

SUPPORTING STATEMENT

A. Justification:

1. *Circumstances that make collection necessary.* Before the Commission established the Part 68 rules, terminal equipment (TE) was manufactured almost exclusively by Western Electric, which was part of the Bell system of companies that included the monopoly local exchange and long-distance providers in most parts of the country. This ensured that no harmful terminal equipment was connected to the public switched telephone network, but also created a monopoly in the development and manufacture of terminal equipment.

The Part 68 rules, 47 C.F.R. Part 68, are premised on a compromise whereby network providers are required to allow terminal equipment manufactured by any party to be connected to their networks, provided that the terminal equipment has been shown to meet the technical criteria for preventing network harm that are established under the Part 68 rules.¹ The responsible party, as defined in Section 68.3, was initially required to either seek approval of their terminal equipment from the Commission or seek certification from a Telecommunications Certification Bodies (TCB) to demonstrate compliance with the Commission’s technical criteria. These rules facilitated a vibrant, competitive market for terminal equipment, reducing prices and resulting in a proliferation of new equipment and capabilities available to consumers.

In the Telecommunications Act of 1996 (1996 Act), Congress directed the Commission to review its rules every even-numbered year and repeal or modify those found to be no longer in the public interest.² Consistent with the directive of Congress, in the year 2000, the Commission undertook its second comprehensive biennial review of the Commission’s rules. The review resulted in the elimination of significant portions of Part 68 rules governing the connection of customer premises equipment (terminal equipment) to the public switched telephone network and in privatization of the standards development and terminal equipment approval processes. By these actions, the FCC minimized or eliminated the role of the government in these processes.

Specifically, in the Report and Order, released in December 2000, we transferred the Commission’s responsibility for developing technical criteria to Standards Development Organizations (SDOs) that are accredited by the American National Standards Institute (ANSI), and the responsibility for compiling and publishing all standards ultimately adopted as technical criteria for terminal equipment to the Administrative Council for Terminal Attachments (ACTA) or Administrative Council.

¹ *2000 Biennial Review of Part 68 of the Commission’s Rules and Regulations, CC Docket No. 99-216, Notice of Proposed Rulemaking*, 15 F.C.C.R. 10525 at 10528, para. 5 (2000) (Notice). Part 68’s regulation of terminal equipment is narrowly drawn and applies only to equipment directly connected to the public switched telephone network on the customer’s side of the demarcation point.

² Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, codified at 47 U.S.C. §§ 151 *et seq.* (1996 Act). Hereinafter, all citations to the 1996 Act will be to the 1996 Act as it is codified in the United States Code. The 1996 Act amended the Communications Act of 1934. We refer to Communications Act of 1934, as amended, as the “Communications Act” or the “Act.” The Biennial Review of Regulations is codified at 47 U.S.C. §61.

We maintained our rules' broad principles, including a proscription against causing harm, as defined in Section 68.3, to the public switched telephone network and the personnel of wireline telecommunications providers by the direct connection of terminal equipment. Once the Administrative Council publishes the technical criteria, the Commission presumes the criteria to be valid for the prevention of the harms to the public switched telephone network (PSTN) by terminal equipment interconnection, subject to *de novo* review by petition to the Commission.

Conformation with the technical criteria is considered a demonstration of compliance with the Commission's rules prohibiting terminal equipment from harming the public switched telephone network. To obtain approval of terminal equipment, instead of submission for registration with the Commission, responsible parties now either submit their products to telecommunications certification bodies (TCBs) for certification of conformance with the technical criteria, or they use the Commission's Supplier's Declaration of Conformity (SDoC) process. All terminal equipment that has been approved, whether by a TCB or via an SDoC, must subsequently be listed in the database of approved terminal equipment, which is maintained by ACTA.

Per our Order, the Commission ceased performing all registration functions other than consideration of appeals. The Commission also successfully transferred its own database of registered TE to ACTA in July 2001. The Commission no longer maintains a database of equipment approved for attachment to the PSTN. The Commission has, therefore, been removed from having a role where government involvement is no longer necessary or in the public interest.

Part 68 also establishes the right of consumers to use competitively provided inside wiring.

With this submission, the Commission is requesting an extension (without change) to the reporting, recordkeeping and third-party disclosure requirements in order to obtain the full three-year clearance from OMB.

Following are the collections of information contained in Part 68:

- a. Telecommunications Certification Bodies (TCBs) and the Administrative Council for Terminal Attachments (ACTA) and associated requirements** – Currently, under section 68.102, terminal equipment must be approved or connected through protective circuitry. The FCC no longer accepts applications for registration of Part 68 equipment and has transferred responsibility for maintaining a database of approved terminal equipment to the Administrative Council. FCC Form 730 is no longer required to be used to obtain registration of telephone equipment pursuant to Part 68 of the Commission's rules, but applicants may be required to file information with Telecommunications Certification Bodies or with the Administrative Council for Terminal Attachments.

While continued collection of the information formerly required by FCC Form 730 is permitted, the Commission only requires that the ACTA database contain sufficient information for providers of telecommunications, this Commission and the U.S. Customs Service to carry out their functions.

- b. Section 68.106, Notification to Provider of Wireline Telecommunications** – Section 68.106 requires customers connecting terminal equipment or protective circuitry to the public switched telephone network, upon request of the provider of wireline telecommunications, to inform the

provider of wireline telecommunications of the particular line(s) to which such connection is made, and any other information required to be placed on that terminal equipment pursuant to Section 68.354.

Customers connecting systems assembled of combinations of individually approved terminal equipment and protective circuitry shall provide, upon the request of the provider of wireline telecommunications, the information delineated in Section 68.106(b)(1)-(4).

Customers who intend to connect premises wiring other than fully protected premises wiring to the public switched telephone network shall, in addition to the requirements in Section 68.106(b), give notice to the provider of wireline telecommunications in accordance with Section 68.215(e).

- c. **Section 68.108, Notification of Incidence of Harm** – Section 68.108 requires that providers of wireline telecommunications notify the customer that temporary discontinuance of service may be required should terminal equipment, inside wiring, plugs and jacks, or protective circuitry cause harm to the public switched telephone network or should the provider reasonably determinate that such harm is imminent.
- d. **Section 68.110, Disclosure of Technical Information** – Section 68.110(a) requires providers of wireline telecommunications to provide, upon request, technical information concerning interface parameters not specified by the technical criteria published by the Administrative Council for Terminal Attachments that are needed to permit terminal equipment to operate in a manner compatible with the communications facilities of provider of wireline telecommunications.

Section 68.110(b) requires that a provider of wireline telecommunications give the customer adequate notice in writing if changes can be reasonably expected to render any customer's terminal equipment incompatible with the communications facilities of the provider of wireline telecommunications, require modification or alteration of such terminal equipment, or otherwise materially affect its use or performance.

Section 68.110(c) requires providers of wireline telecommunications to provide building owners with all available information regarding carrier-installed wiring on the customer's side of the demarcation point, including copies of existing schematic diagrams and service records. The information must be provided by the provider of wireline telecommunications upon request of the building owner or agent thereof. In the alternative, the provider of wireline telecommunications may make these documents available for review and copying by the building owner.

- e. **Section 68.215, Notarized Affidavit** – Section 68.215 requires that a notarized affidavit and one copy thereof be prepared by the installation supervisor in advance of each operation associated with the installation, connection, reconfiguration and removal of other than fully-protected premises wiring (except when accomplished functionally using a cross-connect panel), except when involved with removal of the entire premises communications systems using such wiring. The affidavit and its copy must contain the information specified in 47 C.F.R. § 68.215(e)(1)-(9). The notarized original must be submitted to the local telephone company at least ten calendar days in advance of the placement connection of the wiring and shall be maintained at the premises, available for inspection, so long as the wiring is used for telephone service.

Pursuant to Section 68.215(f), each telephone network interface that is connected directly or indirectly to other than fully-protected premises wiring shall be subjected to the acceptance test procedures found in 47 C.F.R. § 68.215 whenever an operation associated with the installation, connection, reconfiguration or removal of this wiring (other than final removal) has been performed. *See* 47 C.F.R. § 68.215(f). The provider of wireline telecommunications may monitor or participate in the acceptance testing required under this section, in accordance with Section 68.215(g), from its central office test desk or otherwise.

Where the provider of wireline telecommunications invokes the extraordinary procedures of Section 68.215(g), it must give the customer the opportunity to correct the situation that gave rise to invoking these procedures and inform the customer of the right to bring a complaint to the Commission. *See* 47 C.F.R. § 68.215(g).

- f. Section 68.218, Compliance Warrants** – Section 68.218 requires that the responsible party warrant that each unit of equipment marketed under such authorization will comply with all applicable rules and regulations of Part 68 and with the applicable technical criteria of the Administrative Council for Terminal Attachments. The responsible party or its agent shall provide the user of the approved terminal equipment with the information specified in Sections 68.218(b)(1)-(2). When approval is revoked, the responsible party must take all reasonable steps to ensure that purchasers and users of such equipment are notified to discontinue use of such equipment. The supplier must notify the Council of any changes in the information.
- g. Section 68.324, Supplier’s Declaration of Conformity** – Section 68.324(a)(1)-(6) lists the information that each responsible party must include in the Supplier’s Declaration of Conformity.

Section 68.324(b) stipulates that if the device that is subject to a Supplier’s Declaration of Conformity is designed to operate in conjunction with other equipment, the characteristics of which can affect compliance of such device with Part 68 rules and/or with technical criteria published by the Administrative Council for Terminal Attachments, then the Model Number(s) of such other equipment must be supplied, and such other equipment must also include a Supplier’s Declaration of Conformity or a certification from a Telecommunications Certification Body.

Section 68.324(c) requires that the Supplier’s Declaration of Conformity be included in the user’s manual or as a separate document enclosed with the terminal equipment.

For terminal equipment not subject to a Supplier’s Declaration of Conformity, but instead containing protective circuitry that is subject to a Supplier’s Declaration of Conformity, Section 68.324(d) stipulates that the responsible party for the protective circuitry shall include with each module of such circuitry, a Supplier’s Declaration of Conformity containing the information required under Section 68.340, and that the responsible party of such terminal equipment shall include such statement with each unit of the product.

Section 68.324(e) requires the responsible party for terminal equipment subject to the Supplier’s Declaration of Conformity to provide to the purchaser of such terminal equipment, instructions as required by the Administrative Council for Terminal Attachments.

Section 68.324(e) also requires that a copy of the Supplier’s Declaration of Conformity be provided to the Administrative Council for Terminal Attachments along with any other information

the Administrative Council for Terminal Attachments requires; this information must be made available to the public. The responsible party must make a copy of the Supplier's Declaration of Conformity freely available to the general public on the company website. If the responsible party does not have a functional and reliable website, then the responsible party is required to inform the Administrative Council for Terminal Attachments of such circumstances, and the Administrative Council for Terminal Attachments shall make a copy available on its website. See 47 C.F.R. § 68.324(e).

The responsible party must also provide the information specified in Section 68.324 (f)(1)-(2) in the supplier's Declaration of conformity for a telephone that is not hearing aid compatible. See 47 C.F.R. § 68.324(f).

- h. Section 68.326, Retention of Records** – Section 68.326 requires that the responsible party for a Supplier's Declaration of Conformity maintain records containing the information specified in Section 68.326(a)(1)-(4) for at least ten years after the manufacture of said equipment has been permanently discontinued, or until the conclusion of an investigation or proceeding, if the responsible party is officially notified prior to the expiration of such ten-year period that an investigation or any other administrative proceeding involving its equipment has been instituted, whichever is later. See 47 C.F.R. § 68.326.
- i. Section 68.346, Description of Testing Facilities** – Section 68.346 requires that each responsible party for equipment that is subject to a Supplier's Declaration of Conformity compiles and retains a description of the measurement facilities employed for testing the equipment. The description shall contain the information required by the Administrative Council for Terminal Attachments. See 47 C.F.R. § 68.346.
- j. Section 68.354, Numbering and Labeling Requirements** – Section 68.354 requires that terminal equipment and protective circuitry that is subject to a Supplier's Declaration of Conformity or that is certified by a Telecommunications Certification Body have labels in place and manner required by the Administrative Council for Terminal Attachments. Terminal equipment labels shall include an identification numbering system in a manner required by the Administrative Council for Terminal Attachments. FCC numbering and labeling requirements existing prior to the effective date of these rules shall remain unchanged until the Administrative Council for Terminal Attachments publishes its numbering labeling requirement. See 47 C.F.R. § 68.354. See also 47 C.F.R. § 68.612.
- k. Section 68.417, Complaints.** Section 68.417 specifies the form and content for informal complaints and contains the procedures for filing them. An informal complaint alleging a violation of hearing aid compatibility and/or volume control rules in Part 68 may be transmitted to the Consumer and Governmental Affairs Bureau, FCC, by any reasonable means and must include the information specified in Section 68.417(b)(1)-(7).
- l. Section 68.418, Designation of Agents for Service** – Pursuant to Section 68.418, every responsible party of equipment approved pursuant to Part 68 must designate and identify one or more agents upon whom service may be made of all notices, inquiries, orders, decisions, and other pronouncements of the Commission in any matter before the Commission. Such designation shall be provided to the Administrative Council for Terminal Attachment and must include a name or

department designation, business address, telephone number, and if available TTY number, facsimile number, and Internet e-mail address. See 47 C.F.R. § 68.418.

- m. Section 68.419, Answers to Informal Complaints** – Section 68.419 requires that any responsible party to whom the Commission or the Consumer Information Bureau directs an informal complaint file an answer within the time specified by the Commission or the Consumer Information Bureau, following the requirements specified in Section 68.419(a)-(e).
- n. Section 68.604, Requirements for Submitting Technical Criteria** – Pursuant to Section 68.604, any standards development organization that is accredited under the American National Standards Institute’s Organization Method or the Standards Committee Method may establish technical criteria for terminal equipment pursuant to ANSI consensus decision-making procedures, and it may submit such criteria to the Administrative Council for Terminal Attachments.

Any SDO that submits standards to the Administrative Council for Terminal Attachments for publication as technical criteria shall certify to the Administrative Council for Terminal Attachments the information found in Section 68.604(c)(1)-(3). See 47 C.F.R. § 68.604.

- o. Section 68.610, Database of Terminal Equipment** – Section 68.610 requires that the Administrative Council for Terminal Attachments operates and maintains a database of all approved terminal equipment. The database must meet the requirements of the FCC and the U.S. Customs Service for enforcement purposes. Responsible parties must submit to the database administrator all information required by the Administrative Council for Terminal Attachments.

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

Statutory authority for this information collection is contained in 47 U.S.C. §§ 151-154, 201-205, and 303(r).

2. *Use of Information.* The purpose of 47 CFR Part 68 is to protect the network from certain types of harm and prevent interference to subscribers. To demonstrate that terminal equipment complies with criteria for protecting the network, and to ensure that consumers, providers of telecommunications, the Commission and others can trace products to the party responsible for placing terminal equipment on the market, it is essential to require manufacturers or other responsible parties to provide the information required by Part 68. In addition, incumbent local exchange carriers (ILECs) must provide the information in Part 68 to warn their subscribers of impending disconnection of service when subscriber terminal equipment is causing telephone network harm.
3. *Technological collection techniques.* The Commission does not prohibit the use of improved technology where appropriate. In 2004, ACTA introduced on-line filing of applications for listing in the database of approved terminal equipment.
4. *Efforts to identify duplication.* The information requested from the Administrative Council, parties responsible for terminal equipment, and carriers is not readily available from any other source.
5. *Impact on small entities.* This collection of information may impact small entities, including the Administrative Council, small manufacturers of terminal equipment and small ILECs. The

Commission has not developed a size standard for small manufacturers of telephone terminal equipment. The closest applicable size standard under Small Business Administration (SBA) rules is for manufacturers having 1,000 or fewer employees.

The 2012 Census Bureau data,³ the most current information available, shows that there are 249 telephone apparatus manufactures in the US. Analysis indicates that the large majority of these 249 manufacturers are small businesses, under SBA size rules. Hence, we estimate there are fewer than 249 small manufacturers of terminal equipment that may be affected by Part 68 rules.

To ease regulatory burdens on terminal equipment manufacturers, Part 68 allows two methods to obtain terminal equipment approval, and respondents can choose one or both as appropriate to their circumstances, including consideration of paperwork burdens.

The Commission has also not developed a size standard specifically for small ILECs. The appropriate size standard under SBA rules is for carriers having 1,500 or fewer employees. According to Commission data, 1,307 carriers have self-identified as incumbent local exchange carriers. Of these 1,307 carriers, an estimated 1,006 have 1,500 or fewer employees and an estimated 301 have more than 1,500 employees.⁴ Hence, we estimate there are fewer than 1,006 small ILECs that may be affected by Part 68 rules.

6. *Consequences if information is not collected.* Without the information sought by the information collection, the Commission would be unable to ensure the integrity of the public switched telephone network. Telecommunications providers and responsible parties would also not have proper notice of the standards that must be satisfied before terminal equipment must be allowed to connect to the PSTN.

Similarly, without these requirements it would be difficult for consumers to identify compliant terminal equipment before connecting it to the network, for responsible parties to provide the Administrative Council with copies of SDoCs and to make copies of SDoCs available to the public, and to hold responsible parties accountable for any damage terminal equipment may cause to the network.

7. *Special Circumstance.* The Commission requires the responsible party to maintain a copy of the SDoC and test results for ten years after the product is no longer in production. This recordkeeping requirement will ensure that the responsible party may be held accountable for any harm terminal equipment it produces may cause to the public switched telephone network.

³ The 2012 Census Bureau data for table EC1200A1 is the most current data available at this time and can be found here: https://factfinder.census.gov/bkmk/table/1.0/en/ECN/2012_US/00A1/0100000US|0100000US.04000.001/naics~33421 . The next 2017 dataset will be uploaded to the Census Bureau's Cedsci platform which supersedes Fact Finder. Generally, it takes several years from the data collections date of 2017 until the report is publicly available.

⁴ The FCC staff continues to internally verify and update these numbers using on-going FCC Form-499 data and analysis. These numbers continue to remain largely unchanged. Original estimates based upon FCC, Wireline Competition Bureau, Industry Analysis and Technology Division, "Trends in Telephone Service" at Table 5.3, Page 5-5 (September 2010).

8. *Federal Register notice; efforts to consult with persons outside the Commission.* A notice was placed in the Federal Register as required by 5 C.F.R. Part 1320.8 to solicit public comment. See 85 FR 9768, dated February 20, 2020. No comments were received.
9. *Payments or gifts to respondents.* The Commission does not anticipate providing any payment or gift to respondents.
10. *Assurance of confidentiality.* The information respondents are requested to provide is not proprietary, trade secret or other confidential information.
11. *Questions of a sensitive nature.* There are no questions of a sensitive nature with respect to the information collection, nor are there any privacy issues.
12. *Estimates of the hour burden of the collection to respondents.*

There are three significant factors that impact burden calculations: subscribers; TE (Telecommunication Equipment) manufacturers; and ILECs (Incumbent Local Exchange Carriers). There have been significant changes in subscribers and TE manufactures from the last submission.

SUBSCRIBERS: The PSTN (Public Switched Telephone Network) continues to experience decreases in the total number of subscribers. This has led to reductions in many of the burden and cost allocations associated with this filing.⁵ Essentially, we estimate that the number of subscribers has fallen from 65,000,000 to 45,000,000 (about 31%).

TE MANUFACTURERS: Updated information received by the FCC on January 31, 2020 from the ACTA Secretariat shows a continued decrease in the number of respondents and responses that parallels the significant decrease in PSTN subscribers. The number of respondents has fallen from an estimated 230 to 80.6, and total responses have fallen from estimated 600 to 268.4 per year.

(a) Telecommunications Certification Bodies (TCBs) and Administrative Council for Terminal Attachments and associated Requirements:

- (1) Number of respondents: Approximately 81 manufacturers and importers of terminal equipment per year
- (2) Total annual responses: Approximately 268.4 per year, of which 161 were via TCBs.
- (3) Average burden per response: 24 hours.
- (4) Total annual burden: **3,864 hours.**

⁵ Based upon staff estimates using publicly available information, TeleGeography data and internal staff estimates. The decline in PSTN access lines (from 65M in last PRA filing to current 45M estimate) although significant tracks with the increase in VoIP (Voice over Internet Protocol) services and other non-PSTN technology delivery systems for the last mile such as cable providers. Telegeography data shows that AT&T, a major legacy PSTN provider, has seen a significant drop in the number of subscribers from 28,489,000 in 2013 to 15,017,000 in 2018 – a reduction of over 45%. AT&T experienced a 32% reduction from 2015 to 2018, approximately a 32% decrease over a 3-year period. CenturyLink experienced a drop of approximately 27% during the same period.

- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$212,520.
- (6) How estimated: (Note: Hours burdens associated with ACTA's database collection requirements are calculated in section (o), which addresses Section 68.610.)

ACTA's recent experience with all submissions is that approximately 68 manufacturers and importers of terminal equipment together submit an annual total of approximately 268.4 applications for listing in the database of approved terminal equipment per year.

Of these, 60% or 161 were processed by TCBs and submitted to ACTA.

Assuming the time needed to assemble and compile supporting technical documentation to obtain TE approval is about 24 hours per submission and that respondents use personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), we estimate the in-house cost to respondents to be:

$$161 \text{ submissions} \times 24 \text{ hours/submission (response)} \times \$55/\text{hour} = \$212,520.$$

(b) Section 68.106, Notification to Provider of Wireline Telecommunications:

- (1) Number of respondents: Approximately 35,000 customers of wireline telecommunications carriers per year.
- (2) Total annual responses: Approximately 35,000 per year, approximately 1 response per respondent annually.
- (3) Average burden per response: 0.05 hours.
- (4) Total annual burden: **1,750 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$96,250.
- (6) How estimated: We expect respondents' costs to be very little due to the nature of the requirements and the estimated time (0.05 hours per response) for complying with them. Given approximately 45 M access lines in the US and using a response rate of 0.078% results in approximately 35,000 responses. Assuming that respondents use personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), we estimate respondent's cost to be about \$55 per hour per application. Thus, the in-house cost to respondents is:

$$35,000 \text{ respondents} \times 1 \text{ response/year} \times 0.05 \text{ hours/response} \times \$55/\text{hour} = \$96,250.$$

(c) Section 68.108, Notification of Incidence of Harm:

- (1) Number of respondents: Approximately 325 incumbent LECs, per year
- (2) Total annual responses: Approximately 1,800 per year, approximately 5.5 responses per respondent annually.
- (3) Average burden per response: 0.10 hours.
- (4) Total annual burden: **180 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$9,900.
- (6) How estimated: Due to the widespread use of Part 68 compliant TE, we expect that the incidence of TE harming the PSTN will be very low. Given approximately 45 M access lines in the US, we expect that approximately 1,800 (0.004%) of them will experience harms from TE in the span of a year. We expect respondent's costs to be very little due to the nature of the requirements and the estimated time (0.10 hours per response) for complying with them.

Assuming that, on average, respondents use personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), we estimate the in-house costs to all respondents to be:

$45\text{M subscribers} \times 0.004\% \text{ responses} \times 0.10 \text{ hours/response} \times \$55/\text{hour} = \$9,900.$

(d)(1) Section 68.110 (a) and (b), Disclosure of Technical Information:

- (1) Number of respondents: Approximately 40 incumbent LECs
- (2) Total annual responses: Approximately 40 per year, approximately 1 response per respondent annually.
- (3) Average burden per response: 40 hours.
- (4) Total annual burden: **1,600 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$88,000
- (6) How estimated: We expect the respondents' costs to be low due to the nature of the requirements and the estimated time (40 hours per response) for complying with them. Assuming that respondents use personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), we estimate the in-house cost to respondents is:

$40 \text{ respondents} \times 1 \text{ response/annum} \times 40 \text{ hours/response} \times \$55/\text{hour} = \$88,000.$

We assume that providers already furnish subscribers with information upon initiation of service, with bills, and at other times; and are free to include the information we require herein

with other materials, removing the need for a special cost of distribution. Thus, the average burden per response noted above is for generating the text of a response, not for distribution of one or multiple copies of that response.

(d)(2) Section 68.110(c), Disclosure of Technical Information:

- (1) Number of respondents: Approximately 200 incumbent ILECs.
- (2) Total annual responses: Approximately 1,200 per year, approximately 6 responses per respondent annually.
- (3) Average burden per response: 1 hour.
- (4) Total annual burden: **1,200 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$19,200.
- (6) How estimated: Potentially, within the 50 states, based on 4 carriers per state that may each receive an estimated 6 requests for such disclosures in the course of one year, we estimate a total of 1,200 responses. We estimate 200 respondents would be subject to the requirement. We estimate that it will take no longer than 1 hour of clerical staff time (at \$16/hour, including overhead costs) to comply with each request. Thus, the in-house cost to respondents is:

$200 \text{ respondents} \times 6 \text{ responses/annum} \times 1 \text{ hour/response} \times \$16/\text{hour} = \$19,200.$

(e) Section 68.215(e), Notarized Affidavit:

- (1) Number of respondents: Approximately 5,192
- (2) Total annual responses: Approximately 5.192 per year, approximately 1 response per respondent annually.
- (3) Average burden per response: 0.5 hours.
- (4) Total annual burden: **2,596 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$41,536.
- (6) How estimated: We estimate that of the approximately 69,000 installations⁶ made during a year, approximately 7.5% of them, (or 5,192) will require an affidavit. We estimate that it will take no longer than 0.5 hour of clerical staff time (at \$16/hour, including overhead cost) per affidavit. Thus, the in-house cost to respondents is:

⁶ Staff estimates a corresponding reduction in the number of PSTN installs based upon the reduction in PSTN subscribers overall.

5,192 respondents x 1 response/annum x 0.5 hours/response x \$16/hour = \$41,536.

(f) Section 68.218, Compliance Warrants:

- (1) Number of respondents: Approximately 81.
- (2) Total annual responses: Approximately 211 per year, approximately 2.6 responses per respondent annually.
- (3) Average burden per response: 1 hour.
- (4) Total annual burden: **211 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$3,376.
- (6) How estimated: We estimate that approximately 211 compliance warrants will be issued annually. We estimate that it will take no longer than 1 hour of clerical staff time (at \$16/hour, including overhead cost) to comply with the request. Thus, the in-house cost to respondents is:

211 responses x 1 hour/response x \$16/hour = \$3,376.

(g) Section 68.324, Supplier Declaration of Conformity:

- (1) Number of respondents: Approximately 81
- (2) Total annual responses: Approximately 107 each year
- (3) Average burden per response: 8 hours.
- (4) Total annual burden: **856 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$13,696
- (6) How estimated: We estimate 40% of 268.4 annual submission, or 107 of ACTA submissions are SDoC. We estimate 8 hours per submission at \$16/hour, including overhead costs. Thus, the in-house cost to respondents is:

107 responses x 8 hours/response x \$16/hour = \$13,696.

(h) Section 68.326, Retention of Records:

- (1) Number of respondents: Approximately 81

- (2) Total annual responses: Approximately 107 each year
- (3) Average hour burden per response: 0.5 hours.
- (4) Total annual burden: **54 hours.**
- (5) Total estimate of in-house annualized cost to respondents for the hour burdens for the collection of information: \$864
- (6) How estimated: We estimate 40% of 268.4, or 107, ACTA submissions are SDoC. We estimate 0.5 hours of clerical staff time (at \$16/hour, including overhead costs) per response. Thus, the in-house cost to respondents is:

 $107 \text{ responses} \times 0.5 \text{ hours/response} \times \$16/\text{hour} = \$864.$

(i) Section 68.346, Description of Testing Facilities:

- (1) Number of respondents: Approximately 81 manufacturers and importers of TE.
- (2) Total annual responses: Approximately 6 per year.
- (3) Average hour burden per response: 2 hours.
- (4) Total annual burden: **12 hours.**
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$660.
- (6) How estimated: Approximately 40% of the 81 manufacturers and suppliers of TE, or 32 manufacturers and suppliers, use SDoCs. We anticipate that approximately 20% of these, or 6, respond annually. Assuming that respondents use personnel comparable in pay to that of a mid- to senior-level federal employee, we estimate that it will take no longer than 2 hours of staff time (at approx. \$55/hour, including overhead costs) to comply with the request. Thus, the in-house cost to respondents is:

 $6 \text{ responses} \times 2 \text{ hours/response} \times \$55/\text{hour} = \$660.$

(j) Section 68.354(b), Numbering and Labeling Requirements

- (1) Number of respondents: Approximately 81 manufacturers and importers of TE.
- (2) Total annual responses: Approximately 211 responses per year, approximately 2.6 responses per respondent annually.
- (3) Average hour burden per response: 0.25 hours.

- (4) Total annual burden: **53 hours**.
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$2,915.
- (6) Explanation of above calculations: We estimate that approximately 211 numbering and labeling descriptions will be specified annually. Assuming that respondents use personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), we estimate that it will take no longer than 0.25 hours of the staff time to comply with the request. Thus, the in-house cost to respondents is:

$$211 \text{ responses} \times 0.25 \text{ hours/response} \times \$55 = \$2,915.$$

(k) Section 68.417, Informal Complaints:

- (1) Number of respondents: Approximately 5.
- (2) Total annual responses: Approximately 5 per year, approximately 1 response per respondent annually.
- (3) Average hour burden per response: Approximately 20 hours.
- (4) Total annual burden: **100 hours**.
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$5,500.
- (6) Explanation of above calculations: Frequency of complaint filings is not determined by the Commission. In light of the absence of complaints filed with the Commission in the past, we expect very few complaints to be filed. We estimate that approximately 5 complaints will be filed, each taking no more than 20 using personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), to comply with the requirements. Thus, the in-house cost to respondents is:

$$5 \text{ responses} \times 20 \text{ hours/response} \times \$55/\text{hour} = \$5,500.$$

(l) Section 68.418, Designation of Agents for Service:

- (1) Number of respondents: Approximately 81 manufacturers and suppliers
- (2) Total annual responses: Approximately 124 annually.⁷
- (3) Average hour burden per response: Approximately 0.25 hours.
- (4) Total annual burden: **31 hours**.

⁷ Based upon information received from ACTA (Administrative Council for Terminal Attachment) in January 2020.

- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$496.
- (6) Explanation of above calculations: We received current information that ACTA receives 124 annual submissions. We estimate that it will take no longer than 0.25 hours of clerical staff time (at \$16/hour, including overhead costs) to comply with the request. Thus, the in-house cost to respondents is:

$$124 \text{ responses} \times 0.25 \text{ hour/response} \times \$16/\text{hour} = \$496.$$

(m) Section 68.419, Answers to Informal Complaints

- (1) Number of respondents: Approximately 5.
- (2) Total number of responses annually: Approximately 5 responses, approximately 1 response per respondent annually.
- (3) Average hour burden per response: Approximately 20 hours.
- (4) Total annual burden: **100 hours**.
- (5) Total estimate of in-house cost to respondents for the hour burden for the collection of information: \$5,500.
- (6) Explanation of above calculations: In light of the absence of complaints filed with the Commission in the past, we expect very few responses to be filed. We estimate that approximately 5 responses will be filed, each taking no more than 20 hours using personnel comparable in pay to that of a mid- to senior-level federal employee (approx. \$55/hour, including overhead costs), to comply with the requirements. Thus, the in-house cost to respondents is:

$$5 \text{ responses} \times 1 \text{ response/annum} \times 20 \text{ hours/response} \times \$55/\text{hour} = \$5,500.$$

(n) Section 68.604, Requirements for Submitting Technical Criteria:

- (1) Number of respondents: Approximately 5 standards bodies
- (2) Total annual responses: Approximately 3 responses annually.
- (3) Average hour burden per response: Approximately 1 hour.
- (4) Total annual burden: **3 hours**.
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: **\$48**.

- (6) Explanation of above calculations: We estimate that approximately 3 standards submissions will be made annually. We estimate that it will take no longer than 1 hour of clerical staff time (at \$16/hour, including overhead costs) to comply with the request. Thus, the in-house cost to respondents is:

$$3 \text{ responses} \times 1 \text{ hour/response} \times \$16/\text{hour} = \mathbf{\$48}.$$

(o) Section 68.610, Database of Terminal Equipment

- (1) Number of respondents: Approximately 81 manufacturers and suppliers, and ACTA.
- (2) Total annual responses: Approximately 268 annually, approximately 3.3 responses per respondent annually.
- (3) Average hour burden per response: Approximately 1.0 hour.
- (4) Total annual burden: **268 hours**.
- (5) Total estimate of in-house cost to respondents for the hour burdens for the collection of information: \$14,740.
- (6) Explanation of above calculations: We estimate that approximately 268 requests for listings in the database of approved terminal equipment will be made annually. Assuming that manufacturers and suppliers use personnel comparable in pay to that of a mid- to senior-level federal employee, we estimate that it will take no longer than 0.5 hour of staff time (at approx. \$55/hour, including overhead costs) to comply with the request. In addition, for each listing, we estimate that it will take approximately 0.5 hour of the database administrator's time (at approx. \$55/hour, including overhead costs) to prepare and post the database entry. Thus, the in-house cost to respondents is:

$$268 \text{ responses} \times 1.0 \text{ hours/response} \times \$55/\text{hour} = \$14,740$$

Total Number of Respondents: 41,371 respondents

Total Number of Responses Annually: 44,440 responses

Total annual hourly burden of all collections: $3,864 + 1,750 + 180 + 1,600 + 1,200 + 2,596 + 211 + 856 + 54 + 12 + 53 + 100 + 31 + 100 + 3 + 268 = \mathbf{12,878 \text{ hours}}$

Estimate of total annualized cost to respondents for the hour burdens for all collections ("in house"): $\$212,520 + \$96,250 + \$9,900 + \$88,000 + \$19,200 + \$41,536 + \$3,376 + \$13,696 + \$864 + \$660 + \$2,915 + \$5,500 + \$496 + \$5,500 + \$48 + \$14,740 = \mathbf{\$515,201}$

13. *Estimates of the cost burden of the collection to respondents.* We estimate that there are no longer any capital or start-up costs for these requirements. We do not believe that these requirements will necessitate any additional equipment. We estimate that there will be no operation, maintenance, or purchase of service costs for these requirements, except as noted below.

Telecommunications Certification Bodies and Administrative Council for Terminal Attachment and Associated Requirements:

(a) Operation and Maintenance and Purchase of Services: **\$503,250.**

Applicants may be required to conduct and submit test procedures for certain electronic devices to comply with Part 68 requirements (see 12(a)(5) above). We estimate that 70% of the applicants subject to the filing requirements will solicit the services of testing laboratories. Costs associated with use of testing laboratories vary greatly – anywhere from a few hundred dollars to several thousand dollars – depending on many factors, including the services requested. We estimate that average cost for such services would be about \$1,500 per application. All applicants requesting a listing in the ACTA database (see 12(o) above) also incur a filing fee. We estimate this fee to be approximately \$825 per application.⁸

Thus, total cost would be \$503,250 (based on 268.4 applications x 70% x \$1,500 per request + 268.4 applicants x \$825 per request = \$503,250).

Section 68.110(c):

(b) Total operation and maintenance and purchase of service component: The Commission estimates that the annual cost to all respondents to maintain existing records for future disclosure upon request is **\$5,000** (200 carriers x \$25) (see 12(d) (2) above). Based on 200 carriers within the 50 states, this represents only \$25 per carrier in additional storage and retrieval costs for whatever plans, schematics, or other such records will be retained. Overall, the burden amount to each individual carrier would be *de minimis*.

(c) Total annualized cost burden: **\$503,250 + \$5,000 = \$508,250.**

14. *Estimate of the cost burden to the Commission.* There will be few if any costs to the Commission since the Commission is no longer directly involved in the information collections.

15. *Program changes or adjustment.* The Commission is reporting an adjustment/decrease in the total annual responses of -19,634. This adjustment reflects the decrease in PSTN users, and the ACTA reported significant drop in TE submissions from 600 per year to 268.4.

The Commission is reporting an adjustment/decrease in the total annual burden hours of -9,689 from OMB inventory. This results largely from the reduction of responses to ACTA for TE (Telecommunications Equipment) from 600 in the previous PRA submission in 2017 to 268.4 average annual responses in the last 3 years. Additionally, the significant reduction in the estimated number of PSTN subscribers from 65 million to 45 million in the last 3 years has also had a significant impact.

Lastly, the Commission is reporting an adjustment/decrease in the total annual costs (O&M) of - \$621,750. Again, this significant reduction aligns with the corresponding reduction in the overall total PSTN subscribers and the TE (Telecommunications Equipment) submissions.

⁸ Administrative Council for Terminal Attachments, “Guidelines & Procedures for Submittal of Information to the ACTA for Inclusion in the Database of Approved Telephone Terminal Equipment” Revision 4.0, page 9 (October 2015), available at https://www.part68.org/documents/guidelines/SubmissionGuidelines_V4_0_FINAL.pdf

16. *Plans for publication.* The Commission does not plan to publish any data related to this information collection.
17. *Display of expiration date for OMB approval of information collection.* The Commission is not seeking approval not to display the expiration date for OMB approval of the information collection.
18. *Exceptions to the certification statement for Paper Reduction Act submissions.* There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the collection of information will employ statistical methods.