

## **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):**

The Commission is submitting this revision to this information collection which results from the rule provisions adopted in the FCC 17-29. On March 23, 2017, the Commission adopted the Report and Order, *Channel Sharing by Full Power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context*, GN Docket No. 12-268, MB Docket No. 03-185, MB Docket No. 15-137, FCC 17-29 (“*Report and Order*”). This document approved channel sharing outside of the incentive auction context between full power, Class A, Low Power Television (LPTV) and TV translator stations.

Although there are no changes to the FCC Form 2100, Schedule D itself, there are changes to the substance, burden hours, and costs as described herein.

**47 C.F.R. section 74.799 (previously 74.800)** permits LPTV and TV translator stations to seek approval to share a single television channel with other LPTV and TV translator stations and with full power and Class A stations. Stations interested in terminating operations and sharing another station’s channel must submit FCC Form 2100 Schedule D in order to complete the licensing of their channel sharing arrangement.

### **History:**

On December 17, 2015, the Commission adopted the Third Report and Order and Fourth 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 Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations,” MB Docket No. 03-185, 30 FCC Rcd 14927 (2015). This document approved channel sharing between LPTV and TV translator stations.

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

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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 (82 FR 17828) in the *Federal Register* on April 13, 2017, 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: 570 Licensees/Permittees**

**Total Number of Annual Responses: 570 FCC Form 2100, Schedule D Applications**

**Total Annual Burden Hours: 570 applications x 1.5 hours = 855 hours**

**Annual "In-house Cost":**

285 FCC Form 2100, Schedule D applications x 1.5 hrs x \$48.08/hr = \$20,554.20  
285 FCC Form 2100, Schedule D applications x 1.5 hrs x \$31.61/hr = \$13,513.28  
**TOTAL ANNUAL "IN-HOUSE COST" = \$34,067.48**

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. 570 FCC Form 2100, Schedule D applications x \$120/application = \$68,400
- (c) Total annualized cost requested: **\$68,400**

14. Cost to the Federal Government: The Commission will use staff at the GS-13, Step 5 (\$51.48/hr.) and GS-7, Step 5 (\$24.41/hr.) to process the FCC Form 2100, Schedule D applications.

2 hours x \$51.48 x 570 applications = \$58,687.20  
1 hour x \$24.41 x 570 applications = \$13,913.70  
\$72,600.90

**Total Cost to the Federal Government: \$72,600.90**

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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 17-29: 20 to the number of respondents, 20 to the annual number of responses, 30 to the annual burden hours and \$2,400 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.