

## SUPPORTING STATEMENT

### **A. Justification:**

1. The Commission is requesting Office of Management and Budget (OMB) approval for an extension of this information collection.

On October 15, 1997, the FCC released a *Report and Order, Amendment of the Commission's Rules to Establish a Radio Astronomy Coordination Zone in Puerto Rico*, ET Docket No. 96-2, RM-8165, FCC 97-347, which established a Coordination Zone that covers the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra within the Commonwealth of Puerto Rico (The Puerto Rican Islands). The Coordination Zone requires applicants for new and modified radio facilities in various communications services within the Coordination Zone to provide notification of their proposed operations to the Arecibo Radio Astronomy Observatory (Observatory) at the time their applications are submitted to the Commission. The coordination zone and notification procedures enable the Observatory to receive information needed to assess whether an applicant's proposed operations will cause harmful interference to the Observatory's operations, which also promotes efficient resolution of coordination problems between applicants and the Observatory.

The Observatory is the sole facility of the National Astronomy and Ionosphere Center, and is located near Arecibo, Puerto Rico. It was originally operated by Cornell University, but is now operated by the University of Central Florida, Metropolitan University (Puerto Rico), and Yang Enterprises, under a cooperative agreement with the National Science Foundation. The Coordination Zone and notification procedures enable the Observatory to receive information needed to assess whether an applicant's proposed operations will cause harmful interference to the Observatory's operations and will promote efficient resolution of problems through coordination between applicants and the Observatory.

The collection is authorized under Sections 4(i), 303(c), 303(f), 303(g), 303(r) and 309(j)(13) of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 303(c), 303(f), 303(g), 303(r), and 309(j)(13).

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

2. The information collected is used to facilitate coordination between the Observatory and Commission-licensed services in the Commonwealth of Puerto Rico. Applicants for new or modified radio communication facilities within the Coordination Zone are required to submit technical information concerning the applicant's proposed services to enable the Observatory to determine the potential for interference with its operations. The Observatory will perform interference evaluations at no cost to the applicants. If potential interference problems are identified, applicants are required to make reasonable attempts to resolve or mitigate such problems in order to protect the Observatory.

3. The Commission has been informed by the Observatory's spectrum manager that all applicants for non-amateur radio communications services in the vicinity of the Observatory now file their notification requirements electronically with the Observatory. Those applicants are also required to submit license applications to the Commission. Applicants for amateur radio licenses are required to file their applications only with the Commission.
4. As a "third party disclosure" requirement, some duplication of effort may be involved for non-amateur radio communications applicants; however, reasonable efforts are necessary to satisfy the interference concerns of the Observatory.
5. The collection of information does not have a significant economic impact on a substantial number of small entities. The *Report and Order* imposed only a minor paperwork burden as a result of this notification requirement. In those instances where interference is found by the Observatory to be likely, the FCC believes that the potential burden on the applicants to modify their applications in order to avoid interference is justified as necessary for protecting the Observatory's operations. The Commission also believes that the burden on applicants has been minimized by instituting electronic filing.
6. If the collection were not conducted, the Observatory would have to continue to check Commission public notices to learn of potential new communications facilities in the Puerto Rican Islands, a procedure that is burdensome and not foolproof. On the other hand, requiring applicants to notify the Observatory is not burdensome, and is necessary in light of the protection issues, as noted above. Furthermore, the Observatory has volunteered to perform interference analyses at no cost to the applicants. In addition, the Commission believes that a Coordination Zone facilitates cooperation between the Observatory and Commission applicants.
7. There are no special circumstances required for this collection.
8. The view of industry and the general public were solicited when the Commission published a 60-day notice in the *Federal Register* on October 4, 2019 (84 FR 53144). The Commission received no PRA comments in response to the *Federal Register* Notice.
9. Respondents will not receive any gifts or payments.
10. There is no need for confidentiality.
11. There are no matters of a sensitive nature required for this collection.
12. Based on consultation with the Coordination Zone spectrum manager, the FCC estimates that 1,200 entities per year are applying for 10,500 frequency assignments as licensees (respondents) in the Coordination Zone. These estimates have been revised significantly upwards from the 2016 estimates of 450 entities per year applying for 4,000 frequency assignments, to reflect the experience of the spectrum manager since that time. We also observe that all of these applications are filed electronically with the Observatory, again in accordance with the experience of the spectrum manager, who estimated in 2016 that 0.1%

were not filed electronically. Additionally, based on consultation with the spectrum manager, the FCC estimates that the time required for electronic filing currently averages about 20 minutes per transaction (0.333 hours), which is an increase from the 2016 estimate of 9 minutes per transaction. Again, this upward revision reflects the experience of the spectrum manager.

This combination of respondents and average time required for filing results in an annual burden of 3,500 hours annually:  $0.333 \text{ hours} \times 10,500 = 3,500 \text{ hours}$ .

**Total Number of Respondents: 1,200.**

**Total Number of Responses Annually: 10,500.**

**Total Annual Hourly Burden: 3,500 hours.**

We note that the annual hourly burden per respondent will vary depending on the number of applications filed by each respondent.

However, for the general purpose of this form, we will assume equal distribution of the burden over the 1,200 entities (respondents) applying for frequency assignments:

$3,500 \text{ total annual burden hours divided by } 1,200 \text{ entities} = 2.917 \text{ hours per entity (respondent)}$ .

Assuming a clerical cost of \$10 per hour, the total annual “in house” cost burden per respondent is **\$29.17 per year**.

The cost for 1,200 respondents to convey information to the Observatory is estimated at \$10 per hour for clerical personnel, with a time of 2.917 hours (175 minutes) per entity (respondent):

**Total Annual “In-House” Cost:**  $1,200 \text{ respondents} \times \$29.17 \text{ per year} = \mathbf{\$35,000}$

13. (a) Total Annualized Capital/Startup Costs: None.
  - (b) Total Annual Costs (O&M): None.
  - (c) Total Annualized Cost Requested: None.
14. There will be no additional cost to the Federal Government unless there is a dispute between the parties that cannot be resolved, which is unlikely. The Observatory has volunteered to perform interference evaluations at no cost to the applicants, but if potential interference problems are identified, applicants would be required to work with the Observatory in order to resolve them.

15. The Commission is reporting adjustments/increases to this information collection since the last approval from OMB. There are increases in the total number of respondents from 450 to 1,200 (+750), total annual responses from 4,000 to 10,500 (+6,500), and total annual burden hours from 602 to 3,500 (+2,898). We believe that the revised numbers more accurately represent the current situation in the Coordination Zone, which includes recovery from the devastating effects of Hurricane Maria in September 2017.

There are no program changes.

16. This information collection will not be published.
17. The expiration date for OMB approval will be displayed.
18. There are no exceptions to the Certification Statement.

**B. Collection of Information Employing Statistical Methods:**

This information collection does not employ any statistical methods.