

SUPPORTING STATEMENT

**A. Justification: \_**

1. The Commission seeks the Office of Management and Budget (OMB) approval for a three-year extension of OMB Control No. 3060-1147.

The Commission originally established reporting requirements in an Order, FCC 10-176, released on September 23, 2010, which received OMB approval. The Commission required Commercial Mobile Radio Service providers (CMRS providers or carriers) subject to Section 9.10(h) (formerly Section 20.18(h)) of the Commission's rules to satisfy amended location accuracy standards in connection with 911 emergency calls at either a county-based or PSAP-based geographic level. However, CMRS providers were permitted to exclude counties or PSAP service areas from compliance with the location accuracy standards based on the following provisions:

- (1) Carriers that used network-based location technologies were permitted to exclude particular counties, or portions of counties, where triangulation of the geographical position of a 911 emergency call is not technically possible, such as locations where at least three cell sites are not sufficiently visible to a handset.
- (2) Carriers that used handset-based location technologies were permitted to exclude up to 15 percent of the counties or PSAP service areas they serve due to heavy forestation that limits handset-based technology accuracy in those counties or areas.

The Order also required both network-based and handset-based carriers to file a list of the excluded counties or PSAP service areas with the Commission in PS Docket No. 07-114. Further, the carriers were required to similarly submit any changes to their exclusion lists within thirty days of discovering such changes.

On July 13, 2011, the Commission released a subsequent Order, FCC 11-107, extending its requirements for E911 Phase II location accuracy to include all new Commercial Radio Service Providers (CMRS) that meet the definition of covered CMRS providers in Section 20.18. The Order adopted a new rule under Section 20.18(h) that required providers launching new stand-alone CMRS networks to meet the applicable handset-based location accuracy standard in effect at the time of deployment. Consequently, in accordance with the new rule, new CMRS providers were subject to the rule section allowing carriers using handset-based location technologies to exclude up to 15 percent of the counties or PSAP areas they serve due to heavy forestation. The Commission therefore revised the reporting requirements to include new CMRS providers and to require them to file a list of the specific counties or portions of counties where they are utilizing their respective exclusions and similarly submit any changes to their list. These revised reporting requirements received OMB approval.

The Commission estimates that there are 967 CMRS providers. This number is based on data from the U.S. Census Bureau, 2012 Economic Census, Sector 51, 2012 NAICS code 517210 for the category of Wireless Telecommunications Carriers (except Satellite). We further assume that by now these carriers have filed their initial exclusion reports. Further, we estimate that one-quarter of the 967 wireless carriers, or 242, may need to file reports on any changes to their exclusion lists. Additionally, the Commission estimates that there will be 10 new stand-alone wireless carriers that will have to file initial exclusion reports during the three-year period of this extension of the information collection.

Also, pursuant to Section 9.10(h) of the Commission's rules, the estimated 967 existing wireless carriers and other entities responsible for transporting confidence and uncertainty data between the wireless carriers and PSAPs, including LECs, CLECs, owners of E911 networks, and emergency service providers (collectively, System Service Providers (SSPs)) must continue to provide confidence and uncertainty data of wireless 911 calls to PSAPs on a per call basis upon a PSAP's request. The estimated 10 new stand-alone wireless carriers, contributing to a total estimate of 967 wireless carriers, will also incur this obligation. The transport of the confidence and uncertainty data is needed to ensure the delivery of accurate location information with E911 service.

Additionally, the existing approval covers the drafting and submission of waiver requests by CMRS providers and System Service Providers, which is outside the scope of the PRA definition of information collection.

Statutory authority for this collection is contained in Sections 1, 4(i), 301, 303(r), and 332 of the Communications Act, as amended, 47 U.S.C. §§ 151, 154(i), 301, 303(r), and 332.

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

2. The information provided by wireless carriers to report the changes in the counties or PSAP service areas where the carriers cannot meet the required E911 location accuracy standards at either the county or the PSAP level, based on only outdoor measurements, will furnish to the Commission, affected PSAPs, state and local emergency agencies, public safety organizations, and other interested stakeholders the supplementary data necessary for public safety awareness of those areas where it is most difficult to measure location accuracy during the benchmark periods for handset-based wireless carriers.

The provision of confidence and uncertainty data to PSAPs by existing CMRS providers, the new stand-alone CMRS providers, and the SSPs responsible for transporting that data between them and PSAPs will enhance the PSAPs' ability to efficiently direct first responders to the correct location of emergencies. This improvement will serve to achieve the emergency response goals of the nation in responding expeditiously to emergency crisis situations and in ensuring homeland security.

3. The information may be filed electronically. In conformance with the Paperwork Reduction Action of 1995, the Commission allows 100 percent of respondents to file their information

electronically. 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. The Commission does not impose similar information collections that can be used to meet the E911 location accuracy requirements subject to this information collection.
5. The Commission has limited the information requirements to those necessary for evaluating the incoming data.
6. The information collected will continue to assist the Commission in ensuring public safety and administrative objectives for the different parts of the collection that improve the capabilities of PSAPs throughout the nation. If the collections were not approved, more open-ended approaches might lead to overuse or abuse of areas designated for exclusion from FCC requirements and potentially harm public safety. Without the required filing of updates to the exclusion lists, the public safety community and the general public would not be aware of the areas where all new CMRS carriers cannot meet the Phase II location accuracy requirements and the areas where they can. Moreover, the Commission would lack the capability to monitor progress of the location accuracy benchmarks under the E911 location accuracy rules and to seek the necessary status information.

In the initial Order, FCC 10-176, the Commission found that confidence and uncertainty data in delivering wireless 911 calls are useful for PSAPs in all cases, and that it is both technologically feasible and in the public interest to require both handset-based and network-based carriers to provide confidence and uncertainty data. The record indicated to the Commission that the use of confidence and uncertainty data improved PSAPs' ability to assess the validity of each call's location information based on real time information about the quality of the location calculation and to deploy public safety resources based on the improved reliability of the location fix.

7. The proposed data collection is consistent with 5 CFR 1320.5(d)(2).
8. The Commission published a notice in the *Federal Register* on December 16, 2020 (85 FR 81473) to solicit the views of industry and the general public. The Commission has received no comments in response to the Notice in the *Federal Register*.
9. No payment or gift to respondents has been or will be made.
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 in this collection.
12. These estimates are based on FCC staff's knowledge and familiarity with the availability of the data, information, and showings required.

First, the Commission predicts that during the period covered by this extension of the information collection, there will be 10 providers of new stand-alone CMRS networks using handset-based technologies that will need to file initial exclusion reports pursuant to the current rule section. The initial reports listing the areas excluded must be submitted electronically into the required docket in this proceeding with copies also sent either in electronic or paper form to three public safety organizations. The Commission assumes that carriers making the initial exclusion reports will provide at least twice a year (including initial report in the first year) the necessary updated reports within 30 days of any changes.

Also, the Commission assumes that the existing wireless carriers that determined they needed to file initial exclusion reports have done so. The Commission also assumes that out of the estimated existing 967 wireless carriers, one-quarter, or 242 (241.75 rounded up) carriers, will need to file reports updating their lists of exclusions to reflect any changes. Accordingly, the Commission is using the figure of 242 wireless carriers to estimate the burden for updated exclusion reports. The Commission assumes that existing carriers making updated exclusion reports will file at least once a year within 30 days of any changes to the counties or PSAP service areas that they are excluding.

For both existing carriers and new stand-alone carriers, the reports submitted into the docket and the copies to the public safety organizations specified under the rule can be made at the same time and submitted at the same time, meaning that the burden hours and costs will be all-inclusive for a submission listing the exclusions or any changes. Estimates of the burden hours for the collection of information are as follows:

**Initial and Updated Exclusion Report Burden (New and Existing Carriers).** The Commission estimates that each initial exclusion report filed by the 10 new CMRS providers will take an in-house staff engineer and a staff clerical assistant on average approximately three hours. The average of three hours assumes that (1) the initial exclusion report will take more time than subsequent reports providing changes and (2) the in-house staff engineer at \$150 an hour and a staff clerical assistant at \$17 an hour will each spend an hour and a half. Out of caution, the Commission estimates that each of the 10 new stand-alone carriers will file two reports per year (including the initial report in the first year). At 3 hours per report, the total burden hours for the new stand-alone wireless carriers would then be  $10 \times \text{two reports per year} = 20 \text{ reports} \times 3 \text{ hours per report} = 60 \text{ total annual burden hours}$  for new stand-alone wireless carriers. The total cost per submission is  $\$150 \times 1.5 \text{ hrs.} + \$17 \times 1.5 \text{ hrs.} = \$250.50$  burden per party. The total cost burden then would be  $\$250.50 \times 20 \text{ reports} = \$5,010$ .

Concerning the updated exclusion reports filed by existing carriers, the Commission estimates that each report filed by the 242 CMRS providers will take an in-house staff engineer and a staff clerical assistant on average approximately two hours. Existing wireless carriers filing changes to their previously filed reports would then file  $242 \times \text{one report per year} = 242 \text{ reports} \times 2 \text{ hours per report} = 484 \text{ total annual burden hours}$  for existing wireless carriers. The total cost per submission for updated reports is  $\$150 \times 1 \text{ hr.} + \$17 \times 1 \text{ hr.} = \$167.00$  burden per party. The total cost burden then would be  $\$167.00 \times 242 \text{ reports per year} = \$40,414$ .

**C/U Data (Wireless Carriers).** Second, the requirements to deliver confidence and uncertainty data on a per call basis to each PSAP encompasses the collection of information pertaining to the reliability of the location fix of an emergency wireless call and, therefore, constitutes a collection and reporting requirement. The Commission estimates that the 10 stand-alone providers of new CMRS networks will use an in-house staff engineer at approximately \$150 per hour to establish the baseline levels for delivering the confidence and uncertainty data. If each set-up takes about eight hours to establish a baseline for the data, the total burden hours would then be 8 hrs. x 10 new stand-alone carriers = 80 estimated burden hours. The cost per submission would be \$150 x 8 hrs. = \$1,200 burden per party. The total cost burden then would be \$1,200 x 10 carriers = \$12,000.

Also, the Commission assumes that the 967 existing wireless carriers will continue to deliver confidence and uncertainty data on a per call basis. Similarly, the Commission estimates that those existing wireless carriers will use an in-house engineer at approximately \$150 per hour to ensure the continued delivery of such data. If it takes about four hours to ensure the continued delivery of the confidence and uncertainty data and evaluate it against the baseline data, the total burden hours for existing wireless carriers would then be 4 hours x 967 wireless carriers = 3,868, burden hours. The cost per submission will be \$150 x 4 hrs. = \$600 burden per party. The cost burden for existing wireless carriers then would be \$600 x 967 carriers = \$580,200. The total cost burden for all carriers then would be \$12,000 + \$580,200 = \$592,200.

**C/U Data (SSP).** Third, the Commission continues to estimate that there are approximately 3,500 System Service Providers (SSPs), including LECs, CLECs, owners of E911 networks, and emergency service providers, responsible for transporting confidence and uncertainty data between the wireless carriers and PSAPs. The Commission estimates that all of the 3,500 SSP entities will use an in-house staff engineer at approximately \$150 per hour to establish the capability for transporting the confidence and uncertainty data. If each set-up takes about eight hours to prepare, install, and test, the total burden hours would then be 8 hrs. x 3,500 SSPs = 28,000 total burden hours. The cost per submission would be \$150 x 8 hrs. = \$1,200 burden per party. The total cost burden then would be \$1,200 x 3,500 SSP entities = \$4,200,000. The capability to transport the required data to numerous PSAPs within a carrier's service area(s) must be effectuated at the same time, meaning that the burden hours and costs will be all-inclusive for the delivery of the data to tens, hundreds, or even thousands of PSAPs depending on the size and coverage of the carrier. Consequently, the total estimated cost burden for all affected entities to transport confidence and uncertainty data remains \$4,200,000.

**Total Number of Respondents:** 10 carriers + 967 carriers + 3,500 SSPs= **4,477 Respondents**  
**Total Number of Responses:** 20 + 242 + 10 + 967 + 3,500= **4,739 Responses**

**A.** Summary of total number of burden hours to reflect estimate of 967 existing wireless carriers plus an estimated 10 new CMRS providers

Annual carrier burden for existing and new CMRS providers to file initial or updated exclusion reports (60 + 484 hours = 544) = 544 hours

New plus existing CMRS providers burden to transmit confidence and uncertainty data (80 + 3,868 = 3,948 hours) = 3,948 hours

SSP burden to transmit confidence and uncertainty data = 28,000 hours

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**For this extension to the OMB, the Total Annual Burden Hours = 32,492 hours**

Summary of cost burden for an estimated 967 existing wireless carriers plus an estimated 10 new CMRS providers:

Annual carrier cost burden for new CMRS carriers to file exclusion reports:  $\$250.50 \times 20 \text{ reports} = \$5,010$

Annual carrier cost burden for existing CMRS carriers to file exclusion reports:  $\$167.00 \times 242 \text{ reports} = \$40,414$

New CMRS provider burden for confidence and uncertainty data:  $\$1,200 \text{ per party} \times 10 \text{ carriers} = \$12,000$

Existing CMRS provider burden for confidence and uncertainty data:  $\$600 \text{ per party} \times 967 \text{ carriers} = \$580,200$

SSP burden for confidence and uncertainty data:  $\$1,200 \text{ per party} \times 3,500 \text{ SSPs} = \$4,200,000$

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**Annual In-House Cost Burden for existing and new CMRS providers = \$4,837,624**

**B. Total Estimates:**

<b>Total Annual Burden Hours</b>	<b>32,492 hours</b>
<b>Total Annual In-House Cost Burden</b>	<b>\$4,837,624</b>

13. There are no start-up and capital cost or operation and maintenance cost burdens to respondents resulting from the collection of information.

14. The cost to the Commission to review the initial and updated reports is estimated to be: GS-15/5 engineer or attorney (\$78.27 per hour) to review approximately 216 reports for about 30 minutes for each report = \$8,453.16.

The Commission does not anticipate that it will incur costs pertaining to the requirement to transmit confidence and uncertainty data.

**Total cost to the government: \$8,453.16.**

15. From the last submission to OMB, there are adjustments/increases to this information collection. Based on the most currently available data to the Commission, the total number of respondents increased from 4,294 to 4,477 (+183), the total annual responses increased from 4,510 to 4,739 (+229) and the total annual burden hours increased from 31,668 to 32,492 (+824).

There are no program changes to this collection.

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

17. We do not seek approval not to display the expiration date for OMB approval of the information collection.

18. There are no exceptions to the Certification Statement.

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

No statistical methods are employed.