

SUPPORTING STATEMENT

**A. Justification:**

1. The Commission seeks an extension of a currently approved collection from the Office of Management and Budget (OMB) for a three-year approval for OMB Control No. 3060-0813. The existing approval for this collection extends back to 2001, when E911 service began to be implemented nationwide. This statement describes requirements associated with the 911 call center, also known as Public Safety Answering Point (PSAP), requests to Commercial Mobile Radio Service (CMRS) providers for Phase I or Phase II location accuracy information. Also, as described below, several aspects of the collection are no longer required.

With respect to access to Phase I and Phase II location information, according to the National Emergency Number Association (NENA), there are approximately 5,748 PSAPs in the United States.<sup>1</sup> NENA further estimates that 99.4 % of all PSAPs have at least some Phase I service and that 99.2 % of all PSAPs nationwide have at least some Phase II service. Thus, the information collection described here will apply only to the remaining 0.6 % (35 PSAPs) and 0.8 % (46 PSAPs) of PSAPs that currently do not have any Phase I or II service, respectively, or a total of 81 PSAPs. The number of CMRS providers is 967,<sup>2</sup> but, due to the varying geographic licensing schemas in use by the FCC, we estimate that a maximum of 5 CMRS providers would be subject to any particular PSAP's request for Phase I or Phase II location accuracy information.

Statutory authority for this collection is contained in Sections 1, 2, 4(i), 4(j), 4(o), 251(e), 303(b), 303(g), 303(r), 316, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 154(j), 154(o), 251(e), 303(b), 303(g), 303(r), 316, 403.

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

For the sake of clarity, this collection no longer includes certain reporting requirements in the burden estimate, as follows. Prior to widespread adoption of E911, the FCC adopted several notification requirements aimed at educating

<sup>1</sup> NENA's data is current as of July 2018. See <https://www.nena.org/page/911Statistics> (last visited Jul. 8, 2020).

<sup>2</sup> U.S. Census Bureau, *2012 Economic Census of the United States*, Table EC1251SSSZ5, Information: Subject Series: Estab and Firm Size: Employment Size of Firms for the U.S.: 2012 NAICS Code 517210. [https://factfinder.census.gov/bkmk/table/1.0/en/ECN/2012\\_US/51SSSZ5//naics~517210](https://factfinder.census.gov/bkmk/table/1.0/en/ECN/2012_US/51SSSZ5//naics~517210).

consumers about the transition to E911, including for existing and potential customer bases for certain text telephony (TTY) and dispatch services. These requirements can be met by including language in a CMRS provider's monthly bill about the impacts of E911, therefore, we do not include these requirements within the burden description. The existing approval also covered quarterly reports from CMRS providers but those have not been collected since 2002, as well as a survey on TTY which was a one-time collection. Additionally, the previous approval covered consultations for the determination of access to pseudo-Automatic Number Identification (p-ANI) numbers, which assist in routing a 911 call to the appropriate PSAP, an issue that have been resolved through carrier practices and addressed through the standardization of 911 call routing protocols. Finally, the approval covered the composition and submission of waiver requests by CMRS providers, which is outside the scope of the PRA definition of information collection.

In 2019, the Commission consolidated its 911 rules into a single rule part.<sup>3</sup> As part of this rule consolidation, the Commission moved section 20.18 of the Commission's rules to section 9.10. The rules associated with this information collection otherwise remain unchanged. Accordingly, in renewing the extension of this collection in 2021, we are changing the title of this information collection from "Section 20.18, Enhanced 911 Emergency Calling Systems" to "Section 9.10, Enhanced 911 Emergency Calling Systems."

2. The FCC requires that CMRS providers provide location accuracy information to PSAPs that request it. The collections listed herein are necessary to ensure that PSAPs requesting E911 Phase I or Phase II information have the technical means to receive such information on their call handling equipment at the time that the wireless carrier's obligation to deliver that information becomes due. By requiring a minimum amount of written communication between PSAPs and CMRS providers, the FCC intends to reduce the possibility of both carriers and PSAPs investing time and money to provide a service before a PSAP is actually E911-capable.

3. Most records will be generated, kept, and exchanged electronically. The Commission believes that information technology, including electronic mail, will also reduce the burdens on the public with respect to the notifications required by the rules.

4. This agency does not impose a similar information collection on the respondents. There are no similar data available.

5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing each application and to deter against possible abuses of

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<sup>3</sup> *Implementing Kari's Law and Section 506 of RAY BAUM's Act; Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems; Amending the Definition of Interconnected VoIP Service in Section 9.3 of the Commission's Rules*, PS Docket Nos. 18-261 and 17-239 and GN Docket No. 11-117, Report and Order, 34 FCC Rcd 6607 (2019).

the processes. The Commission's requirements enable a CMRS provider to challenge a PSAP request for Phase I or Phase II service if it believes that the PSAP is not fully capable of receiving and utilizing the information before any request can be made at all.

6. On a per-PSAP basis, the collection is a "one-time collection." The Commission's requirements ensure that PSAPs properly and validly request Phase I or Phase II service from CMRS providers and afford both parties approximately six months to coordinate provision of the service. The Commission's rules also enable CMRS providers to challenge a PSAP request during the period of coordination and to come to an alternative arrangement for the provision of such information until such time as the PSAP is capable of receiving and using the information. This approach contributes to a minimum burden on both PSAPs and CMRS providers. PSAPs that have requested and receive Phase I service can only be expected to request Phase II at some point in the future. PSAPs that have requested and receive Phase II service are not expected to make a further request under these rules.
7. Current data collection is consistent with 5 C.F.R. § 1320.5(d)(2). The Commission cannot identify any special circumstances that would cause the information collection to be inconsistent with OMB's guidelines.
8. The Commission published a notice in the Federal Register on August 3, 2020 (85 FR 46627) informing the public that the Commission will request an extension of this information collection by OMB and that the public may submit comments on the collection to the FCC. No comments were received in response to the 60-day notice.
9. No payment or gift to respondents has been or will be given to respondents.
10. The Commission is not requesting that respondents submit confidential information to the Commission.
11. There are no requests of a sensitive nature considered or those considered a private matter being sought from the expected respondents on this collection.

#### **12. Estimate of Burden Hours:**

For renewing the extension of this collection in 2018, we reduced the overall burden hours by adjusting the number of Public Safety Answering Point (PSAP) respondents to 93, based on significant gains in the deployment of E911 Phase I and Phase II service. Those gains continue apace, therefore, for renewing the extension of this collection in 2021, we reduce the overall burden hours by adjusting the number of PSAP respondents to 81 (35 non-Phase I PSAPs + 46 non-Phase II PSAPs).

The burden adopted in the Order required that when a carrier challenges the E911 capability of a PSAP, the PSAP must demonstrate through the three-pronged

approach or through proof that a funding mechanism exists, that the PSAP is using an NCAS technology, and has requested an upgrade to the ALI database.

For purposes of this PRA renewal analysis, the Commission assumes that each PSAP will request service from a minimum of 5 carriers (the three nationwide carriers, reduced from four in light of the merger between T-Mobile and Sprint in 2020, plus two regional or small CMRS providers that serve within the PSAP's operational boundary), but that only one of the 5 will challenge the PSAP's ability to receive and use E911 data. In any case, either of the demonstration burdens will probably involve copying documents to complete this showing. Whether the PSAP submits this showing to 1 carrier or 5 carriers, all of its copies can be made at the same time and submitted at the same time, meaning that the burden hours and costs will be the same regardless of how many showings the PSAP submits. This amounts to a burden on the PSAPs and is the equivalent of making one submission.

**Estimated Number of Respondents.** As discussed above, the total number of PSAPs that lack E911 service (either Phase I or Phase II) is 81. The total number of potentially affected wireless carriers is 967, though as discussed above, we believe that each PSAP will request E911 service from no more than 5 carriers, assuming three nationwide carriers and two regional or small wireless carriers operating in the territory of the requesting PSAP. Thus, the total number of possible respondents is 1,048 (81 PSAPs lacking E911 service + 967 CMRS providers in the United States = 1,048 respondents), though we anticipate that fewer than that will be affected by this information collection.

**Estimated Total Respondents:**  $81 + 967 = 1,048$  respondents

**Estimated Number of Responses.** Approximately 35 PSAPs do not have Phase I service. These 35 PSAPs will need to make one response to request E911 service and potentially another response if the carrier requests that the PSAP make a showing to prove that it is technically ready to receive Phase I service. As discussed below, we estimate that at a maximum, each PSAP could request E911 service from no more than 5 carriers, which would total 175 (35 PSAPs making requests of 5 CMRS providers = 175) responses from carriers.

**For Phase I service:**

35 non-Phase I PSAP requests for Phase I services +  
175 CMRS provider challenges to those Phase I service requests +  
35 PSAP responses to the CMRS challenges  
**245 Total Phase I responses**

Approximately 46 PSAPs do not have Phase II service. These 46 PSAPs will need to make one response to request E911 service and potentially another response if the carrier requests that the PSAP make a showing to prove that it is technically ready to receive Phase I service. As discussed below, we estimate that at a maximum, each

PSAP could request E911 service from no more than 5 carriers, which would total 230 (46 PSAPs making requests of 5 CMRS providers = 230) responses from carriers. In addition, there is the potential that each carrier may challenge PSAP requests, thus an additional 46 PSAP responses to CMRS challenges are included in the analysis.

**For Phase II service:**

46 non-Phase II PSAP requests for Phase II services +  
230 CMRS provider challenges to those Phase II requests (46 PSAPs x 5 CMRS providers = 230) +  
46 PSAP responses to the CMRS challenges  
**322 Total Phase II responses**

**Summary of estimated total number of responses:**

245 Total Phase I responses + 322 Total Phase II responses = **567 Responses**

**Estimated Number of Burden Hours.** The estimate of burden hours on PSAPs for an E911-capability showing is the same regardless of whether the PSAP elects to demonstrate capability through the three-pronged approach or through proof that a funding mechanism exists, that the PSAP is using an NCAS technology, and has requested an upgrade to the ALI database. The Commission estimates that a request for Phase I service will take a staff assistant approximately 1 hour to complete, for a total of 35 hours (based on NENA’s estimate that only 0.6 percent of PSAPs currently lack Phase I service, out of a total of 5,748 primary PSAPs). In addition, the Phase II submission is estimated at 46 total burden hours annually (based on NENA’s estimate that only 0.8 percent of PSAPs currently lack Phase II service, out of a total of 5,748 PSAPs). Additionally, the demonstration of capability using either alternative would take a staff assistant approximately 0.5 hours to copy and include in the submission for an additional 40.5 burden hours. Thus, 35 hours for Phase I notification + 46 hours for Phase II notification + 40.5 hours for capability showing = 121.5 total burden hours.

It will take each of the 5 carriers contacted by the 81 PSAPs about 1 hour for a staff assistant to respond to each PSAP request, totaling 405 estimated burden hours (81 PSAP requests x 5 carrier responses).

**Summary of the estimated total number of burden hours:**

Notification and demonstration burden on PSAPs =	121.5 hours
<u>Carrier response burden</u>	<u>= 405 hours</u>
<b>Total Burden Hours</b>	<b>527 hours (rounded up)</b>

**Estimate of In-House Cost Burden for Respondents:**

The Commission estimates that PSAPs will use staff assistants at \$17.00 per hour to complete their Phase I and Phase II notifications and the new E911 capability showing. The revised total burden for these submissions is 121.5 burden hours x \$17 = \$2,066.

The Commission estimates that CMRS providers will use staff assistants at \$17.00 per hour to complete the necessary Phase I and Phase II documents for implementing E911 service for a requesting PSAP. The revised total burden for these collections is 405 burden hours x \$17 = \$6,885.

The total of all the in-house staff cost burdens covered by this information collection is \$2,066 + \$6,885 = \$8,951.

**13. TOTAL ANNUAL COST:**

- (a). Start-up or capital costs incurred by the respondents. **None.**
- (b). Total annual costs (O&M): **None.**
- (c). Total annualized cost requested: **None.**

14. The cost to the Commission remains none.

15. The Commission is reporting adjustments/decreases to this information collection since the last submission to OMB. The total respondents increased from 877 to 1,048 (+171), the total annual responses decreased from 744 to 567 (-177), and the total annual burden hours decreased from 698 to 527 (-171). These significant reductions to this collection are based on the most current available data from the National Emergency Number Association.

16. The data will not be published for statistical use.

17. Display of the expiration date for OMB approval is not applicable. All OMB-approved information collections are published in 47 C.F.R. § 0.408 of the Commission's rules.

18. There are no exceptions to the Certification Statement.

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

No statistical methods are employed.