

SUPPORTING STATEMENT

A. Justification

The Commission submits this revised information collection to the Office of Management and Budget (OMB) to modify and extend the information collection requirements under OMB Control Number 3060-0687 relating to the Commission's hearing aid compatibility (HAC) requirements. These requirements ensure that people with hearing loss (regardless of whether they use hearing aids or not) can effectively use wireline telephone handsets with the legacy telephone network and with advanced communications services (ACS), which include Voice over Internet Protocol (VoIP). The HAC requirements are structured for handsets to provide sufficient magnetic fields to be used by people with hearing aids and to provide volume control.

History:

Beginning in the 1980s, the Commission adopted a series of regulations to implement statutory directives requiring wireline telephone handsets in the United States (for use with the legacy telephone network) to be hearing aid compatible. Pursuant to the Telecommunications for the Disabled Act of 1982, the Commission adopted a limited set of HAC requirements, mandating that certain "essential" wireline telephones provide magnetic coupling.¹ In 1989, in response to directives in the Hearing Aid Compatibility Act of 1988,² the Commission adopted a broader rule requiring virtually all wireline telephones and eventually all cordless phones manufactured or imported for use in the United States to provide inductive coupling with hearing aids.³

In 1996, in response to a consensus by consumer, industry, and government stakeholders that grew out of a Commission-led negotiated rulemaking, the Commission added a requirement to the HAC rules to require wireline telephones to meet specified "acoustic coupling" standards for volume con-

¹ Telecommunications for the Disabled Act of 1982, Pub. L. No. 97-410, 96 Stat. 2043 (1982 TDA Act) (codified as amended at 47 U.S.C. § 610); *Access to Telecommunications Equipment by the Hearing Impaired and Other Disabled Persons*, Report and Order, 55 R.R.2d 531 (1983), 49 Fed. Reg. 1352-01 (Jan. 11, 1984).

² Hearing Aid Compatibility Act of 1988, Pub. L. No. 100-394, 102 Stat. 976 (1988 HAC Act) (codified as amended at 47 U.S.C. § 610).

³ *Access to Telecommunications Equipment and Services by the Hearing Impaired and Other Disabled Persons*, First Report and Order, 4 FCC Rcd 4596, 4596, para. 1 (1989).

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trol.⁴ With acoustic coupling, a hearing aid user simply holds a telephone up to the ear, and the sound from the telephone receiver is picked up and processed in the same manner as other sounds are received.⁵ These rules enable hearing aid users and others with hearing loss to increase the sound level on their devices to address their unique needs.

In 2010, the Twenty-First Century Communications and Video Accessibility Act (CVAA) amended section 710(b) of the Communications Act of 1934 (the Act) to apply the HAC requirements to certain customer premises equipment (CPE)⁶ used with ACS (ACS telephonic CPE), including VoIP telephones.⁷ In accordance with this provision, in October 2017, the Commission released document FCC 17-135 which amended the HAC rules to cover the wireline handsets used with ACS, including VoIP handsets, to the extent that such devices are designed to be held to the ear and provide two-way voice communication via a built-in speaker.⁸

Part 68 of the Commission's rules, 47 CFR Part 68, contains the regulations governing HAC requirements for wireline handsets, regardless of whether the handsets are connected to the legacy telephone network or to ACS. These regulations include the following information collection requirements.

(a) Labeling and Notices for Wireline Handsets Used with the Legacy Telephone Network

Part 68 contains the following information collection requirements which are necessary to inform consumers who purchase or use wireline telephone equipment how to determine whether the telephone is hearing aid compatible.

⁴ 47 CFR § 68.317(a), (c) (incorporating ANSI/EIA-470-A-1987 (Telephone Instruments with Loop Signaling) as the standard for analog telephones, and ANSI/EIA/TIA-579-1991 (Acoustic-To-Digital and Digital-To-Acoustic Transmission Requirements for ISDN Terminals) as the standard for digital telephones); *Access to Telecommunications Equipment and Services by Persons with Disabilities*, Report and Order, 11 FCC Rcd 8249 (1996).

⁵ *Access to Telecommunications Equipment and Services by Persons with Disabilities; Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets; Comment Sought on 2010 Review of Hearing Aid Compatibility Regulations*, Notice of Proposed Rulemaking, 30 FCC Rcd 12219, 12220 n.2 (2015), *Erratum*, 31 FCC Rcd 11735 (CGB 2016).

⁶ "Customer premises equipment" is defined in the Act as "equipment employed on the premises of a person (other than a carrier) to originate, route, or terminate telecommunications." 47 U.S.C. § 153(16).

⁷ Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-260, sec. 102, § 710(b), 124 Stat. 2751, 2753 (CVAA) (codified at 47 U.S.C. § 610(b)), *amended by* Pub. L. No. 111-265, 124 Stat. 2795 (technical corrections to the CVAA).

⁸ *Access to Telecommunications Equipment and Services by Persons with Disabilities; Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets; Comment Sought on 2010 Review of Hearing Aid Compatibility Regulations*, Report and Order and Order on Reconsideration, 32 FCC Rcd. 9063 (2017) (FCC 17-135).

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- 47 CFR § 68.300(b) – Equipment Labeling Requirements:

Pursuant to section 68.300(b), all registered telephones manufactured in the United States or imported for use in the United States that are hearing aid compatible must have the letters “HAC” permanently affixed. This provision applies to all telephones manufactured or imported as of April 1, 1997 for use in the United States, but excludes telephones used with public mobile services or private radio services, and secure telephones.

- 47 CFR § 68.224 – Notice of Non-Hearing Aid Compatibility:
 - Section 68.224(a) requires that a notice be contained in a conspicuous location on the surface of the packaging of a non-hearing aid compatible telephone that the telephone is not hearing aid compatible, or if offered for sale without a surrounding package, the telephone be affixed with a written statement that the telephone is not hearing aid compatible.
 - Section 68.224(b) requires that the telephone equipment be accompanied by instructions in accordance with 47 CFR § 68.218(b)(2).

(b) Labeling and Notices for ACS Telephonic CPE

For wireline ACS telephonic CPE, new section 68.502(a) contains information collection requirements similar to the HAC label and notice requirements discussed above for wireline telephones used with the legacy telephone network. In particular:

- Section 68.502(a)(1) requires all ACS telephonic CPE manufactured in the United States (other than for export) or imported for use in the United States to have the letters “HAC” affixed thereto.
- Section 68.502(a)(2) requires that non-hearing aid compatible ACS telephonic CPE offered for sale to the public:
 - Contain in a conspicuous location on the surface of its packaging a statement that the ACS telephonic CPE is not hearing aid compatible, or if offered for sale without a surrounding package, it must be affixed with a written statement that the telephone is not hearing aid compatible; and
 - Be accompanied by instructions in accordance with 47 CFR § 68.218(b)(2).

(c) Certification Procedures and Supplier’s Declaration of Conformity for ACS Telephonic CPE

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For ACS telephonic CPE, new section 68.501(a) requires a responsible party⁹ to obtain certification of its equipment by using a third-party Telecommunications Certification Body (TCB)¹⁰ or a Supplier's Declaration of Conformity.¹¹

New section 68.501(b) applies the designation of TCB requirements in section 68.160 and the requirements for TCBs in section 68.162 to ACS telephonic CPE. Under these provisions, the responsible party must assemble and compile supporting technical documentation concerning the ACS telephonic CPE to give to the TCB.

New section 68.501(c) applies, by reference, the Supplier's Declaration of Conformity requirements of sections 68.320-68.350 (except section 68.324(f)) to ACS telephonic CPE. As a result, among other things, a responsible party using a Supplier's Declaration of Conformity for ACS telephonic CPE, would need to:

- Ensure that the Supplier's Declaration of Conformity contains the wording prescribed in section 68.324;
- Retain records of the Supplier's Declaration of Conformity, the testing facility, testing procedure, and test results for, in general, 10 years after the manufacture of the equipment is permanently discontinued; and
- Compile a description of the measurement facilities used for testing the equipment, and include in that description information required by the Administrative Council for Terminal Attachments (ACTA).¹²

The information collection requirements for sections 68.160 (designation of TCBs), 68.162 (requirements for TCBs), 68.324 (Supplier's Declaration of Conformity), 68.326 (retention of records), and 68.346 (drafting descriptions of testing facilities), as applied to wireline handsets used for the legacy telephone network, are addressed in OMB Control Number 3060-0056.

⁹ A responsible party is the party responsible for the compliance of ACS telephonic CPE with the hearing aid compatibility rules and with any applicable technical criteria published by the Administrative Council for Terminal Attachments (ACTA). For example, a responsible party could be a manufacturer of ACS telephonic CPE. See 47 CFR § 68.3.

¹⁰ Section 68.160 of the Commission's rules provides the requirements for the Commission to recognize a TCB to certify equipment.

¹¹ A Supplier's Declaration of Conformity is a procedure where a responsible party makes measurements or takes steps to ensure that CPE complies with technical standards, which results in a document by the same name. See 47 CFR § 68.320.

¹² ACTA is an organization, previously created pursuant to FCC regulations, whose key function is to maintain a database of telephone equipment.

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(d) ACTA Database for ACS Telephonic CPE

Pursuant to new section 68.504, information about ACS telephonic CPE must be contained in a database that is administered by ACTA. Section 68.504 applies the ACTA database provisions of sections 68.354, 68.610 and 68.612 to ACS telephonic CPE. As a result, among other things:

- ACS telephonic CPE must be labelled in a manner required by, and with identification information provided by, ACTA;
- ACTA must operate and maintain the database; and
- Responsible parties must submit information about their ACS telephonic CPE to be retained in the ACTA database.

The information collection requirements for section 68.354(b) (labeling of terminal equipment with ACTA-supplied information), 68.610 (operation and maintenance of a database by ACTA), and 68.612 (general labeling requirements for terminal equipment), as applied to wireline handsets used with the legacy telephone network, are addressed in OMB Control Number 3060-0056.

(e) Warranty, Instructions, and Revocation for ACS Telephonic CPE

New section 68.502(b)-(d) includes the following requirements.

- A responsible party must warrant that the ACS telephonic CPE complies with applicable rules and regulations and with the applicable technical criteria;
- For ACS telephonic CPE that is represented to be hearing aid compatible, the responsible party must give the user any instructions required by ACTA.
- For ACS telephonic CPE that is not hearing aid compatible, the responsible party must give the user a notice that the ACS telephonic CPE is not hearing aid compatible; and
- When approval of any ACS telephonic CPE is revoked, the responsible party must notify the purchaser and user of the equipment to discontinue its use.

The information collections for section 68.218, as applied to wireline handsets used with the legacy telephone network, are addressed in OMB Control Number 3060-0056.

(f) Designation of Agents for Service for ACS Telephonic CPE

New section 68.503 applies the procedures of sections 68.414-68.423 for filing complaints at the FCC to ACS telephonic CPE. Manufacturers of ACS telephonic CPE will need to designate an agent for service of process pursuant to section 68.418. The other information collection requirements associated with these complaint procedures are included in a non-substantive

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change to OMB Control Number 3060-0056, granted December 11, 2017.

This information collection does not impose burdens on individuals or households; thus, there are no impacts under the Privacy Act, because it does not require the collection of personal information from individuals.

The statutory authority for this information collection is found at section 710 of the Communications Act of 1934, as amended, 47 U.S.C. § 610.

2. The labeling and notice information collection requirements are useful primarily for consumers to determine whether the telephone equipment they are purchasing or using is hearing aid compatible. The CPE certification and Supplier's Declaration of Conformity procedures for ACS telephonic CPE, and the labelling and database information requirements pertaining to ACTA, ensure that ACS telephonic CPE comply with the corresponding technical standards for inductive coupling and volume control, thereby ensuring consumers that the telephone equipment they are purchasing or using meets industry standards for HAC.
3. The information required by the labeling and notice rules is to be provided on outside packaging or on the outside physical casing of equipment. Respondents may use any equipment or technique they choose in order to comply with these requirements. The information needed to obtain CPE certification or provide a Supplier's Declaration of Conformity, and the information given to ACTA may be provided using any equipment or technique of the respondents' and ACTA's choosing in order to comply with these requirements, which can include automated, electronic, mechanical, or other technological techniques, or other forms of information technology.
4. The Commission believes that these information collection requirements are not duplicated elsewhere.
5. The information collection requirements may affect manufacturers and importers, regardless of their size, because of the need to protect consumers purchasing telephone sets. Respondents may use any equipment or technique they choose in order to comply with these requirements, including equipment or techniques that minimize their burdens of compliance.
6. The Commission believes that if these information collection requirements were not in place, possible harm may come to persons with hearing disabilities who purchase telephones that they believe to be hearing aid compatible, but which are not. For instance, such individuals may not be able to locate a hearing aid compatible telephone in an emergency, without the information collections. These information collection requirements specifically implement the provisions of 47 U.S.C. § 610(d), which provides that the Commission "shall establish such requirements for the labeling of packaging materials for equipment as are needed to provide adequate information to consumers on the compatibility between telephones and hearing aids."
7. There are no special circumstances that make these information collection requirements incompatible or

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inconsistent with the guidelines of 5 CFR § 1320.5(d).

8. Pursuant to 5 CFR § 1320.8(d), the Commission placed a notice in the *Federal Register* on January 9, 2018 at 83 FR 1031, seeking comment from the public on the information collection requirements contained in this supporting statement. The Commission received no comments following publication of the notice.
9. The Commission does not anticipate providing any payment or gift to respondents.
10. The nature of the information to be collected under the rules is neither proprietary nor confidential, thus no assurances have been given to respondents to treat the information as such. The information to be collected is required public information, needed for public safety and consumers' product awareness.
11. There are no questions of a sensitive nature with respect to the information that the Commission is collecting.
12. The following represents the estimates of hour burdens for the collections of information:

A. *Labeling and Notices for Wireline Handsets Used with the Legacy Telephone Network*

- **47 CFR § 68.300(b) - Equipment Labeling Requirements:**

- (1) **RESPONDENTS:** The Commission believes that approximately 230 manufacturers and telephone importers (respondents) will include the letters "HAC" on telephone equipment.
- (2) **RESPONSES:** The Commission believes this process is primarily automated. The Commission assumes that respondents will use in-house personnel to ensure the label is designed correctly. The Commission estimates that there will be about 600 responses per year,¹³ approximately 2.6 responses per respondent annually.
- (3) **HOURS PER RESPONSE:** The Commission estimates that respondents will comply with the requirement "on occasion" and that this requires approximately 0.25 hours per response to complete this requirement.
- (4) **ANNUAL BURDEN HOURS:**

¹³ The 600 responses per year represents the number of new wireline handset models used with the legacy telephone network introduced each year that are required to have labels. Because the process of placing the label on each telephone handset is an automated part of the manufacturing process, the Commission no longer considers that process, and hence an estimate of the number of telephone handsets manufactured, when estimating the number of responses. Rather, the Commission considers the number of times that the labels need to be designed when estimating the number of responses.

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600 responses/year x 0.25 hours/response = 150 hours/year

- (5) ANNUAL IN-HOUSE COST: The Commission assumes that respondents use in-house personnel earning a salary equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 Level (\$51.48/hour) -- to comply with the requirements.

150 hours/year x \$51.48/hour = \$7,722

- **47 CFR § 68.224 - Notice of Non-Hearing Aid Compatibility:**

- (1) RESPONDENTS: The Commission estimates that up to 230 respondents¹⁴ also will place notices on equipment packaging or the equipment itself, and furnish appropriate instructions, when the telephone equipment is not hearing aid compatible.

- (2) RESPONSES: The Commission believes this process is primarily automated. The Commission assumes that respondents will use in-house personnel to ensure the notices are designed correctly. The Commission estimates that there will be approximately 2 responses per respondent annually.¹⁵

230 respondents x 2 responses/respondent = 460 responses/year

- (3) HOURS PER RESPONSE: The Commission estimates that respondents will comply with the requirement "on occasion" and that this requires approximately 2 hours per response to complete this requirement.

- (4) ANNUAL BURDEN HOURS:

460 responses/year x 2 hours/response = 920 hours/year

- (5) ANNUAL IN-HOUSE COST: The Commission assumes that respondents use in-house personnel earning a salary equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 Level (\$51.48/hour) -- to comply with the requirements.

¹⁴ These are the same 230 respondents included above with regard to equipment labeling requirements.

¹⁵ The 600 responses per year represents the number of new wireline handset models used with the legacy telephone network introduced each year that are required to have labels. Because the process of placing the label on each telephone handset is an automated part of the manufacturing process, the Commission no longer considers that process, and hence an estimate of the number of telephone handsets manufactured, when estimating the number of responses. Rather, the Commission considers the number of times that the labels need to be designed when estimating the number of responses.

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$$920 \text{ hours/year} \times \$51.48/\text{hour} = \$47,361.60$$

Totals for Labeling and Notices for Wireline Handsets Used with the Legacy Telephone Network

Total Number of Respondents: 230 manufacturers and importers of telephones

Total Number of Responses Annually: 600 + 460 = 1,060 responses/year

Total Annual Hourly Burden: 920 + 150 = 1,070 hours

Total Annual In-House Costs: \$7,722 + \$47,361.60 = \$55,083.60

B. Labeling and Notices for ACS Telephonic CPE

- **47 CFR § 68.502(a) - Equipment Labeling Requirements**

(1) **RESPONDENTS:** The Commission believes that approximately 100 manufacturers and telephone importers (respondents) of ACS telephonic CPE will include the letters “HAC” on telephone equipment.

(2) **RESPONSES:** The Commission believes this process is primarily automated. The Commission assumes that respondents will use in-house personnel to ensure the label is designed correctly. The Commission estimates that there will be about approximately 2.6 responses per respondent annually.

$$100 \text{ respondents} \times 2.6 \text{ responses/respondent} = 260 \text{ responses}$$

(3) **HOURS PER RESPONSE:** The Commission estimates that respondents will comply with the requirement “on occasion” and that this requires approximately 0.25 hours per response to complete this requirement.

(4) **ANNUAL BURDEN HOURS:**

$$260 \text{ responses} \times .25 \text{ hours/response} = 65 \text{ hours}$$

(5) **ANNUAL IN-HOUSE COST:** The Commission assumes that respondents use in-house personnel earning a salary equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 Level (\$51.48/hour) -- to comply with the requirements.

$$65 \text{ hours/year} \times \$51.48/\text{hour} = \$3,346.20$$

- **47 CFR § 68.502(b) - Notice of Non-Hearing Aid Compatibility**

(1) The Commission estimates that up to 100 respondents¹⁶ also will place notices on equipment packaging or the equipment itself, and furnish appropriate instructions, when the telephone equipment is not hearing aid compatible.

(2) RESPONSES: The Commission believes this process is primarily automated. The Commission assumes that respondents will use in-house personnel to ensure the notices are designed correctly. The Commission estimates that there will be approximately 2 responses per respondent annually.

$$100 \text{ respondents} \times 2 \text{ responses/respondent} = 200 \text{ responses}$$

(3) HOURS PER RESPONSE: The Commission estimates that respondents will comply with the requirement “on occasion” and that this requires approximately 2 hours per response to complete this requirement.

(4) ANNUAL BURDEN HOURS

$$200 \text{ responses} \times 2 \text{ hours/response} = 400 \text{ hours}$$

(5) ANNUAL IN-HOUSE COST: The Commission assumes that respondents use in-house personnel mid- to senior-level federal employee -- GS-13/Step 5 Level (\$51.48/hour) -- to comply with the requirements.

$$400 \text{ hours} \times \$51.48/\text{hours} = \$20,592$$

Totals for Labeling and Notices for ACS Telephonic CPE

Total Number of Respondents: 100 manufacturers and importers of telephones

Total Number of Responses Annually: 260 + 200 = 460 responses/year

Total Annual Hourly Burden: 65 + 400 = 465 hours

Total Annual In-House Costs: \$3,346.20 + \$20,592 = \$23,938.20

¹⁶ These are the same 100 respondents included above with regard to equipment labeling requirements.

C. Certification Procedures and Supplier's Declaration of Conformity for ACS Telephonic CPE

- **47 CFR § 68.501(a)-(b) – Application of Sections 68.160 and 68.162 (Certifications by TCBs) to ACS Telephonic CPE – Submission of Information to TCBs to Obtain Certifications of Equipment**

(1) RESPONDENTS: The Commission estimates that approximately 70% of the approximately 100 manufacturers of ACS telephonic CPE,¹⁷ that is approximately 70 respondents, will obtain certifications from TCBs.

(2) RESPONSES: The Commission estimates approximately 2.6 responses per respondent annually:

$$70 \text{ respondents} \times 2.6 \text{ responses/respondent} = 182 \text{ responses}$$

(3) HOURS PER RESPONSE: The Commission estimates that it takes about 24 hours per submission to assemble and submit the supporting technical documentation needed by the TCBs.

(4) ANNUAL BURDEN HOURS:

$$182 \text{ responses} \times 24 \text{ hours/response} = 4,368 \text{ hours/year}$$

(5) ANNUAL IN-HOUSE COST: The Commission estimates that respondents will use in-house personnel equivalent to a mid- to senior-level federal employees -- GS-13/Step 5 (\$51.48/hour).

$$4,368 \text{ hours/year} \times \$51.48/\text{hour} = \$ 224,864.64/\text{year}$$

- **47 CFR § 68.501(c) – Application of Section 68.324 – (Supplier's Declaration of Conformity) to ACS Telephonic CPE**

(1) RESPONDENTS: The Commission estimates that approximately 30% of the approximately 100 manufacturers of ACS telephonic CPE,¹⁸ that is approximately 30 respondents, will use Supplier's Declarations of Conformity (SDoCs).

(2) RESPONSES: The Commission estimates approximately 2.6 responses per respondent

¹⁷ These are the same 100 respondents listed in 12.B.

¹⁸ These are the same 100 respondents listed in 12.B.

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annually:

30 respondents x 2.6 responses/respondent = 78 responses

- (3) HOURS PER RESPONSE: The Commission estimates that it takes about 8 hours per response to prepare and submit a SDoC.
- (4) ANNUAL BURDEN HOURS: 78 responses x 8 hours/response = 624 hours
- (5) ANNUAL IN-HOUSE COST: The Commission estimates the hourly rate of the person doing the submission to be equivalent to a Grade 7/Step 5 level federal employee (\$24.41/hour).

624 hours x \$24.41/hour = \$15,231.84

- **47 CFR § 68.501(c) – Application of Section 68.326 (Retention of Records) to ACS Telephonic CPE**

- (1) RESPONDENTS: The Commission estimates that approximately 30% of the approximately 100 manufacturers of ACS telephonic CPE,¹⁹ that is approximately 30 respondents,²⁰ will use SDoCs, and thus will be required to retain records of the SDoCs, the testing facilities, the testing procedures, and the test results.
- (2) RESPONSES: The Commission estimates approximately 2.6 responses per respondent annually:

30 respondents x 2.6 responses/respondent = 78 responses
- (3) HOURS PER RESPONSE: The Commission estimates that it takes about 0.5 hours per response to retain records.
- (4) ANNUAL BURDEN HOURS:

78 responses x 0.5 hours/response = 39 hours
- (5) ANNUAL IN-HOUSE COST: The Commission estimates the hourly rate of the people doing the submission to be equivalent to a Grade 7/Step 5 level federal employee (\$24.41/hour).

¹⁹ These are the same 100 respondents listed in 12.B.

²⁰ These are the same 30 respondents listed above under Submission of Supplier's Declaration of Conformity.

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$$39 \text{ hours} \times \$24.41/\text{hour} = \$951.99$$

- **47 CFR § 68.501(c) – Application of Section 68.346 (Testing Facilities) to ACS Telephonic CPE**

(1) **RESPONDENTS:** The Commission estimates that approximately 30% of the approximately 100 manufacturers of ACS telephonic CPE,²¹ that is approximately 30 respondents,²² will use SDoCs, and thus will be required to compile a description of the measurement facilities used for testing the equipment.

(2) **RESPONSES:** The Commission estimates 1 response per respondent annually

$$30 \text{ respondents} \times 1 \text{ response} = 30 \text{ responses}$$

(3) **HOURS PER RESPONSE:** The Commission estimates 2 hours per response.

(4) **ANNUAL BURDEN HOURS:**

$$30 \text{ responses} \times 2 \text{ hours/response} = 60 \text{ hours annually}$$

(5) **ANNUAL IN-HOUSE COST:** The Commission estimates that respondents will use in-house personnel equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 (\$51.48/hour).

$$60 \text{ hours/year} \times \$51.48/\text{hour} = \$ 3,088.80/\text{year}$$

Totals for Certification Procedures and Supplier's Declaration of Conformity for ACS Telephonic CPE

Total Number of Respondents: 100 manufacturers and importers of ACS telephonic CPE

Total Number of Responses Annually: 182 + 78 + 78 + 30 = 368 responses/year

Total Annual Hourly Burden: 4,368 + 624 + 39 + 60 = 5,091 hours

Total Annual In-House Costs: \$224,864.64 + \$15,231.84 + \$ 951.99 + \$ 3,088.80/year =

²¹ These are the same 100 respondents listed in 12.B.

²² These are the same 30 respondents listed above under Submission of Supplier's Declaration of Conformity.

\$244,137.27

D. ACTA Database for ACS Telephonic CPE

- **47 CFR § 68.504 – Application of Sections 68.354 (Labeling of Terminal Equipment with ACTA Information) and 68.612 (General Labeling Requirements for Terminal Equipment) to ACS Telephonic CPE**

(1) RESPONDENTS: The Commission believes that approximately 100 manufacturers and telephone importers (respondents) of ACS telephonic CPE²³ will include the ACTA information on telephone equipment.

(2) RESPONSES: The Commission believes this process is primarily automated. The Commission assumes that respondents will use in-house personnel to ensure the label is designed correctly. The Commission estimates that there will be 2.6 responses per respondent annually.

$2.6 \text{ responses/respondent} \times 100 \text{ respondents} = 260 \text{ responses}$

(3) HOURS PER RESPONSE: The Commission estimates that respondents will comply with the requirement “on occasion” and that this requires approximately 0.25 hours per response to complete this requirement.

(4) ANNUAL BURDEN HOURS:

$260 \text{ responses/year} \times .25 \text{ hours/response} = 65 \text{ hours/year}$

(5) ANNUAL IN-HOUSE COST: The Commission estimates that respondents will use in-house personnel equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 (\$51.48/hour).

$65 \text{ hours/year} \times \$51.48/\text{hour} = \$3,346.20$

- **47 CFR § 68.504 – Application of Section 68.610 (Database of Terminal Equipment) to ACS Telephonic CPE**

(1) RESPONDENTS: The Commission believes that there are approximately 100

²³ These are the same 100 respondents listed in 12.B.

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manufacturers and telephone importers (respondents) of ACS telephonic equipment,²⁴ plus ACTA.

- (2) **RESPONSES:** The Commission estimates that there will be about approximately 2.6 responses (compilations and submissions of the information to ACTA) per manufacturer respondent, and 260 responses (preparations and postings of the database entries) by ACTA annually.

$(100 \text{ manufacturers} \times 2.6 \text{ responses/manufacturer}) + 260 \text{ responses by ACTA} = 520 \text{ responses}$

- (3) **HOURS PER RESPONSE:** The Commission estimates approximately 0.5 hour per response of manufacturer staff time to compile and submit the information to ACTA, and 0.5 hour per response of the data administrator's time to prepare and post the database entry.

- (4) **ANNUAL BURDEN HOURS:**

$520 \text{ responses/year} \times 0.5 \text{ hour/response} = 260 \text{ hours/year}$

- (5) **ANNUAL IN-HOUSE COST:** The Commission estimates that manufacturer respondents and ACTA will each use in-house personnel equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 (\$51.48/hour).

$260 \text{ hours/year} \times \$51.48/\text{hour} = \$13,384.80$

Totals for ACTA Database for ACS Telephonic CPE

Total Number of Respondents: 100 manufacturers and importers of ACS telephonic CPE +ACTA = 101

Total Number of Responses Annually: 260 +520 = 780 responses/year

Total Annual Hourly Burden: 65 + 260 = 325 hours

Total Annual In-House Costs: \$3,346.20 + \$13,384.80= \$16,731

²⁴ These are the same 100 respondents listed in 12.B.

E. Warranty, Instructions, and Revocation for ACS Telephonic CPE

- **47 CFR § 68.502(c)-(e) – Warranty, Instructions, and Revocation**

(1) **RESPONDENTS:** The Commission believes that approximately 100 manufacturers and telephone importers (respondents) of ACS telephonic CPE²⁵ will need to comply with the warranty, instructions and revocation requirements.

(2) **RESPONSES:** The Commission believes this process is primarily automated. The Commission assumes that respondents will use in-house personnel to ensure the labels are designed correctly. The Commission estimates that there will be 2.6 responses per respondent annually.

$$2.6 \text{ responses/respondent} \times 100 \text{ respondents} = 260 \text{ responses}$$

(3) **HOURS PER RESPONSE:** The Commission estimates that compliance requires approximately 1 hour per response to complete this requirement.

(4) **ANNUAL BURDEN HOURS:**

$$260 \text{ responses/year} \times 1 \text{ hours/response} = 260 \text{ hours/year}$$

(5) **ANNUAL IN-HOUSE COST:** The Commission estimates the hourly rate of the person handling the compliance requirements to be equivalent to a Grade 7/Step 5 federal employee (\$24.41/hour).

$$260 \text{ hours/year} \times \$24.41/\text{hour} = \$6,346.60$$

Totals for Warranty, Instructions, and Revocation for ACS Telephonic CPE**Total Number of Respondents: 100****Total Number of Responses Annually: 260****Total Annual Hourly Burden: 260 hours****Total Annual In-House Costs: \$6,346.60**

²⁵ These are the same 100 respondents listed in 12.B.

F. Designation of Agents for Service for ACS Telephonic CPE

- **47 CFR § 68.503 – Designation of Agents for Service**

- (1) **RESPONDENTS:** The Commission believes that approximately 100 manufacturers and telephone importers (respondents) of ACS telephonic CPE²⁶ will designate agents for service of complaints.
- (2) **RESPONSES:** 1 response per respondent annually, or 100 total responses
- (3) **HOURS PER RESPONSE:** The Commission estimates this requires approximately 0.25 hours per response to complete this requirement.
- (4) **ANNUAL BURDEN HOURS:**

100 respondents x 1 response/respondent x 0.25 hours/response = 25 hours
- (5) **ANNUAL IN-HOUSE COST:** The Commission estimates the hourly rate of the people doing the submissions to be equivalent to a Grade 7/Step 5 federal employee (\$24.41/hour).

25 hours/year x \$24.41/hour = \$610.25

Totals for Designation of Agents of Service for ACS Telephonic CPE

- Total Number of Respondents: 100**
- Total Number of Responses Annually: 100**
- Total Annual Hourly Burden: 25 hours**
- Total Annual In-House Costs: \$610.25**

TOTAL ANNUAL BURDENS FOR THE COLLECTION

	BURDEN	RESPONDENTS	RESPONSES	BURDEN HOURS/ YEAR	BURDEN/ YEAR
A	Labeling and Notices	230	1,060	1,070	\$55,083.60

²⁶ These are the same 100 respondents listed in 12.B.

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	for Wireline Handsets Used with the Legacy Telephone Network				
B	Labeling and Notices for ACS Telephonic CPE	100	460	465	\$23,938.20
C	Certification Procedures and Supplier's Declaration of Conformity for ACS Telephonic CPE	(included above in Labeling and Notices for ACS Telephonic CPE)	368	5,091	\$244,137.27
D	ACTA for ACS Telephonic CPE	1 additional respondent (ACTA) (others included above in Labeling and Notices for ACS Telephonic CPE)	780	325	\$16,731
E	Warranty, Instructions, and Revocation for ACS Telephonic CPE	(included above in Labeling and Notices for ACS Telephonic CPE)	260	260	\$6,346.60
F	Designation of Agents for Service for ACS Telephonic CPE	(included above in Labeling and Notices for ACS Telephonic CPE)	100	25	\$610.25
	TOTAL	331	3,028	7,236	\$346,846.92

13. The following represents the Commission's estimate of the annual cost burden to respondents resulting from the collection of information:

A. Labeling and Notices for Wireline Handsets Used with the Legacy Telephone Network

47 CFR §§ 68.224 and 68.300(b) - Notice of Non-Hearing Aid Compatibility and Equipment Labeling Requirements

The Commission estimates that there are no longer any capital or start-up costs for this requirement. The Commission does not believe that the requirement will necessitate any additional equipment or any operation, maintenance, or purchase of service costs.

Total Annual Costs: \$0

B. Labeling and Notices for ACS Telephonic CPE

- **47 CFR § 68.502(a), Equipment Labeling Requirements**

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The Commission estimates that approximately 75% of the 100 manufacturers and importers of ACS telephonic CPE, that is, 75 respondents will need to purchase and install equipment for labelling ACS telephonic CPE. The Commission estimates start-up costs of approximately \$10,000 per respondent.

$$75 \text{ respondents} \times \$10,000/\text{respondent} = \$750,000$$

Because the requirement is new, the Commission estimates that there will be a ramp-up process by which approximately 1/3 of the start-up costs will be incurred every year for the next three years.

$$\text{Annual Averaged Start-up Costs} = \$750,000/\text{year} / 3 = \$250,000$$

- **47 CFR § 68.502(b), Notice of Non-Hearing Aid Compatibility**

The Commission estimates that approximately 75% of the 100 manufacturers and importers of ACS telephonic CPE, that is, 75 respondents will need to purchase and install equipment for creating labels and notices for non-compliant ACS telephonic CPE. The Commission estimates start-up costs of approximately \$10,000 per respondent.

$$75 \text{ respondents} \times \$10,000/\text{respondent} = \$750,000$$

Because the requirement is new, the Commission estimates that there will be a ramp-up process by which approximately 1/3 of the start-up costs will be incurred every year for the next three years.

$$\text{Annual Averaged Burden} = \$750,000/\text{year} / 3 = \$250,000$$

$$\text{Total Annual Averaged Start-Up Costs: } \$250,000 + \$250,000 = \$500,000$$

$$\text{Total Operation, Maintenance, and Purchase of Service Costs: } \$0$$

C. Certification Procedures and Supplier's Declaration of Conformity for ACS Telephonic CPE

For ACS telephonic CPE, new section 68.501(a) requires a responsible party to obtain certification of its equipment by using a third-party TCB or a Supplier's Declaration of Conformity. As noted above, the Commission estimates that approximately 70% of the 100 manufacturers and importers of ACS telephonic CPE (i.e., 70 respondents) will use the services of a TCB. The Commission estimates approximately 2.6 responses per respondent annually. The Commission further estimates the average cost of TCB testing to be approximately \$1,500 per response.

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Testing Costs = 70 respondents using TCBs x 2.6 responses/respondent x \$1,500/test = \$273,000 annually

Regardless of whether the respondent obtains certification from a TCB or uses a Supplier's Declaration of Conformity, each of the responsible parties for ACS telephonic CPE will also need to have its equipment listed in the ACTA database. ACTA charges a filing fee of approximately \$825 per application. As noted above, the Commission estimates that there will be about approximately 2.6 responses per respondent annually. The Commission therefore estimates the cost for each responsible party to register ACS telephonic CPE in the ACTA database to be as follows.

Registration in ACTA Database = 100 respondents x 2.6 responses/respondent x \$825/application = \$214,500 annually

Total Start-Up Costs: \$0

Total Operation, Maintenance, and Purchase of Service Costs: \$273,000 + \$214,500 = \$487,500 annually

D. ACTA Database for ACS Telephonic CPE

In order for ACTA to begin accepting applications from manufacturers of ACS telephonic CPE, ACTA will need to modify its application form and expand its current database of legacy wireline telephones to include ACS telephonic CPE. These tasks will be a one-time start-up cost for ACTA. The Commission estimates that it could take 80 hours of work by personnel equivalent to a mid- to senior-level federal employee -- GS-13/Step 5 (\$51.48/hour). All costs will be incurred during the first year.

Total Start-Up Costs: 1 respondent x 80 hours x \$51.48/hour = \$4,118.40

Total Operation, Maintenance, and Purchase of Service Costs: \$0

E. Warranty, Instructions and Revocation for ACS Telephonic CPE

The Commission estimates that there are no capital or start-up costs for this requirement. The Commission does not believe that the requirement will necessitate any additional equipment or any operation, maintenance, or purchase of service costs.

Total Annual Costs: \$0

F. Designation of Agents for Service for ACS Telephonic CPE

The Commission estimates that there are no capital or start-up costs for this requirement. The

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Commission does not believe that the requirement will necessitate any additional equipment or any operation, maintenance, or purchase of service costs.

Total Annual Costs: \$0

TOTAL COSTS:

Total Start-up Costs: \$500,000 annually + 4,118.40 for the first year only = \$504,118.40

Total Operation, Maintenance, and Purchase of Service Costs: \$487,500 annually

TOTAL: \$991,618.40 (\$991,618 rounded)

14. The Commission has determined there are no costs to the federal government associated with these information collection requirements.
15. Due to the adoption of the Commission's *Hearing Aid Compatibility Report and Order and Order on Reconsideration*, document FCC 17-135, amending its HAC rules to cover wireline handsets used with ACS, and the elimination of the one-time start-up costs for equipment labeling requirements for manufacturers and importers of wireline handsets used with the legacy telephone network, the Commission reports the following program changes: the annual number of respondents has decreased by **-937, from 1,268 to 331 annual number of respondents**; the annual number of responses has decreased by **-22,496,972,²⁷ from 22,500,000 to 3,028 annual number of responses**; the annual burden hours have increased by **+543, from 6,693 to 7,236 annual burden hours**; and the total annual cost has increased by **+\$725,338, from \$266,280 to \$991,618 annual cost**.

There are no adjustments to this information collection.

16. The Commission does not intend to publish the results of these collections of information.
17. The Commission does not intend to seek approval not to display the expiration date for OMB approval of the information collections.
18. There are no exceptions to the certification statement.

²⁷ The substantial decrease in the number of responses is primarily the result of changing the calculation process for the number of responses associated with the labeling requirements for wireline telephone handsets used with the legacy telephone network. Because the process of placing the label on each telephone handset is an automated part of the manufacturing process, the Commission no longer considers that process, and hence an estimate of the number of telephone handsets manufactured, when estimating the number of responses. Rather, the Commission considers the number of times that the labels need to be designed when estimating the number of responses. See *supra* 12.A.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the proposed collections of information will employ statistical methods.