

## SUPPORTING STATEMENT

### A. Justification:

#### **Non-Substantive Revisions to the Information Collection Requirements Which Require Review and Approval from the Office of Management and Budget (OMB):**

1. Current FCC Form 350<sup>1</sup> is used in all cases when applying for an FM translator or FM booster broadcast station license in the current Media Bureau database system, the Consolidated Database System (CDBS).

The Commission is submitting this non-substantive change request to OMB for approval of minor non-substantive changes made to the CDBS-based FCC Form 350. The Media Bureau is transitioning to a new on-line, electronic licensing database system called the “Licensing Management System” (LMS) in which all Media Bureau broadcast applications and reporting forms will eventually be filed. In effect, the database transition requires a corresponding design conversion of all existing CDBS forms. The Media Bureau is currently developing electronic, LMS-compatible versions of various broadcast station application and reporting forms, such as this Form 2100, Schedule 350 – FM Translator or FM Booster Station License Application (LMS FM Translator or FM Booster License Application) as part of the database transition.

In general, the new LMS FM Translator or FM Booster License Application will replicate the CDBS-based FCC Form 350. The form sections and substance of the individual questions essentially remain the same. As with the CDBS-based FCC Form 350, the LMS FM Translator or FM Booster License Application requires applicants to certify compliance with statutory and regulatory requirements. The application is presented primarily in a “Yes/No” certification format and contains places for submitting explanatory exhibits where appropriate.

The respondents, burden hours and costs of this Information Collection are not impacted by the minor non-substantive changes to the FCC Form 350, which will now be a part of the LMS FM Translator or FM Booster License Application. The minor non-substantive change is highlighted below:

Change #1 – To accommodate the Media Bureau’s database transition from CDBS to LMS, FCC Form 350 will be replaced with the LMS-compatible LMS FM Translator or FM Booster License Application. The certification-based questions and explanatory exhibit format remains the same. The substance, respondents, burden hours, and costs of Information Collection OMB Control No. 3060-0404 are not impacted.

**This non-substantive change request to FCC Form 350, now contained in the LMS FM Translator or FM Booster License Application and the new online LMS licensing database system, requires OMB review and approval. There are no new burdens or costs associated with this non-substantive change.**

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<sup>1</sup> Pursuant to this non-substantive change, CDBS-based FCC Form 350 will be renamed “Form 2100, Schedule 350 – FM Translator or FM Booster Station License Application” and eventually encompassed within the new on-line, electronic licensing database system called the Licensing Management System. Accordingly, the title of this Information Collection is also being changed.

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

The statutory authority for this collection of information is contained in Sections 154(i), 307, 308 and 309 of the Communications Act of 1934, as amended.

2. **Agency Use of Information.** FCC staff members use the data to confirm that the station has been built to terms specified in the outstanding construction permit. Data is then extracted from the LMS FM Translator or FM Booster License Application for inclusion in the subsequent license authorization to operate the station.

3. **Consideration Given to Information Technology.** The Commission requires applicants to file the LMS FM Translator or FM Booster License Application electronically.

4. **Effort to Identify Duplication and Use Similar Information.** No other agency imposes a similar information collection on the respondents. There is no similar data available.

5. **Effort to Reduce Small Business Burden.** In conformance with the Paperwork Reduction Act of 1995, the Commission makes an effort to minimize the burden on all respondents. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.

6. **Less Frequent Data Collection.** The frequency for this collection of information is determined by the respondents, as necessary.

7. **Information Collection Circumstances.** This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. **Comments Received from the Public.** The Commission last published a Notice (83 FR 56841) in the *Federal Register* on November 14, 2018, seeking public comment on the information collection requirements contained in this supporting statement. No comments were received from the Notice.

9. **Payment or Gift.** No payment or gift was provided to the respondents.

10. **Confidentiality of Information.** There is no need for confidentiality for this information collection.

11. **Justification for Sensitive Questions.** This collection of information does not address any private matters of a sensitive nature.

12. **Estimate of Burden and Burden Hour Cost.** We estimate that 500 applications will be filed and processed. The average burden on a licensee is 1.0 hour per request. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

**Total Number of Annual Respondents:** 500 Licensees/Permittees of FM Translator or

**FM Booster Stations**

**Total Number of Annual Responses:** 500 - LMS FM Translator or FM Booster License Applications

**Total Annual Burden Hours:**

500 LMS FM Translator or FM Booster License Applications x 1.0 hour/application/respondent = **500 hours**

**Annual “In-House Cost”:** We assume that 50% of the estimated applications received will be completed by the respondent. It will take the respondent 1 hour to complete each application. The remaining 50% will be completed by an engineer at the station, which will take the engineer 1 hour to complete per application. The respondent is estimated to have an average salary of \$100,000/year (\$48.08/hour). A station engineer is estimated to have an average salary of \$22/hour.

250 LMS FM Translator or FM Booster License Applications (50% of the total applications) x 1.0 hour/application x \$48.08/hr = \$12,020.00

250 LMS FM Translator or FM Booster License Applications (50% of the total applications) x 1.0 hour/application x \$22.00/hr = \$5,500.00

**Total “In-Hour” Cost = \$12,020.00 + \$5,500.00 = \$17,520.00**

13. **Annual Cost Burden:** An application fee must be submitted with filing of the application for a commercial station. We estimate that 60% of applications submitted will require the submission of a fee. The fee for a commercial FM Translator or FM Booster license application is \$170 per application.<sup>2</sup>

**Total Annual Cost Burden:**

300 LMS FM Translator or FM Booster License Applications (60% of the total applications) x \$170/application = **\$51,000.00**

14. **Cost to the Federal Government:** The Commission will use professionals GS-13, step 5 (\$53.85/hour), and clerical personnel, GS-5, step 5 (\$20.61/hour) to process LMS FM Translator or FM Booster License Applications. For application processing, the GS-13 personnel require one hour and the GS-5 personnel require 0.50 hour.

Professional: 1.0 hour x \$53.85 x 500 applications = \$26,925.00

Clerical: 0.5 hour x \$20.61 x 500 applications = \$ 5,152.52

**Total Cost of the Federal Government: \$32,077.50**

15. **Reason for Changes in Burden or Costs.** There are no program changes to this collection as a result

<sup>2</sup> The updates to the Total Annual Cost Burden data in Question #13 reflects an increase in the requisite application filing fees, pursuant to the September 4, 2018, Application Fee Filing Guide for Media Services.

of this non-substantive change request. As noted in footnote 2, the +\$13,500 adjustment to the previously approved figures in the Annual Cost Burden, was due to the September 2018 increase in application filing fees, and not due to this non-substantive revision.

16. **Plans for Publication.** The data will not be published.

17. **Display of OMB Approval Date.** An extension of the waiver not to publish the expiration date on the form is requested. This will prevent the Commission from needing to update electronic files upon the expiration of the clearance.

18. **Exceptions to the Certification Statement.** There are no exceptions to the Certification Statement.

**B. Collections of Information Employing Statistical Methods**

No statistical methods are employed.