

SUPPORTING STATEMENT

1. The Federal Communications Commission ("the Commission") is requesting that the Office of Management and Budget ("OMB") approves a revision to OMB Control No. 3060-0994 titled, "Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L Band, and the 1.6/2.4 GHz Band."

The purposes of the existing information collection are to obtain information necessary for licensing operators of Mobile-Satellite Service (MSS) networks to provide ancillary services in the U.S. via terrestrial base stations (Ancillary Terrestrial Components, or ATCs); obtain the legal and technical information required to facilitate the integration of ATCs into MSS networks in the L-Band and the 1.6/2.4 GHz Bands; and to ensure that ATC licensees meet the Commission's legal and technical requirements to develop and maintain their MSS networks and operate their ATC systems without causing harmful interference to other radio systems.

On December 23, 2016, the Commission released a Report and Order in IB Docket No. 13-213, FCC 16-181, titled "Terrestrial Use of the 2473-2495 MHz Band for Low-Power Mobile Broadband Networks; Amendments to Rules for the Ancillary Terrestrial Component of Mobile Satellite Service Systems." The revisions to 47 C.F.R. Part 25 adopted in the Report and Order remove a portion of the information collection requirements as it relates to a newly proposed low power broadband network, as described in document FCC 16-181. These revisions enable ATC licensees to operate low-power ATC using licensed spectrum in the 2483.5-2495 MHz band. Although the original low-power ATC proposal described the use of the adjacent 2473-2483.5 MHz band, low-power terrestrial operations at 2473-2483.5 MHz were not authorized by the Report and Order. The revisions provide an exception for low-power ATC from the requirements contained in section 25.149(b) of the Commission's rules, which require detailed showings concerning satellite system coverage and replacement satellites. The revisions also provide an exception from a rule requiring integrated service, which generally requires that service handsets be capable of communication with both satellites and terrestrial base stations. Accordingly, the provider of low-power ATC would be relieved from certain burdens that are currently in place in the existing information collection. To qualify for authority to deploy a low-power terrestrial network in the 2483.5-2495 MHz band, an ATC licensee would need to certify that it will utilize a Network Operating System to manage its terrestrial low-power network. Although the Report and Order also created new technical requirements for equipment designed to communicate with a low-power ATC network, satisfaction of these technical requirements relieves ATC licensees from meeting other technical requirements that apply to ATC systems generally. We also had a revision to this information collection to reflect the elimination of the elements of this information collection for 2 GHz MSS. See 78 FR 48621-22.

This information collection does not affect individuals and, therefore, is not subject to the Privacy Act of 1974, as amended.

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The Commission has authority for the information collection pursuant to Sections 4(i), 7, 302, 303(c), 303(e), 303(f) and 303(r) of the Communications Act of 1934, as amended; 47 U.S.C. Sections 154(i), 157, 302, 303(c), 303(e), 303(f) and 303(r).

2. This information collection is used by the Commission to license commercial ATC radio communication services in the United States, including low-power ATC. The revised collection is to be used by the Commission to regulate equipment manufacturers and licensees of low-power ATC networks. Without the collection of information that would result from these final rules, the Commission would not have the necessary information to grant entities the authority to operate commercial ATC stations and provide telecommunications services to consumers.
3. Applicants are required to complete and file the Application for Satellite Space and Earth Station Authorizations (FCC Form 312) with the Commission electronically via the International Bureau Filing System (“MyIBFS”). In 2005, the Commission received approval from OMB for mandatory electronic filing of all Part 25 (satellite, earth station, and ATC) applications under OMB Control No. 3060-0678. A total of 100 percent of documents required for licensing and application procedures are filed electronically in MyIBFS.
4. The information in this collection is not duplicated elsewhere and similar information is not available.
5. This collection may have an impact on small businesses. Equipment manufacturers will be required to demonstrate that they comply with Section 25.149(c)(4) of the Commission’s rules. These new equipment certification rules were limited to the information that the Commission needs to ensure that the equipment is properly manufactured to provide the regulated service.
6. Without the collections of information pursuant to these rules, the Commission would not have the information necessary to determine whether it can authorize MSS operators to operate ATC systems, including low-power ATC. This would result in potential financial losses to these entities and prevent them from maximizing the value of their assigned spectrum. The Commission would also not have the necessary information with which to determine whether it can grant equipment manufacturers the ability to manufacture equipment that will operate with the low-power broadband network. Additionally, American consumers could be adversely impacted by the unavailability of additional telecommunications services.
7. The collection of information will not be conducted in any manner known to be inconsistent with the guidelines stipulated in 5 C.F.R. 1320.
8. On February 27, 2017, the Commission published a 60-day notice in the Federal Register (82 FR 11914) to solicit comments from the public. To date, no comments have been received from the public.
9. The Commission will not provide any payment or gift to respondents for fulfilling their

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information collection requirements.

10. The Commission does not provide assurances of confidentiality to entities submitting their filings and applications. However, entities may request confidential treatment of their applications and filings under 47 C.F.R. 0.459 of the Commission's rules. With regard to certifications filed pursuant to Part 2 of the Commission's rules, parties receive minimal exemption from the Freedom of Information Act (FOIA).

11. The collection does not ask questions of a sensitive nature.

12. See **Attachment A** for the number of respondents and responses, frequency of response, annual burden hours, and an explanation of how the burden was estimated.

13. The Commission estimates that the licensees will also receive assistance for consulting services of engineering firms and law firms for their ATC license applications and equipment certification filings with the Commission.

We have to use \$250/hour for engineers until the figure is changed Commission-wide.

It is estimated that law firms are paid at approximately \$300 per hour and engineering companies are paid at approximately \$250 per hour to file the information with the Commission. The estimated hours for the consulting services of engineering firms and law firms are as follows:

Cost of Outside Legal and Engineering Assistance

Outside Engineering & Legal Assistance	Rate Per Hour	Hours Per Response	Responses	Total
Outside Engineering Assistance	\$250	7	126	\$220,500
Outside Legal Assistance	\$300	7	126	\$264,600
Totals:				\$485,100

Cost of Application Fees

Type Of Application	Cost Per Application	ATC Licensees	
Blanket Authorizations	\$10,620	4	\$42,480
Equipment Certifications	\$690	4	\$2,760

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Totals:			\$45,240

Total Costs

	Total Costs
Outside Legal and Engineering Assistance	\$485,100
Application Fees	\$45,240
Totals:	\$530,340

14. The total annualized costs to the Federal government for the review of the information collection requirements is \$144,264.96. The breakdown of costs is as follows:

Staff	Hourly Rate	Number of Staff	Burden Hours	Number of Submissions Reviewed	Total Cost
GS-15/Step 5 Electronics Engineer	\$71.56	2	4 Hours Per Submission	126	\$72,132.48
GS-15/Step 5 Attorney Advisor	\$71.56	2	4 Hours Per Submission	126	\$72,132.48
Totals:					\$144,264.96

15. With this submission to OMB, there are program changes/decreases of 15 to the number of respondents, of 15 to the annual number of responses, of 165 hours to the annual burden hours and \$79,230 to the annual cost burden. These program changes are due to the modification of the information collection requirements contained in document FCC 16-181. This includes a removal a portion of the information collection as applied to low-power ATC in the 2483.5-2495 MHz band, the addition of a new certification for low-power ATC, and a modification of the technical requirements which must be met by low-power ATC equipment.

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The reduction in the annual burden also reflects the elimination of the elements of this information collection related to the provision of ATC in by the 2 GHz MSS. *See* 78 FR 48621-22. We note that the reduction related to the 2 GHz MSS was inadvertently omitted in the October 2015 supporting statement.

16. The results of this collection of information will not be published for statistical use.

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

18. There are no exceptions to the certification statement.

Part B. Collections of Information Employing Statistical Methods.

Not applicable. This information collection does not employ statistical methods.

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Attachment A – Response to Item # 12

Please see the chart below for the number of responses, frequency of response, time per response, total annual burden hours, and explanation of burden estimate for the respondents to this information collection. All information collection requirements fall under 47 CFR 25.149 of the Commission’s rules unless noted otherwise.

Explanation of Burden Estimate (47 CFR 25.149)	Number of Respondents	Frequency of Response/ Number of Responses	Time Per Response	Total Annual Burden Hours
MSS operator that is granted ATC authority must notify the Commission within 30 days once it begins providing ATC service by filing a letter in the appropriate MSS license docket that certifies that the ATC operation is consistent with its ATC license authority.	2 Big LEO licensees + 2 L-Band MSS licensees = 4 TOTAL	1 Response/ Respondent for a Total of 4 Responses (One-time filing)	1 hour/ response	4 hours
Letter notifying the Commission of the initiation of MSS system satellite construction and the MSS operator’s intent to construct and test ATC facilities. The letter shall specify the frequencies on which the MSS licensee proposes to engage in pre-operational testing etc.	2 Big LEO licensees + 2 L-Band MSS licensees = 4 TOTAL	1 Response/ Respondent for a Total of 4 Responses (One-time filing)	1 hour/ response	4 hours

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Explanation of Burden Estimate	Number of Respondents	Frequency of Response/ Number of Responses	Time Per Response	Total Annual Burden Hours
To ensure that MSS-ATC licensees have the capability to continue MSS operations under technical difficulties, they are required to maintain a spare satellite as a replacement if an operational satellite is destroyed or becomes defective. This requirement must be met as a condition of authorizing ATC.	1 Big LEO licensees + 2 L-Band MSS licensees = 3 TOTAL	1 Response/ Respondent for a Total of 3 Responses (One-time filing)	2 hours/ response	6 hours
Applicants must demonstrate that they use a dual-mode handset to provide the proposed ATC service (OPTIONAL: Applicants may provide other technical, economic or other substantive showing IN LIEU of the dual mode handset showing; NOT COUNTED)	1 Big LEO licensees + 2 L-Band MSS licensees = 3 TOTAL	1 Response/ Respondent for a Total of 3 Responses (One-time filing)	0.5 hours/ response	1.5 hours
Licensees must certify compliance with technical rules to protect adjacent channel systems & frequency allocations	2 Big LEO licensees + 2 L-Band MSS licensees = 4 TOTAL	1 Response/ Respondent for a Total of 4 Responses (One-time filing)	1 hour/ response	4 hours

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Explanation of Burden Estimate	Number of Respondents	Frequency of Response/Number of Responses	Time Per Response	Total Annual Burden Hours
Licenses must certify compliance with Section 25.253(c)(2) that limits EIRP of ATC base stations	2 L-band MSS licensees	1 Response/ Respondent for a Total of 2 Responses (One-time filing)	1 hour/ response	2 hours
Certify compliance with ATC base station emissions near harbors and waterways in compliance with Sec. 25.253(c)(5)	2 L-Band MSS licensee	1 Response/ Respondent for a Total of 2 Responses (One-time filing)	1 hour/ response	2 hours
Recordkeeping requirement - L-Band licensee must maintain a record of total number of base stations throughout U.S. operating on any given 200 kHz of spectrum	2 L-Band Licensees	1 Response/ Respondent for a Total of 2 Responses (Annual response)	5 hours/ response	10 hours
L-band ATC operators must report to the Commission annually on the peak traffic on the ATC system and to limit the peak traffic to no more than 90,000 ATC MTs.	2 L-Band Licensees	1 Response/ Respondent for a Total of 2 Responses (Annual response)	1 hour/ response	2 hours
Big LEO applicants must demonstrate that base stations are tunable across the entire 2483.5 - 2500 MHz MSS allocation in compliance with Sec. 25.254(a)(4)	1 Big LEO licensee	1 Response/ Respondent for a Total of 1 Response (One-time filing)	3 hours/ response	3 hours

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Explanation of Burden Estimate	Number of Respondents	Frequency of Response/ Number of Responses	Time Per Response	Total Annual Burden Hours
Licenses seeking to operate a terrestrial low-power system in the 2483.5-2495 MHz band must demonstrate compliance with Sec. 25.149(c)(4)	1 Big LEO licensee	1 Response/ Respondent for a Total of 1 Response (One-time filing)	3 hours/ response	3 hours
All MSS licensees must apply to modify their licenses using FCC Form 312 in order to request blanket authority to construct and operate ATC base stations. Applicants must provide the following information and certifications: (1) terrestrial facilities will comply with technical restrictions; (2) terrestrial facilities will comply with rules on environmental impact; (3) terrestrial facilities will comply with Part 17 on antenna structure clearance with FAA; and (4) terrestrial facilities will operate consistent with international agreements	2 Big LEO licensees + 2 L-Band MSS licensees = 4 TOTAL	1 Response/ Respondent for a Total of 4 Responses (One-time filing)	26 hours/ response	104 hours
Licenses seeking to operate a terrestrial low-power system in the 2483.5-2495 MHz band must certify that they will utilize a Network Operating System to manage the network and resolve interference issues under Sec. 25.149(g)	1 Big LEO licensee	1 Response/ Respondent for a Total of 1 Response (One-time filing)	0.5 hours/ response	0.5 hours

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Explanation of Burden Estimate	Number of Respondents	Frequency of Response/ Number of Responses	Time Per Response	Total Annual Burden Hours
Filing of separate application for any ATC base station requiring prior FAA notification or Environmental Assessment	4 applicants estimated	1 Response/ Respondent for a Total of 4 Responses (One-time filing)	1 hour/ response	4 hours
MSS operators that will operate ATC networks must obtain equipment certification pursuant to Part 2, Subpart J of the Commission's rules for all end user equipment (in addition to blanket authorization); Note: Section 25.115(d) revised for clarification	2 Big LEO licensees + 2 L-Band MSS licensees = 4 TOTAL	1 Response/ Respondent for a Total of 4 Responses (One-time filing)	50 hours/ response	200 hours
85 interference analyses conducted between MSS licensees and 85 fixed stations	85 Fixed Stations	1 Response/ Respondent for a Total of 85 Responses (Third-party disclosures)	2 hours/ response	170 hours
TOTALS:	126 Respondents	126 Responses	0.50 - 50 Hours	520 Annual Burden Hours