



Federal Communications Commission  
Washington, D.C. 20554

September 21, 2017

Mr. Alex Hunt  
Chief, Information Policy Branch  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Hunt:

The Federal Communications Commission (Commission) requests OMB approval under the “emergency processing” provision of the Paperwork Reduction Act (PRA) of 1995 (5 C.F.R. § 1320.13) for a new information collection.

The purpose of requiring this collection is to comply with Middle Class Tax Relief and Job Creation Act of 2012. The Middle Class Tax Relief and Job Creation Act of 2012 provides that “the Governor shall choose whether to participate in the deployment of the nationwide, interoperable broadband network as proposed by [FirstNet,] or conduct its own deployment of a radio access network in such State.” If a Governor chooses not to participate in the NPSBN, Section 6302(e)(3)(A) of the Act requires the Governor to “notify [FirstNet], the NTIA, and the Commission of such decision.” The Act also states that an opt-out state “shall submit” to the Commission an “alternative plan” for “the construction, maintenance, operation, and improvements” of the RAN within the state. Section 3(C)(ii) of the Act mandates that “upon submission of this plan, the Commission shall approve or disapprove of the plan.”

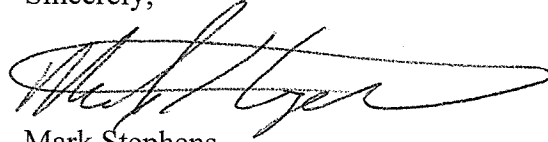
On June 22, 2017, the Federal Communications Commission (Commission) adopted a Report and Order in this docket establishing Commission procedures for administering the state opt-out process as provided under the Public Safety Spectrum Act. Under Section 6302(e)(2) of the Act, a Governor has 90 days from the receipt of notice of the final state plan by FirstNet under Section 6302(e)(1) to “choose” whether to participate in the NPSBN or elect for the state to conduct its own RAN deployment. The Governor must submit that decision to the Commission, which is a new information collection.

We note that this collection is currently in the 60-day public comment period, which will end October 2, 2017. However, we anticipate FirstNet will issue the final state plans within the next two weeks, and Governors can make their decisions anytime thereafter. We therefore respectfully request OMB approval by October 3, 2017 in order to allow for the full 60-days of public comment as well as to allow the Commission to meet our obligations under the Act.

Because of these circumstances, the Commission requests emergency processing and approval. The Commission will conduct all necessary regular submission requirements under the PRA after approval of this emergency request.

The Commission's staff will provide any additional information needed to assist in OMB's review of their emergency request. If you have any questions concerning this request, please contact Nicole, Ongele at (202) 418-2991 or by email at [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Stephens', written over a horizontal line.

Mark Stephens  
Managing Director