCC Form 175 each year, depending on the number and nature of the auctions in any given year. Respondents/applicants determine whether to apply to participate in a Commission auction and, therefore, applicants determine the frequency of filing. The Commission estimates that it will require up to 90 minutes for respondents/applicants to report the information requested on FCC Form 175 under the currently approved collection. The Commission estimates that the need to submit information under the revised collection will not measurably increase the estimated average amount of time to complete FCC Form 175 across the range of respondents/applicants. Therefore, the revisions described herein will not have an impact on the burden hours.

- a. *Number of estimated applicants/respondents:* 500 estimated annual applicants/respondents.
- b. *Frequency of response:* On-occasion.
- c. *Total estimated annual hour burden per respondent:* 1.5 hours per applicant/respondent for an estimated 500 annual responses. The total estimated annual hour burden is calculated as follows:

**500 estimated annual responses x 1.5 hours per response = 750 total estimated annual burden hours.**

- d. *Total estimate of annualized in-house cost to respondents for the hour burden:* \$25,950.
- e. *Explanation of calculation:* The Commission expects that FCC Form 175 will typically be prepared by the respondent using existing in-house staff (e.g., paralegal or other legal staff member) at a rate equivalent to the hourly rate of a GS-11, Step 5 government staff member (\$34.60/hour). Therefore, the in-house cost is as follows:

**500 estimated annual responses x 1.5 hours per response x \$34.60/hour = \$25,950.**

13. *Estimate of the cost burden of the revised collection on respondents.* There is no external cost burden to the respondents. Respondents should not incur capital and start-up costs or operation and maintenance of purchase of services in connection with responding to the information collection on FCC Form 175. The information collected on FCC Form 175 should be collected and maintained as part of the customary and usual business or private practice of the respondent.

**TOTAL CAPITAL AND START-UP COSTS OR OPERATION AND MAINTENANCE (O&M): \$0.**

14. *Estimate of the cost burden of the revised collection on the Commission.* The Commission estimates that, on average, staff review of the information collected on FCC Form 175, including time spent by staff attorneys, will take 30 minutes per application, including time to identify any deficiencies in an initial application, review resubmitted applications as necessary, and identify the nature of any legal issues requiring policy review. The Commission estimates that the need to submit a signed acknowledgement under the revised collection will not measurably increase amount of time for staff to review the application.

**Total Estimated Annual Cost to the Federal Government:** 500 applications x 0.50 hours x \$58.28 (Attorney, GS-14, Step 5) = **\$14,570.**

15. *Program changes or adjustments from the revised collection.* The Commission is reporting no change in burden for the revised collection. The Commission estimates that the revised collection will not measurably increase the estimated average amount of time for respondents to complete FCC Form 175 across the range of applicants or for Commission staff to review the applications. Therefore, there are no program changes or adjustments to this collection.

16. *Collections of information whose results will be published.* Neither the currently approved information collection nor the revised collection will be published for statistical use. The information collected on FCC Form 175 is made available for public inspection, and the Commission is not requesting that respondents submit confidential information to the Commission as part of the pre-auction application process. However,

respondents/applicants may request confidential treatment of information collected on FCC Form 175 as necessary pursuant to section 0.459 of the Commission's rules. *See* 47 C.F.R. § 0.459.

17. *Display of expiration date for OMB approval of information collection.* The Commission has approval under the currently approved information collection to not display the OMB expiration date on FCC Form 175. The Commission seeks continued approval to not display the OMB expiration date on FCC Form 175 for the revised collection. The Commission will continue to use an edition date on FCC Form 175 in lieu of the OMB expiration date. Continued approval to not display the OMB expiration date on FCC Form 175 will prevent the Commission from having to constantly update the OMB expiration date on the electronic FCC Form 175 whenever a revision or three-year extension is requested. The Commission will continue to publish the OMB control number and OMB expiration date for FCC Form 175 in section 0.408 of the Commission's rules. *See* 47 C.F.R. § 0.408.

18. *Exceptions to certification statement for Paperwork Reduction Act submissions.* There are exceptions to the certification statement.

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

Neither the currently approved information collection nor the revised collection employ statistical methods, and the use of such methods would not reduce the burden or improve accuracy of results.