

December 2016

SUPPORTING STATEMENT

A. Justification:

The Commission is requesting a revision to this information collection. This revision is necessary because the Commission is no longer seeking approval for the information collection contained in 47 CFR 27.14(o) because fewer than 10 respondents will be subject to that collection in the next three years. Under the Paperwork Reduction Act (PRA), if less than 10 respondents file than approval for the collection of information is not required.¹

The Commission is also seeking a three year extension from the Office of Management and Budget (OMB) for the continued approval of a third-party disclosure requirement associated with a 2004 Order² as modified by a 2006 Order,³ the 2008 Order,⁴ and a 2010 Order⁵ in the Commission's (Broadband Radio Service/Educational Broadband Service) "BRS/EBS proceeding." (The third party disclosure requirements are contained in the provision of technical information section pursuant to 47 CFR §27.1221(f) under Interference Protection. The following is a description of the rule section which contains information collection requirements.

Section 27.1221(f): A BRS/EBS licensee shall provide the geographic coordinates, the height above ground level of the center of radiation for each transmit and receive antenna, and the date transmissions commenced for each of the base stations in its GSA within 30 days of receipt of a request from a co-channel BRS/EBS licensee with an operational base station located in

¹ See 5 CFR 1320.3(c).

² Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 03-66, 19 FCC Rcd 14165, 14169 ¶ 6 (2004 Order).

³ Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Third Memorandum Opinion and Order and Second Report and Order*, WT Docket No. 03-66, 21 FCC Rcd. 5606 (2006) (2006 Order).

⁴ Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Third Order on Reconsideration and Sixth Memorandum Opinion and Order and Fourth Memorandum Opinion and Order and Second Further Notice of Proposed Rulemaking and Declaratory Ruling*, WT Docket No. 03-66, WT Docket No. 03-67, WT Docket No. 02-68, IB Docket No. 02-364 and ET Docket No. 00-258, 23 FCC Rcd 5992 (2008) (2008 Order).

⁵ Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Third Report and Order*, WT Docket No. 03-66, WT Docket No. 03-67, 25 FCC Rcd 7743 (2010) (2010 Order).

approximate GSA. Information shared pursuant to this section shall not be disclosed to other parties except as required to ensure compliance with this section.

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

Statutory authority and necessary for the Commission to carry out its statutory mandate for this collection is contained in 47 U.S.C. §§ 151, 154(i), 301, 303(f), 303(g), 303(r), 307, 308, 316.

2. The third party disclosure coordination requirements are necessary to ensure that licensees do not cause interference to each other.

3. The information collections are third-party disclosure requirements (see item 2 for description). We estimate that ninety-five percent of the BRS/EBS licensees could possibly submit the filings electronically.

4. The Commission does not impose a similar information collection on respondents and no similar data is available elsewhere.

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

6. The frequency of reporting will be determined by the BRS/EBS licensees.

7. There are no special circumstances that would cause this information collection to be conducted less frequently.

8. The Commission published the 60-day notice in the Federal Register on October 18, 2016, (81 FR 71729) seeking comment from the public on the information collection requirements contained in this collection. No comments were received on the notice.

9. Respondents will not receive any payments or gifts associated with this information collection.

10. There is no need for confidentiality. Respondents or applicants may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

11. There are no questions of a sensitive nature for this collection of information.

12. Respondent Burden Hours:

The Commission estimates the number of respondent burden hours for the rule section. We will outline the number of respondents, time per response, and total annual burden hours for the collection, to include the number of respondents and responses. This collection consist of one

rule - Provision of technical information (47 CFR § 27.1221(f)). The Commission estimates the burden on respondents as follows:

The following requirement has been previously approved by OMB. No change is made to the burden hours for this requirement since it was last approved by OMB.

Section 27.1221(f) requirements – provision of technical information:

Number of respondents = 10.

Number of annual responses = 250.

- Requirement is triggered when licensee seeks technical information from adjacent licensee because of potential interference problem.

Hours per response: 0.50 hours (engineering).

Annual Burden Hours:

250 responses x 0.50 hours/response = 125 hours.

Costs (In-House) to the respondent:

We continue to estimate that a respondent will use an internal engineer that will fulfill these requirements. This engineer is paid an hourly rate of \$65.00/hour.

250 responses x 0.50 hours/response x \$65.00/hr. = **\$8,125 (internal annual cost).**

13. Cost (External) to the respondents:

There are no external costs to the respondent with this information collection.

14. Cost to the Federal government are as follows:

There are no costs to the Federal government.

15. There are program changes to this collection. The number of respondents have decreased by -32, the number of responses have increased by +32, the annual burden hours have decreased by -22 hours and the annual costs have decreased by -11,550. These program changes/decreases are due to the removal of rule 47 CFR 27.14(o) from this collection.

The Commission also has adjustments to this collection of +240 to the annual number of responses for Section 27.1221(f). These adjustments are due to the Commission entering the incorrect figure for the number of responses in the 2014 submission to OMB. We are correcting the number of responses with this submission to OMB.

16. The data will not be published for statistical use.

17. We do not seek approval to not display the expiration date for OMB approval of the information collection.

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not use any statistical methods.