

Title: Section 73.682(d), DTV Transmission and Program System and Information Protocol (“PSIP”) Standards

SUPPORTING STATEMENT

A. Justification

The Commission is seeking approval from the Office of Management and Budget (OMB) for an extension without change of this currently approved information collection.

47 CFR 73.682(d). Section 73.682(d) of the Commission’s rules¹ incorporates by reference the Advanced Television Systems Committee, Inc. (“ATSC”)² Program System and Information Protocol (“PSIP”) standard “A/65C.”³ PSIP data is transmitted along with a TV broadcast station’s digital signal and provides viewers (via their DTV receivers) with information about the station and what is being broadcast, such as program information.⁴ The Commission has recognized the utility that the ATSC PSIP standard offers for both broadcasters and consumers (or viewers) of digital television (“DTV”).

ATSC PSIP standard A/65C requires broadcasters to provide detailed programming information when transmitting their broadcast signal. This standard enhances consumers’ viewing experience by providing detailed information about digital channels and programs, such as how to find a program’s closed captions, multiple streams and V-chip information. This standard requires broadcasters to populate the Event Information Tables (“EITs”) (or program guide) with accurate information about each event (or program) and to update the EIT if more accurate information becomes available. The previous ATSC PSIP standard A/65-B did not require broadcasters to provide such detailed programming information but only general information.⁵

¹ 47 C.F.R. § 73.682(d).

² ATSC is an international, non-profit organization developing voluntary standards for digital television. The ATSC member organizations represent the broadcast, broadcast equipment, motion picture, consumer electronics, computer, cable, satellite, and semiconductor industries. ATSC creates and fosters implementation of voluntary Standards and Recommended Practices to advance terrestrial digital television broadcasting, and to facilitate interoperability with other media. See <http://www.atsc.org/aboutatsc.html>.

³ ATSC A/65C: “ATSC Program and System Information Protocol for Terrestrial Broadcast and Cable, Revision C With Amendment No. 1 dated May 9, 2006,” (January 2, 2006). See 47 C.F.R. §§ 73.682(d) and 73.8000(b)(3).

⁴ PSIP data provides a method for DTV receivers (*e.g.*, DTV television sets) to identify a DTV station and to determine how a receiver can tune to it. For any given station, the PSIP data transmitted along with the digital signal identifies both its DTV channel number and its “major” channel number (former analog channel number), thereby making it easy for viewers to tune to the station’s DTV channel even if they only know the station’s major channel number. In addition, PSIP data identifies whether the programs are closed captioned, conveys available V-chip information, and provides program information, among other things.

⁵ For example, a network affiliate broadcast TV station was allowed to provide “network programming” as the descriptor for the majority of its program offerings.

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History:

- In the 2004 *Second DTV Periodic Report and Order* in MB Docket No. 03-15, the Commission adopted the ATSC PSIP standard “A/65B”⁶ and mandated its use by TV broadcasters.⁷ Because ATSC PSIP standard A/65B did not require broadcasters to provide specific programming information, the Commission did not consider its adoption of the PSIP requirement to be an information collection with PRA impacts.
- In the 2007 *Third DTV Periodic Report and Order* in MB Docket No. 07-91,⁸ the Commission updated its rules to reflect the ATSC PSIP standard A/65C, which was the most recent revision to the ATSC PSIP standard since the *Second DTV Periodic Report and Order*. The Commission incorporated by reference the 2006 ATSC PSIP standard A/65C into its rules.⁹ ATSC PSIP standard A/65C requires broadcasters to provide detailed programming information when transmitting their broadcast signal. This standard requires broadcasters to populate the Event Information Tables (“EITs”) with accurate information about each event and to update the EIT if more accurate information becomes available. The new PSIP rule became effective May 29, 2008.¹⁰
- In the 2008 *Order on Clarification*, the Commission clarified that real-time updates to the Event Information Table (“EIT”) are permissive and not required under the new PSIP standard adopted in the *Third DTV Periodic Report and Order*.¹¹

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

The statutory authorities that cover this information collection are contained in 47 USC 309 and 47 USC 337 of the Communications Act of 1934, as amended.

2. Broadcasters transmit PSIP data along with their DTV signal to provide viewers with DTV receivers with information about the station and what is being broadcast. Broadcasters have the program data to populate PSIP in the normal course of doing business. ATSC PSIP standard

⁶ See “Program and System Information for Broadcast and Cable,” Advanced Television Systems Committee, Doc. A/65B, Rev. B to PSIP for Terrestrial Broadcast and Cable (“ATSC A/65B”) (Mar. 18, 2003).

⁷ *Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 03-15, Report and Order, 19 FCC Rcd 18279, 18345-46, ¶ 152 (2004) (“*Second DTV Periodic Report and Order*”).

⁸ *Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, Report and Order, 23 FCC Rcd 2994, 3079, ¶ 185 (2007) (“*Third DTV Periodic Report and Order*”).

⁹ See 47 C.F.R. §§ 73.682(d) and 73.8000(b)(3).

¹⁰ See 75 Fed. Reg. 5634 (Jan. 30, 2008). OMB approved the PSIP information collection (OMB control number 3060-1104) as modified by the *Third DTV Periodic Report and Order* on March 4, 2008.

¹¹ *Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, Order on Clarification, 23 FCC Rcd 9001, 9002, ¶ 3 (2008) (“*Order on Clarification*”).

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A/65C requires broadcasters to provide detailed programming information and data when transmitting their broadcast signal.

3. Broadcasters transmit PSIP data along with their DTV signal
4. This agency does not impose a similar information collection on the respondents. There are no similar data available.
5. In conformance with the Paperwork Reduction Act (PRA) of 1995, the Commission is making an effort to minimize the burden on all respondents. This information collection is not expected to have a significant economic impact on a substantial number of small entities/businesses.
6. The frequency for this collection of information is determined by respondents, as necessary.
7. There are no special circumstances associated with this collection of information.
8. The Commission published a 60-day Notice (84 FR 35675) in the *Federal Register* on July 24, 2019 seeking public comment on the information collection requirements contained in this collection.

The Commission published a 30-day Notice in the *Federal Register* pursuant on September 27, 2019 (84 FR 51157) seeking comments from the public on the information collection requirements contained in this supporting statement. Fletcher, Heald & Hildreth, P.L.C. (“FHH”) filed comments on October 25, 2019, in response to the *Federal Register* Notice (FRN). FHH’s comments do not appear to address any PRA issues.¹²

FHH principally argues that the Commission has failed to comply with OMB Circular A-119 because the Commission has not initiated a proceeding to consider updating its rules to reflect the latest PSIP standard (i.e., 2013 version). We believe this collection is not the appropriate venue for FHH’s request. The Commission will consider in due course whether the rule should be updated to incorporate the most recent version of ATSC A/65. In addition, FHH is free to file a petition for rulemaking proposing any particular updates that it may consider appropriate.

FHH states in passing that “it may not be entirely clear whether the changes made to the ATSC A/65 PSIP standard in 2009 and 2013 altered the information collection component for which the FCC is currently seeking extended OMB approval.”¹³ Because the existing rule continues to

¹² The FRN sought comments concerning the following: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

¹³ FHH Comments at 6-7.

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incorporate the 2006 version of the PSIP standard, this information collection appropriately addresses the burdens imposed under that standard. Furthermore, FHH only speculates that there may be information collection differences between the 2006 and 2013 versions of the PSIP standard, without identifying what those differences may be. Commission staff does not believe there are any information collection differences between the 2006 and 2013 versions of the PSIP standard.

9. No payment or gift was provided to the respondents

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

11. This collection of information does not address any private matters of a sensitive nature.

12. Because all DTV broadcast licensees are required to comply with ATSC PSIP standard A/65C, we estimate that 1,812 DTV broadcast licensees will populate the EITs when transmitting PSIP data each year for a total of 52 weeks/year. Such updating of programming information may require 30 minutes (0.50 hour) per week. We estimate an average hourly wage of \$30.00 per hour for individuals performing these tasks.

Number of Annual Respondents: 1,812 DTV Broadcast Licensees

Total Number of Annual Responses: 1,812 (responses)

Total Annual Burden Hours:

1,812 programming information updates x 0.50 hours/update x 1 update/week x 52 weeks/year = **47,112 Hours**

Total Annual “In-House” Cost: 1,812 programming information updates x 0.50 hours/update x 1 update/week x 52 weeks/year x \$30/hour = **\$1,413,360**

13. Annual Cost Burden:

(a) Total annualized capital/startup costs: None

(b) Total annual costs (O&M): None

(c) Total annualized cost requested: None

14. There is no cost to the government.

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15. There are no program changes or adjustments to this collection.
16. The results of this information collection requirement will not be published.
17. We do not seek approval to not display the expiration date for OMB approval of the information collection.
18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.

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