

SUPPORTING STATEMENT

1. The Federal Communications Commission (“Commission”) is requesting that the Office of Management and Budget (OMB) approve an extension of OMB Control No. 3060-1108 titled, “Consummation of Assignments<sup>1</sup> and Transfers of Control<sup>2</sup> of Authorization.”

A consummation is a party’s notification to the Commission that a transaction (assignment or transfer of control of authorization) has been completed<sup>3</sup>.

A consummation is applicable to all international telecommunications and satellite services, such as International High Frequency (IHF), Section 214 Applications (ITC), and Submarine Cable Landing Licenses (SCL).

Previously, applicants sent multiple letters to various offices within the Commission for each file number and call sign that are part of the consummation. The consummation module eliminated the applicant’s requirement to notify the Commission by letter with the details of the consummation. Instead, the applicant completes an on-line form (consummation module) in the International Bureau Filing System (IBFS). After the applicant enters the FCC Registration Number (FRN) in the form, the system generates a list of file numbers and call signs that are related to the FRN. The applicant can select the file numbers and call signs that are part of the consummation. The consummation module saves time for the applicants and Commission staff because the information is readily accessible for viewing and processing 24 hours a day/7 days a week. Furthermore, the consummation module eliminated the applicant’s completion and mailing of letters and expedited the Commission staff’s receipt of consummations in a timely manner.

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<sup>1</sup> An assignment of an authorization is a transaction in which the authorization is assigned from one entity to another entity. Following an assignment, the authorization is held by an entity other than the one to which it was originally granted.

<sup>2</sup> A transfer of control is a transaction in which the authorization remains held by the same entity, but there is a change in the entity or entities that control the authorization holder. A change from less than 50 percent ownership to 50 percent or more ownership shall always be considered a transfer of control. In all other situations, whether the interest being transferred is controlling must be determined on a case-by-case basis.

<sup>3</sup> For example, 47 C.F.R. 63.24(e)(4) states that “an assignee or transferee must notify the Commission no later than thirty (30) days after either consummation of the proposed assignment or transfer of control, or a decision not to consummate the proposed assignment or transfer of control. The notification shall identify the file numbers under which the initial authorization and the authorization of the assignment or transfer of control were granted.”

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The Commission has authority for this information collection pursuant to 47 U.S.C. 154(i) of the Communications Act of 1934.

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

2. The Commission implemented the consummation module in the IBFS to keep Commission staff abreast of critical information such as a change in a controlling interest in the ownership of the licensee. Applicants utilize IBFS to inform the Commission of consummations of assignments and transfers of control of authorization for international telecommunications and satellite services, such as International High Frequency (IHF), Section 214 Applications (ITC), and Submarine Cable Landing Licenses (SCL).

The information is used by the Commission staff in carrying out its duties under the Communications Act. The information collections are necessary largely to determine the qualifications of applicants to provide international telecommunications service, including applicants that are affiliated with foreign entities, and to determine whether and under what conditions the authorizations are in the public interest, convenience, and necessity. The information collections are necessary for the Commission to maintain effective oversight of U.S. providers of international telecommunications services that are affiliated with, or involved in certain co-marketing or similar arrangements with, foreign entities that have market power.

3. In September 2007, the OMB approved mandatory electronic filing of consummations of assignments and transfers of control of licenses for all telecommunications services. A total of 100 percent of the collection involves the use of electronic collection techniques.

4. This information collection requirement is not duplicated elsewhere.

5. The Commission's implementation of the consummation module will decrease costs for small businesses or other small entities because they would not have to incur postage costs to mail letters to various Divisions within the agency. Furthermore, there is no cost to the applicant to complete an on-line form (consummation module) in the electronic IBFS. Therefore, the consummation module is advantageous for small businesses or other small entities because it eliminates the cost of postage to mail letters to the Commission.

6. Without this collection of information, the Commission would not have critical information such as a change in a controlling interest in the ownership of the licensee. The Commission would not be able to carry out its duties under the Communications Act and to determine the qualifications of applicants to provide international

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telecommunications services, including applicants that are affiliated with foreign entities, and to determine whether and under what conditions the authorizations are in the public interest, convenience, and necessity. Furthermore, without this collection of information, the Commission would not be able to maintain effective oversight of U.S. providers of international telecommunications services that are affiliated with, or involved in certain co-marketing or similar arrangements with, foreign entities that have market power.

7. The collection of information is not being conducted in any manner known to be inconsistent with the guidelines in 5 CFR 1320. There are no special circumstances associated with this collection.
8. On November 14, 2019, the Commission published a 60-day notice in the Federal Register (84 FR 61904) to solicit comments from the public with regard to the revision of this collection. No comments were received from the public.
9. The Commission does not provide any payment or gift to respondents.
10. The Commission does not provide assurances of confidentiality to entities submitting their filings and applications. However, entities may request confidential treatment of their applications and filings under 47 C.F.R. 0.459 of the Commission's rules. With regard to certifications filed pursuant to Part 2 of the Commission's rules, parties receive minimal exemption from the Freedom of Information Act (FOIA).
11. This collection does not contain questions of a sensitive nature.

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12. Estimate of Burden Hours/Respondent Cost:

Please see the chart below for the number of responses, frequency of response, time per response, total annual burden hours, and explanation of burden estimate for the **163 respondents** to this information collection. We estimate that the average time that the respondents spend entering information in the IBFS is one hour. Please note that the time spent gathering the information would have been completed prior to submitting the initial application to the Commission via IBFS.

	47 CFR		Assignments and Transfers				Total
<u>Explanation of Burden</u>	<u>Rule Section</u>	<u>Abbreviation</u>	<u>Application Type</u>	<u>Responses</u>	<u>Frequency Of Response</u>	<u>Time Per Response</u>	<u>Burden Hours</u>
Section 214 Application	63.24(e)(4)	ITC	Assignments	60	On occasion	1 hour	60
Section 214 Application	63.24(e)(4)	ITC	Transfers of Control	95	On occasion	1 hour	95
Submarine Cable Landing License	1.767	SCL	Assignments	3	On occasion	1 hour	3
Submarine Cable Landing License	1.767	SCL	Transfers of Control	5	On occasion	1 hour	3
<b>TOTALS:</b>				<b>163</b>			<b>163</b>

**“In-house” Costs:** Respondents are expected to have an hourly salary rate of \$60/hour. Therefore, the in-house costs for respondents to complete their portion of these information collection requirements are calculated as follows:

$$163 \text{ burden hours} \times \$60/\text{hour} = \mathbf{\$9,780}$$

13. The total capital and start-up costs are zero. The total operation and maintenance and purchase of services component is estimated to be \$48,900 for outside legal assistance.

The costs of outside legal assistance are an average of \$300 per hour.

$$\$300/\text{hour} \times 1 \text{ hour/response} \times 163 \text{ responses} = \mathbf{\$48,900}$$

Total for outside legal assistance

14. There are no annualized costs to the Federal government because the consummation is simply a notification to the Commission that a transaction has been completed by the applicants.

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15. There are no program changes or adjustments in this collection.
16. The results of this information collection requirement will not be published for statistical use.
17. Not applicable. The Commission is not seeking approval to not display the expiration date for OMB approval of this information collection.
18. There are no exceptions to the certification statement.

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

Not applicable. This information collection does not employ statistical methods.