

## SUPPORTING STATEMENT

**A. Justification:****1. Explain in detail the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Provide a copy of the appropriate section of each statute and regulation mandating or authorizing the information collection.**

Pursuant to 47 U.S.C. 309(j)(8)(G), the Commission is conducting an auction for 39 GHz spectrum in which it is offering incumbent licensees a share of auction proceeds as an incentive to relinquish voluntarily previously granted spectrum usage rights in order to permit the assignment of new initial licenses subject to flexible use rules. The information in the form is needed to make payments of the respective shares of auction proceeds. See also 47 CFR 1.2115(b) information required from a licensee with respect to payments in incentive auctions.

The Statutory authority for this collection of information is contained in 47 U.S.C. 309(j)(8)(G).

This information collection does affect Individuals or Households; however, there is no impact under the Privacy Act because it has been determined these Individuals or Households are acting in an “entrepreneurial capacity”.

The Commission is requesting the Office of Management and Budget (OMB) approval of this new information collection in order to obtain the three-year approval.

**2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information will be used by the Commission, for several purposes:

- a) To match the information submitted in this collection to existing information in the Commission’s records concerning the incumbent licensee and the amount of payment due to the incumbent licensee.
- b) To collect contact information for a person whom the Commission can contact to resolve any questions that arise regarding disbursement of the payment.
- c) To establish whom the incumbent licensee has authorized to enter its banking information on FCC’s online system.
- d) To obtain signed, notarized certifications from the incumbent licensee to protect the Government from liability and deter waste, fraud, abuse and improper payments.
- e) To obtain the information needed to route the payment to the proper bank account of the incumbent licensee through the Automated Clearing House (ACH) system.

- f) To obtain evidence confirming that the bank account to which the relocation reimbursement will be deposited is owned by the incumbent licensee.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical or other technological techniques or other forms of information technology, e.g., permitting electronic submissions of responses, and the basis for the decision for adopting this means of collection.**

The information will be collected by a paper form, which is necessary because the respondent is required to send a signed, notarized original to FCC.

**4. Describe efforts to identify duplication.**

This information collection avoids duplication by refraining from collecting information FCC already has, except when needed to match information on this form to existing data. For example, this information collection does not ask about the amount of the relocation reimbursement that is due to the incumbent licensee, because FCC will compute that amount from information FCC has collected outside this form.

**5. If the collection of information will have *significant* economic impacts on small businesses, organizations or other small entities, describe any methods used to minimize the burden on these entities.**

The collection of information will not have significant economic impacts on small businesses, organizations or other small entities.

**6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing the burden.**

This is a one-time reporting requirement collection of information. If the collection was not conducted, then FCC would not have the information necessary to make payments to incumbent licensees as an incentive to relinquish voluntarily previously granted spectrum usage rights in order to permit the assignment of new initial licenses subject to flexible use rules.

**7. Explain any special circumstances that would cause an information collected in a manner *inconsistent* with OMB's guidelines which are stated in 5 C.F.R. § 1320.5(d)(2).**

There are no special circumstances associated with this information collection that would make it inconsistent with OMB's guidelines in 5 C.F.R. § 1320.5(d)(2).

**8. Identify the date and page number of publication in the Federal Register of the agency's Paperwork Reduction Act (PRA) 60-day notice, required by 5 C.F.R. § 1320.8(d), soliciting comments on the information collection requirement(s) prior to submission to OMB.**

The notice required by 5 C.F.R. § 1320.8(d) was published in the Federal Register on September 24, 2019 at page 84 FR 50035.

**9. Explain any decision to provide any payment or gift to respondents, other than the remuneration of contractors or grantees.**

FCC will not provide any payment or gift to respondents, although the information collection is required to obtain a benefit for which the respondent is qualified.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The information collection includes information identifying bank accounts and providing account and routing numbers to access those accounts. FCC considers that information to be records not routinely available for public inspection under 47 CFR 0.457, and exempt from disclosure under FOIA exemption 4 (5 U.S.C. § 552(b)(4)).

**11. Provide additional justification for any questions of a sensitive nature.**

There are no questions of a sensitive nature.

**12. Provide estimates of the burden hours for the collection of information.**

This is a one-time collection of information.

FCC projects there will be 10 incumbent licensees eligible for payments using the reform and that the average time necessary to complete the response, including the time to gather information and have it reviewed, is 5 hours.

Number of Respondents	Frequency of Response	Total Number of Responses	Average Hours per Response	Total Burden Hours
10	1	10	5	50

The Commission estimates that respondents will complete this information collection using in-house staff, equivalent to a GS-13/Step 5 in the 2019 Federal GS Salary Schedule for the DC/MD/VA/WV/ PA locality (\$53.85 per hour) plus 30% overhead for a cost of \$70.01 per hour. Therefore:  
Annualized in-house cost to respondents = 50 hours x \$70.01 per hour = \$3,501

**Total number of respondents: 10 respondents**

**Total annual responses: 10 responses**

**Total annual burden hours: 50 hours**

**Total annualized in-house cost to respondents: \$3,501**

**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. Do not include the cost of any burden hours shown in items 12 and 14.**

FCC projects there will be no cost burden to respondents beyond the cost of burden hours reported in Question 12. FCC has designed this information collection to be completed by respondents' in-house staff without need for external consultants. The respondents will not need any specialized equipment to complete this information collection. The information being collected is information which the respondents already need to maintain in the normal cost of their business as licensees.

**14. Provide estimates of annualized costs to the Federal government.**

FCC will use government staff to review the submissions from respondents, compare the paper forms to FCC records to detect any errors, and store the information for use in disbursing the relocation reimbursements. FCC projects this will require an average of one hour per respondent. Therefore, the projected Federal government work hours are:

1 hour x 10 = 10 hours

We also project that the cost of government work hours will average the salary of a GS-13/Step 5 in the Federal GS Salary Schedule for the Washington DC locality (\$53.85 per hour) plus 30% overhead for a cost of \$70.01 per hour. Therefore:

**The Total Annualized Cost to the Federal government = 10 hours x \$70.01 per hour = \$700**

FCC does not project any other costs to conduct this information collection.

**15. Explain the reasons for any program changes or adjustments reported.**

The Commission is reporting program changes/increases for this new collection. There are increases to the total number of respondents of +10, total annual responses of +10 and total annual burden hour of +50 hours.

**16. For collections of information whose results will be published, outline plans for tabulation and publication.**

FCC does not plan to publish the results of this information collection.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reason that a display would be inappropriate.**

The Commission seeks an exemption from the requirement to display the OMB expiration date on the form related to this information collection. The Commission will use an edition date on the form in lieu of the OMB expiration date. This will prevent the Commission from having to constantly update the expiration date on the form each time this collection is submitted to OMB for review and approval. The Commission publishes a list of all OMB-approved information collections in 47 C.F.R. 0.408 of the Commission's rules.

**18. Explain any exceptions to the statement certifying compliance with 5 C.F.R. §1320.9 and the related provisions of 5 C.F.R. § 1320.8(b)(3).**

There are no exceptions to the Certification Statement.

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

This information collection does not employ statistical methods.