

April 3, 2018

Federal Communications Commission

OMB Control Number 3060-1039

Explanation of Non-Substantive Changes to OMB Control Number: 3060-1039:

Purpose of this Submission: The Commission is seeking a non-substantive change request for this information collection. On March 22, 2017, the Federal Communications Commission (Commission or FCC) adopted “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment” in WT Docket No. 17-79, FCC 18-30.

This decision made two non-substantive changes to an existing requirement that applicants provide Tribal Nations and Native Hawaiian Organizations (NHOs) with the information necessary for reviewing “undertakings” pursuant to our obligations under the National Historic Preservation Act.

First, paragraph 97 notes that if an applicant prepares FCC Form 620 (new towers) or Form 621 (collocations) for a SHPO, it must provide that form to Tribal Nations and NHOs. Applicants already were required to provide this information to Tribal Nations and NHOs, but not on the applicable forms. Thus, providing this information to Tribal Nations and NHOs is not a new requirement, nor is completing FCC Form 620 or Form 621. The only new requirement is that the applicable form that already goes to the State Historic Preservation Officer is to be used by the applicant to meet its existing obligation for informing Tribal Nations and NHOs. It has been questioned as to whether the receipt of additional responses from the Tribal Nations and NHOs may trigger PRA, but the Tribal Nations and NHOs already were entitled to the information prior to the rule clarification. Therefore, it is our opinion that no additional reporting is required nor are any additional responses anticipated.

Second, at paragraph 101, we clarify, where no Form 620 Form 621 is otherwise prepared due to an already existing exemption from SHPO review, what information an applicant must provide to Tribes and NHOs for them review a proposed undertaking. The decision states that the information provided must include contact information for the applicant, a map of the proposed location of the facility, coordinates of the proposed facility, a description of the facility to be constructed including all proposed elements (such as, for example, access roads), and a description of the proposed site, including both aerial and site photographs. Currently, applicants are required to provide information to potentially interested Tribal Nations and NHOs, we merely clarify what that information entails. Therefore, it is our opinion that no additional reporting is required.