

SUPPORTING STATEMENT

A. Justification:

1. On December 15, 2016, the Federal Communications Commission (Commission) adopted *Transition from TTY to Real-Time Text Technology; Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support for TTY Technology*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 13568 (2016), published at 82 FR 7699, January 23, 2017 (*RTT Order*). The purpose of this Paperwork Reduction Act (PRA) submission is to obtain approval for this new information collection.

History:

Since the 1970s, text telephone (TTY) technology has provided the only means for people with disabilities to send and receive text communications over the public switched telephone network (PSTN). Changes to communications networks, particularly ongoing technology transitions from circuit switched to IP-based networks and from copper to wireless and fiber infrastructure, have affected the quality and utility of TTY technology, prompting discussions on transitioning to an alternative advanced communications technology for text communications.

On December 15, 2016, the Commission adopted the *RTT Order* to facilitate an effective and seamless transition from TTY technology to real-time text (RTT) over wireless IP-based networks and services. Specifically, the Commission amended its rules governing the obligations of wireless providers and manufacturers to support TTY technology to permit such providers and manufacturers to provide support for RTT over wireless IP-based networks in lieu of continuing to support TTY technology. Among the measures adopted were information collection requirements with respect to:

- (1) *Outreach guidelines*. Each wireless provider and manufacturer that voluntarily transitions from TTY technology to RTT over wireless IP-based networks and services is encouraged to develop consumer and education efforts.
- (2) *Notice conditions*. Each wireless provider that requests and receives a waiver of the requirement to support TTY technology must comply with the notice conditions adopted in the Bureau's waiver orders.¹
- (3) *Six-month reports*. Once every six months, each wireless provider that requests and receives a waiver of the requirement to support TTY technology must file a report with the Commission and inform its customers regarding its progress toward and the status of the availability of new IP-based accessibility solutions, as required by the Bureau's waiver orders.²

FINAL INFORMATION COLLECTION REQUIREMENTS

- (1) **RTT outreach guidelines**. Each wireless provider and manufacturer that voluntarily transitions from TTY technology to RTT over wireless IP-based networks and services is encouraged to develop consumer and education efforts that include (1) the development and dissemination of

¹ See e.g., *Petition for Waiver of Rules Requiring Support of TTY Technology*, Order, 30 FCC Rcd 10855 (CGB, PSHSB, WTB, WCB 2015) (*AT&T Waiver Order*) (granting waiver to AT&T); *Petition for Waiver of Rules Requiring Support of TTY Technology*, Order, 30 FCC Rcd 12755 (CGB, PSHSB, WTB, WCB 2015) (*Verizon Waiver Order*) (granting waiver to Verizon); *Petition for Waiver of Rules Requiring Support of TTY Technology*, 30 FCC Rcd 14404 (CGB PSHSB WTB WCB 2015) (granting waiver to Cellular South, Inc.), *modified*, Letter Order, 31 FCC Rcd 201 (CGB PSHSB WTB WCB 2016) (collectively *Cellular South Waiver Order*); *Petition for Waiver of Rules Requiring Support of TTY Technology*, Order, 31 FCC Rcd 3778 (CGB PSHSB WTB WCB 2016) (*CCA Waiver Order*) (granting waiver to the Competitive Carriers Association).

² See e.g., *AT&T Waiver Order*; *Verizon Waiver Order*; *Cellular South Waiver Order*; *CCA Waiver Order*.

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

educational materials that contain information pertinent to the nature, purpose, and timelines of the RTT transition; (2) Internet postings, in an accessible format, of information about the TTY to RTT transition on the websites of covered entities; (3) the creation of a telephone hotline and an online interactive and accessible service that can answer consumer questions about RTT; and (4) appropriate training of staff to effectively respond to consumer questions. All consumer outreach and education should be provided in accessible formats including, but not limited to, large print, Braille, videos in American Sign Language that are captioned and video described, e-mails to consumers who have opted to receive notices in this manner, and printed materials. Service providers and manufacturers are also encouraged to coordinate with consumer, public safety, and industry stakeholders to develop and distribute education and outreach materials.

- (2) TTY waiver notice conditions. Each wireless provider that requested or will request and receives a waiver of the requirement to support TTY technology over wireless IP-based networks and services must apprise their customers, through effective and accessible channels of communication, that until TTY is sunset, (1) TTY technology will not be supported for calls to 911 services over IP-based wireless services, and (2) there are alternative PSTN-based and IP-based accessibility solutions for people with communication disabilities to reach 911 services. These notices must be developed in coordination with public safety answering points (PSAPs) and national consumer organizations and include a listing of text-based alternatives to 911, including, but not limited to, TTY capability over the PSTN, various forms of PSTN-based and IP-based TRS, and text-to-911 (where available).
- (3) Six-month reports. Once every six months, each wireless provider that requests and receives a waiver of the requirement to support TTY technology must file a report with the Commission and inform its customers regarding its progress toward and the status of the availability of new IP-based accessibility solutions. Such reports must include (1) information on the interoperability of the provider's selected accessibility solution with the technologies deployed or to be deployed by other carriers and service providers, (2) the backward compatibility of such solution with TTYs, (3) a showing of the provider's efforts to ensure delivery of 911 calls to the appropriate PSAP, (4) a description of any obstacles incurred towards achieving interoperability and steps taken to overcome such obstacles, and (5) an estimated timetable for the deployment of accessibility solutions.

This information collection does not affect individuals or households; therefore, the Privacy Act is not impacted.

The statutory authority can be found at sections 4(i), 225, 255, 301, 303(r), 316, 403, 715, and 716 of the Communications Act of 1934, as amended, and section 106 of the Twenty-First Century Communications and Video Accessibility Act of 2010, 47 U.S.C. §§ 154(i), 225, 255, 301, 303(r), 316, 403, 615c, 616, 617; Pub L. No. 111-260, § 106, 124 Stat. 2751, 2763 (2010).

2. The *RTT Order* adopts reporting and recordkeeping requirements for potential IP-based wireless service providers and manufacturers seeking to offer support for RTT in lieu of continuing to support TTY.
 - (1) IP-based wireless service providers and manufacturers that voluntarily transition from TTY technology to RTT over wireless IP-based networks and services are encouraged to develop and deploy consumer and education efforts. The information will be made available to consumers to inform such consumers of alternative accessible technology available to replace TTY technology that may no longer be available to the consumers through their provider or on their device.

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

- (2) IP-based wireless service providers that have received or do receive a waiver of the requirement to support TTY technology over wireless IP-based networks and services must apprise their customers that TTY technology will not be supported for calls to 911 over IP-based wireless services and of the availability of alternative PSTN-based and IP-based accessibility solutions to reach 911 services. The notices will inform consumers on the loss of the use of TTY for completing 911 calls over the provider's network and alert them to alternative services for which TTY may be used.
- (3) IP-based wireless service providers that have received or do receive a waiver of the requirement to support TTY technology over wireless IP-based networks and services must every six months file a report with the Commission that they make available to their customers. The report will state the provider's progress toward and the status of the availability of new IP-based accessibility solutions. The information will inform consumers of the progress towards the availability of alternative accessible means to replace TTY, and the Commission will be able to evaluate the reports to determine if any changes to the waivers are warranted or of any progress impediments that the Commission may be in a position to resolve.
3. The Commission encourages IP-based wireless service providers and manufacturers to use information technology to whatever extent possible to reduce the burden of the information collections adopted in the *RTT Order*. The consumer notices and education and outreach materials may be made available through multiple accessible media, including electronic means, such as email. The Commission anticipates that IP-based wireless services providers that have previously submitted six-month reports to the Commission electronically will continue to submit such reports electronically, and that any new waiver recipients will use the Commission's electronic submission process.
4. The information collected as a result of the *RTT Order* will not be duplicative. There is no similar data available as there are no comparable requirements regarding the provision of support for RTT and the discontinuance of TTY over IP-based wireless networks.
5. The Commission took multiple actions to minimize the burden on small businesses, organizations, and other small entities in the *RTT Order*. The Commission gave all IP-based wireless service providers and manufacturers the option to support RTT in lieu of continuing to support TTY, thereby giving the provider the choice to comply with the information collection requirements. In addition, the Commission established outreach and education guidelines to encourage, rather than require implementation efforts to notify consumers about the transition from TTY technology to RTT, which allows small entities to determine the extent of their resource allocation for consumer education and outreach. Further, the notification and six-month report requirements are only applicable to entities that have sought or will seek a waiver of the obligation to support TTY over IP-based wireless networks. Providers that previously received a waiver are already complying with such requirements. The Commission also allows telecommunications trade associations to file the six-month reports on behalf of their members.
6. The education and outreach guidelines are meant to encourage IP-based wireless service providers and manufacturers to inform consumers of the availability of RTT as an accessible communication tool and the unavailability of TTY technology over IP-based wireless networks. There is no specific frequency with which the information, must be provided, but failure on the part of the service providers and manufacturers to provide such outreach and education could hinder the adoption and use of RTT by consumers and necessitate that the Commission retain TTY support obligations.

Requiring waiver recipients to notify consumers of the unavailability of TTY technology for 911 calls and of the availability of alternative services through which consumers may reach 911 via TTY technology ensures that such consumers will be informed of changes they may need to make to ensure a means of accessing 911 until RTT is fully deployed.

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

Requiring waiver recipients to file six-month reports helps inform the Commission of the availability of alternative accessible communications technology and that providers are meeting their waiver requirements in a timely fashion. Without such reports, the Commission's ability to ensure that waiver recipient are complying with the waiver requirements would be hampered.

7. The information collection is not conducted in any manner that is inconsistent with the guidelines in 5 CFR § 1320.5(d)(2).
8. The Commission published a 60-day notice in the *Federal Register* pursuant to 5 CFR 1320.8(d). See 82 FR 36765, August 7, 2017, seeking comments from the public on the information collection requirements contained in this supporting statement. No comments were received following publication of this notice.
9. No payment or gift will be given to respondents.
10. There is no need for confidentiality with this collection of information.
11. This information collection does not address any private matters of a sensitive nature.
12. The following represents estimates of the hour burden and in-house costs for the collection of information requirements adopted in the *RTT Order*. The Commission estimates that there are approximately 967 wireless service providers.

(1) Consumer education and outreach.

Each wireless provider and manufacturer that voluntarily transitions from TTY technology to RTT over wireless IP-based networks and services is encouraged to undertake consumer outreach and education efforts. The Commission believes that any voluntary consumer outreach and education efforts undertaken will be performed by wireless service providers offering RTT services. The Commission does not anticipate that manufacturers will engage in specific consumer education and outreach focused on RTT.

- (a) The Commission estimates that each respondent that undertakes the development and dissemination of educational materials that contain information pertinent to the nature, purpose, and timelines of the RTT transition will require approximately 40 hours annually.

Annual Number of Respondents: 967 wireless services providers

Annual Number of Responses: 967 (1 educational materials work product x 967 respondents)

Annual Burden Hours: 38,680 (40 hours/response x 967 responses)

The Commission assumes that respondents will use "in-house" personnel whose pay is comparable to senior level federal employees (GS-14/5) to develop and disseminate education materials.

The Commission estimates respondents' cost to be about \$60.83 per hour to develop and disseminate educational materials.

Annual In-House Cost: \$2,352,904.40

38,680 hours x \$60.83/hour = \$2,352,904.40

- (b) The Commission estimates that each respondent will require approximately 10 hours annually to create Internet postings, in an accessible format, of information about the TTY to RTT transition on the websites of covered entities.

Annual Number of Respondents: 967 wireless services providers

Annual Number of Responses: 967 (1 internet postings product x 967 respondents)

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

Annual Burden Hours: 9,670 (10 hours/response x 967 responses)

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-14/5) to create Internet postings, in an accessible format, of information about the TTY to RTT transition.

The Commission estimates respondents’ cost to be about \$60.83 per hour to create the Internet postings.

Annual In-House Cost: \$588,226.10

9,670 hours x \$60.83/hour = \$588,226.10

- (c) The Commission estimates that the creation of a telephone hotline and online interactive and accessible service that can answer consumer questions about RTT will require approximately 16 hours. The creation of the telephone hotline and online interactive and accessible service will be a one-time requirement with ongoing updates that will require 4 hours annually.

Annual Number of Respondents: 967 wireless services providers

Annual Number of Responses: 967 (1 telephone hotline and online interactive and accessible service work product x 967 respondents)

Annual Average: (967 responses + 967 responses + 967 responses = 2,901 responses) divided by 3 = 967 responses

Average Annual Burden Hours: 9,280

Year 1: 16 hours x 967 responses = 15,472 hours

Each year after the first year, 20 percent of respondents, or 193 respondents (193 responses) will create a telephone hotline and online interactive and accessible service, and 80 percent of respondents, or 774 respondents (774 responses) will update only.

Year 2: (16 hours x 193 responses = 3,088 hours) + (4 hours x 774 responses = 3,096 hours) = 6,184 hours annually

Year 3: (16 hours x 193 responses = 3,088 hours) + (4 hours x 774 responses = 3,096 hours) = 6,184 hours annually

Annual Average: (15,472 hours + 6,184 hours + 6,184 hours = 27,840 hours) divided by 3 = 9,280 hours

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-14/5) to create a telephone hotline and online interactive and accessible service.

The Commission estimates respondents’ cost to be about \$60.83 per hour to create a telephone hotline and online interactive and accessible service.

Average Annual In-House Cost: \$564,502.40

Year 1: 15,472 hours x \$60.83/hour = \$941,161.76

Year 2: 6,184 hours x \$60.83/hour = \$376,172.72

Year 3: 6,184 hours x \$60.83/hour = \$376,172.72

Annual Average: (\$941,161.76 + \$376,172.72 + \$376,172.72) divided by 3 = \$564,502.40

- (d) The Commission estimates 967 wireless services providers will conduct the appropriate initial training of staff to respond to consumer questions effectively, which will require

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

approximately 24 hours, one-time, all during the first year. The Commission believes that the additional RTT training will not appreciably increase the amount of time staff spends in trainings and that RTT related training material will be incorporated into ongoing training programs for customer service representatives and managers.

Annualized Number of Respondents: 322 wireless services providers (967 divided by 3 years = 322.33) (322 rounded annualized)

Annualized Number of Responses: 322 rounded (staff training x 967 respondents divided by 3 years = 322.33)

Annualized Burden Hours: 7,736 (967 responses x 24 hours/response/divided by 3 years)

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-14/5) to train staff.

The Commission estimates respondents’ cost to be about \$60.83 per hour to train staff.

Annualized In-House Cost: 470,580.88 (23,208 hours x \$60.83/hour /divided by 3 years)

(2) Notifications.

- (a) The Commission estimates that each respondent will require approximately 2 hours annually to develop notifications in coordination with PSAPs and national consumer organizations. These notifications will include a listing of text-based alternatives to 911, including, but not limited to, TTY capability over the PSTN, various forms of PSTN-based and IP-based TRS, and text-to-911 (where available).

Annual Number of Respondents: 967 wireless services providers

Annual Number of Responses: 967 (1 notification product/respondent x 967 respondents)

Annual Burden Hours: 1,934 (2 hours/response x 967 responses)

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-14/5) to coordinate with PSAPs and national consumer organizations and develop the notifications.

The Commission estimates respondents’ cost to be about \$60.83 per hour to create notifications.

Annual In-House Cost: 1,934 hours x \$60.83/hour = \$117,645.22

- (b) The Commission estimates that each respondent will require approximately 60 hours annually, to establish procedures and notify each customer through their preferred effective and accessible channel of communication that (1) until TTY is sunset, TTY technology will not be supported for calls to 911 services over IP-based wireless services, and (2) there are alternative PSTN-based and IP-based accessibility solutions for people with communication disabilities to reach 911 services.

Annual Number of Respondents: 967 wireless services providers

Annual Number of Responses: 967 (1 response/respondent)

Annual Burden Hours: 58,020 (60 hours/response x 967 responses)

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to federal employees (GS-5/5) to send the notifications.

The Commission estimates respondents’ cost to be about \$19.70 per hour to provide the notifications.

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

Annual In-House Cost: 58,020 hours x \$19.70 per hour = **\$1,142,994**

(3) Six-month reports.

- (a) The Commission estimates that each respondent will require approximately 10 hours to prepare the necessary materials and submit to the Commission every 6 months a report regarding the respondent's progress toward and the status of the availability of new IP-based accessibility solutions. These reports will include information on the interoperability of the provider's selected accessibility solution with the technologies deployed or to be deployed by other carriers and service providers, as well as the backward compatibility of such solution with TTYs, a showing of the provider's efforts to ensure delivery of 911 calls to the appropriate PSAP, a description of any obstacles incurred towards achieving interoperability and steps taken to overcome such obstacles, and an estimated timetable for the deployment of accessibility solutions. Because the Commission permits each industry trade organization to file one six-month report on behalf of its members

Annual Number of Respondents: 100 wireless services providers

Annual Number of Responses: 200 (2 responses/respondent/year x 100 respondents)

Annual Burden Hours: 2,000 (10 hours per response x 200 responses)

The Commission assumes that respondents will use "in-house" personnel whose pay is comparable to senior level federal employees (GS-14/5) to prepare and submit the reports.

The Commission estimates respondents' cost to be about \$60.83 per hour to report.

Annual In-House Cost: 2,000 hours x \$60.83 per hour = **\$121,660**

- (b) The Commission estimates that each respondent will require approximately 0.2 hour (12 minutes) to make the six-month report available to consumers by uploading the report to the respondent's website.

Annual Number of Respondents: 100 wireless services providers

Annual Number of Responses: 200 (2 responses/respondent per year x 100 respondents)

Annual Burden Hours: 40 (0.2 hours/response x 200 responses)

The Commission assumes that respondents will use "in-house" personnel whose pay is comparable to federal employees (GS-5/5) to upload the reports.

The Commission estimates respondents' cost to be about \$19.70 per hour to upload the reports.

Annual In-House Cost: 40 hours x \$19.70/hour = **\$788.00**

FINAL INFORMATION COLLECTION REQUIREMENTS:

Total Number of Respondents: 967

Total Annual Number of Responses: 5,557

Total Annual Burden Hours: 127,360

Total Annual "In-House" Costs: \$5,359,301

INFORMATION COLLECTION REQUIREMENTS

Information Collection Requirements:	Number of Respondents	Number of Responses	Estimated Hourly Burden	Annual Burden Hours	Annual "In-House" Costs
(1) Consumer education and outreach					
(1)(a) development and dissemination of educational materials	967	967	40	38,680	\$2,352,904.40
(1)(b) creation of internet postings	Included under (1)(a)	967	10	9,670	\$588,226.10
(1)(c) creation of telephone hotline and online interactive and accessible service	Included under (1)(a)	967	4-16	9,280 (3-year average)	\$564,502.40 (3-year average)
(1)(d) training of staff	Included under (1)(a)	322	24	7,736	\$470,580.88
(2) Notifications					
(2)(a) develop notification in coordination with PSAPs and national consumer organizations	Included under (1)(a)	967	2	1,934	\$117,645.22
(2)(b) Provide notifications to customers	Included under (1)(a)	967	60	58,020	\$1,142,994
(3) Six-month reports					
(3)(a) Prepare and submit six	Included	200	10	2,000	\$121,660

Transition from TTY to Real-Time Text Technology, CG Docket No. 16-145; GN Docket No. 15-178

month report	under (1)(a)				
(3)(b) upload six-month report to website	Included under (1)(a)	200	0.2	40	\$788
TOTALS	967	5,557	0.2-60	127,360	\$5,359,301

13. The Commission believes that the respondents have sufficient “in house” staff and resources to address all the information collection requirements using their “in house” personnel rather than having to contract out this requirement. Thus:

(a) Total annualized capital/startup costs: \$0.00

(b) Total annualized costs (O&M): \$0.00

(c) Total annualized cost requested: \$0.00

14. The Commission will use professional staff at the GS-14, step 5 grade level (\$60.83) to process and review the six-month reports from waiver recipients. The Commission estimates the time to review the information will be approximately 0.5 hours per report.

200 reports x \$60.83/hour x 0.5 hours = \$6,083.00

Total Cost to the Federal Government: \$6,083.00

15. This is a new collection. The program changes/increases added to OMB’s inventory as a result of the information collection requirements contained in the *RTT Order*, FCC 16-169, are as follows: **967** respondents; **5,557** responses; **127,360** annual burden hours; and **\$0** annual costs.

16. The results of these information collections are not planned to be published.

17. The Commission is not seeking approval not to display the expiration date for OMB approval of this collection of information because the collection does not include a form number.

18. The Commission published a 60-day notice in the *Federal Register* pursuant to 5 CFR 1320.8(d) (*see* 82 FR 36765), August 7, 2017, seeking comments from the public on the information collection requirements contained in this supporting statement. In the notice, the Commission listed recordkeeping requirement as a requirement for this collection. The Commission has since determined that recordkeeping is not a requirement for this collection. There are no other exceptions to the Certification Statement.

B. Collection of Information Employing Statistical Methods:

The collection of information does not employ statistical methods.