

SUPPORTING STATEMENT

A. Justification:

1. Applicants/licensees/permittees are required to file FCC Form 2100, Schedule D when applying for a Low Power Television, TV Translator or TV Booster Station License.

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

On October 10, 2014, the Commission released a Notice of Proposed Rulemaking, In the Matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations, MB Docket No. 03-185, FCC 14-151. This document contains proposed rules for channel sharing by and between low power television and TV translator stations. FCC Form 2100, Schedule D,¹ Application for Media Bureau Audio and Video Service Authorization, will be modified to allow applicants to propose that their stations be licensed on a shared basis. Basically, this is the license form that the Commission uses to license LPTV and TV translator stations and we are proposing new rules to allow these stations to share a single channel. The applicants will propose a shared arrangement using the license form. Question 4 of the proposed FCC Form 347 has a new entry where the stations can state that they are proposing a shared facility and where they can report the other channel sharing station(s). On December 17, 2015, the Commission adopted a final rulemaking, FCC 15-175. In the final rulemaking, the proposed information collections for FCC Form 2100, Schedule D were adopted as proposed. The Office of Management and Budget issued a preapproval at the NPRM stage on January 30, 2015. **The Commission is now seeking final approval for the information collections in FCC 15-175.**

History:

On October 22, 1998, the Commission adopted a *Report and Order* in MM Docket No. 98-43, *1998 Biennial Regulatory Review - Streamlining of Mass Media Applications, Rules, and Processes*, and No. 94-149, *Policies and Rules Regarding Minority and Female Ownership of Mass Media Facilities*. Among other things, this *Report and Order* substantially revised the FCC Form

¹ 47 CFR 74.800(b) requires that the LPTV or TV translator channel sharing station relinquishing its channel must file an application for the initial channel sharing construction permit, include a copy of the channel sharing agreement as an exhibit, and cross reference the other sharing station(s). Any engineering changes necessitated by the channel sharing arrangement may be included in the station's application. Upon initiation of shared operations, the station relinquishing its channel must notify the Commission that it has terminated operation pursuant to section 73.1750 of this part and each sharing station must file an application for license (Former FCC Form 347 renamed FCC Form 2100, Schedule D).

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Schedule D (Former FCC 347)**

347 to facilitate electronic filing by replacing narrative exhibits with the use of certifications and an engineering technical box. The Commission also deleted and narrowed overly burdensome questions. FCC Form 347 has been supplemented with detailed instructions to explain processing standards and rule interpretations to help ensure that applicants certify accurately. These changes will streamline the Commission's processing of FCC Form 347 applications. The Commission has also adopted a formal program of pre- and post-application grant random audits to preserve the integrity of the streamlined application process.

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

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

2. FCC staff use the data from FCC Form 2100, Schedule D to confirm that the TV station was built as specified in the outstanding construction permit. Data from FCC Form 2100, Schedule D is also used for inclusion in the subsequent license to operate the station. In addition, the Form 2100, Schedule D data will be used to license channel sharing stations in the low power television services.

3. The Commission requires applicants to file FCC Form 2100, Schedule D electronically.

4. No other agency imposes a similar information collection on the respondents. There are no similar data available.

5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. Therefore, this information collection will not have a significant economic impact on a number of small entities/businesses.

6. The frequency for this collection of information is determined by the respondent, as necessary.

7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. The Commission published a Notice (79 FR 70824) in the *Federal Register* on November 28, 2014 seeking comments from the public on the information collection requirements contained in this collection. The Commission did not receive any comments from the public.

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

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

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11. This collection of information does not address any private matters of a sensitive nature.
12. The Commission estimates that 550 FCC Form 2100, Schedule D applications will be filed annually. We expect half of these applications (275) will be completed by respondents and the other half (275) by engineers at the stations. It is estimated that it will require 1.5 hours to complete the form by these parties. Respondents are estimated to be paid \$48.08/hour and the station engineers are estimated to be paid \$31.61/hour. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

Total Number of Annual Respondents: 550 Licensees/Permittees

Total Number of Annual Responses: 550 FCC Form 2100, Schedule D Applications

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

Annual "In-house Cost":

275 FCC Form 2100, Schedule D applications x 1.5 hrs x \$48.08/hr = \$19,833
275 FCC Form 2100, Schedule D applications x 1.5 hrs x \$31.61/hr = \$13,039
TOTAL ANNUAL "IN-HOUSE COST" = \$32,872

13. Annual Cost Burden:

- (a) Total annualized capital/startup costs: **None**
- (b) Total annual costs (O&M): An application filing fee of \$120 is required with each submission. 550 FCC Form 2100, Schedule D applications x \$120/application = \$66,000
- c) Total annualized cost requested: **\$66,000**

14. Cost to the Federal Government: The Commission will use staff at the GS-13, Step 5 (\$50.04/hr.) and GS-7, Step 5 (\$23.72/hr.) to process the FCC Form 2100, Schedule D applications.

2 hours x \$50.04 x 550 applications = \$55,004
1 hour x \$23.72 x 550 applications = \$13,046
\$68,050

Total Cost to the Federal Government: \$68,050

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15. The Commission has the following program changes/increases to OMB inventory due to the final information collection requirements adopted in FCC 15-175: 100 to the number of respondents, 100 to the annual number of responses, 150 to the annual burden hours and \$12,000 to the annual cost burden.

There are no adjustments to this collection.

16. The data will not be published.

17. An extension of the waiver not to publish the expiration date on the form is requested. This will prevent the Commission from needing to update electronic files upon the expiration of the clearance.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.