

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing**SUPPORTING STATEMENT****A. Justification:**

1. FCC Form 301 is used to apply for authority to construct a new commercial AM, FM, or TV broadcast station and to make changes to existing facilities of such a station. It may be used to request a change of a station's community of license by AM and non-reserved band FM permittees and licensees. In addition, FM licensees or permittees may request, by filing through an application on FCC Form 301, upgrades on adjacent and co-channels, modifications to adjacent channels of the same class, and downgrades to adjacent channels. All applicants using this one-step process must demonstrate that a suitable site exists that would comply with allotment standards with respect to minimum distance separation and principal community coverage and that would be suitable for tower construction. For applicants to seek a community of license change through this one-step process, the proposed facility must be mutually exclusive with the applicant's existing facility, and the new facility must comply with the Commission's standards with respect to minimum distance separation and principal community coverage. Applicants availing themselves of this procedure must also attach an exhibit demonstrating that the proposed community of license change comports with the fair, efficient, and equitable distribution of radio service, pursuant to Section 307(b) of the Communications Act of 1934, as amended (the "Act").

Similarly, to receive authorization for commencement of Digital Television ("DTV") operations, commercial broadcast licensees must file FCC Form 2100, Schedule A for a construction permit. The application may be filed anytime after receiving the initial DTV allotment and before mid-point in the applicant's construction period. The Commission will consider the application as a minor change in facilities. Applicants will not have to provide full legal or financial qualification information.

For now, in the initial phase of the "Licensing and Management System"¹ roll-out, the new Form 2100 is replacing the Form 301 only for the filing of full-service digital television construction permits. The Form 301 is still being used, under the name Form 301, to apply for authority to construct a new commercial AM or FM radio station and to make changes to the existing facilities of such an AM or FM station.

FCC Form 301 accommodates commercial FM applicants applying in a Threshold Qualifications Window ("TQ Window") for a Tribal Allotment.² A commercial FM applicant applying in the TQ Window, who was not the original proponent of the Tribal Allotment at the rulemaking stage, must demonstrate that it would have qualified in all respects to add the particular Tribal Allotment for which it is applying. Additionally, a petitioner seeking to add a Tribal Allotment to the FM Table of Allotments must file Form 301 when submitting its Petition for Rulemaking. The collection also accommodates applicants applying in a TQ Window for a Tribal Allotment that had been added to the FM Table of Allotments using the Tribal Priority under the "threshold qualifications" procedures.

¹ The Commission implemented a new on-line (electronic) licensing system called "Licensing and Management System" in which all FCC broadcast licensing forms, including FCC Form 301, will be combined into a single common form - FCC Form 2100. FCC Form 301 will be encompassed by the "Licensing and Management System" and the new common form - FCC Form 2100. General questions, which were formerly asked in all licensing applications, will compose the body of FCC Form 2100. The questions pertinent only to FCC Form 301 applicants will now be contained in Schedule A of FCC Form 2100. The substance of FCC Form 301 remained the same in the new system/form. The wording of each question applicable to FCC Form 301 applicants in FCC Form 2100 is identical to that of the FCC Form 301, with one exception - "Alien Ownership," but as stated, the substance remained the same.

² Office of Management and Budget (OMB) approved the information collection requirements contained in FCC 11-190 on April 27, 2012.

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

This collection also includes the third party disclosure requirement of 47 CFR § 73.3580. This rule requires applicants to provide local public notice, in a newspaper of general circulation published in a community in which a station is located, of requests for new or major changes in facilities and for changes of a station's community of license by AM and non-reserved band FM permittees and licensees. The notice must be completed within 30 days of tendering the application and must be published at least twice a week for two consecutive weeks in a three-week period. A copy of the notice and the application must be placed in the station's public inspection file, pursuant to Section 73.3527.³

Revised Information Collection Requirements:

This submission is being made to the Office of Management (OMB) for the approval of information collection requirements contained in the Commission's *Incentive Auction Order*,⁴ the *Channel Sharing Order on Reconsideration*,⁵ and the *ISIX Methodology Order*,⁶ which all adopted rules for holding an Incentive Auction, as required by the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act).⁷ The Spectrum Act directs the Commission to hold a "reverse auction" in which broadcasters can voluntarily return some or all of their broadcast spectrum usage rights in exchange for incentive payments.⁸ The Spectrum Act also requires the Commission to reorganize the broadcast television band, which will be accomplished by repacking stations, or moving broadcast stations to different channels.⁹ The Spectrum Act directs the Commission to hold a forward auction of the ultra-high frequency (UHF) spectrum obtained as a result of the reverse auction and channel repacking.¹⁰ This UHF spectrum will be auctioned as flexible-use licenses suitable for providing mobile broadband service. The Spectrum Act establishes a TV Broadcaster

Relocation Fund (Fund) to reimburse reassigned broadcasters and multichannel video programming distributors (MVPDs) that incur expenses associated with continuing to carry relocated stations, for their

³ The recordkeeping information collection requirement is contained in OMB Control Number 3060-0214, which covers Section 73.3527.

⁴ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket 12-268, Report and Order, FCC 14-50, 29 FCC Rcd 6567 (2014) ("*Incentive Auction R&O*").

⁵ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, First Order on Reconsideration and Notice of Proposed Rulemaking, GN Docket 12-268, MB Docket No. 15-137, FCC 15-67 (rel. June 12, 2015) ("*Channel Sharing Order*").

⁶ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Second Report and Order and Further Notice of Proposed Rulemaking, GN Docket No. 12-268; ET Docket Nos. 13-26 and 14-14, 29 FCC Rcd 13071 (2014) ("*ISIX Methodology Order*").

⁷ Pub. L. No. 112-96, §§ 6402 (codified at 47 U.S.C. § 309(j)(8)(G)), 6403 (codified at 47 U.S.C. § 1452), 126 Stat. 156 (2012) (Spectrum Act).

⁸ Spectrum Act § 6403(a)(1) (mandating "a reverse auction to determine the amount of compensation that each broadcast television licensee would accept in return for voluntarily relinquishing some or all of its broadcast television spectrum usage rights in order to make spectrum available for assignment through a system of competitive bidding under subparagraph (G) of section 309(j)(8) of the Communications Act of 1934, as added by section 6402.").

⁹ Spectrum Act §6403(b)(1) (requiring the FCC to "make such reassignments of television channels as the Commission considers appropriate" and "reallocate such portions of such spectrum as the Commission determines are available").

¹⁰ Spectrum Act §6403(c)(1)(A) (requiring the FCC to conduct a "forward auction" to assign licenses for the use of spectrum reallocated from broadcast television as part of the incentive auction).

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

reasonable expenses resulting from the post-auction channel reassignment.¹¹

47 C.F.R. section 73.3700(b)(1)(i) requires licensees of reassigned stations, UHF-to-VHF stations, and High-VHF-to-Low-VHF stations to file a minor change application for a construction permit for the channel specified in the Channel Reassignment Public Notice using FCC Form 2100 Schedule A (for a full power station) or E (for a Class A station)¹² within three months of the release date of the Channel Reassignment Public Notice. Licensees that are unable to meet this filing deadline may request a waiver of the deadline no later than 30 days prior to the deadline. The Commission will treat post-auction construction permit applications as minor changes.¹³

47 C.F.R. section 73.3700(b)(1)(ii) permits licensees of stations reassigned to a new channel within their existing band to propose transmission facilities in their construction permit applications that will extend their coverage contours, as defined by the technical parameters specified in the Channel Reassignment Public Notice, if such facilities: (A) are necessary to achieve the coverage contour specified in the Channel Reassignment Public Notice or to address loss of coverage area resulting from the new channel assignment; (B) will not extend a full power television station's noise limited contour or a Class A television station's protected contour by more than one percent in any direction; and (C) will not cause new interference, other than a rounding tolerance of 0.5 percent, to any other broadcast television station.

47 C.F.R. section 73.3700(b)(1)(iii) permits licensees of UHF-to-VHF stations or High-VHF-to-Low-VHF stations to propose transmission facilities in their construction permit application that will extend their coverage contour, as defined by the technical parameters specified in the Channel Reassignment Public Notice, if the proposed facility will not cause new interference, other than a rounding tolerance of 0.5 percent, to any other broadcast television station.

47 C.F.R. section 73.3700(b)(1)(iv)(A) permits licensees of reassigned stations, UHF-to-VHF stations, or High-VHF-to-Low-VHF stations that, for reasons beyond their control, are unable to construct facilities that meet the technical parameters specified in the Channel Reassignment Public Notice, or the permissible contour coverage variance from those technical parameters specified in paragraph (b)(1)(ii) or (iii) of this section, to request a waiver of the construction permit application deadline specified in paragraph (b)(1)(i) no later than 30 days prior to the deadline. If the waiver request is granted, the licensee will be afforded an opportunity to submit an application for a construction permit pursuant to paragraph (b)(2)(i) or (ii) of this section in a priority filing window to be announced by the Media Bureau by public notice.

47 C.F.R. section 73.3700(b)(1)(iv)(B) permits the licensee of any broadcast television station that the Commission makes all reasonable efforts to preserve pursuant to Section 6403(b)(2) of the Spectrum Act that is predicted to experience aggregate new interference to population served in excess of one percent as a result of the repacking process to submit an application for a construction permit pursuant to paragraph (b)(2)(i) or (ii) of this section in the priority filing window required by paragraph (b)(1)(iv)(A).

47 C.F.R. section 73.3700(b)(1)(v) states that construction permit applications filed pursuant to paragraph (b)(1)(i) of this section will be afforded expedited processing if the application: (A) does not

¹¹ Spectrum Act §6403(b)(4)(A).

¹² FCC form 2100, Schedule E is approved under OMB control number 3060-0932.

¹³ *Incentive Auction R&O* at 29 FCC Rcd at 6789. Unlike major change applications, minor change applications are not subject to local public notice requirements or a 30-day petition to deny filing window. 47 C.F.R. §§ 73.3580, 73.3584.

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

seek to expand the coverage area, as defined by the technical parameters specified in the Channel Reassignment Public Notice, in any direction; (B) seeks authorization for facilities that are no more than five percent smaller than those specified in the Channel Reassignment Public Notice with respect to predicted population served; and (C) is filed within the three-month deadline specified in paragraph (b)(1)(i) of this section.

47 C.F.R section 73.3700(b)(1)(vii) requires channel sharee stations¹⁴ to file a minor change application for a construction permit for the channel on which the channel sharer operates at least sixty (60) days prior to the date by which it must terminate operations on its pre-auction channel pursuant to § 73.3700(c)(4)(i) and (ii) of this rule. The application must include a copy of the executed channel sharing agreement.

47 C.F.R section 73.3700(b)(2)(i) permits the licensee of a reassigned station, a UHF-to-VHF station, or a High-VHF-to-Low-VHF station to file a major change application for a construction permit for an alternate channel on FCC Form 2100 Schedules A (for a full power station) and E (for a Class A station) during a filing window to be announced by the Media Bureau by public notice, provided that: (A) The licensee of a UHF-to-VHF station cannot request an alternate UHF channel; (B) The licensee of a UHF-to-VHF station that specified the high-VHF band or the low-VHF band in its UHF-to-VHF bid cannot request a VHF channel outside of the assigned band; and (C) The licensee of a High-VHF-to-Low-VHF station cannot request an alternate high-VHF channel.

47 C.F.R section 73.3700(b)(2)(ii) permits the licensee of a reassigned station, a UHF-to-VHF station, or a High-VHF-to-Low-VHF station to file a minor change application for a construction permit on FCC Form 2100 Schedules A (for a full power station) and E (for a Class A station) during a filing window to be announced by the Media Bureau by public notice, in order to request a change in the technical parameters specified in the Channel Reassignment Public Notice with respect to height above average terrain (HAAT), effective radiated power (ERP), or transmitter location that would be considered a minor change under §§ 73.3572(a)(1),(2) or 74.787(b) of this chapter.

In addition, Form 2100, Schedule A is being revised to accommodate the new channel sharing provisions by making the following changes:

- Adding an answer for the applicant to indicate that Schedule A is being filed to initiate a channel sharing agreement and to list the other sharing station(s).
- Adding a certification for the applicant to certify that Channel Sharing Agreement complies with applicable rule and policies.
- Adding a box for the applicant to file a copy of its Channel Sharing Agreement as an exhibit and add the ability to upload the Agreement.
- Adding a five-question “checklist” showing for post-auction repacked station filing.

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.

¹⁴ A “channel sharee” station is a television station for which a winning channel sharing bid was submitted. A “channel sharer” station is a television station that shares its channel with a channel sharee.

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

2. **Agency Use of Information:** FCC staff members use the data to determine whether commercial broadcast station construction permit applicants meet basic statutory requirements to become a Commission licensee/permittee and to assure that the public interest would be served by grant of the application.

3. **Consideration Given to Information Technology:** The Commission requires commercial television broadcast station construction permits applicants to file FCC Form 2100, Schedule A electronically through the “Licensing and Management System” and FCC Form 301 electronically.

4. **Effort to Identify Duplication and Use Similar Information:** This agency does not impose a similar information collection on the respondents. There are no similar data available.

5. **Effort to Reduce Small Business Burden:** In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. The Commission has limited the information requirements to those that are absolutely necessary for evaluating and processing the applications filed in a TQ Window and to deter possible abuses of the processes. Therefore, this information collection will not have a significant economic impact on small entities/businesses.

6. **Less Frequent Data Collection:** Each licensee of a full-power station that is reassigned to a new channel following the Incentive Auction, those full-power stations that are winning bidders that move from UHF-to-VHF or from High-VHF-to-Low-VHF, and full-power channel sharee stations must file a minor change application for a construction permit using FCC Form 2100 Schedule A. For all other uses of FCC Form 2100 and FCC Form 301, the frequency of filing is determined by the respondents. However, no new or modified TV or DTV facilities can be obtained or modified without using FCC Form 2100, Schedule A.

7. **Information Collection Circumstances:** This collection of information is consistent with the guidelines in 5 CFR § 1320.5(d)(2).

8. **Public Comment Period:** Opportunity for public comment on this information collection requirement has been published in the *Federal Register* on November 17, 2015 (80 FR 71794). No comments were received from the public.

9. **Payment or Gift:** No payment or gift was provided to respondents.

10. **Confidentiality of Information:** There is some need for confidentiality with this information collection. When filing a channel sharing agreement with the agency under 47 C.F.R. section 73.3700(b)(1) (vii), applicants may redact confidential or proprietary terms.¹⁵

11. **Justification for Sensitive Questions:** This information collection does not address any private matters of a sensitive nature.

12. The burden for this collection is as follows:

- a. Revised Data Collections: The estimated burden for this collection associated with the categories “minor TV applications” and “DTV applications” are being revised in light of 14-50.

¹⁵ *Channel Sharing Order* at para. 28, note 88.

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

The Commission estimates that between 500 and 1,300 broadcast stations could be reassigned to a new channel in their pre-auction band via the repacking process following the Incentive Auction;¹⁶ that an additional 50 to 100 stations that submit winning bids will enter channel sharing agreements (and move to the channel of the station they are sharing with); that 15 to 50 stations that submit winning bids will move from high-VHF to low-VHF channels or from UHF to high-VHF or low-VHF; and that all licensees will comply with all applicable rules. The actual number in each of these categories cannot be known in advance of t

he auction, including the level of broadcaster participation in the reverse auction, which in turn will impact how much spectrum is repurposed and how many stations need to be assigned new channels. Similarly, the number of full-power stations, as opposed to Class A stations, that are reassigned or submit winning bids to move from high-VHF to low-VHF channels or from UHF to high-VHF or low-VHF cannot be estimated, and, thus, in order not to underestimate the burden in this submission, we will assume half of these stations are full-power stations. Solely for purposes of preparing the estimated data collection burden, we will use the upper end of these ranges. Therefore, we estimate that 725 (one-half of 1,450 potential channel-changing stations) FCC Forms 2100, Schedule A will be filed and processed, and that 500 of these will be filed for minor change applications, while 225 will be filed for major change applications. The estimated average burden on each licensee is a total of 3.0 hours to comply with the information collection requirements for minor change applications and 3.0 for major change applications.

Total Number of Annual Respondents: 725 Station Licensees

Total Number of Annual Responses: 725 FCC Form 2100, Schedule A Forms

Annual Burden Hours:

We estimate a total of 3.0 hours to complete the application process.

500 minor change applications x 3 hours/form = 1,500

225 major change applications x 3 hours/form = 675

Total Annual Burden Hours: 2,175 hours

Annual “In House” Cost:

The respondent is estimated to have an average salary of \$100,000/year (\$48.08/hour).

500 minor applications x 3 hours/form x \$48.08/hour = \$72,120

¹⁶ We note that this estimate does not take into consideration the results of the optimization process, which will be used to determine the final television channel assignment plan. The Commission has determined that maximizing the number of stations assigned to their pre-auction channels is the first objective of its optimization plan. See *Broadcast Incentive Auction to Begin on March 29, 2016, Procedures for Competitive Bidding in Auction 1000, Including Initial Clearing Target Determination, Qualifying to Bid, and Bidding in Auctions 1001 (Reverse) and 1002 (Forward)*, AU Docket No. 14-252, GN Docket 12-268, WT Docket No. 12-269, MB Docket No. 15-146, FCC 15-78, Public Notice, at para. 274 (rel. Aug. 11, 2015). Accordingly, the number of stations reassigned to new channels may be lower than the estimate contained in this submission. We have erred on the side of caution so as not to underestimate the potential burden.

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

225 major applications x 3 hours/form x \$48.08/hour = \$32,454

Total Annual “In House” Cost: \$104,574

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

b. The following existing burden estimates are not impacted by FCC 14-50. They remain the same since it was last approved by OMB:¹⁷

<u>Services</u>	<u>Number of Applicants</u>
AM New & Major	50
AM Minor Change With AM Multiple Ownership Showings	250
AM Community of License Minor Change Applications	125
	15
FM New & Major	150
FM New with P4RM to Amend FM Table Using Tribal Priority ¹⁸	10
FM New filed in TQ Window	15
FM Minor Change With FM Multiple Ownership Showings	1,000
FM Community of License Minor Change Applications	550
TV With TV Multiple Ownership Showings	60
DTS	<u>30</u>
Total Number of Respondents:	2,355 Licensees/Permittees

<u>Number of Services</u>	<u>Respondent's Applications</u>	<u>Annual Hrly. Burden</u>	<u>Burden Hours</u>
AM New & Major	50	4.25 hours	212.5 hours
AM Minor Change With AM Multiple Ownership Showings	250	3.25 hours	812.5 hours
AM Community of License Minor Change Applications	125	6.25 hours	781.25 hours
	15	6 hours	90 hours

¹⁷ The estimated burden for this collection associated with the categories “minor TV applications” and “DTV applications” are being revised in light of 14-50. The estimates for these categories are included in sections 12.a, 13.a and 14.a. None of the estimates for the other categories listed in 12.b, 13.b and 14.b have been changed.

¹⁸ A petitioner seeking to add a Tribal Allotment to the FM Table of Allotments must file FCC Form 301 when submitting its Petition for Rule Making (“P4RM”).

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

FM New & Major	150	4 hours	600 hours
FM New with P4RM to Amend			
FM Table Using Tribal Priority	10	4 hours	40 hours
FM New filed in TQ Window	15	4 hours	60 hours
FM Minor Change	1,000	3 hours	3,000 hours
With FM Multiple			
Ownership Showings	550	6 hours	3,300 hours
FM Community of License			
Minor Change Applications	60	5.50 hours	330 hours
With TV Multiple Ownership			
Showings	30	5 hours	150 hours
DTS ¹⁹	100	3 hours	300 hours
Newspaper Requirements	<u>3,436</u>	1 hour	<u>3,436 hours</u>
Totals:	5,791		13,112.25hours
	(responses)		(13,112 hrs. rounded)

Total Number of Responses: 5,791 Commercial Broadcast Station Construction Permit Applications - FCC Form 2100, Schedule A Filings, FCC Form 301 and Newspaper Notices

Total Annual Burden Hours: 13,112 hours²⁰

We assume that commercial broadcast station construction permit applicants will consult with an outside attorney and a consulting engineer to complete an FCC Form 2100, Schedule A and FCC Form 301. The time spent in consultation with these attorneys and consulting engineer will vary depending upon the application type.

The Commission estimates that it will take the respondent one hour to fulfill the newspaper notice requirement.

We estimate that commercial broadcast station construction permit applicants would have an average salary of \$100,000/year (\$48.08/hour).

<u>Services</u>	<u>Number of Applications</u>	<u>Respondent's Hrly. Burden</u>	<u>Hrly. Wage of Respondent²¹</u>	<u>Annual In-House Cost</u>
AM New & Major	50	4.25 hours	\$48.08	\$10,217.00

¹⁹ DTS technologies are covered under 47 CFR § 73.626, which authorizes the use of distributed transmission system (“DTS”) technologies in the digital television (“DTV”) service and also authorized changes to FCC Form 2100, Schedule A that are necessary to accommodate applications for a DTS facility.

²⁰ The burden for these applications are not impacted by FCC 14-50. They remains the same since they were last approved by OMB. Burden estimates for “TV minor” and “DTV” applications, which were impacted by 14-50, are now included in section 12.a, above.

²¹ Respondent is a commercial broadcast station construction permit applicant.

**Application for Construction Permit for Commercial Broadcast Station, FCC Form 301;
FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization,
Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing**

AM Minor Change	250	3.25 hours	\$48.08	\$39,065.00
AM Ownership Showings	125	6.25 hours	\$48.08	\$37,562.50
AM Community of License Change	15	6 hours	\$48.08	\$4,327.20
FM New & Major	150	4 hours	\$48.08	\$28,848.00
FM New with P4RM to Amend FM Table Using Tribal Priority	10	4 hours	\$48.08	\$1,923.20
FM New filed in TQ Window	15	4 hours	\$48.08	\$2,884.80
FM Minor Change	1,000	3 hours	\$48.08	\$144,240.00
FM Ownership Showings	550	6 hours	\$48.08	\$158,664.00
FM Community of License Change	60	5.50 hours	\$48.08	\$15,866.40
TV Multiple Ownership Showings	30	5 hours	\$48.08	\$7,212.00
DTS	100	3 hours	\$48.08	\$14,424.00
Newspaper Notices	3,436	1 hour	\$48.08	<u>\$165,202.88</u>
Total Annual "In House" Cost:				\$630,436.98

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

Cumulative Total Number of Respondents: = 725 + 2,355 = 3,080

**Cumulative Total Number of Annual Responses: 725 + 5,791 = 6,516 FCC Form
2100, Schedule A**

Total Annual Burden Hours: 2,175 + 13,112 = 15,287 hours.

Total Annual "In House" Cost Burden: \$104,574 + \$630,436.98 = \$735,011 (rounded)

13. Cost to Respondents:

a. We assume that each applicant/licensee/permittee will use a communications attorney (\$300/hour) and a consulting engineer (\$250/hour) to assist in preparing and filing FCC Form 2100, Schedule A. We estimate these attorneys will spend approximately 2 hours reviewing the form and will charge approximately

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

\$300/hour for the legal review. We also assume that a consulting engineer will spend approximately 45 hours to complete certain engineering aspects of FCC Form 2100, Schedule A for a minor change and 34 hours for a major/DTV change and will charge the respondent \$250/hour for the engineering services.

500 respondents x 2 hours x \$300/hour = \$ 750,000
 500 respondents x 45 hours x \$250/hour = \$5,625,000
 225 respondents x 2 hours x \$300/hour = \$ 135,000
 225 respondents x 34 hours x \$250/hour = \$1,912,500
 Total: **\$8,422,500**

An applicant must give local public notice of the filing of its application for a new station or for a major change in facilities. This notice must be published in a local newspaper of general circulation at least twice a week for two consecutive weeks in a three-week period. The cost of this publication is estimated to be \$113.25.

225 respondents x 4 x \$113.25 = **\$101,925**

Total External Cost = \$8,422,500 + \$101,925 = \$8,524,425

b. The following existing burden estimates are not impacted by FCC 14-50. They remain the same since it was last approved by OMB: We assume that commercial broadcast station construction permit applicants would use an attorney (\$300/hour) and a consulting engineer (\$250/hour) to complete the FCC Form 2100, Schedule A.

An AM, FM, or TV applicant must give local public notice of the filing of its application for a new station or for a major change in facilities. This notice must be published in a local newspaper of general circulation at least twice a week for two consecutive weeks in a three-week period. The cost of this publication is estimated to be \$113.25.

<u>Services</u>	<u>Hrly. Wage of Consultant</u>	<u>Consultant's Hrly. Burden</u>	<u>Number of Applications</u>	<u>Annual Cost Burden</u>
<u>AM:</u>				
New & Major	\$300	7 hours	50	\$ 105,000
	\$250	89.25 hours	50	\$1,115,625
Minor Change	\$300	2 hours	250	\$ 150,000
	\$250	88.25 hours	250	\$5,515,625
Multiple Ownership Showings	\$300	18 hours	125	\$ 675,000
	\$250	92.25 hours	125	\$2,882,813
Community of License Change	\$300	12 hours	15	\$ 54,000
	\$250	100 hours	15	\$ 375,000
<u>FM:</u>				
New & Major	\$300	7 hours	150	\$ 315,000

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

	\$250	71 hours	150	\$2,662,500
FM New with P4RM to Amend FM Table Using Tribal Priority	\$300	7 hours	10	\$ 21,000
	\$250	71 hours	10	\$ 177,500
FM New filed in TQ Window	\$300	7 hours	15	\$ 31,500
	\$250	71 hours	15	\$ 266,250
Minor Change	\$300	2 hours	1,000	\$ 600,000
	\$250		69 hours	1,000
	\$17,250,000			
Multiple Ownership Showings	\$300	28 hours	550	\$ 4,620,000
	\$250	73 hours	550	\$10,037,500
Community of License Change	\$300	6 hours	60	\$ 108,000
	\$250	94 hours	60	\$ 1,410,000
<u>TV:</u>				
Multiple Ownership Showings	\$300	13 hours	30	\$ 117,000
	\$250	48 hours	30	\$ 360,000
<u>DTS:</u>				
	\$300	1 hour	100	\$ 30,000
	\$250	45 hours	100	<u>\$1,125,000</u>
Total AM/FM TV and DTV:				\$50,004,313

<u>Fees:</u>	<u>Number of Applications</u>	<u>Fee Cost</u>	<u>Total Fee Cost</u>
AM New & Major	50	\$3,310	\$ 165,500
AM Minor Change	250	\$ 830	\$ 207,500
AM Multiple Ownership Showings	125	\$3,310	\$ 413,750
AM Community of License Change	15	\$ 830	\$ 12,450
FM New & Major	150	\$3,485	\$ 522,750
FM New with P4RM to Amend FM Table Using Tribal Priority	10	\$3,485	\$ 34,850

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

FM New filed in TQ Window	15	\$3,485	\$ 52,275
FM Minor Change	1,000	\$ 830	\$ 830,000
FM Multiple Ownership Showings	550	\$2,980	\$ 1,639,000
FM Community of License Change	60	\$ 830	\$ 49,800
TV Multiple Ownership Showings	30	\$3,720	\$ 111,600
DTS	100	\$ 830	<u>\$ 83,000</u>
		Fee Total:	\$4,122,475

275²² new/major/community of license change applications x 4 x \$113.25 = **\$124,575** in publication costs

Annual Cost Burden: \$8,524,425 + \$50,004,313 + \$4,122,475 + \$124,575 = \$62,775,788.00

14. Cost to Federal Government:

a. The Commission will use legal and engineering staff at the GS-14/Step 5 level (\$58.28/hour), paraprofessional staff at the GS-11/Step 5 level (\$34.60/hour), and clerical staff at the GS-5 level/Step 5 level (\$18.88/hour) to process these applications.

725 applications x \$58.28/hour x 1 hour =	\$ 42,253
725 applications x \$58.28/hour x 20 hours =	\$845,060
725 applications x \$34.60/hour x 6 hours =	\$150,510
725 applications x \$18.88/hour x 2 hours =	<u>\$ 27,376</u>
	\$1,065,199

b. The following burden estimates are not impacted by FCC 14-50. They remain the same since it was last approved by OMB. The Commission will use legal and engineering staff at the GS-14/Step 5 level (\$58.28/hour), paraprofessional staff at the GS-11/Step 5 level (\$34.60/hour), and clerical staff at the GS-5 level/Step 5 level (\$18.88/hour) to process these applications.

²² This number was calculated as follows: 50 AM New & Major Applications + 150 FM New & Major Applications + 15 AM Community of License Change Applications + 60 FM Community of License Change Applications = 275 Applications.

**Application for Construction Permit for Commercial Broadcast Station, FCC Form 301;
FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization,
Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing**

New & Major Change AM/FM/TV Applications = 225²³

225 applications x \$58.28/hour x 41 hours =	\$537,633.00
225 applications x \$58.28/hour x 20 hours =	\$262,260.00
225 applications x \$34.60/hour x 1 hour =	\$ 7,785.00
225 applications x \$18.88/hour x 2 hours =	<u>\$ 8,496.00</u>
	\$816,174.00

Minor AM Applications = 250

AM Multiple Ownership Showings = 125

AM Community of License Change Minor Applications = 15

277 applications x \$58.28/hour x 1 hour =	\$ 16,143.56
277 applications x \$58.28/hour x 30 hours =	\$484,306.80
(No GS-11 Step-5 paraprofessional review required)	
277 applications x \$18.88/hour x 2 hours =	<u>\$ 10,459.52</u>
	\$510,909.88

Minor FM Applications = 1,000

FM Multiple Ownership Showings = 550

FM Community of License Change Minor Applications = 60

1,610 applications x \$58.28/hour x 1 hour =	\$ 93,830.80
1,610 applications x \$58.28/hour x 20 hours =	\$1,876,616.00
(No GS-11 Step 5 paraprofessional review required)	
1,610 applications x \$18.88/hour x 2 hours =	<u>\$ 60,793.60</u>
	\$2,031,240.40

TV Multiple Ownership Showings = 30

30 applications x \$58.28/hour x 1 hour =	\$ 1,748.40
30 applications x \$58.28/hour x 20 hours =	\$34,968.00
30 applications x \$34.60/hour x 6 hours =	\$ 6,228.00
30 applications x \$18.88/hour x 2 hours =	<u>\$ 1,132.80</u>
	\$44,077.20

DTS Applications = 100

(No GS-14 Step 5 legal review required)

100 applications x \$58.28/hour x 20 hours =	\$116,560.00
100 applications x \$34.60/hour x 6 hours =	\$ 20,760.00
100 applications x \$18.88/hour x 2 hours =	<u>\$ 3,776.00</u>
	\$141,096.00

Total Cost to the Federal Government: \$1,065,199 + \$816,174 + \$510,910 + \$2,031,240 + \$44,077 + \$141,096 = \$4,608,696

²³ This number was calculated as follows: 50 AM New & Major Applications + 150 FM New & Major Applications + 25 FM New Tribal-related applications = 225 Applications.

Application for Construction Permit for Commercial Broadcast Station, FCC Form 301; FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule A; 47 C.F.R section 73.3700(b)(1) and (b)(2), Post Auction Licensing

15. **Changes in Burden or Cost:** The Commission has the following program changes to this collection which are due to the information collection requirements adopted in FCC 14-50 and FCC 15-67: -695 to the number of respondents, -695 to the number of annual responses, -2,085 to the annual burden hours and -\$6,126,175 to the annual cost burden.

16. **Plans for Publication:** The data will not be published.

17. **Display of OMB Approval Date:** We request extension of the waiver not to publish the expiration date on the form. This will obviate the need for the Commission to update electronic forms upon the expiration of the clearance. OMB approval of the expiration date of the information collection will be displayed at 47 CFR § 0.408.

18. **Exceptions to the Certification Statement:** There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

This information collection does not employ any statistical methods.