

SUPPORTING STATEMENT**A. Justification:****1. Changes to the Information Collection Requirements Which Require Review and Approval from the Office of Management and Budget (OMB):**

The Licensing Management System (LMS) Schedule 303-S is used to apply for license renewals for commercial or noncommercial AM, FM, TV, FM translator, TV translator, Class A TV, or Low Power TV, and Low Power FM broadcast station licenses. Licensees of broadcast stations must apply for renewal of their licenses every eight years.

Schedule 303-S's On-Air and Online Notice (third party disclosure) Requirements: 47 CFR §73.3580, as amended in the Commission's 2020 Public Notice Second Report and Order,¹ discussed below, requires local public notice of the filing of all applications to renew a broadcast station license. Notice is given by an applicant for renewal of a full-service AM, FM, full-power TV, Class A TV, Low-Power FM (LPFM), or Low-Power TV (LPTV) station that locally originates programming, by making a total of six on-air announcements, at least one per week and no more than one per day or two per week, to be broadcast between 7:00 a.m. and 11:00 p.m. local time, Monday through Friday, beginning after the application is accepted for filing. Notice is given by an applicant for renewal of an FM or TV translator, an LPTV station that does not locally originate programming, or by a silent station, by posting notice online, either on the station website or a website affiliated with the station, its licensee, or its parent entity, or else by posting notice on a publicly accessible, locally targeted website, for 30 continuous days following acceptance of the application for filing.

Revised Information Collection Requirements:**2020 Public Notice Second Report and Order**

On May 12, 2020, the Commission adopted *Amendment of Section 73.3580 of the Commission's Rules Regarding Public Notice of the Filing of Applications; Modernization of Media Regulation Initiative; Revision of the Public Notice Requirements of Section 73.3580*, Second Report and Order, MB Docket Nos. 17-254, 17-105, & 05-6, FCC 20-65 (rel. May 13, 2020). The Commission adopted new, streamlined procedures for stations to provide public notice of the filing of certain applications. Some stations that were previously required to post public notice in a local newspaper, must now post notice online, either on the station website or a website affiliated with the station, its licensee, or its parent entity, or else must post notice on a publicly accessible, locally targeted website, for 30 continuous days following acceptance of the application for filing. Stations that are required to make on-air announcements of the filing of certain applications, including applications for the renewal of broadcast licenses, must continue to do so, but the announcements are shorter and direct viewers and listeners to the application as filed and displayed in either the station's Online Public Inspection File or another Commission database. A total of six on-air announcements are required, at least one per week and no more than one per day or two per week, to be broadcast between 7:00 a.m. and 11:00 p.m. local time, Monday through Friday, beginning after the application is accepted for filing. The Commission also clarified low-power FM (LPFM) stations' obligations to provide local public notice, and amended section 73.801 of the rules (47 CFR § 73.801, listing FCC rules that apply to the LPFM service) to include the local public notice rule, 47 CFR §

¹ *Amendment of Section 73.3580 of the Commission's Rules Regarding Public Notice of the Filing of Applications; Modernization of Media Regulation Initiative; Revision of the Public Notice Requirements of Section 73.3580*, Second Report and Order, MB Docket Nos. 17-254, 17-105, & 05-6, FCC 20-65 (rel. May 13, 2020). (2020 Public Notice Second Report and Order).

73.3580.

This submission is being made to OMB for approval of the modified third-party disclosure requirements for this Information Collection, as adopted in the *2020 Public Notice Second Report and Order*. The changes pertaining to this Information Collection and to 47 CFR § 73.3580 adopted in the *2020 Public Notice Second Report and Order*, which are listed below, do not necessitate changes to Schedule 303-S, nor do they affect the substance, burden hours, or costs of completing the forms. The rule changes do, however, reduce burdens and costs associated with filing the application, as set forth below.

History:

On July 10, 2019, the Commission adopted a *Report and Order and Further Notice of Proposed Rulemaking* in MB Docket Nos. 17-105 and 12-202, FCC 19-67, *In the Matter of Children's Television Programming Rules; Modernization of Media Regulation Initiative*. The *Report and Order* revises the children's television programming rules to provide broadcasters additional scheduling flexibility, allows broadcasters to offer more diverse and innovative educational programming, and relieves unnecessary burdens on broadcasters. Among other revisions, the *Report and Order* expands the Core Programming hours from between 6:00 a.m. and 10:00 p.m.; modifies the safe harbor processing guidelines for determining compliance with the children's programming rules, requires that broadcast stations air the substantial majority of their Core Programming on their primary program streams, but also permits broadcast stations to air up to 13 hours per quarter of regularly scheduled weekly programming on a multicast stream; eliminates the additional processing guideline applicable to stations that multicast; and modifies the rules governing preemption of Core Programming.²

Additionally, the *Report and Order* revises the children's programming reporting requirements by requiring that Children's Television Programming Reports (FCC Form 2100, Schedule H) be filed on an annual rather than quarterly basis, within 30 days after the end of the calendar year; eliminating the requirements that the reports include information describing the educational and informational purpose of each Core Program aired during the current reporting period and each Core Program that the licensee expects to air during the next reporting period; eliminating the requirement to identify the program guide publishers who were sent information regarding the licensee's Core Programs; and streamlining the form by eliminating certain fields. The *Report and Order* also eliminates the requirement to publicize the Children's Television Programming Reports.³

Consistent with actions taken by the Commission in the *Children's Programming R&O*, the following changes are made to LMS Schedule 303-S:

The following changes are all contained in the DTV/Class A Certification Section of LMS Schedule 303-S:

1. The certification language of the "Core Programming Processing Guidelines" certification question has been revised to incorporate by reference the Commission's *Children's Programming R&O*. Additionally, a note was added to the instructions for this certification question to clarify that the Children's Programming Rules have changed as of September 16, 2019. In order to clarify the change in the certification, the note explains that, prior to September 16, 2019, a station must have broadcast at least 3 hours of Core Programming per week or aired a package of different types of educational and informational programming that was at least equivalent to airing 3 hours per week of Core Programming. After September 16, 2019, under the revised processing guidelines, stations may either: (1) air three hours per week of Core Programming on their main program stream; or (2) air 156 hours of Core Programming annually, including at least 26 hours per quarter

² These requirements are pending approval by OMB under Information Collection OMB Control No. 3060-0754.

³ These requirements are pending approval by OMB under Information Collection OMB Control No. 3060-0754.

of regularly scheduled weekly programming that is at least 30 minutes in length. *See Children's Television Programming Rules; Modernization of Media Regulation Initiative*, MB Docket Nos. 18-202 and 17-105, Report and Order, FCC 19-67 (July 12, 2019). Consistent with the *Children's Programming R&O*, the Commission added this additional note in order to clarify and simplify the Core Programming Processing Guidelines certification. Substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Form 303-S because it has been accounted for in Information Collection OMB Control No. 3060-0754.

2. The instructions for the “E/I Symbol” certification have been modified and a note has been added to clarify that the Children’s Programming Rules no longer require that stations display the “E/I Symbol” during Core Programming. Consistent with the *Children's Programming R&O*, the Commission added this additional note in order to clarify and simplify the Core Programming Processing Guidelines certification. Substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Form 303-S because it has been accounted for in Information Collection OMB Control No. 3060-0754.
3. The instructions for the “Notifying Publishers of Program Guides” certification have been modified and a note has been added in order to clarify that the Children’s Programming Rules no longer requires that stations include in the information provided to publishers of program guides an indication of the target age range of the program. Consistent with the *Children's Programming R&O*, the Commission added this additional note in order to clarify and simplify the Core Programming Processing Guidelines certification so that applicants do not include more information in their application than required. Substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Form 303-S because it has been accounted for in Information Collection OMB Control No. 3060-0754.
4. Instructions have been added to the Instructions for LMS Schedule 303-S for the “Publicizing Children’s Reports” certification, in order to improve clarification and accessibility for the public. Substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Form 303-S because it has been accounted for in Information Collection OMB Control No. 3060-0754.
5. Language has been added to the “Children’s Programming Efforts and Disclosure” certification to provide clarification as to what type of information can be included as an exhibit. The additional language included by the Commission does not impact compliance determination, cost, or burden hours because it has been accounted for in Information Collection OMB Control No. 3060-0754.
 - a. Before: The licensee may include as an exhibit any other comments or information it wants the Commission to consider in evaluating compliance with the Children’s Television Act. This may include information on any other non-core educational and informational programming that the applicant aired or plans to air, or any existing or proposed non-broadcast efforts that will enhance the educational and informational value of such programming to children.
 - b. Modifications (additions in bold): The licensee may include as an exhibit **an explanation of any violations of the Commission’s children’s television programming rules (see e.g., 47 CFR Sections 73.3526, 73.671, 73.673) and** any other comments or information it wants the Commission to consider in evaluating compliance with the Children’s Television Act. This may include information on **the sponsorship of Core educational/informational programs on other stations in the same market that increases the amount of Core educational and informational programming on the station airing the sponsored program,** any other non-core educational and informational programming that the applicant aired or plans to air, or any existing or proposed non-

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broadcast efforts that will enhance the educational and informational value of such programming to children.

6. The “Local TV Ownership Waiver” certification question has been removed from LMS Schedule 303-S. As discussed below, a certification was added to the Renewal Certification section which necessarily encompasses the Local TV Ownership Waiver certification question on the previous version of this form. Because this certification, in effect, is being moved to a different section of this form, the substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Schedule 303-S.
7. This section includes two new certifications concerning compliance with 47 CFR § 73.1740. First, applicants certify that during the preceding licensee term, the station has not been silent for any period of more than 30 days.⁴ Second, applicants certify that during the preceding licensee term, the station has operated pursuant to authorized operating parameters. DTV/Class A are already required to fulfill this requirement and this requirement has been previously accounted for in this collection. Approved by OMB Control No. 3060-0110, ICR Reference No. 201102-3060-011 (February 2011). Based on the previous approval, the Commission now seeks to add the certification to the form in the DTV/Class A section.

The following changes are all contained in the TV Translators and Low Power TV Licensees Section of LMS Schedule 303-S:

1. For LPTV stations only, applicants now certify that they have filed the station’s Biennial Ownership Report (FCC Form 323 or 323-E) with the Commission in accordance with 47 CFR § 74.797. This requirement is not new and has been previously accounted for in Information Control OMB No. 3060-0010. By making this modification, the Commission seeks to clarify and simplify the Certifications to ensure applicant compliance with 47 CFR §§ 73.3615, 74.797. Substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Schedule 303-S.
2. In the “Discontinued Operations” certification, the Commission seeks to ensure applicant compliance with Section 312(g) of the Communications Act of 1934, 47 U.S.C. § 312(g), applicants certify that during the preceding license term the station has not been silent for any consecutive 12-month period. Section 312(g) states that if a broadcast station fails to transmit broadcast signals for any consecutive 12-month period, then the station license expires automatically, by operation of law, at the end of that 12-month period. Accordingly, this certification requires the licensee to certify that the station was not silent for any consecutive 12-month period during the preceding license term. By answering “Yes” to this question, the applicant is considered to be certifying that: (1) it was not silent for any consecutive 12-month period during the preceding license term; and (2) if the station was silent for any period of time during the preceding license term, it resumed broadcasting with authorized facilities before 12 months from the date on which that station went silent. If the applicant cannot make this certification, its license renewal application will be dismissed, and the Commission’s data base will be amended to reflect the expiration of the station’s license. Although this certification is being added specifically to the TV Translators and LPTV section of FCC Form 303-S, this certification has previously been required in other sections of the renewal application and is being added to this section for clarification purposes. Substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Schedule 303-S.

⁴ This modification was approved in February 2011 in OMB control number 3060-0110, in order to be consistent with the holding in *Birach Broadcasting Corp.*, Memorandum Opinion and Order, 16 FCC Rcd 5015, 5020 (2001) (“*Birach*”), as well as 47 U.S.C. § 309(k).

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3. Similar to the certifications added to the DTV/Class A Section, this section includes two new certifications concerning compliance with 47 CFR § 73.1740. First, applicants certify that during the preceding licensee term, the station has not been silent for any period of more than 30 days.⁵ Second, applicants certify that during the preceding licensee term, the station has operated pursuant to authorized operating parameters. TV Translators and LPTV licensees are already required to fulfill this requirement and this requirement has been previously accounted for in this collection. Approved by OMB Control No. 3060-0110, Information Collection Reference No. 201102-3060-011 (February 2011). Based on the previous approval, the Commission now seeks to add the certification to the form in the TV Translators and Low Power TV Licensees section.

The following changes are all contained in the Renewal Certification Section of LMS Schedule 303-S:

In the Renewal Certification section, applicants certify that with respect to the station(s) for which renewal is requested, that it complies with the Commission's multiple ownership rules as provided by 47 CFR § 73.3555. These requirements are not new but rather have been required since the Commission's initial implementation of its multiple ownership rules. See Information Collection Reference No. 200807-3060-006 (July 2008). As discussed above, applicants were previously required to make a substantively similar certification titled "Local TV Ownership Waiver" in the DTV/Class A Certification Section of LMS Schedule 303-S. This question is being added in order to replace the "Local TV Ownership Waiver" certification. Because applicants have previously been required to comply with 47 CFR § 73.3555, the substantive compliance determination, cost, and burden hours are not impacted by this modification to LMS Schedule 303-S has previously been accounted for in Information Collection Reference No. 200807-3060-006 (July 2008).

In addition to the aforementioned changes, in several instances the wording of the instructions and certifications were revised for clarification purposes, without changing the substance of the instructions or certification questions. Furthermore, for clarification purposes and in order to make the form more accessible for the public, headings have been added to each certification question, which do not change the substance of the certification question. The certification-based questions and explanatory exhibit format remain the same.

The changes to LMS Schedule 303-S detailed below are in accordance with the Commission's *Report and Order and Further Notice of Proposed Rulemaking* in MB Docket Nos. 17-105 and 18-202, FCC 19-67, *In the Matter of Children's Television Programming Rules; Modernization of Media Regulation Initiative (Children's R&O)*. The *Children's R&O* revises the children's television programming rules to provide broadcasters additional scheduling flexibility, allows broadcasters to offer more diverse and innovative educational programming, and relieves unnecessary burdens on broadcasters.

Additionally, the Media Bureau is transitioning to a new online (electronic) database system called the "Licensing Management System" (LMS), in which all Media Bureau broadcast applications and reporting forms will eventually be filed. In effect, the database transition requires a corresponding design conversion of all existing CDBS forms. The Media Bureau is currently developing electronic, LMS-compatible versions of various broadcast station application and reporting forms, such as this Form 2100, Schedule 303-S – Renewal of Broadcast Station License (LMS Renewal Application) as part of the database transition.⁶

⁵ This modification was approved in February 2011 in OMB control number 3060-0110 in order to be consistent with the holding in *Birach Broadcasting Corp.*, Memorandum Opinion and Order, 16 FCC Rcd 5015, 5020 (2001) (*Birach*), as well as, 47 U.S.C. § 309(k).

⁶ Previously there was one set of instructions that included instructions for both television and radio stations. Because of the transition to LMS, there are two sets of instructions being submitted, one for television stations and one for radio stations, both of which mirror each other.

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In general, the new LMS Renewal Application will replicate the FCC Form 303-S. The form sections and substance of the individual questions essentially remain the same. As with the (current) FCC Form 303-S, the LMS Renewal Application requires applicants to certify compliance with statutory and regulatory requirements. The application is presented primarily in a “Yes/No” certification format and contains places for submitting explanatory exhibits where appropriate.

In the initial phase of the LMS rollout, the LMS Renewal Application replaced FCC Form 303-S only for the filing of renewal of Radio broadcast station license applications in LMS (e.g., AM, FM, FM translator, Low Power FM). In the present phase of the LMS rollout, the LMS Renewal Application replaced FCC Form 303-S for the filing of renewal of TV broadcast station license applications in LMS.

The respondents, burden hours, and costs of the Information Collection are not impacted by the changes to the FCC Form 303-S, which will now be a part of the LMS Renewal Application. The changes simply track the Commission’s recent adoption of a series of Orders⁷ requiring broadcast licensees to post their public inspection files to an FCC-hosted online database.⁸

This collection also includes the third-party disclosure requirement of 47 CFR § 73.3580. This rule requires local public notice of the filing of the renewal application. For AM, FM, LPFM, Class A TV, TV stations, and LPTV stations that do not locally originate programming, these announcements are made on-the-air. For FM/TV Translators and AM/FM/TV stations that are silent, the local public notice is accomplished through posting notice online, either on an applicant-affiliated website or on a locally targeted, publicly accessible website.

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

Statutory authority for this collection of information is contained in Sections 154(i), 303, 307 and 308 of the Communications Act of 1934, as amended, and Section 204 of the Telecommunications Act of 1996.

2. Agency Use of Information: FCC staff use the information to assure that the necessary reports connected with the renewal application have been filed and that the licensee continues to meet basic statutory requirements to remain a licensee of a broadcast station. The local public notice informs the public that the station has filed for license renewal.

3. Consideration Given to Information Technology: The Commission requires applicants to file FCC Form 303-S electronically.

⁷ In 2012, the Commission adopted online public inspection file rules for television broadcasters that required them to post public file documents to a central, FCC-hosted online database rather than maintaining files locally at their main studios. *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, FCC 12-44, 27 FCC Rcd 4535 (2012). In January 2016, the Commission adopted an expanded online public file order, *Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, Report and Order, FCC 16-4, 31 FCC Rcd 526 (2016), in which it added cable operators, DBS providers, broadcast radio licensees, and satellite radio licensees to the list of entities required to post their public inspection files to the FCC-hosted online database.

⁸ The rules adopted in the Commission’s online public file orders were previously approved by OMB under Information Collection OMB Control No. 3060-0214. Final approval for the information collection requirements in FCC 12-44 were approved by OMB on June 21, 2012. See Notice of Action OMB ICR Reference Number 201205-3060-005. Final approval for the information collection requirements in FCC 16-4 were approved by OMB on May 4, 2016. See Notice of Action OMB ICR Reference Number 201602-3060-020.

- 4. Effort to Identify Duplication and Similar Information:** There are no similar information collections on respondents.
- 5. Effort to Reduce Small Business Burden:** In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.
- 6. Less Frequent Data Collections:** The frequency for this collection of information will ultimately be determined by the expiration of the station license.
- 7. Information Collection Circumstances:** This collection of information is consistent with 5 CFR Section 1320.5(d)(2).
- 8. Consultations with Persons outside the FCC:** Opportunity for public comment on this information collection requirement has been published in the *Federal Register* on June 4, 2020 (85 FR 34440). No comments under the Paperwork Reduction Act (PRA) were received from the public.
- 9. Payment or Gift:** No payment or gift will be provided to respondents.
- 10. Confidentiality of Information:** There is no need for confidentiality with this collection of information.
- 11. Justification for Sensitive Questions:** This information collection does not address any private matters of a sensitive nature.
- 12. Estimate of Annual Burden and Annual Burden Hour Cost:**⁹ The following estimates are provided for the public burden¹⁰ and based on the following data:

<u>Service(s)</u>	<u>Number of Applications/Respondents</u>
Commercial AM/FM	1,420
Noncommercial FM	516
FM translators	906
LPFM	347
AM/FM stations off-the-air	595
Commercial TV	169
Noncommercial TV	52
Class A TV	49
LPTV	363
TV translators	334
TV stations off-the-air	375

⁹ The updates to the “number of applications/respondents” data in Tables #12, #13, and #14 below, reflect the current licensed broadcast station totals, as published in the FCC quarterly News Release. *Broadcast Station Totals as of September 30, 2018*, FCC News Release (rel. Oct. 3, 2018). These revised station totals are not the result of this non-substantive change request. Rather, the station totals simply reflect the licensing of additional broadcast stations since the last radio broadcast license renewal cycle in 2011- 2014.

¹⁰ Broadcast licenses are typically granted for eight (8) year periods. The annual number of respondents/applications is calculated by the total number of licensed stations/applications divided by eight (8).

TOTAL RESPONSES/RESPONDENTS: 5,126

*We estimate that 50% of **radio broadcast licensees** will use a communications attorney to complete the general and legal portions and file the LMS Renewal Application. To coordinate information with these attorneys, we expect **commercial AM/FM applicants** will require 1.5 hours and **noncommercial FM applicants** will require 1.33 hours.

710 applications x 1.5 hours	= 1,065 hours
258 applications x 1.33 hours	= 343 hours (rounded)
627 applications x 1.5 hours	= 941 hours (rounded)
298 applications x 1.5 hours	= 447 hours

*The remaining 50% of **radio broadcast licensees** will complete the general and legal portions and file the LMS Renewal Application themselves.

710 applications x 3.5 hours	= 2,485 hours
258 applications x 3.33 hours	= 859 hours (rounded)
626 applications x 3.5 hours	= 2,191 hours
297 applications x 4.5 hours	= 1,337 hours (rounded)

*We estimate that 75% of all **TV broadcast licensees** will use a communications attorney to complete the general and legal portions and file the LMS Renewal Application. We expect **commercial TV licensees** will require 1.95 hours, **noncommercial TV licensees** will require 1.83 hours, **TV translator licensees** will require 1.25 hours and the remaining TV broadcast licensees will take 2 hours to coordinate information with outside counsel.

127 applications x 1.95 hours	= 248 hours (rounded)
39 applications x 1.83 hours	= 71 hours (rounded)
37 applications x 1.2 hours	= 44 hours (rounded)
523 applications x 1.25 hours	= 654 hours (rounded)
281 applications x 2 hours	= 562 hours

*The remaining 25% of TV broadcast licensees will complete the general and legal portions and file the LMS Renewal Application themselves.

42 applications x 11.95 hours	= 502 hours (rounded)
13 applications x 4.83 hours	= 63 hours (rounded)
12 applications x 3.2 hours	= 38 hours (rounded)
174 applications x 3.25 hours	= 566 hours (rounded)
94 applications x 12 hours	= 1,128 hours

*All on-air full-service TV, full-power AM and FM, LPFM, Class A TV, and LPTV stations locally originating programming will give public notice of application filing by making a total of six (6) on-air announcements. The broadcast notices will take the respondent 4.5 minutes in the aggregate to announce over the air.

2,916 applications x 0.075 hours	= 219 hours (rounded)
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*AM, FM, and TV stations that are off the air, and FM and TV translator stations, will have to give public notice by posting a short notice online, including a link to the filed renewal application. The notice language is largely prescribed in the rule. The notice will take approximately 0.5 hour to prepare.

$$2,210 \text{ applications} \times 0.5 \text{ hours} = 1,105 \text{ hours}$$

TOTAL ANNUAL BURDEN HOURS = 14,868 HOURS

Annual “In-House Cost” - We estimate that respondents would have an average salary of \$100,000/year (\$48.08/hour):

*We estimate that 50% of radio broadcast licensees will use a communications attorney to complete the general and legal portion and file the LMS Renewal Application. To coordinate information with these attorneys, we expect **commercial AM/FM applicants** will require 1.5 hours and **non-commercial FM applicants** will require 1.33 hours.

$$\begin{aligned} 710 \text{ applications} \times 1.5 \text{ hours} \times \$48.08 &= \$51,205.20 \\ 258 \text{ applications} \times 1.33 \text{ hours} \times \$48.08 &= \$16,498.17 \\ 627 \text{ applications} \times 1.5 \text{ hours} \times \$48.08 &= \$45,191.03 \\ 298 \text{ applications} \times 1.5 \text{ hours} \times \$48.08 &= \$21,491.76 \end{aligned}$$

*The remaining 50% of radio broadcast licensees will complete the general and legal portions and file the LMS Renewal Application themselves.

$$\begin{aligned} 710 \text{ applications} \times 3.5 \text{ hours} \times \$48.08 &= \$119,478.80 \\ 258 \text{ applications} \times 3.33 \text{ hours} \times \$48.08 &= \$41,307.45 \\ 626 \text{ applications} \times 3.5 \text{ hours} \times \$48.08 &= \$105,343.28 \\ 297 \text{ applications} \times 4.5 \text{ hours} \times \$48.08 &= \$64,258.92 \end{aligned}$$

*We estimate that 75% of all **TV broadcast licensees** will require a communications attorney to complete the general and legal portion and file the LMS Renewal Application. We expect **commercial TV licensees** will require 1.95 hours, **noncommercial TV licensees** will require 1.83 hours, **TV translator licensees** will require 1.25 hours and the remaining TV broadcast licensees will take 2 hours to coordinate information with outside counsel.

$$\begin{aligned} 127 \text{ applications} \times 1.95 \text{ hours} \times \$48.08 &= \$11,907.01 \\ 39 \text{ applications} \times 1.83 \text{ hours} \times \$48.08 &= \$3,431.47 \\ 37 \text{ applications} \times 1.2 \text{ hours} \times \$48.08 &= \$2,134.75 \\ 523 \text{ applications} \times 1.25 \text{ hours} \times \$48.08 &= \$31,432.30 \\ 281 \text{ applications} \times 2 \text{ hours} \times \$48.08 &= \$27,020.96 \end{aligned}$$

*The remaining 25% of TV broadcast licensees will complete the general and legal portions and file the LMS Renewal Application themselves.

$$\begin{aligned} 42 \text{ applications} \times 11.95 \text{ hours} \times \$48.08 &= \$24,131.35 \\ 13 \text{ applications} \times 4.83 \text{ hours} \times \$48.08 &= \$3,018.94 \end{aligned}$$

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12 applications x 3.2 hours x \$48.08	= \$1,846.27
174 applications x 3.25 hours x \$48.08	= \$27,189.24
94 applications x 12 hours x \$48.08	= \$54,234.24

*All on-air full-service TV, full-power AM and FM, LPFM, Class A TV, and LPTV stations locally originating programming will give public notice of application filing by making a total of six (6) on-air announcements. The broadcast notices will be announced over the air by station personnel.

2,916 applications x 0.075 hours x \$48.08 = \$10,515.10

*AM, FM, and TV stations that are off the air, and FM and TV translator stations, will have to give public notice by posting a short notice online, including a link to the filed renewal application. The notice language is largely prescribed in the rule. The notice will have to be prepared for posting by station personnel, who will take approximately 0.5 hour to prepare it.

2,210 applications x 0.5 hours x \$48.08 = \$53,128.40

TOTAL ANNUAL “IN-HOUSE COST”= \$714,764.64

13. Annual Cost Burden: We expect 50% of 3,784 radio broadcast licensees and 75% of 1,342 TV broadcast licensees will require a communications attorney to complete the general and legal portions of the LMS Renewal Application at an estimated \$300/hour.

Radio broadcast licensees

710 applications x 2.75 hours x \$300	= \$585,750
258 applications x 2.58 hours x \$300	= \$199,692
627 applications x 2.75 hours x \$300	= \$517,275
298 applications x 3.75 hours x \$300	= \$335,250

TV broadcast licensees

127 applications x 10.45 hours x \$300	= \$398,145
39 applications x 3.33 hours x \$300	= \$38,961
37 applications x 2.45 hours x \$300	= \$27,195
523 applications x 2.5 hours x \$300	= \$392,250
281 applications x 10.5 hours x \$300	= \$885,150

Total: \$3,379,668

Fees: A licensee must submit a \$200 fee per application for each commercial application filed by an AM/FM/TV broadcast station and a \$70 fee per application for each FM/TV Translator and LPTV broadcast station.

1,638 Commercial AM/ FM /TV/ Class A x \$200	= \$327,600
1,950 Low Power TV/ FM/ TV Translators x \$70	= <u>\$136,500</u>
Total :	\$464,100

Local Public Notice costs: An AM, FM, LPFM, TV, Class A TV, or LPTV licensee locally originating programming must give local public notice of the renewal application filing by broadcasting announcements on the licensee’s station per 47 CFR 73.3580. There is no direct cost to the licensee for this broadcast announcement. AM/FM/TV stations that are off the air must give local public notice by posting online notice. This notice must be posted on an applicant-owned or affiliated website, or on a free-to-post locally targeted, publicly accessible website. We estimate that 85 percent of applicants will be able to post online notice on an applicant-affiliated website or other free-to-post local website for 30 continuous days. The remaining 15 percent will have to pay to post on a local website, which in most cases will be the website of a local newspaper that will charge the applicant for a printed notice, with the online posting included in the price. For an applicant forced to pay to post online notice, the notice must be posted on a locally targeted, publicly accessible website for at least a 24-hour period once a week for four consecutive weeks, beginning when the application is accepted for filing. The cost of this posting is estimated to be the same per posting as the cost of publishing for one day in a local newspaper, or \$113.25/publication.

146 ¹¹ AM/FM/TV stations off-the-air x 4 publications x \$113.25/publication	=	\$66,138
186 ¹² FM/TV Translators x 4 publications x \$113.25/publication	=	<u>\$84,258</u>
	Total :	\$150,396

TOTAL ANNUAL COST BURDEN TO RESPONDENTS: = \$3,994,164

14. Cost to the Federal Government. The Commission will use professional staff at the GS-13/Step 5 level (\$55.75/hour), paraprofessional staff at the GS-11/Step 5 level (\$39.12/hour), and clerical staff at the GS-5 level/Step 5 level (\$21.34/hour) to process the LMS Renewal Application.

Commercial TV Applications (estimated): 169

Average processing time: 2.5 hours

Clerical	1.0 hours	x	\$21.34/hour x 169	= \$ 3,606
Paraprofessional	1.5 hours	x	\$55.75/hour x 169	= <u>\$14,133</u>
				= \$17,739

Noncommercial TV Applications (estimated): 52

Average processing time: 1.5 hours

Clerical	1.0 hours	x	\$21.34/hour x 52	= \$1,110
Paraprofessional	0.5 hours	x	\$55.75/hour x 52	= <u>\$1,450</u>
				= \$2,560

LPTV/TV Translator Applications (estimated): 697

Average processing time: 1.0 hours

Clerical	.75 hours	x	\$21.34/hour x 697	= \$11,155
Paraprofessionals	.25 hours	x	\$39.12/hour x 697	= <u>\$ 6,817</u>
				= \$17,972

All Other Applications (estimated): 4,208

Average processing time: 1.55 hours

Clerical	1.25 hours	x	\$21.34/hour x 4,208	= \$112,248
Paraprofessional	0.15 hours	x	\$39.12/hour x 4,208	= \$24,693
Professional	0.15 hours	x	\$55.75/hour x 4,208	= <u>\$35,189</u>
				= \$172,130

¹¹ Calculated as 970 estimated stations x 0.15 = 145.5 (rounded to 146).

¹² Calculated as 1,240 estimated stations x 0.15 = 186.

Total Cost to the Federal Government: = \$210,401

15. Reason for Changes in Burden or Cost: There are program changes to this collection which are due to the information collection requirements adopted FCC 20-65. They are as follows: +1,314 to the annual burden hours and -\$1,792,104 to the annual cost.

There are no adjustments to this collection.

16. Plans for Publication: The data will not be published.

17. Display of OMB Approval Date: We are seeking continued approval to not display the expiration date on FCC Form 303-S. OMB approval of the expiration date of the information collection will be displayed at 47 CFR 0.408.

18. Exceptions to the Certification Statement: There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.