

This submission is being made pursuant to 44 U.S.C. § 3507 of the Paperwork Reduction Act of 1995. The Federal Communications Commission (Commission) is seeking Office of Management and Budget (OMB) approval to revise this existing collection.

SUPPORTING STATEMENT

A. Justification:

1. The rules and regulations contained in 47 CFR Part 1 Subpart J provide complaint and enforcement procedures to ensure that telecommunications carriers and cable television systems have nondiscriminatory access to utility poles, ducts, conduits, and rights-of-way on rates, terms and conditions that are just and reasonable.

Existing Information Collection Requirements:

Existing OMB Collection No. 3060-1151 tracks the paperwork burdens associated with a number of the Commission's pole attachment complaint rules, specifically 47 CFR §§ 1.1411, 1.1412, and 1.1413.¹ OMB approved renewal of this collection in April 2018, with an expiration date of April 30, 2021. In response to changes to the Commission's pole attachment rules, this submission amends the paperwork burdens associated with OMB Collection No. 3060-1151. The existing paperwork burdens in Collection No. 3060-1151 not otherwise addressed in this submission will remain the same.

Modified Information Requirements:

In *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, WT Docket No. 17-70, Third Report and Order and Declaratory Ruling, FCC 18-111 (2018) (Order), the Commission adopted rules that implement the pole attachment requirements in section 224 of the Communications Act of 1934, as amended. The Order substantially revised 47 CFR §§ 1.1411, 1.1412, and 1.1413. It also added new 47 CFR § 1.1415.

In the Order, the Commission adopted a new framework for the vast majority of pole attachments governed by federal law by instituting a "one-touch make-ready" (OTMR) regime, in which a new attacher may elect to perform all simple work to prepare a pole for new wireline attachments in the communications space. This new framework includes safeguards to promote coordination among parties and ensures that new attachers perform the work safely and reliably. The Commission retained the existing multi-party pole attachment process for other new attachments that are complex or above the communications space of a pole, but made significant modifications to speed deployment, promote accurate billing, expand the use of self-help for new attachers when attachment deadlines are missed, and reduce the likelihood of coordination failures that lead to unwarranted delays. The Commission further revised the pole attachment rules by, among other things, (1) codifying and redefining Commission precedent that requires utilities to allow attachers to "overlash" existing wires, thus maximizing the usable space on the pole; and (2) eliminating outdated disparities between the pole attachment rates that incumbent carriers must pay compared to other similarly-situated cable and telecommunications attachers.

¹ The Commission recently renumbered these rule sections from their previous numbers, 1.1420, 1.1422, and 1.1424, respectively. See *Amendment of Procedural Rules Governing Formal Complaint Proceedings Delegated to the Enforcement Bureau*, EB Docket No. 17-245, Report and Order, FCC 18-96, Appx. A (July 18, 2018).

See item 6 of this Supporting Statement for specific information collection requirements.

This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

Statutory authority for this information collection is contained in 47 U.S.C. § 224.

2. Gaining access to poles involves requests, responses, notices, and coordination among utilities, new attachers, and existing attachers on the poles. In the Order, the Commission adopted regulations that structure communications among the parties, and thus impose a paperwork burden. In addition, the Commission adopted revised rules for complaint proceedings that impose a paperwork burden when an incumbent local exchange carrier (LEC) challenges a utility's pole attachment rates, terms, and conditions.
3. The use of information technology depends on the parties to the pole attachment process. Much of the pole attachment communications required by the Order can be accomplished by e-mail and web postings, but parties can still use paper letters and invoices. Data required by the Order to be filed at the Commission for complaint proceedings can be filed electronically, although paper filings are still accepted.
4. Each request for pole access is unique. There is no similar data available.
5. Small utilities receive requests for access to their poles, ducts, conduits, and rights-of-way, but the paperwork burden is as light as possible as the reporting requirements are consistent with how utilities keep their own pole attachment records. In addition, small businesses that attach to poles are subject to paperwork requirements as both existing attachers and new attachers. The Commission designed such burdens to be as light as possible on attachers and utilities, while still providing for paperwork requirements to ensure pole attachments are done safely and with full participation by affected parties.
6. The Commission designed the rules governing access to poles to ensure that the pole attachment process promotes speedy broadband deployment and is just and reasonable and consistent with safety, reliability, and sound engineering practices. The following information collection requirements are part of the pole attachment process:

Section 1.1411. In the Order, the Commission adopted a new OTMR process for when a telecommunications carrier or cable television system (new attacher) elects to do the work itself to prepare a utility pole for a simple wireline attachment in the communications space. As part of the OTMR process, the new attacher typically first conducts a survey of the affected poles, giving the utility and existing attachers a chance to be present for the survey. New attachers must elect the OTMR process in their pole attachment application and must demonstrate to the utility that the planned work qualifies for OTMR. The utility then must determine whether the pole attachment application is complete and whether the work qualifies for OTMR, and then must either grant or deny pole access and explain its decision in writing. The utility also can object to the new attacher's determination that the work qualifies for OTMR, and that objection is final and determinative so long as it is specific and in writing, includes all relevant evidence and information supporting its decision, made in good faith, and explains how such evidence and information relate to a determination that the make-ready is not simple. If the new attacher's OTMR application is approved, then it can proceed with OTMR work by giving advance notice to the utility and existing attachers and allowing them an opportunity to be present when OTMR work is being done. New attachers must provide immediate notice to affected utilities and existing attachers if outages or equipment damage is caused by their OTMR work. Finally, new attachers must provide notice to affected

utilities and existing attachers after OTMR work is completed, allowing them to inspect the work and request remediation, if necessary.

The Commission also adopted changes to its existing pole attachment timeline, which still will be used for complex work, work above the communications space on a utility pole, and in situations where new attachers do not want to elect OTMR. The Commission largely kept the existing pole attachment timeline intact, except for the following changes: (1) revising the definition of a complete pole attachment application and establishing a timeline for a utility's determination whether an application is complete; (2) requiring utilities to provide at least three business days' advance notice of any surveys to attachers; (3) establishing a 30-day deadline for completion of all make-ready work in the communications space; (4) eliminating the 15-day utility make-ready period for communications space attachments; (5) streamlining the utility's notice requirements; (6) enhancing the new attacher's self-help remedy by making the remedy available for surveys and make-ready work for all attachments anywhere on the pole in the event that the utility or the existing attachers fail to meet the required deadlines; (7) providing notice requirements when new attachers elect self-help, such notices to be given when new attachers perform self-help surveys and make-ready work, when outages or equipment damage results from self-help work, and upon completion of self-help work to allow for inspection; (8) allowing utilities to meet the survey requirement by electing to use surveys previously prepared on the affected poles by new attachers, and (9) requiring utilities to provide detailed make-ready cost estimates and final invoices on a pole-by-pole basis if requested by new attachers. Both utilities and existing attachers can deviate from the existing pole attachment make-ready timeline for reasons of safety or service interruption by giving written notice to the affected parties that includes a detailed explanation of the need for the deviation and a new completion date. The deviation shall be for a period no longer than necessary to complete make-ready on the affected poles, and the deviating party shall resume make-ready without discrimination when it returns to routine operations.

Section 1.1412. The Commission requires utilities to make available, and keep up-to-date, a reasonably sufficient list of contractors that they authorize to perform surveys and make-ready work that are complex or involve self-help work above the communications space of a utility pole. Attachers can request to add to the list any contractor that meets certain minimum qualifications, subject to the utility's ability to reasonably object. For simple work, a utility may, but is not required, to keep an up-to-date, reasonably sufficient list of contractors that they authorize to perform surveys and simple make-ready work. For any utility-supplied contractor list, the utility must ensure that the contractors meet certain minimum requirements. Attachers can request to add to the list any contractor that meets the minimum qualifications, subject to the utility's ability to reasonably object. If the utility does not provide a list of approved contractors for surveys or simple make-ready, or no utility-approved contractor is available within a reasonable time period, then the new attacher may choose its own qualified contractor that meets the minimum requirements, subject to notice and the utility's ability to disqualify the chosen contractor for reasonable safety or reliability concerns.

Section 1.1413. The Commission established a presumption that in a complaint proceeding challenging a utility's rates, terms, or conditions of pole attachment, an incumbent LEC² is similarly situated to an attacher that is a telecommunications carrier or a cable television system providing telecommunications services for purposes of obtaining comparable pole attachment rates, terms, or conditions. To rebut the presumption, the utility must demonstrate by clear and convincing evidence that the incumbent LEC receives benefits under its pole attachment agreement with a utility that materially advantages the incumbent LEC over other telecommunications carriers or cable television systems providing telecommunications service on the same poles. Such a presumption applies only to pole attachment

² An incumbent LEC is defined as a provider of local exchange service in an area or a member of an exchange carrier association. See 47 U.S.C. § 251(h)(1).

agreements entered into, or renewed after, the effective date of the Order,³ The Commission addressed the paperwork burdens for changes to Section 1.1413 in a separate collection – OMB Control No. 3060-0392, 47 CFR Part 1 Subpart J – Pole Attachment Complaint Procedures.⁴

Section 1.1415. The Commission adopted a new rule codifying its policy that utilities may not require an attacher to obtain prior approval for overlashing on an attacher’s existing wires or for third-party overlashing of an existing attachment when such overlashing is conducted with the permission of the existing attacher. In addition, the Commission adopted a rule that allows utilities to establish reasonable advance notice requirements for overlashing (up to 15 days’ advance notice). If a utility requires advance notice for overlashing, then the utility must provide existing attachers with advance written notice of the notice requirement or include the notice requirement in the attachment agreement with the existing attacher. If, after receiving advance notice, the utility determines that an overlash would create a capacity, safety, reliability, or engineering issue, then it must provide specific documentation of the issue to the party seeking to overlash within the 15-day advance notice period, and the party seeking to overlash must address any identified issues before continuing with the overlash either by modifying its proposal or by explaining why, in the party’s view, a modification is unnecessary. An overlashing party must notify the affected utility within 15 days of completion of the overlash and provide the affected utility at least 90 days to inspect the overlash. If damage or code violations are discovered by the utility during the inspection, then it must notify the overlashing party, provide adequate documentation of the problem, and elect to either fix the problem itself at the overlashing party’s expense or require remediation by the overlashing party.

The consequences of not adopting a comprehensive set of rules to govern pole attachments include delays in pole access that are unfair and unreasonable; failure to protect the legitimate rights and interests of the utility and attachers; suppression of competition to provide telecommunications and video services; stifling of broadband deployment; and safety and reliability concerns.

7. No special circumstances will apply to this information collection.
8. Pursuant to 5 CFR § 1320.8, the Commission published a 60-day notice in the *Federal Register* soliciting comments from the public by November 27, 2018 (83 FR 60857). On January 29, 2019, the Commission released a Public Notice, DA 19-26, extending the comment period until February 8, 2019. We did not receive any comments from the public.
9. There are no payments or gifts to respondents.
10. No questions of a confidential nature are asked.
11. This collection does not address any private matters or matters of a sensitive nature.
12. We analyze and estimate the hour and cost burdens of the new rules below. As a preliminary matter, we explain the methodology we use to arrive at estimates of entities (respondents) affected by these pole attachment rules. In the context of the pole attachment rules, respondents include three groups: those seeking to attach their facilities to utility poles (new attachers), those with equipment already on the poles

³ For purposes of the changes to 47 CFR § 1.1413, the effective date of the Order is the latter of (1) six months after the release of the Order (the Commission released the Order on August 3, 2018), or (2) 30 days after the Commission publishes a notice in the Federal Register announcing OMB approval of the rules adopted herein that contain modified information collection requirements. See Order at paras. 136, 175.

⁴ See FCC, Information Collection Being Reviewed by the Federal Communications Commission, 83 FR 48313 (Sep. 24, 2018).

(existing attachers), and those utilities that own the poles on which attachment is sought (pole owners). When a rule calls for paperwork for separate groups, we analyze the burdens separately. New attachers include telecommunications carriers (a term which, for purposes of pole attachments, includes wireless carriers but excludes incumbent LECs) and cable television systems. Although incumbent LECs also attach facilities to utility poles, they do not do so under the Commission's rules as they do not have mandatory access to utility-owned poles (they are, however, permitted to file pole attachment complaints against utilities if, once granted access, the rates, terms, and conditions of their pole attachments are not just and reasonable). Pole owners are utilities, which are defined as LECs or electric, gas, water, steam, or other public utilities (typically, investor-owned utilities).⁵ There are approximately 159 investor-owned electric utilities in the United States.⁶

The Commission regulates approximately 49 million of the estimated 135 million utility poles nationwide, which is about 35 percent of all poles. The Commission does not regulate poles that are owned by municipalities or cooperatives (about 25 percent of all poles) or that are regulated by 20 states and the District of Columbia that have certified their pole regulation authority to the Commission (about 40 percent of all poles). Therefore, we multiply the nationwide estimates of affected attachers by 35 percent to arrive at a reasonable proxy of the number of attachers affected by the Commission's pole attachment rules. These numbers are based on Commission staff's knowledge and familiarity with the pole attachment data.

Pole owners

- Incumbent LECs: 730 nationwide x .60 (percentage of states subject to federal pole attachment regulation) = 438 for pole attachments
- Investor-Owned Utilities (IOUs): 159 nationwide x .60 = 95 for pole attachments
- Total: 438 incumbent LECs + 95 IOUs = 533 pole owners

Attachers under the statutory right of access

- Cable Television Systems: 489 nationwide x .35 = 171 for pole attachments
- Telecom. Carriers: 1,251 nationwide x .35 = 438 for pole attachments
- Total 609 for pole attachments

Total number of respondents: 533 Pole Owners + 609 Attachers = 1,142 respondents⁷

47 CFR § 1.1411

Part 1: Under new 47 CFR §§ 1.1411(c)(1) (for applications not requesting OTMR) and 1.1411(j)(1)(ii) (for applications requesting OTMR), a pole owner must review a new attacher's pole attachment application for completeness. A new attacher's attachment application is considered complete if it provides the pole owner with the information necessary under its procedures, as specified in a master service agreement (Agreement) or in requirements that are available in writing publicly at the time of

⁵ 47 U.S.C. § 224(a)(1). For purposes of the pole attachment rules, a utility does not include "any railroad, any person who is cooperatively organized, or any person owned by the Federal Government or any State." *Id.*

⁶ See The Utility Connection, Investor Owned Electric Utilities, <http://www.utilityconnection.com/page2b.asp> (last visited Sep. 18, 2018).

⁷ According to the Commission's February 2018 report on local telephone competition, there are 733 incumbent LECs and 1,251 non-incumbent LECs. See FCC, IATD, WCB, *Voice Telephone Services; Status as of December 31, 2016*, at Table 2 (Feb. 2018), <https://docs.fcc.gov/public/attachments/DOC-349075A1.pdf>. There is a downward trend in the number of incumbent LECs that can be attributed to industry consolidation, so we round the number of incumbent LECs down to 730 for this PRA collection renewal. According to SNL Kagan, as of the second quarter of 2017, there were 489 cable operators.

submission of the application. We estimate the paperwork burden associated with a pole owner specifying in writing the information needed from a new attacher to determine whether an application is complete:

- (1) Number of respondents: Approximately 533 pole owners.
- (2) Frequency of response: Approximately 1 Agreement/year/pole owner containing a provision setting forth the information needed by the pole owner to determine whether a pole attachment application is complete; 1 Agreement x 533 pole owners = 533 annual responses industry wide.
- (3) Annual burden per response: Approximately 1 hour to negotiate a provision in an Agreement setting forth the information needed by the pole owner to determine whether a pole attachment application is complete. The total annual hour burden = 1 hour x 1 Agreement x 533 pole owners = 533 hours annually industry wide.
- (4) Estimate of the total annual (in-house) cost to pole owners of information collection: Approximately \$175 per pole owner per year; \$175 x 533 pole owners = \$93,275 industry wide.
- (5) Explanation of calculation: We estimate that it will take, on average, one hour for a pole owner to negotiate a provision in an Agreement setting forth the information needed by the pole owner to determine whether a pole attachment application is complete. We estimate only 1 Agreement needing this provision/year/pole owner because we assume that most pole owners will choose to provide the information required in a one-time public writing (such as on the pole owner's website or in the instructions to a pole attachment application). We estimate that the total annual hour burden is 1 request x 1 hour per request = 1 hour per year per pole owner. 1 hour x 533 pole owners = 533 hours annually industry wide.

Negotiating such a provision in an Agreement likely requires a moderately-experienced in-house attorney. We estimate the average hourly wage of a moderately-experienced in-house attorney at \$175 per hour.

\$175 per hour x 1 hour = \$175 per pole owner x 533 pole owners = \$93,275 annual cost to pole owners.

Subtotal for part 1: 533 hours; \$93,275.

Part 2: Under new 47 CFR §§ 1.1411(c)(1)(i)-(ii) (for applications not requesting OTMR) and 1.1411(j)(1)(ii)(A)-(B) (for applications electing OTMR), a pole owner must provide notice to a new attacher either accepting a pole attachment application as complete or specifying deficiencies in the application. The pole owner may have to provide notice of deficiencies in any resubmitted applications:

- (1) Number of respondents: Approximately 533 pole owners.
- (2) Frequency of response: Approximately 10 notices per pole owner per year for applications processed under our existing timeline and 15 notices per pole owner per year for applications requesting OTMR; 25 notices x 533 pole owners = 13,325 notices annually industry wide.
- (3) Annual burden per response: Approximately 25 annual notices x 0.5 hours per notice = 12.5 hours per pole owner; 12.5 hours per pole owner x 533 pole owners = 6,662.5 hours annually industry wide.
- (4) Estimate of the total annual (in-house) cost to pole owners of information collection: \$8 per notice x 25 notices = \$200 per pole owner. \$200 x 533 pole owners = \$106,600 industry wide.

(5) Explanation of calculation: The burden associated with notices to new attachers regarding the completeness of their attachment application includes identifying the proper recipients (presumably on file), identifying any deficiencies in the application, and sending the notices. We assume that the notices will be mostly pre-drafted forms with some application-specific descriptions.

We estimate 25 notices per pole owner per year times 533 pole owners equals 13,325 notices annually. The 13,325 notices will take on average a half-hour each to prepare. Total: 6,662.5 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour.⁸ $\$16 \times 6,662.5 \text{ hours} = \$106,600$ per year.

Subtotal for part 2: 6,662.5 hours; \$106,600.

Part 3: Under new 47 CFR § 1.1411(c)(3)(ii), a pole owner must use commercially reasonable efforts to provide affected attachers with advance notice of not less than 3 business days of any field inspection conducted as part of a survey and must provide the date, time, and location of the survey, and the name of the contractor performing the survey.

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 30 notices per year per pole owner; industry total 533 pole owners x 30 notices = 15,990 responses per year.

(3) Annual burden per response: We estimate 0.5 hours per notice – at 30 notices per pole owner, the annual hour burden per pole owner is 15 hours; 15 hours x 533 pole owners = 7,995 hours annually industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners: \$8 per notice x 30 notices = \$240 per pole owner. $\$240 \times 533 \text{ pole owners} = \$127,920$ industry wide.

(5) Explanation of calculation:

The burdens of pole owners providing advance notice to affected attachers regarding a survey include identifying the proper recipients (presumably on file) and sending the notices. We assume that the notices will be mostly pre-drafted forms with some application-specific descriptions.

We estimate 10 surveys to be conducted annually per pole owner times 3 notices (on average) per survey times 533 pole owners equals 15,990 notices annually. The 15,990 notices will take on average approximately a half-hour each to prepare. Total: 7,995 hours. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. $\$16 \times 7,995 \text{ hours} = \$127,920$ per year.

Subtotal for part 3: 7,995 hours; \$127,920 per year.

Part 4: Under new 47 CFR § 1.1411(c)(3)(iii), where a new attacher has conducted a survey pursuant to the OTMR process, a pole owner can elect to satisfy its survey obligations by notifying affected attachers

⁸ This hourly wage is equivalent to the pay of a federal government worker at the GS-3, step 5 level. See Office of Personnel Management, 2018 General Schedule (GS) Locality Pay Tables (last visited Jan. 17, 2018), https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/DCB_h.pdf.

of its intent to use the survey conducted by the new attacher and by timely providing a copy of that survey to affected attachers.

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 1 notice per year x 533 pole owners = 533 responses annually industry wide.

(3) Annual average burden per response: Approximately 533 notices at 0.5 hours each = 266.5 hours industry wide.

(4) Estimate of total annual (in-house) cost to pole owners: \$8 per notice x 1 notice = \$8 per pole owner. \$8 x 533 pole owners = \$4,264 industry wide.

(5) Explanation of calculation:

We estimate approximately one notice per pole owner per year electing to satisfy survey obligations using a survey conducted by a new attacher. We estimate these will be pre-drafted notices, require a half-hour each, and be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. Total estimated cost: \$16 x 266.5 hours = \$4,264 per year.

Subtotal for part 4: 266.5 hours; \$4,264.

Part 5: Under revised 47 CFR § 1.1411(d), a pole owner must present to a new attacher a detailed, itemized estimate, on a pole-by-pole basis where requested, of charges to perform all necessary make-ready. The pole owner must provide documentation that is sufficient to determine the basis of all estimated charges, including any projected material, labor, and other related costs that form the basis of its estimate.

Pole owners:

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 10 estimates per year per pole owner x 533 pole owners = 5,330 annual responses industry wide.

(3) Annual average burden per response: Approximately 5,330 annual estimates at 3 hours each = 15,990 annual hours industry wide.

(4) Estimate of total annual (in-house) cost to pole owners: \$70.50 per estimate x 10 estimates = \$705 per pole owner. \$705 x 533 pole owners = \$375,765 annual costs industry wide.

(5) Explanation of calculation:

We estimate approximately 10 estimates per pole owner per year. We anticipate that each estimate will take an average of approximately 3 hours to compile the documentation, draft the estimate, and send to the new attacher. While we anticipate that some estimates will take longer to complete if a pole-by-pole breakdown is requested by the new attacher, we average that time with the lesser time it takes to produce an estimate that is not broken down on a pole-by-pole basis. We anticipate that a moderately-experienced engineer (2.5 hours per estimate) and an administrative office manager (0.5 hours per estimate) will produce the estimate. Administrative office salary = \$16 per hour. The average hourly wage of an experienced engineer is between \$23 and \$53. Because we assume that make-ready estimates require

only moderately-experienced engineers, we estimate the hourly rate at the low end of the experienced-engineer range and estimate that, on average, pole owners pay a \$25 per-hour wage for these projects.⁹

10 estimates times 3 hours (on average) per estimate times 533 pole owners = 15,990 hours annually. For the engineer's time, we assume 5,330 estimates times 2.5 hours per estimate times \$25 per hour = \$333,125. For the administrative office manager's time, we assume 5,330 estimates times 0.5 hours per estimate times \$16 per hour = \$42,640. Total estimated cost: \$333,125 (for engineers) + \$42,640 (for administrative office managers) = \$375,765 per year industry wide.

Attachers:

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Pole owners prepare approximately 5,330 estimates annually; of that number, we anticipate that new attachers will request an itemized estimate on a pole-by-pole basis in less than half of those instances, or about 2,650 total requests annually.

(3) Annual burden per response: We estimate approximately 0.5 hours per request. The total annual hourly burden is 2,650 requests times 0.5 hours per request = 1,325 hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers for the collection of information: 1,325 hours times \$20.50/hour = \$27,162.50.

(5) Explanation of calculation:

We understand from pole owners that new attachers (especially smaller entities) typically do not challenge estimates today on a pole-by-pole basis, but rather the parties work together to identify potentially expensive individual pole bottlenecks to a pole attachment project. As a result, we anticipate that new attachers will request pole-by-pole make-ready cost estimates less than half the time, which we calculate to be approximately 2,650 requests out of a total of about 5,330 annual estimates.

We anticipate that a new attacher will require both an engineer and an administrative office manager to prepare its request at \$25 per hour for engineers and \$16 per hour for administrative office managers. We also anticipate that it will take 0.5 hours to prepare such a request, split evenly between the new attacher's engineer and its administrative office manager. 2,650 requests times 0.5 hours per request times \$20.50 per request (\$12.50 for the engineer plus \$8 for the administrative office manager) = \$27,162.50.

Subtotal for part 5: Pole owners: 15,990 hours; \$375,765. New attachers: 1,325 hours; \$27,162.50. Total = 17,315 hours; \$402,927.50.

Part 6: Under new 47 CFR § 1.1411(d)(3), if the final cost of the make-ready work differs from the estimated cost, then a pole owner must present to a new attacher a detailed, itemized final invoice of the actual make-ready charges incurred, on a pole-by-pole basis where requested. The pole owner must provide documentation that is sufficient to determine the basis of all invoiced charges, including any projected material, labor, and other related costs that form the basis of its invoice.

Pole owners:

⁹ This hourly wage is equivalent to the pay of a federal government worker at the GS-7, step 5 level. See Office of Personnel Management, 2018 General Schedule (GS) Locality Pay Tables (last visited Jan.17, 2018), https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/DCB_h.pdf.

- (1) Number of respondents: Approximately 533 pole owners.
- (2) Frequency of response: Approximately 3 final invoices per year x 533 pole owners = 1,599 annual responses industry wide.
- (3) Annual average burden per response: Approximately 1,599 final invoices at 1 hour each = 1,599 annual hours industry wide.
- (4) Estimate of total annual (in-house) cost to pole owners: \$20.50 per invoice x 3 invoices = \$61.50 per pole owner. \$61.50 x 533 pole owners = \$32,779.50 industry wide.

(5) Explanation of calculation:

We estimate approximately 3 final invoices per pole owner per year, as we understand from pole owners that normally final invoices are not required because the final cost of make-ready work does not differ from the estimated cost. We anticipate that each final invoice will take an average of approximately 1 hour to compile the documentation, draft the final invoice, and send to the new attacher. While we anticipate that some final invoices will take longer to complete if a pole-by-pole breakdown is requested by the new attacher, we average that time with the lesser time it takes to produce a final invoice that is not broken down on a pole-by-pole basis. We anticipate that a final invoice will be produced by both a moderately-experienced engineer (0.5 hours per invoice) and an administrative office manager (0.5 hours per invoice). Administrative office salary = \$16 per hour. The average hourly wage of an experienced engineer is between \$23 and \$53. Because we assume that make-ready invoices require only moderately-experienced engineers, we estimate the hourly rate at the low end of the experienced-engineer range and estimate that, on average, pole owners pay a \$25 per-hour wage for these projects.

3 final invoices times 1 hour (on average) per invoice times 533 pole owners equals 1,599 hours annually. For the engineer's time, we assume 1,599 final invoices times 0.5 hours per invoice times \$25 per hour = \$19,987.50. For the administrative office manager's time, we assume 1,599 final invoices times 0.5 hours per invoice times \$16 per hour = \$12,792. Total estimated cost: \$19,987.50 (for engineers) + \$12,792 (for administrative office managers) = \$32,779.50 per year industry wide.

New attachers:

- (1) Number of respondents: Approximately 609 attachers.
- (2) Frequency of response: Pole owners prepare approximately 1,599 final invoices annually; of that number, we anticipate that a little more than half of new attachers will request an itemized invoice on a pole-by-pole basis, or about 825 total requests.
- (3) Annual burden per response: Approximately 0.5 hours per request. The total annual hourly burden is 825 requests times 0.5 hours per request = 412.5 hours industry wide.
- (4) Estimate of the total annual (in-house) cost to new attachers for the collection of information: 412.5 hours times \$20.50/hour = \$8,456.25 industry wide.

(5) Explanation of calculation:

We understand from pole owners that new attachers (especially smaller entities) typically do not challenge estimates today on a pole-by-pole basis, but if the final invoice differs materially from the estimate, then it is more likely that new attachers will request an itemized final invoice on a pole-by-pole basis. As a result, we anticipate that new attachers will request pole-by-pole make-ready invoices more than half the time, which we calculate to be approximately 825 requests out of a total of about 1,599 annual invoices.

We anticipate that a new attacher will require both an engineer and an administrative office manager to prepare its request. We also assume that the skills required for new attachers to prepare their requests are similar to the skills required by pole owners to produce a detailed pole-by-pole invoice. For that reason, we assign the same hourly wage to the engineers and administrative office managers used by new attachers that we do to those used by pole owners: \$25 per hour for engineers and \$16 per hour for administrative office managers. We also anticipate that it will take 0.5 hours to prepare such a request, split evenly between the new attacher's engineer and its administrative office manager. 825 requests times 0.5 hours per request times \$20.50 per request (\$12.50 for the engineer plus \$8 for the administrative office manager) = \$8,456.25.

Subtotal for part 6: For pole owners = 1,599 hours; \$32,779.50. For new attachers = 412.5 hours; \$8,456.25. Total = 2,011.50 hours; \$41,235.75.

Part 7: Under revised 47 CFR §§ 1.1411(e)(3), after a pole owner provides notice of make-ready work to affected existing attachers, it then must provide the new attacher with a copy of the notices and the existing attachers' contact information and address where the pole owner sent the notices.

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 10 notices per pole owner per year; 10 x 533 pole owners = 5,330 annual responses industry wide.

(3) Annual burden per response: Approximately 10 notices x 0.5 hours per notice = 5 hours per pole owner; 5 hours per pole owner x 533 pole owners = 2,665 annual hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners of information collection: \$8 per notice x 10 notices = \$80 per pole owner. \$80 x 533 pole owners = \$42,640 industry wide.

(5) Explanation of calculation: The burdens associated with sending notices to new attachers regarding the contact information for the existing attachers include identifying the proper recipients and sending the notices. We assume that the notices will be mostly pre-drafted forms with some application-specific descriptions.

We estimate 10 notices per pole owner per year times 533 pole owners = 5,330 notices annually. The 5,330 notices will take on average a half-hour each to prepare. Total: 2,665 hours. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. \$16 x 2,665 hours = \$42,640 per year.

Subtotal for part 7: 2,665 hours; \$42,640.

Part 8: Under revised 47 CFR §§ 1.1411(h)(3), an existing attacher may deviate from the time limits specified for the performance of complex make-ready work for reasons of safety or service interruption that renders it infeasible for the existing attacher to timely complete complex make-ready. An existing attacher that so deviates must immediately notify, in writing, the new attacher and other affected existing attachers and must identify the affected poles and include a detailed explanation of the basis for the deviation and a new completion date.

(1) Number of respondents: Approximately 609 existing attachers.

(2) Frequency of response: We estimate two deviation requests for complex make-ready work per existing attacher per year = 1,218 requests.

(3) Annual burden per response: Approximately 1,218 notices x 1 hour per notice = 1,218 hours annually industry wide.

(4) Estimate of the total annual (in-house) cost to existing attachers of information collection: \$20.50 per notice x 2 notices = \$41 per existing attacher. \$41 x 609 existing attachers = \$24,969 industry wide.

(5) Explanation of calculation: Consistent with our analysis above, we estimated that there will be approximately 10 new attachment requests submitted annually to pole owners that will be processed under our existing pole attachment timeline. Of those 5,330 requests (10 applications x 533 pole owners), we anticipate (based on information from attachers) that approximately half will be for make-ready work above the communications space and another 10 percent will be simple pole attachment applications seeking processing under our existing timeline, leaving approximately 2,130 requests involving complex work to be performed by existing attachers. Based on information in our record, existing attachers often do not meet their deadlines to perform make-ready in the communications space of a pole. We expect that trend to continue and anticipate that approximately 1,218 of the complex make-ready projects will involve situations where the existing attacher will request additional time to complete its work.

We estimate 1,218 deviation notices from existing attachers annually. The 1,218 notices will take on average an hour each to prepare. Total: 1,218 hours. We anticipate that a deviation notice will be produced by both a moderately-experienced engineer (0.5 hours per notice) and an administrative office manager (0.5 hours per notice). Administrative office salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. 1,218 notices times 1 hour per notice times \$20.50 per notice (\$12.50 for the engineer plus \$8 for the administrative office manager) = \$24,969 industry wide.

Subtotal for part 8: 1,218 hours; \$24,969.

Part 9: Under new 47 CFR § 1.1411(i)(1)(ii), a new attacher must use commercially reasonable efforts to provide the affected pole owner and existing attachers with advance notice of not less than 3 business days of a field inspection as part of any self-help survey it conducts. The notice must include the date and time of the survey, a description of the work involved, and the name of the contractor being used by the new attacher.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 54 self-help surveys x 3 notices per survey = 162 responses per year industry wide.

(3) Annual burden per response: 0.5 hours per request; 0.5 hours x 162 notices = 81 annual hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 162 notices = \$1,296 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be 10 applications per pole owner per year processed under the existing pole attachment timeline. 10 applications x 533 pole owners = 5,330 pole attachment applications using existing pole attachment timeline. Of the 5,330 pole attachment requests where the pole owner will be performing the survey, we anticipate that it will be rare (about 1

percent of the time) for the new attacher to elect self-help to conduct a survey when a pole owner misses the deadline.

We estimate 54 self-help surveys to be conducted annually by new attachers. For those 54 surveys, we estimate that the new attacher must send approximately three notices per survey. The notices to be sent by the new attacher take on average about a half-hour each to prepare. 54 surveys times 3 notices per survey times 0.5 hours per notice = 81 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. \$16 x 81 hours = \$1,296 per year.

Subtotal for part 9: 81 hours; \$1,296 per year.

Part 10: Under new 47 CFR § 1.1411(i)(2)(i), a new attacher must use commercially reasonable efforts to provide the affected pole owner and existing attachers with advance notice of not less than 5 days of impending self-help make-ready. The notice shall include the date and time of the make-ready, a description of the work involved, and the name of the contractor being used by the new attacher.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 1,332 self-help make-ready projects annually x 3 notices per project = 3,996 responses per year industry wide.

(3) Annual burden per response: 0.5 hours per request; 0.5 hours x 3,996 notices = 1,998 hours annually industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 3,996 notices = \$31,968 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be 10 new attachment requests submitted annually to pole owners that will be processed under the existing pole attachment timeline. 10 applications x 533 pole owners = 5,330 pole attachment applications using existing pole attachment timeline. Of the 5,330 pole attachment requests where the pole owner and the existing attachers will be performing make-ready work, we estimate that in about 25 percent of those instances the new attacher will elect self-help to conduct make-ready work when a pole owner or existing attacher misses the deadline. According to utilities and attachers, the existing attachers frequently miss their make-ready deadlines, although we understand that it is rare for new attachers to avail themselves of self-help. While we have improved the self-help remedy, we still anticipate only about 25 percent of requests will result in make-ready being conducted by the new attacher.

5,330 requests times 25 percent = 1,332 self-help make-ready work projects to be conducted annually by new attachers. Of those 1,332 projects, we estimate that the new attacher must send approximately three notices per project. The notices to be sent by the new attacher take on average about a half-hour each to prepare. 1,332 projects times 3 notices per project times 0.5 hours per notice = 1,998 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. \$16 x 1,998 hours = \$31,968 per year.

Subtotal for part 10: 1,998 hours; \$31,968 per year.

Part 11: Under new 47 CFR § 1.1411(i)(2)(ii), a new attacher must notify an affected pole owner or existing attacher immediately if its self-help make-ready work damages the equipment of a pole owner or

an existing attacher or causes an outage that is reasonably likely to interrupt the service of a pole owner or existing attacher.

- (1) Number of respondents: Approximately 609 attachers.
- (2) Frequency of response: Approximately 68 responses per year industry wide.
- (3) Annual burden per response: 0.5 hours per request; 0.5 hours x 68 notices = 34 hours industry wide.
- (4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 68 notices = \$544 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 1,332 self-help make-ready work projects to be conducted annually by new attachers. Of those 1,332 self-help projects, we anticipate that it will be rare for a new attacher to cause equipment damage or an outage to the network of a pole owner or an existing attacher.

We estimate that a little over 5 percent of self-help make-ready projects will result in equipment damage or an outage, thus requiring about 68 notices from new attachers to the affected parties. The notices to be sent by the new attacher will take on average about a half-hour each to prepare. 68 notices times 0.5 hours per notice = 34 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. \$16 x 34 hours = \$544 per year.

Subtotal for part 11: 34 hours; \$544 per year.

Part 12: Under new 47 CFR § 1.1411(i)(2)(iii), a new attacher must notify the affected pole owner and existing attachers within 15 days after completion of make-ready on a particular pole. The notice must provide the affected pole owner and existing attachers at least 90 days from receipt in which to inspect the make-ready. The affected pole owner and existing attachers have 14 days after completion of their inspection to notify the new attacher of any damage or code violations caused by make-ready conducted by the new attacher on their equipment. If the pole owner or an existing attacher notifies the new attacher of such damage or code violations, then the pole owner or existing attacher must provide adequate documentation of the damage or the code violations.

New attachers:

- (1) Number of respondents: Approximately 609 attachers.
- (2) Frequency of response: Approximately 1,332 self-help make-ready projects per year times 3 notices per project = 3,996 responses per year industry wide.
- (3) Annual burden per response: 0.5 hours per request; 0.5 hours x 3,996 notices = 1,998 hours industry wide.
- (4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 3,996 notices = \$31,968 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 1,332 self-help make-ready work projects to be conducted annually by new attachers. For those 1,332 projects, we estimate

that the new attacher must send approximately three notices per project regarding the completion of make-ready work. The notices to be sent by the new attacher take on average about a half-hour each to prepare. 1,332 projects times 3 notices per project times 0.5 hours per notice = 1,998 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. $\$16 \times 1,998 \text{ hours} = \$31,968$ per year.

Pole owners and existing attachers:

(1) Number of respondents: Approximately 533 pole owners, 609 attachers.

(2) Frequency of response: Approximately 133 notices annually from pole owners and existing attachers to new attachers regarding code violations or equipment damage caused by self-help make-ready.

(3) Annual burden per response: 1 hour per request; 1 hour x 133 notices = 133 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners and existing attachers: \$20.50 per hour x 133 notices = \$2,726.50 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 1,332 self-help make-ready work projects to be conducted annually by new attachers. Of those 1,332 projects, we estimate that the pole owner and existing attachers will be sending notices to new attachers approximately 10 percent of the time notifying them of equipment damage or code violations resulting from self-help make-ready work. The 133 notices will take on average an hour each to prepare. Total: 133 hours. We anticipate that a post-make-ready notice prepared by a pole owner or an existing attacher will be done by both a moderately-experienced engineer (0.5 hours per notice) and an administrative office manager (0.5 hours per notice). Administrative office salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. 133 notices times 1 hour per notice times \$20.50 per notice (\$12.50 for the engineer plus \$8 for the administrative office manager) = \$2,726.50 industry wide.

Subtotal for part 12: For new attachers: 1,998 hours; \$31,968 per year; for pole owners and existing attachers: 133 hours; \$2,726.50; Total = 2,131 hours; \$34,694.50.

Part 13: Under new 47 CFR § 1.1411(j)(1)(i), a new attacher electing the OTMR process must elect to do so in writing in its attachment application and must identify the simple make-ready that it will perform.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 15 OTMR applications x 533 pole owners = 7,995 responses per year industry wide.

(3) Annual burden per response: 2 hours per election; 2 hours x 7,995 elections = 15,990 hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$22.75 per hour x 15,990 hours = \$363,772.50 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be 15 applications per pole owner per year that will be submitted by new attachers under the OTMR timeline. As a result, we estimate that in

about 7,995 annual pole attachment requests (15 applications x 533 pole owners), new attachers will elect to use the OTMR process and identify the simple make-ready work to be conducted.

Of the 7,995 annual pole attachment applications where a new attacher elects OTMR, we estimate that each election will require about two hours to prepare due to the need to identify and describe the specific simple make-ready work to be performed. Total = 15,990 hours annually. We anticipate that each OTMR election prepared by a new attacher will be done by both a moderately-experienced engineer (1.5 hours per notice) and an administrative office manager (0.5 hours per notice). Administrative office salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. 7,995 elections times \$45.50 per election (\$37.50 for the engineer plus \$8 for the administrative office manager) = \$363,772.50 industry wide.

Subtotal for part 13: 15,990 hours; \$363,772.50 per year.

Part 14: Under new 47 CFR § 1.1411(j)(2)(i), a pole owner must review a complete application requesting OTMR and respond to the new attacher either granting or denying the application. If the pole owner denies the application on its merits, then its decision shall be specific, shall include all relevant evidence and information supporting its decision, and shall explain how such evidence and information relate to a denial of access for reasons of lack of capacity, safety, reliability, or engineering standards.

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 1 notice per pole owner per year; 1 x 533 pole owners = 533 annual responses industry wide.

(3) Annual burden per response: Approximately 1 notice per year x 1 hour per notice = 1 hour per pole owner; 1 hour per pole owner x 533 pole owners = 533 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners of information collection: \$20.50 per notice x 1 notice = \$20.50 per pole owner. \$20.50 x 533 pole owners = \$10,926.50 industry wide.

(5) Explanation of calculation: This new rule will have an incremental paperwork burden, as the Commission already has a rule (47 CFR § 1.1411(c)(2)) that requires pole owners to respond to all new attachers regarding their pole attachment applications. However, we estimate that with the popularity of OTMR resulting from our new rules, pole owners will receive one incremental application per year more than they normally would receive under our prior rules.

We estimate 1 incremental notice per pole owner per year times 533 pole owners equals 533 notices annually. The 533 notices will take on average 1 hour each to prepare. Total: 533 hours. We anticipate that a pole owner will require both an engineer and an administrative office manager to prepare its notice, the time split evenly between the pole owner's engineer and its administrative office manager. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$20.50/hour x 533 hours = \$10,926.50 per year.

Subtotal for part 14: 533 hours; \$10,926.50.

Part 15: Under new 47 CFR § 1.1411(j)(2)(ii), a pole owner may object to the designation by the new attacher's contractor that certain make-ready is simple. The pole owner's objection is final and determinative so long as it is specific and in writing, includes all relevant evidence and information

supporting its decision, made in good faith, and explains how such evidence and information relate to a determination that the make-ready is not simple.

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 2 objection notices per pole owner per year; 2×533 pole owners = 1,066 annual responses industry wide.

(3) Annual burden per response: Approximately 2 objection notices per year \times 1 hour per notice = 2 hours per year per pole owner; 2 hours per pole owner \times 533 pole owners = 1,066 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners of information collection: $\$22.75$ per notice \times 2 objection notices = $\$45.50$ per year per pole owner. $\$45.50 \times 533$ pole owners = $\$24,251.50$ industry wide.

(5) Explanation of calculation: We anticipate that pole owner objections to a new attacher's designation of make-ready work as simple will be relatively rare. Therefore, we conservatively estimate that each pole owner will send only 2 notices per year to new attachers rejecting their designation of make-ready work as simple. 2 objection notices per pole owner per year times 533 pole owners equals 1,066 notices annually. The 1,066 notices will take on average 1 hour each to prepare. Total: 1,066 hours. We anticipate that a pole owner will require both an engineer and an administrative office manager to prepare its objection notice, the time split 75 percent for the pole owner's engineer and 25 percent for its administrative office manager. Administrative office manager salary = $\$16$ per hour; average hourly wage of a moderately-experienced engineer = $\$25$. For one hour of time, the cost would be $\$4$ for administrative work ($\$16 \times .25 = \4) plus $\$18.75$ for the engineer ($\$25 \times .75 = \18.75) = $\$22.75$ /hour. At $\$22.75$ /hour \times 1,066 hours = $\$24,251.50$ per year.

Subtotal for part 15: 1,066 hours; $\$24,251.50$.

Part 16: Under new 47 CFR § 1.1411(j)(3)(i), a new attacher must use commercially reasonable efforts to provide the pole owner and existing attachers with advance notice of not less than 3 business days of any field inspection conducted as part of an OTMR survey and must provide the date, time, and location of the survey, and the name of the contractor performing the survey.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 3 notices per pole attachment project. 3 notices times 7,995 annual OTMR projects = 23,985 responses per year industry wide.

(3) Annual burden per response: We estimate 0.5 hours per notice – at 23,985 annual notices, the annual hour burden is 11,992.50 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners: $\$8$ per notice \times 23,985 notices = $\$191,880$ industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 annual OTMR pole attachment requests. For those 7,995 annual OTMR applications, we estimate that new attachers must send approximately three notices per application to the affected pole owner and existing attachers informing them of an upcoming survey. 7,995 OTMR applications times 3 notices per application =

23,985 annual notices. We estimate that a survey notice will take on average a half-hour each to prepare. Total: 11,992.50 hours. We anticipate that a survey notice prepared by a new attacher will be done by an administrative office manager making \$16 per hour. 23,985 notices times 0.5 hours per notice times \$16/hour = \$191,880 industry wide.

Subtotal for part 16: 11,992.50 hours; \$191,880 per year.

Part 17: Under new 47 CFR § 1.1411(j)(4)(i), a new attacher must provide 15 days' prior written notice to the affected pole owner and existing attacher before it can begin OTMR work. The prior written notice must include the date and time of the make-ready, a description of the work involved, the name of the contractor being used by the new attacher, and provide the affected pole owner and existing attachers a reasonable opportunity to be present for any make-ready work.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 3 notices per pole attachment project. 3 notices times 7,995 annual OTMR projects = 23,985 responses per year industry wide.

(3) Annual burden per response: We estimate 0.5 hours per notice – at 23,985 annual notices, the annual hour burden is 11,992.50 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners: \$8 per notice x 23,985 notices = \$191,880 industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 annual OTMR pole attachment requests. For those 7,995 annual OTMR applications, we estimate that new attachers must send approximately three notices per application to the affected pole owner and existing attachers informing them of upcoming make-ready work. 7,995 OTMR applications times 3 notices per application = 23,985 annual notices. We estimate that a make-ready notice will take on average a half-hour each to prepare. Total: 11,992.50 hours. We anticipate that a make-ready notice prepared by a new attacher will be done by an administrative office manager making \$16 per hour. 23,985 notices times 0.5 hours per notice times \$16/hour = \$191,880 industry wide.

Subtotal for part 17: 11,992.50 hours; \$191,880 per year.

Part 18: Under new 47 CFR § 1.1411(j)(4)(ii), a new attacher must notify an affected pole owner or existing attacher immediately if its make-ready work damages the equipment of a pole owner or an existing attacher or causes an outage that is reasonably likely to interrupt the service of a pole owner or existing attacher.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 409 responses per year industry wide.

(3) Annual burden per response: 0.5 hours per request; 0.5 hours x 409 notices = 204.5 hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 409 notices = \$3,272 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 OTMR projects to be conducted annually by new attachers. Of those 7,995 OTMR projects, we anticipate that it will be rare for a new attacher to cause equipment damage or an outage to the network of a pole owner or an existing attacher.

We estimate that a little over 5 percent of OTMR projects will result in equipment damage or an outage, thus requiring about 409 notices from new attachers to the affected parties. The notices to be sent by the new attacher will take on average about a half-hour each to prepare. 409 notices times 0.5 hours per notice = 204.5 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. \$16 x 204.5 hours = \$3,272 per year.

Subtotal for part 18: 204.5 hours; \$3,272 per year.

Part 19: Under new 47 CFR § 1.1411(j)(4)(iii), during the performance of make-ready work, if the new attacher or the pole owner determines that make-ready classified as simple is actually complex, then that specific make-ready must be halted and the determining party must provide immediate notice to the other party of its determination and the impacted poles. The affected make-ready is then governed by the non-OTMR timeline and the pole owner must provide the required notice initiating the new timeline as soon as reasonably practicable.

New attachers:

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 10 notices per year from new attachers industry wide.

(3) Annual burden per response: 1 hour per request; 1 hour x 10 notices = 10 hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$20.50 per notice x 10 notices = \$205 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 OTMR projects annually. We estimate that it will be rare for the new attacher, after a survey and after its pole attachment application has been approved by the pole owner, to discover that work originally classified as simple is actually complex. As a result, we estimate that there will be only 10 such occurrences annually and that the resulting notice to the pole owner will take on average about 1 hour each to prepare. 10 notices times 1 hour per notice = 10 hours annually industry wide. We anticipate that a new attacher will require both an engineer and an administrative office manager to prepare its notice to the pole owner, the time split evenly between the new attacher's engineer and its administrative office manager. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$20.50/hour x 10 hours = \$205 per year industry wide.

Pole owners:

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 10 notices annually from pole owners to new attachers and approximately 60 notices annually from pole owners to affected attachers regarding the timeline for the re-classified make-ready work.

(3) Annual burden per response: 1 hour per request; 1 hour x 70 notices = 70 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners and existing attachers: \$20.50 per notice x 70 notices = \$1,435 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 OTMR projects annually. We estimate that it will be rare for the pole owner, after a survey and after it has approved a pole attachment application, to discover that work originally classified as simple is actually complex. As a result, we estimate that there will be only 10 such occurrences annually and that the resulting notice to the new attacher will take on average about 1 hour each to prepare. Cumulatively, we anticipate about 20 instances where either the pole owner or the new attacher determines that, after the start of make-ready work, that the work must be re-classified from simple to complex. The re-classification then triggers the pole owner's obligation under the non-OTMR timeline to provide notice to the affected existing attachers of the planned make-ready work. We estimate that each of the 20 re-classifications will require approximately 3 notices from the pole owner to existing attachers. In total, we estimate that this new rule will require 70 notices annually from the pole owner. At an estimated 1 hour per notice = 70 hours annually industry wide. We anticipate that a pole owner will require both an engineer and an administrative office manager to prepare the notices, the time split evenly between the new attacher's engineer and its administrative office manager. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$20.50/hour x 70 hours = \$1,435 per year industry wide.

Subtotal for part 19: For new attachers: 10 hours; \$205 per year; for pole owners: 70 hours; \$1,435; Total = 80 hours; \$1,640.

Part 20: Under new 47 CFR § 1.1411(j)(5), a new attacher must notify the affected pole owner and existing attachers within 15 days after completion of make-ready on a particular pole. The notice must provide the affected pole owner and existing attachers at least 90 days from receipt in which to inspect the make-ready. The affected pole owner and existing attachers have 14 days after completion of their inspection to notify the new attacher of any damage or code violations caused by make-ready conducted by the new attacher on their equipment. If the pole owner or an existing attacher notifies the new attacher of such damage or code violations, then the pole owner or existing attacher must provide adequate documentation of the damage or the code violations.

New attachers:

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 7,995 OTMR projects per year times 3 notices per project = 23,985 notices per year industry wide.

(3) Annual burden per response: 0.5 hours per request; 0.5 hours x 23,985 notices = 11,992.50 hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 23,985 notices = \$191,880 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 OTMR projects to be conducted annually by new attachers. For those 7,995 projects, we estimate that the new attacher

must send approximately three notices per project regarding the completion of make-ready work. The notices to be sent by the new attacher take on average about a half-hour each to prepare. 7,995 projects times 3 notices per project times 0.5 hours per notice = 11,992.50 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. $\$16 \times 11,992.50 \text{ hours} = \$191,880$ per year.

Pole owners and existing attachers:

(1) Number of respondents: Approximately 533 pole owners, 609 attachers.

(2) Frequency of response: Approximately 800 notices annually from pole owners and existing attachers to new attachers regarding code violations or equipment damage caused by OTMR work.

(3) Annual burden per response: 1 hour per request; 1 hour x 800 notices = 800 hours industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners and existing attachers: \$20.50 per notice x 800 notices = \$16,400 per year industry wide.

(5) Explanation of calculation:

Consistent with our analysis above, we estimated that there will be approximately 7,995 OTMR projects to be conducted annually by new attachers. Of those 7,995 projects, we estimate that the pole owner and existing attachers will be sending notices to new attachers approximately 10 percent of the time notifying them of equipment damage or code violations resulting from OTMR work. 7,995 projects times 10 percent = 800 notices. The 800 notices will take on average an hour each to prepare. Total: 800 hours. We anticipate that a post-make-ready notice prepared by a pole owner or an existing attacher will be done by both a moderately-experienced engineer (0.5 hours per notice) and an administrative office manager (0.5 hours per notice). Administrative office salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. 800 notices times 1 hour per notice times \$20.50 per notice (\$12.50 for the engineer plus \$8 for the administrative office manager) = \$16,400 industry wide.

Subtotal for part 20: For new attachers: 11,992.50 hours; \$191,880 per year; for pole owners and existing attachers: 800 hours; \$16,400; Total = 12,792.50 hours; \$208,280.

In sum:

Total for Section 1.1411: 97,561.5 hours; \$1,908,236.25

Section 1.1412:

Part 1: Under new 47 CFR § 1.1412(a), a pole owner must make available and keep up-to-date a reasonably sufficient list of contractors it authorizes to perform self-help surveys and make-ready that is complex and self-help surveys and make-ready that is above the communications space on its poles. The new attacher must use a contractor from a pole owner-provided list to perform self-help work that is complex or above the communications space. New and existing attachers may request the addition to a list of any contractor that meets certain minimum qualifications and the pole owner may not unreasonably withhold its consent.

Pole owners:

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 1 list per pole owner per year of contractors authorized to work above the communications space; 533 lists annually industry wide.

(3) Annual burden per response: 6 hours per year per list for web posting or updating authorized contractors. The total annual burden is 6 hours per pole owner; 3,198 hours industry wide.

(4) Total estimate of the annualized (in-house) cost to pole owners for the hour burdens: 3,198 hours times \$23.50/hour = \$75,153 industry wide.

(5) Explanation of calculation: This new rule will have an incremental paperwork burden, as the Commission already has a rule (47 CFR § 1.1422(a)) that requires pole owners to keep a reasonably sufficient list of contractors it authorizes to perform surveys and make-ready work in the communications space. The new rule in 47 CFR § 1412(a) extends that requirement to contractors that will work above the communications space on a pole.

We estimate 1 incremental list of qualified contractors per pole owner per year times 533 pole owners equals 533 additional lists. We estimate the annual burden hours for web posting (both initial post and any updates) of authorized contractors at approximately 6 hours. 6 hours x 533 pole owners = 3,198 hours annually. We anticipate that a pole owner will require both an engineer and an administrative office manager to prepare its list, with 5 hours of an engineer's time and 1 hour for an administrative office manager. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$141/list x 533 lists = \$75,153 per year.

Attachers:

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 1 request per list per year to add a contractor to the list of contractors authorized to perform work above the communications space on a pole and the list to perform complex work; 1 request times 2 lists times 533 pole owners = 1,066 requests annually industry wide.

(3) Annual burden per response: 1 hour per request; 1 hour times 1,066 requests = 1,066 hours industry wide.

(4) Total estimate of the annualized (in-house) cost to attachers for the hour burdens: 1,066 hours times \$20.50/hour = \$21,853 industry wide.

(5) Explanation of calculation: We estimate that new and existing attachers will make on average approximately 1 request per year to add a contractor to a pole owner list of those contractors authorized to work above the communications pace and 1 request per year to add a contractor to a pole owner list of contractors authorized to perform complex work. 2 attacher requests times 533 lists = 1,066 annual requests. We estimate that each request to add a contractor to a pole owner list will take approximately 1 hour for the attacher; multiplied by 1,066 requests = 1,066 hours annually. We anticipate that an attacher will require both an engineer and an administrative office manager to prepare its request, with the time divided equally. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$20.50/hour x 1,066 hours = \$21,853 per year.

Subtotal for part 1: For pole owners: 3,198 hours; \$75,153 per year; for attachers: 1,066 hours; \$21,853; Total = 4,264 hours; \$97,006 annually.

Part 2: Under 47 CFR § 1.1412(b), a pole owner may, but is not required to, keep up-to-date a reasonably sufficient list of contractors it authorizes to perform surveys and simple make-ready work. If a pole owner provides such a list, then the new attacher must choose a contractor from the list to perform

the work. New and existing attachers may request the addition to the list of any contractor that meets certain minimum qualifications and the pole owner may not unreasonably withhold its consent.

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 3 requests per list per year by new and existing attachers to add a contractor to the pole owner's list of contractors authorized to perform simple work in the communications space; 3 requests times 220 lists = 660 requests annually industry wide.

(3) Annual burden per response: 1 hour per request; 1 hour times 660 requests = 660 hours industry wide.

(4) Total estimate of the annualized (in-house) cost to attachers for the hour burdens: 660 hours times \$20.50/hour = \$13,530 industry wide.

(5) Explanation of calculation: A pole owner already is required under our rules to keep a reasonably sufficient list of contractors authorized to perform surveys and simple make-ready work in the communications space of a pole. As a result, there will be no additional paperwork burdens for pole owners associated with this requirement. However, we understand from pole owners in our record that they frequently do not keep a list of contractors authorized to perform work in the communications space of a pole. We expect that trend to continue, so we estimate that less than half of pole owners (220) will keep a list of contractors authorized to perform surveys and simple make-ready work. We also estimate that new and existing attachers will make on average approximately three requests per year to add a contractor to a pole owner list of contractors authorized to perform simple work in the communications space of a pole. 3 attacher requests times 220 lists = 660 annual requests. We estimate that each request to add a contractor to a pole owner list will take approximately 1 hour x 660 requests = 660 hours annually. We anticipate that an attacher will require both an engineer and an administrative office manager to prepare its list, with the time divided equally. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$20.50/hour x 660 hours = \$13,530 per year.

Subtotal for part 2: 660 hours; \$13,530 annually.

Part 3: Under new 47 CFR § 1.1412(b)(i), if a pole owner does not provide a list of approved contractors for surveys or simple make-ready or no pole owner-approved contractor is available within a reasonable time period, then the new attacher may choose its own qualified contractor that meets certain minimum requirements. When choosing a contractor that is not on a pole owner-provided list, the new attacher must certify to the pole owner that its contractor meets the minimum qualifications when providing the notices required for OTMR and self-help surveys and make-ready work. The paperwork burden for the new attacher's notice requirements already are listed *supra* in Parts 9, 10, 16, and 17 for revised 47 CFR § 1.1411. The additional requirement to add a contractor certification to those notices when a new attacher chooses a contractor that is not on a pole owner's list will not result in an additional measurable paperwork burden for the new attacher because the certification is merely a one-sentence addition to a notice that already is required to be sent to the pole owner.

Part 4: Under new 47 CFR § 1.1412(b)(ii), a pole owner may disqualify any contractor chosen by the new attacher that is not on a pole owner-provided list, but such disqualification must be based on reasonable safety or reliability concerns related to the contractor's failure to meet the minimum qualifications or to meet the pole owner's publicly available and commercially reasonable safety or reliability standards. The pole owner must provide notice of its contractor objection within the notice

periods provided by the new attacher and in its objection must identify at least one available qualified contractor.

- (1) Number of respondents: Approximately 533 pole owners.
- (2) Frequency of response: Less than half of pole owners each year will make an objection to a contractor chosen by the new attacher; 220 objections annually industry wide.
- (3) Annual burden per response: 1 hour per year per objection. The total annual burden is 1 hour times 220 objections = 220 hours industry wide.
- (4) Total estimate of the annualized (in-house) cost to pole owners for the hour burdens: 220 hours times \$20.50/hour = \$4,510 industry wide.
- (5) Explanation of calculation: A new attacher can choose its own contractor only for surveys and simple make-ready work where the pole owner does not have a list of approved contractors. We estimate that a pole owner seldom will object to the new attacher's chosen contractor, especially since the work to be done is in the communications space on a pole.

As a result, we estimate that less than half of pole owners will object to a new attacher's chosen contractor once per year. The annual burden hours for a pole owner's objection will be approximately 1 hour per objection times 220 objections = 220 hours annually. We anticipate that a pole owner will require both an engineer and an administrative office manager to prepare its objection, with the time divided equally between the two. Administrative office manager salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. \$20.50/objection x 220 objections = \$4,510 per year.

In sum:

Total for Section 1.1412: 5,144 hours; \$115,046

Section 1.1413:

Section 1.1413 provides complaint and enforcement procedures for incumbent LECs to ensure that the rates, terms, and conditions of their access to pole attachments are just and reasonable. The paperwork burden for this provision is captured in OMB Collection No. 3060-0392, and additional paperwork burdens resulting from changes to this rule will be reflected in that collection.

Section 1.1415:

Part 1: Under new 47 CFR § 1.1415(c), a pole owner may require no more than 15 days' advance notice of planned overloading. If a pole owner requires advance notice for overloading, then the pole owner must provide existing attachers with advance written notice of the notice requirement or include the notice requirement in the attachment agreement with the existing attacher. If after receiving advance notice, the pole owner determines that an overload would create a capacity, safety, reliability, or engineering issue, it must provide specific documentation of the issue to the party seeking to overload within the 15 day advance notice period and the party seeking to overload must address any identified issues before continuing with the overload either by modifying its proposal or by explaining why, in the party's view, a modification is unnecessary.

New attachers:

- (1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 1,500 overlashing advance notices per year, plus 150 responses per year to a pole owner issue regarding the overlash = 1,650 responses annually.

(3) Annual burden per response: 0.5 hours x 1,500 advance notices = 750 hours; 1 hour x 150 issue responses = 150 hours; total = 900 hours industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 1,500 advance notices = \$12,000 per year, plus \$20.50 per response x 150 issue responses = \$3,075; total = \$15,075.

(5) Explanation of calculation:

We estimate that there will be approximately 2,000 overlashing projects to be conducted annually by new attachers. For those 2,000 projects, we estimate that the pole owner will require advance notice of the overlashing approximately 75% of the time. The 1,500 notices to be sent by the new attacher will take on average about a half-hour each to prepare. 1,500 notices times 0.5 hours per notice = 750 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. \$16 x 750 hours = \$12,000 per year. We also estimate that, after the pole owner receives advance notice of overlashing from the new attacher, the pole owner will identify issues with the overlashing in 10 percent of the cases, thus necessitating a response from the new attacher. We estimate that the resulting 150 new attacher responses will take 1 hour each to prepare, split evenly between an engineer at \$25/hour and an administrative office manager at \$16 per hour. \$20.50/response x 150 responses = \$3,075 per year. Annual total burden for new attachers = 900 hours, \$15,075.

Pole owners:

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 1 new master service agreement (Agreement) per year per pole owner; 533 total industry wide. Approximately 150 notices annually from pole owners to new attachers regarding issues caused by overlashing work. Total = 683 responses annually.

(3) Annual burden per response: Approximately 1 hour to negotiate a provision in an Agreement setting forth a requirement for advance notice of overlashing. Some pole owners may choose to provide this requirement in a one-time public writing (such as on the pole owner's website). The total annual hour burden is 1 Agreement/year times 1 hour/Agreement = 1 hour per pole owner; 533 hours annually industry wide. Also, 1 hour per notice of overlashing issues; 1 hour x 150 notices = 150 hours industry wide. Total = 683 hours annually industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners and existing attachers: Approximately \$175 per pole owner per year for putting advance notice requirement in writing; 533 pole owners x \$175 per writing = \$93,275 industry wide. Also, \$20.50 per notice x 150 notices = \$3,075 per year industry wide. Total = \$96,350.

(5) Explanation of calculation: We estimate that it will take, on average, one hour for a pole owner to negotiate a provision in an Agreement setting forth the advance notice requirement for overlashing. We estimate only 1 Agreement is needing this provision/year/pole owner because we assume that most pole owners will choose to provide the information required in a public writing (such as on the pole owner's website). We estimate that the total annual hour burden is 1 Agreement per year x 1 hour per Agreement = 1 hour per year per Agreement. 1 hour/pole owner x 533 pole owners = 533 hours industry wide. Negotiating an Agreement likely requires a moderately-experienced in-house attorney. We estimate the average hourly wage of a moderately-experienced in-house attorney at \$175 per hour. \$175 per hour x 1 hour = \$175 per pole owner/year x 533 pole owners = \$93,275 annual cost to pole owners.

We also estimate that, after the pole owner receives advance notice of overlashing from the new attacher, the pole owner will identify issues with the overlashing in 10 percent of those cases, thus necessitating a notice with documentation to the new attacher. We estimate that the resulting 150 notices (1,500 overlashing projects times 10 percent) will take 1 hour each to prepare, split evenly between an engineer at \$25/hour and an administrative office manager at \$16 per hour. $\$20.50/\text{response} \times 150 \text{ responses} = \$3,075$ per year. Annual total burden for pole owners = 683 hours; \$96,350.

Subtotal for part 1: For new attachers: 900 hours; \$15,075 per year; for pole owners: 683 hours; \$96,350; Total = 1,583 hours; \$111,425.

Part 2: Under new 47 CFR § 1.1415(e), an overlashing party shall notify the affected pole owner within 15 days of completion of the overlash on a particular pole. The notice shall provide the affected pole owner at least 90 days from receipt in which to inspect the overlash. The pole owner has 14 days after completion of its inspection to notify the overlashing party of any damage or code violations to its equipment caused by the overlash. If the pole owner discovers damage or code violations caused by the overlash on equipment belonging to the pole owner, then the pole owner shall inform the overlashing party and provide adequate documentation of the damage or code violations.

New attachers:

(1) Number of respondents: Approximately 609 attachers.

(2) Frequency of response: Approximately 2,000 overlashing projects per year times 1 notice per project = 2,000 notices per year industry wide.

(3) Annual burden per response: 0.5 hours per request; $0.5 \text{ hours} \times 2,000 \text{ notices} = 1,000 \text{ hours}$ industry wide.

(4) Estimate of the total annual (in-house) cost to new attachers: \$8 per notice x 2,000 notices = \$16,000 per year industry wide.

(5) Explanation of calculation:

We estimate that there will be approximately 2,000 overlashing projects to be conducted annually by new attachers. For those 2,000 projects, we estimate that the new attacher must send 1 notice per project to the pole owner regarding the completion of make-ready work. The notices to be sent by the new attacher take on average about a half-hour each to prepare. 2,000 projects times 1 notices per project times 0.5 hours per notice = 1,000 hours annually industry wide. We estimate that the work will be performed by an administrative office manager. Administrative office manager salary = \$16 per hour. $\$16 \times 1,000 \text{ hours} = \$16,000$ per year.

Pole owners:

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 200 notices annually from pole owners to new attachers regarding code violations or equipment damage caused by OTMR work.

(3) Annual burden per response: 1 hour per request; $1 \text{ hour} \times 200 \text{ notices} = 200 \text{ hours}$ industry wide.

(4) Estimate of the total annual (in-house) cost to pole owners and existing attachers: \$20.50 per notice x 200 notices = \$4,100 per year industry wide.

(5) Explanation of calculation:

We estimate that there will be approximately 2,000 overlashing projects to be conducted annually. Of those 2,000 projects, we estimate that the pole owner will be sending notices to new attachers approximately 10 percent of the time notifying them of equipment damage or code violations resulting from overlashing work. 2,000 projects times 10 percent = 200 notices. The 200 notices will take on average an hour each to prepare. Total: 200 hours. We anticipate that a post-make-ready notice prepared by a pole owner or an existing attacher will be done by both a moderately-experienced engineer (0.5 hours per notice) and an administrative office manager (0.5 hours per notice). Administrative office salary = \$16 per hour; average hourly wage of a moderately-experienced engineer = \$25. 200 notices times 1 hour per notice times \$20.50 per notice (\$12.50 for the engineer plus \$8 for the administrative office manager) = \$4,100 industry wide.

Subtotal for part 2: For new attachers: 1,000 hours; \$16,000 per year; for pole owners: 200 hours; \$4,100; Total = 1,200 hours; \$20,100.

In sum:

Total for Section 1.1415: 2,783 hours; \$131,525.

In sum:

Total Annual Hourly Burden for this Submission: 105,488.50 hours

(section 1.1411: 97,561.50 hours + section 1.1412: 5,144 hours + section 1.1415: 2,783 hours = 105,488.50 total hours)

Total Annual “In-house” Cost to Respondents: \$2,154,807.25

(section 1.1411: \$1,908,236.25 + section 1.1412: \$115,046 + section 1.1415: \$131,525 = \$2,154,807.25)

Note that these burdens are in addition to the existing burdens recently approved for OMB Collection No. 3060-1151. Those existing burdens are 448,921 hours and \$9,577,043, for a total burden of this collection = 554,410 hours (rounded up)¹⁰ (105,488.50 hours (new) + 448,921 hours (existing)) and \$11,731,850.25 (\$2,154,807.25 (new) + \$9,577,043 (existing)).

All estimates exclude any paperwork associated with “customary and usual business practices” including, for example, the generation, review, or payment of invoices, other than for work performed for the benefit of third parties.

13. Other than the cost burdens listed in Item 12 herein, the only capital or start-up cost component that might be required by this collection would be new software for pole owners to be able to provide make-ready cost estimates and invoices to new attachers on a pole-by-pole basis. We have been told by several pole owners that their billing systems currently are not equipped to provide make-ready estimates and invoices on a per pole basis and that it might cost upwards of “millions” of dollars to so equip their billing systems.

(1) Number of respondents: Approximately 533 pole owners.

(2) Frequency of response: Approximately 54 pole owners will upgrade their billing systems as a result of the new requirement.

¹⁰ We typically round to the nearest whole number in calculating PRA burdens, but we did not do so in this supporting statement (with the exception of calculating the total burden for the collection) so as to be more precise in calculating the applicable burdens.

(3) Total estimate of the (in-house) cost to pole owners for the burdens: 54 pole owner projects times \$125,000 per project = \$6,750,000 industry wide.

(4) Explanation of calculation: We conservatively estimate that approximately 10 percent of pole owners will have to upgrade their billing systems with new software to accommodate requests from new attachers for make-ready cost estimates and invoices broken down on a per pole basis. We note that per pole cost breakdowns must be provided only upon the request from a new attacher. We expect that, consistent with current practice, new attachers often will not request pole-by-by cost breakdowns, but rather will ask the pole owner to identify problematic poles so that the new attacher can work on alternatives. We also anticipate that, depending on the number of requests, pole owners can accommodate these requests without full (or any) software upgrades, but rather can rely on other, less costly, workarounds.

As a result, we estimate that approximately 54 pole owners will have to invest in software upgrades to allow their billing systems to provide estimates and invoices on a per pole basis. We estimate that the cost of such software upgrades will be approximately \$125,000 per project. 54 pole owner billing systems to be upgraded times \$125,000 per upgrade = \$6,750,000.

14. There are no annualized costs to the federal government.

15. The Commission is reporting program changes/increases to the total number of respondents, total annual responses, and total annual burden hours previously reported to OMB as part of this collection. These program changes result from the adoption of the new OTMR process, as well as targeted changes to the Commission's existing pole attachment timeline. These program changes are reflected in this supporting statement.

16. The Commission does not intend to publish any information at this time.

17. The Commission does not intend to seek approval not to display the OMB expiration date for OMB approval of this information collection. The Commission publishes a list of OMB-approved information collections displaying the OMB control number, OMB expiration date, and title of each collection in 47 CFR § 0.408.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

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