

SUPPORTING STATEMENT**A. Justification:**

1. FCC Form 303-S is used in applying for renewal of license for commercial or noncommercial AM, FM, TV, FM translator, TV translator, Class A TV, or Low Power TV, and Low Power FM broadcast station licenses. Licensees of broadcast stations must apply for renewal of their licenses every eight years.

This collection also includes the third party disclosure requirement of 47 C.F.R. Section 73.3580. This rule requires local public notice of the filing of the renewal application. For AM, FM, Class A TV and TV stations, these announcements are made on-the-air. For FM/TV Translators and AM/FM/TV stations that are silent, the local public notice is accomplished through publication in a newspaper of general circulation in the community or area being served.¹

47 C.F.R. Section 73.3555 is also included in this information collection. Section 73.3555 states that in order to overcome the negative presumption set forth in 47 C.F.R. Section 73.3555(d)(4) with respect to the combination of a major newspaper and television station, the applicant must show² by clear and convincing evidence that the co-owned major newspaper and station will increase the diversity of independent news outlets and increase competition among independent news sources in the market, and the factors set forth in 47 C.F.R. Section 73.3555(d)(5) will inform this decision. (OMB approval was previously received for the information collection requirements contained in this rule section (waiver showings/filings)).

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, 307 and 308 of the Communications Act of 1934, as amended, and Section 204 of the Telecommunications Act of 1996.

The Commission is seeking a three year extension of this information collection from the Office of Management and Budget (OMB).

2. Agency Use of Information: FCC staff use to assure that the necessary reports connected with

¹ See OMB control number 3060-0214 for the burden associated with the recordkeeping requirement for the newspaper and broadcast notices pursuant to Section 73.3527.

² These showings are done via waiver showings/filings with the Commission.

Title: Application for Renewal of Broadcast Station License, FCC Form 303-S; Section 73.3555(d), Daily Newspaper Cross-Ownership

the renewal application have been filed and that the licensee continues to meet basic statutory requirements to remain a licensee of a broadcast station. The local public notice informs the public that the station has filed for license renewal.

3. Consideration Given to Information Technology: The Commission requires applicants to file FCC Form 303-S electronically.

4. Effort to Identify Duplication and Similar Information: There are no similar information collections on respondents.

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. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.

6. Less Frequent Data Collections: The frequency for this collection of information will ultimately be determined by the expiration of the station license.

7. Information Collection Circumstances: This collection of information is consistent with 5 CFR Section 1320.5(d)(2).

8. Consultations with Persons outside the FCC: Opportunity for public comment on this information collection requirement has been published in the *Federal Register* on August 11, 2016 (81 FR 53144). No comments under the Paperwork Reduction Act (PRA) were received from the public.

9. Payment or Gift: No payment or gift was provided to the respondent.

10. Confidentiality of Information: There is no need for confidentiality with this collection of information.

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

Title: Application for Renewal of Broadcast Station License, FCC Form 303-S; Section 73.3555(d), Daily Newspaper Cross-Ownership

12. Estimate of Annual Burden and Annual Burden Hour Cost: The following estimates are provided for the public burden:³

<u>Service(s)</u>	<u>Number of Applications/Respondents</u>
Commercial AM/FM	1,170
Noncommercial FM	403
FM translators / LPFM	487
AM/FM stations off-the-air	595
Commercial TV	154
Noncommercial TV	49
Class A TV/LPTV/TV translators	588
TV stations off-the-air	375
TOTAL RESPONSES/RESPONDENTS:	3,821

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

The burden on the public is as follows:

Radio Applicants contracting legal portion of form/meeting with contractors to coordinate information

1,170 applications x 50% x 1.5 hour/consultation	= 878 hours
403 applications x 50% x 1.33 hour/consultation	= 268 hours
487 applications x 50% x 1.5 hour/consultation	= 365 hours
595 applications x 50% x 1.5 hour/consultation	= 446 hours

Radio Applicants completing general and legal portion of form without outside contracting assistance/completing form by themselves

1,170 applications x 50% x 3.5 hours/form	= 2,048 hours
403 applications x 50% x 3.33 hours/form	= 671 hours
487 applications x 50% x 3.5 hours/form	= 852 hours
595 applications x 50% x 4.5 hours/form	= 1,339 hours

TV Applicants contracting legal portion of form/meeting with contractors to coordinate information

154 applications x 75% x 2 hours/consultation	= 231 hours
49 applications x 75% x 1.83 hours/consultation	= 67 hours
588 applications x 75% x 1.25 hour/consultation	= 551 hours
375 applications x 75% x 2 hours/consultation	= 563 hours

³ Broadcast licenses are typically granted for eight year periods. The annual burden figures listed here were calculated by obtaining the total number of licensed stations and dividing these figures by eight in order to determine the number of applications/respondents on an annual basis, pursuant to OMB requirements.

Title: Application for Renewal of Broadcast Station License, FCC Form 303-S; Section 73.3555(d), Daily Newspaper Cross-Ownership

TV Applicants completing general and legal portion of form without outside contracting assistance/completing form by themselves

154 applications x 25% x 12 hours/form	= 462 hours
49 applications x 25% x 4.83 hours/form	= 59 hours
588 applications x 25% x 3.25 hours/form	= 478 hours
375 applications x 25% x 12 hours/form	= 1,125 hours

TOTAL ANNUAL BURDEN HOURS = 10,403 HOURS⁴

The above estimate was based on the following data:

*We estimate that 50% of radio broadcast licensees will use a communications attorney to complete the legal portion and file the FCC Form 303-S. We estimate that it will take approximately 1.5 hours for commercial applicants and 1.33 hours for non-commercial FM applicants to coordinate information with these attorneys.

*The remaining 50% of radio broadcast licensees will complete the general and legal portions and file the FCC Form 303-S themselves.

*We estimate that 75% of all TV broadcast licensees will use a communications attorney to complete the legal portion and file the FCC Form 303-S. We estimate that it will take approximately 2 hours to coordinate information with these attorneys for a full service commercial TV licensee and 1.83 hours for a noncommercial TV licensee. For a TV translator licensee, we estimate that it will take 1.25 hours to coordinate with counsel.

*The remaining 25% of TV broadcast licensees will complete the general and legal portions and file the FCC 303-S themselves.

ANNUAL "IN-HOUSE COST" - We estimate that the respondents would have an average salary of \$100,000/year (\$48.08/hour):

Radio Applicants contracting legal portion of form/meeting with contractors to coordinate information

1,170 applications x 50% x 1.5 hour/consultation x \$48.08	= \$ 42,190
403 applications x 50% x 1.33 hour/consultation x \$48.08	= \$ 12,885
487 applications x 50% x 1.5 hour/consultation x \$48.08	= \$17,561
595 applications x 50% x 1.5 hour/consultation x \$48.08	= \$ 21,456

⁴ The burden for the respondent to attach waiver showings/filings to the form/application pursuant to 47 CFR 73.3555(d) is accounted for in the burden estimate.

Title: Application for Renewal of Broadcast Station License, FCC Form 303-S; Section 73.3555(d), Daily Newspaper Cross-Ownership

Radio Applicants completing general and legal portion of form without outside contracting assistance/completing form themselves

1,170 applications x 50% x 3.5 hours/form x \$48.08	= \$ 98,444
403 applications x 50% x 3.33 hours/form x \$48.08	= \$ 32,261
487 applications x 50% x 3.5 hours/form x \$48.08	= \$ 40,976
595 applications x 50% x 4.5 hours/form x \$48.08	= \$ 64,367

TV Applicants contracting legal portion of form/meeting with contractors to coordinate information

154 applications x 75% x 2 hours/consultation x \$48.08	= \$ 11,106
49 applications x 75% x 1.83 hours/consultation x \$48.08	= \$ 3,234
588 applications x 75% x 1.25 hour/consultation x \$48.08	= \$ 26,505
375 applications x 75% x 2 hours/consultation x \$48.08	= \$ 27,045

TV Applicants completing general and legal portion of form without outside contracting assistance/completing the form themselves

154 applications x 25% x 12 hours/form x \$48.08	= \$ 22,213
49 applications x 25% x 4.83 hours/form x \$48.08	= \$ 2,845
588 applications x 25% x 3.25 hours/form x \$48.08	= \$ 22,970
375 applications x 25% x 12 hours/form x \$48.08	= \$ 54,090

TOTAL ANNUAL "IN-HOUSE COST" = \$ 500,148

13. Annual Cost Burden: We assume that the 50% of radio respondents and 75% of TV respondents would use a communications attorney to complete the legal portion of the FCC 303-S. This communications attorney is estimated to have an average salary of \$300/hour.

Radio Applicants contracting legal portion of form

1,170 applications x 50% x 2.75 hours x \$300	= \$ 482,625
403 applications x 50% x 2.58 hours x \$300	= \$ 155,961
487 applications x 50% x 2.75 hours x \$300	= \$ 200,888
595 applications x 50% x 3.75 hours x \$300	= \$ 334,688

TV Applicants contracting legal portion of form

154 applications x 75% x 10.5 hours x \$300	= \$ 363,825
49 applications x 75% x 3.33 hours x \$300	= \$ 36,713
588 applications x 75% x 2.5 hours x \$300	= \$ 330,750
375 applications x 75% x 10.5 hours x \$300	= \$ 885,938

A licensee must submit a fee for each commercial application by a AM/FM/TV broadcast station at \$170/application. The fee for each FM/TV Translator broadcast station filed is \$60/application.

Title: Application for Renewal of Broadcast Station License, FCC Form 303-S; Section 73.3555(d), Daily Newspaper Cross-Ownership

1,650 Commercial AM/FM/TV x \$170	= \$ 280,500
1,612 Low Power/Translators x \$60	= \$ 96,720

An AM, FM, TV, Class A TV or LPTV licensee must also give local public notice of the filing of the renewal application over-the-air in accordance with 47 C.F.R. Section 73.3580. There is no direct cost to the licensee for the over-the-air announcement. AM/FM/TV stations that are off-the-air must give local public notice by publishing an announcement 6 times in a newspaper of general circulation in the community or area being served. FM/TV Translator stations must give local public notice by publishing an announcement once in a newspaper of general circulation in the community or area served. The cost of this publication is estimated to be \$250.00/publication.

261 AM/FM/TV stations off-the-air x 6 publications x \$250/publication	= \$ 391,500
1,305 FM/TV Translators x 1 publication x \$250/publication	= \$ 326,250

TOTAL ANNUAL COST BURDEN TO RESPONDENTS: = \$3,886,358

14. Cost to the Federal Government. The Commission will use professional staff at the GS-13/Step 5 level (\$50.04/hour), paraprofessional staff at the GS-11/Step 5 level (\$35.11/hour), and clerical staff at the GS-5 level/Step 5 level (\$19.15/hour) to process the FCC 303-S.

Radio/Translator Applications estimated to be filed: 3,411

Average processing time: 1.55 hours

Clerical	1.25 hours	x	\$19.15/hour x 3,411	= \$ 81,651
Paraprofessional	0.15 hours	x	\$35.11/hour x 3,411	= \$ 17,964
Professional	0.15 hours	x	\$50.04/hour x 3,411	= \$ 25,603
				= \$ 125,218

Commercial TV Applications estimated to be filed: 175

Average processing time: 2.5 hours

Clerical	1.0 hours	x	\$19.15/hour x 175	= \$ 3,351
Paraprofessional	1.5 hours	x	\$50.04/hour x 175	= \$ 13,136
				= \$ 16,487

Noncommercial TV Applications estimated to be filed: 49

Average processing time: 1.5 hours

Clerical	1.0 hours	x	\$19.15hour x 49	= \$ 938
Paraprofessional	0.5 hours	x	\$50.04hour x 49	= \$ 1,226
				= \$ 2,164

Title: Application for Renewal of Broadcast Station License, FCC Form 303-S; Section 73.3555(d), Daily Newspaper Cross-Ownership

LPTV/TV Translator Applications estimated to be filed: 943

Average processing time: 1.0 hours

Clerical	.75 hours	x	\$19.15/hour x 943	= \$ 13,544
Paraprofessionals	.25 hours	x	\$35.11/hour x 943	= \$ 8,277
				= \$ 21,821

Total Cost to the Federal Government: = \$165,690

15. Reason for Changes in Burden or Cost: There are no adjustments or program changes to this collection.

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

17. Display of OMB Approval Date: We are seeking approval to not display the expiration date of this collection. By displaying the expiration date on this form we are limiting its use to only three years. OMB approval of the expiration date of the information collection will be displayed at 47 CFR Section 0.408.

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

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.