

SUPPORTING STATEMENT

A. Justification:

1. Section 90.175 requires third party disclosures by applicants proposing to operate a land mobile radio station. If they are requesting a frequency that formerly was coordinated exclusively by one industry-specific frequency coordinator, they are required to obtain written concurrence of that frequency coordinator.

On August 18, 2016, the Commission adopted a Notice of Proposed Rulemaking, FCC 16-110, in WP Docket No. 16-261, RM-11719 and RM-11722 (2016 Notice of Proposed Rulemaking), which proposed to amend Part 90 of the Commission's Rules to expand access to private land mobile radio (PLMR) spectrum. Among the many actions taken in the 2016 Spectrum Access NPRM, the Commission proposed to make certain frequencies that are designated for central station alarm operations available for other PLMR uses.

Specifically, the Commission proposed to modify section 95.35(c)(63) to remove the use limitation in the urbanized areas where the frequencies designated for alarm use in urban areas are not in use. The Commission tentatively concluded that it would be in the public interest to make these frequencies available for other PLMR operations in those areas and sought comment on this proposal, including its costs and benefits. The Commission also sought comment on other ways to expand PLMR users' access to frequencies that are designated, but no longer needed, for central station commercial protection services, including by making available channels in urbanized areas where some of the urban frequencies are in use, including: related costs and benefits associated with such proposals; current and expected future need for central station commercial protection service channels in the 460-470 MHz band; and how to protect incumbent central station commercial protection service operations from harmful interference if eliminating the use restriction on any frequency in any area where it currently is in use.

On October 22, 2018, the Commission issued a Report and Order and Order, FCC 18-143, in WP Docket No. 15-32, RM-11572, WP Docket No. 16-261, RM-11719 and RM-11722 (800/PLMR Access Order), in which it revised certain rules to require applicants for channels currently designated for central station alarm use to obtain the concurrence of the central station alarm frequency coordinator in order to use the channels for uses other than central station alarm operations. This requirement is similar to existing requirements pertaining to certain other channels. The Report and Order and Order did not revise any of the information collection requirements that are contained in this collection but rather added additional frequencies to the list. Therefore, this essentially is adding an additional 200 respondents to this collection.

Information Collection Requirements

a. **47 C.F.R. § 90.175(b)**. 47 C.F.R. § 90.175(b) establishes frequency coordination requirements for frequencies between 25 and 470 MHz to include a statement from the applicable frequency coordinator recommending the most appropriate frequency.

Statutory authority for this collection of information is contained in Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 301, 302(a), 303(g), 303(r), 309, 332(c)(7), 336 and 337.

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

2. The purpose of the information acquired through the filing of frequency coordination is to ensure that determine that the applicant's needs will be most effectively met while minimizing interference to existing licensees and the manner in which their spectrum is being utilized. This requirement will be used by Commission personnel in evaluating the applicant's need for such frequencies and to minimize the interference potential to other stations operating on the proposed frequencies.
3. The Commission's Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology may be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other Federal Agencies.
4. This agency does not impose a similar information collection on the respondents. There is no similar data available.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to that absolutely necessary to deter against possible abuses.
6. If the information required were not made available the Commission would be limited in its ability to remove or mitigate [radio-frequency interference](#) between different radio systems operating on the same frequency and would be unable to determine whether spectrum is being used intensively.
7. There are no special circumstances which would require collections to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5.
8. The Commission published a 60-day public comment period which appeared in the Federal Register on November 2, 2018 (83 FR 55166) as required by 5 CFR Section 1320.8. No comments were received as a result of the Notice.
9. Respondents will not receive any gifts or payments associated with this collection.
10. There is no need for confidentiality with this collection of information.
11. This does not address any private matters of a sensitive nature for this collection.

12. Data farmed from our ULS database labeled “attachment description information” yielded a list of filings that contained attachments described as concurrence type attachments which typically are letters of concurrence from licensees or frequency coordinators. Also, the Commission estimated that there will be approximately **an additional 200 requests** filed each year for non-central station use of central station alarm channels. We estimate that it would take each respondent 1 hour to obtain written concurrence of the frequency coordinator associated with the industry for which the existing station license was issued, or the written concurrence of the licensee of the existing station. The in-house hourly rate for in-house staff to fulfill the requirements is \$40/hour.

Number of respondents: 2,700.

Total Number of Annual Responses: 2,700.

Frequency of response: One time and third party disclosure requirement.

Hourly burden per respondent: 1 hour.

Total Annual Burden Hours: 2,700 responses x 1 hour/response = 2,700 hours.

In-house Cost: 2,700 hours x \$40/hour = \$108,000 hours.

13. Estimate of cost to respondents: There are no external contracting costs to the respondents.
14. Estimate of cost to the Federal Government: There are no costs to the Federal Government.
15. The Commission has program changes of 200 respondents, 200 responses, 200 annual burden hours which are due to the additional requests for non-central station use of central station alarm channels (request for concurrence) as the result of the adoption of FCC 18-143.

There are no adjustments to this collection.

16. The data will not be published for statistical use.
17. We do not seek approval to not display the expiration date for OMB approval of the information collection.
18. There were no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.