

## **SUPPORTING STATEMENT**

### **A. Justification:**

1. *Circumstances that make collection necessary.* The Federal Communications Commission requests that the Office of Management and Budget (OMB) approve a revision of the information collection titled "Part 25 of the Federal Communications Commission's Rules Governing the Licensing of, and Spectrum Usage By, Commercial Earth Stations and Space Stations" under OMB Control No. 3060-0678, as a result of the rulemaking discussed below.<sup>1</sup>

On March 3, 2020, the Commission released a Report and Order and Order of Proposed Modification, FCC 20-22, GN Docket No. 18-122, titled "Expanding Flexible Use of the 3.7 to 4.2 GHz Band." In this Report and Order and Order of Proposed Modification, the Commission updated its rules by reforming the use of the 3.7-4.2 GHz band, also known as the C-Band. The new rules repack existing satellite operations into the upper 200 megahertz of the band (and reserve a 20 megahertz guard band), making a significant amount of spectrum – 280 megahertz or more than half of the band – available for flexible use throughout the contiguous United States. The relevant rule revisions for purposes of this information collection are the addition of sections 25.138 and 25.147 of the Commission's rules. In updating this information collection, we are not accounting for any changes to the number of respondents, burden hours, and annual cost related to these rule revisions since the addition of sections 25.138 and 25.147 set forth rules for transition of operations from one frequency band to another.

The forms that are included in this collection are FCC Forms 312, 312 EZ, 312-R, and Schedules A, B, and S.

The statutory authority for this information collection is contained in 47 U.S.C. §§ 154, 301, 302, 303, 307, 309, 310, 319, 332, 605, and 721.

The information collection requirements do not affect individuals or households; therefore, there are no impacts under the Privacy Act.

2. *Use of information.* This collection is used by the Commission's staff in carrying out its statutory duties to regulate satellite communications in the public interest, as generally provided under 47 U.S.C. §§ 154, 301, 302, 303, 307, 309, 310, 319, 332, 605, and 721. This collection is also used by staff in carrying out United States treaty obligations under the World Trade Organization Basic Telecom Agreement. The information collected is used for the practical and necessary purposes of assessing the legal, technical, and other qualifications of applicants; determining compliance by applicants, licensees, and other grantees with Commission rules and the terms and conditions of their grants; and concluding whether, and under what conditions, grant of an authorization will serve the public interest, convenience, and necessity.

For example, collected information is used by the Commission:

- To determine the qualifications of applicants and petitioners to provide satellite service, including applicants that are affiliated with foreign entities and petitioners that seek to provide service to the U.S. market from non-U.S.-licensed satellites.
- To facilitate technical coordination of systems among applicants and licensees in various frequency bands. Without such information, the Commission could not implement band plans as set forth in the Table of Allocations, 47 C.F.R. § 2.106.

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<sup>1</sup> This information collection revision also includes revisions resulting from two additional Federal Communications Commission's rulemakings. In an effort to expedite the process for approval of the revisions associated with FCC 20-22, the revisions associated with those other rulemakings will be described in a separate supporting statement.

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- (1) Number of respondents: 23. Nine applications per year for U.S. space station licenses, 8 requests per year to serve the U.S. market with a non-U.S.-licensed space station, and 6 applications per year for a U.S. earth station to communicate with a non-U.S.-licensed space station that has not been previously granted U.S. market access.
- (2) Number of responses: 23.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual burden is 1,357 hours (23 responses x 59 hours/response = 1,357 hours).

- (2) Number of respondents: 15.
- (3) Number of responses: 15.
- (4) Frequency of response: One time.
- (5) Annual hour burden: The total annual hour burden is 30 hours (15 responses x 2 hours/response = 30 hours).

- (1) Number of respondents: 2.
- (2) Number of responses: 2.
- (3) Frequency of response: One time.

(4) Annual hour burden: The total annual hour burden is 156 hours (2 responses x 78 hours/response = 156 hours).

**e. SDARS Applications (47 C.F.R. § 25.144(a))**

- (1) Number of respondents: 1.
- (2) Number of responses: 1.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 1 hour (1 respondent x 1 hour/response = 1 hour).

**f. NGSO FSS Applications** (47 C.F.R. §§ 25.114(d)(12), 25.146)

- (1) Number of respondents:1.
- (2) Number of responses: 1.
- (3) Frequency of response: One time and on occasion.
- (4) Annual hour burden: The total annual hour burden is 4 hours (1responses x 4 hours/response = 4hours).

g. **GSO MSS Applications** (47 C.F.R. § 25.143(b))

- (1) Number of respondents: 1.
- (2) Number of responses: 1.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 4 hours (1 response x 6 hours/response = 4 hours).

#### **h. NGSO MSS Applications** (47 C.F.R. §§ 25.142(a), (b)(2)(ii), 25.143(b), 25.250(b), 25.279)

- (1) Number of respondents: 1.
- (2) Number of responses: 1.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 6 hours (1 response x 6 hours/response = 6 hours).

**i. Ancillary Terrestrial Component (ATC) Applications** (47 C.F.R. §§ 25.149, 25.253, 25.254)

- (1) Number of respondents: 1.
- (2) Number of responses: 1.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 50 hours (1 response x 50 hours/response = 50 hours).

**3. Request for Filing of Advance Publication Information** (Letter, 47 C.F.R. § 25.111(e); *see also* 47 C.F.R. § 0.457(d)(1)(vii)(C))

- B. Small Satellites or Small Spacecraft** (Form 312, Schedule S, 47 C.F.R. § 25.122 or 47 C.F.R. § 25.123)

- ### C. Earth Stations (Form 312, Schedule B)

**1. General Requirements** (47 C.F.R. §§ 25.110, 25.115(a)(5)-(10), (b)(1)-(9), 25.209, 25.211, 25.212, 25.218, 25.220, 25.203, 25.204(e)(1))

- ## 2. Applications Eligible for Autogrant Licensing (Form 312 EZ, 47 C.F.R. § 25.115(a)(2))

- 3. Applications Not Eligible for Autogrant Licensing (47 C.F.R. § 25.115(a)(1), (f); *see also* General Requirements above)**

- <sup>4</sup> Of the estimated 8 hours per response, the one-time filing accounts for approximately 7 hours per response and the third-party disclosure accounts for approximately 1 hour per response.

- (1) Number of respondents: 39.
- (2) Number of responses: 39.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 3,042 hours (6 responses x 78 hours/response = 3,042 hours).

- (1) Number of respondents: 400.
- (2) Number of responses: 400.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 1,600 hours (400 responses x 4 hours/response = 1,600 hours).

- (1) Number of respondents: 10.
- (2) Number of responses: 10.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 400 hours (10 responses x 40 hours/response = 400).

- (1) Number of respondents: 50.
- (2) Number of responses: 50.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual burden hours is 1,000 hours (50 responses x 20 hours/response = 1,000).

- (1) Number of respondents: 12.
- (2) Number of responses: 12.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual burden hours is 240 hours (12 responses x 20 hours/response = 240).

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### A. Earth Stations on Vessels (ESV) (47 C.F.R. § 25.228)

- (1) Number of respondents: 5.
- (2) Number of responses: 5.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 300 hours (5 responses x 60 hours/response = 300 hours).

**B. Vehicle-Mounted Earth Stations (VMES) (47 C.F.R. § 25.228)**

- (1) Number of respondents: 4.
- (2) Number of responses: 4.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 240 hours (4 responses x 60 hours/response = 240 hours).

**C. Earth Stations aboard Aircraft (ESAA) (47 C.F.R. § 25.228)**

- (1) Number of respondents: 9.
- (2) Number of responses: 9.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 720 hours (9 responses x 80 hours/response = 720 hours).

**e. Temporary-Fixed** (47 C.F.R. §§ 25.110, 25.277)

- (1) Number of respondents: 20.
- (2) Number of responses: 20.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 160 hours (20 responses x 8 hours/response = 160 hours).

**f. MSS (47 C.F.R. §§ 25.115(d), 25.129(c), 25.135, 25.257, 25.258(c))**

- (1) Number of respondents: 2.
- (2) Number of responses: 2.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 16 hours (2 responses x 8 hours/response = 16 hours).

**g. 17/24 GHz BSS (47 C.F.R. § 25.115(g))**

- (1) Number of respondents: 3.
- (2) Number of responses: 3.







### A. Space Station

- ### B. Earth Station

- (1) Number of respondents: 399.
- (2) Number of responses: 399.
- (3) Frequency of response: On occasion.
- (4) Annual hour burden: The total annual hour burden is 798 hours (399 operators x 2 hours/response = 798 hours).

### A. Space Station

- ### B. Earth Station

- (1) Number of respondents: 38.
- (2) Number of responses: 38.

- ## IX. General Notification Requirements

- (1) Number of respondents: 4.
- (2) Number of responses: 4.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 4 hours (4 responses x 1 hour/response = 4 hours).

- (1) Number of respondents: 3.
- (2) Number of responses: 3.
- (3) Frequency of response: On occasion.
- (4) Annual hour burden: The total annual hour burden is 1.5 hours (3 responses x .5 hours/response = 1.5 hours).

- (1) Number of respondents: 4.
- (2) Number of responses: 4.
- (3) Frequency of response: On occasion.
- (4) Annual hour burden: The total annual hour burden is 8 hours (4 responses x 2 hours/response = 8 hours).

- (1) Number of respondents: 4.
- (2) Number of responses: 4.
- (3) Frequency of response: On occasion.
- (4) Annual hour burden: The total annual hour burden is 8 hours (4 responses x 2 hours/response = 8 hours).

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(4) Annual hour burden: The total annual hour burden is 80 hours (10 responses x 8 hours/response = 80 hours).

## F. Temporary-Fixed Operation Local Coordination Reports (47 C.F.R. § 25.277(c))

- (1) Number of respondents: 100.
- (2) Number of responses: 100.
- (3) Frequency of response: On occasion.
- (4) Annual hour burden: The total annual hour burden is 800 hours (100 responses x 8 hours/response = 800 hours).

**G. Completion of Earth Station Construction** (47 C.F.R. §§ 25.133(b) and (d))

- (1) Number of respondents: 699.
- (2) Number of responses: 699.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 699 hours (699 responses x 1 hour/response = 699 hours).

#### H. ATC Service Initiation Notice (47 C.F.R. § 25.149(f))

- (1) Number of respondents: 1.
- (2) Number of responses: 1.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 1 hour (1 response x 1 hour/response = 1 hour).

## **I. Ka-Band Space Station Operators' Notification (47 C.F.R. § 25.258; *see also* FCC 96-311)**

- (1) Number of respondents: 6.
- (2) Number of responses: 6.
- (3) Frequency of response: Third party disclosure.
- (4) Annual hour burden: The total annual hour burden is 6 hours (6 responses x 1 hour/response = 6 hours).

**J. Consummation of Transfer and Control or Assignment (47 C.F.R. § 25.119(f))**

- (1) Number of respondents: 365.
- (2) Number of responses: 365.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 365 hours (365 responses x 1 hour/response = 365 hours).

## K. Results of In-Orbit Testing (47 C.F.R. § 25.173)

- (1) Number of respondents: 5.
- (2) Number of responses: 5.



**B. VMES (47 C.F.R. § 25.228(f))**

- (1) Number of respondents: 4.
- (2) Number of responses: 4.
- (3) Frequency of response: Third party disclosure.
- (4) Annual hour burden: The total annual hour burden is 4 hours (4 responses x 1 hour/response = 4 hours).

**C. ESAA (47 C.F.R. § 25.228(g))**

- (1) Number of respondents: 9.
- (2) Number of responses: 9.
- (3) Frequency of response: Third party disclosure.
- (4) Annual hour burden: The total annual hour burden is 9 hours (9 responses x 1 hour/response = 9 hours).

**4. 17/24 GHz DBS (47 C.F.R. §25.203(m))**

- (1) Number of respondents: 3.
- (2) Number of responses: 3.
- (3) Frequency of responses: Once.
- (4) Annual hour burden: The total annual hour burden is 12 hours (3 responses x 4 hours = 12 hours).

**X. Milestones and Bonds**

**A. GSO Launch and Operate Milestone (47 C.F.R. § 25.164(f))**

- (1) Number of respondents: 5.
- (2) Number of responses: 5.
- (3) Frequency of response: One time.
- (4) Annual hour burden: The total annual hour burden is 5 hours (5 responses x 1 hour/response = 5 hours).

**B. NGSO Launch and Operate Milestone (47 C.F.R. § 25.164(f))**

- (1) Number of respondents: 1.
- (2) Number of responses: 2.
- (3) Frequency of response: Two time.
- (4) Annual hour burden: The total annual hour burden is 2 hours (2 response x 1 hour/response = 2 hours).

**C. Application-Stage Bond (47 C.F.R. § 25.165(f))**

- (1) Number of respondents: 29.
- (2) Number of responses: 29.
- (3) Frequency of response: One time.





Total number of respondents: **6,524**

Total number of responses: **6,573**

Range of hours per response: **.5-80**

Total number of burden hours: **44,988**

**TOTAL “In-house Cost”** – In-house staff who will be working on the information collection requirements contained in the chart above is estimated to have an hourly salary of \$60/hour. Therefore, the in-house costs to respondents are **42,988** (total burden hours) x \$60/hour = **\$2,699,280**.

13. *Estimates of the cost burden of the collection to respondents.* Respondents are assumed to use outside legal or engineering assistance to complete their filing with the Commission. This is because, in addition to their in-house legal and engineering staffs, space station and earth station operators often rely on outside attorneys and engineers to assist with some of the information collection requirements in Part 25. We estimate that the hourly rates for outside legal and engineering assistance are \$300/hour and \$250/hour, respectively. These figures are based on a small survey of local firms in the Washington, D.C. area and are conservative estimates. Because outside attorneys and engineers are used in approximately equal proportions, we use an average rate of \$275/hour to arrive at the cost burden for outside assistance. The amount of hourly work performed by outside parties varies with the type and complexity of the application. Based on our experience, we estimate that operators will engage outside attorneys and engineers in preparing 1,175 of the total number of responses filed annually, with an average of 8.8 hours spent per response. Consequently, the total cost burden for outside assistance is **\$2,833,820** (\$275 x 1,175 responses x 8.8 hours per response).

**Application Filing Fees<sup>6</sup>: \$13,778,766 (rounded)** . This estimate is based on actual Commission filings over the past several years.

**Total Annualized Cost:**

| <b>Total Costs to the Industry</b>                     | <b>Totals</b>       |
|--|---------------------|
| Estimated Application Filing Fees                      | <b>\$13,778,766</b> |
| Estimated Cost of Outside Legal/Engineering Assistance | <b>\$2,833,820</b>  |
| <b>Total Cost to Respondents</b>                       | <b>\$16,612,586</b> |

14. *Estimate of Annualized Cost to the Federal Government.*

The estimate of annualized cost to the Federal government is summarized in the chart below.

As shown in the chart, the annualized costs to the Federal government are **\$ 2,457,745.76**

<sup>6</sup> See Appendix A for a table of calculations.

The chart contains total staff salaries, burden hours, and annualized costs.

| <b>Federal Government Staff</b>    | <b>Number<br/>of Staff</b> | <b>Salary Per<br/>Hour</b> | <b>Annual<br/>Burden<br/>Hours</b> | <b>Annualized Costs</b> |
|------------------------------------|----------------------------|----------------------------|------------------------------------|-------------------------|
| GS-15/Step 5 Attorney              | 6                          | \$78.27                    | 1,514                              | \$711,004.68            |
| GS-14/Step 5 Attorney              | 3                          | \$66.54                    | 1,517                              | \$302,823.54            |
| GS-13/Step 5 Attorney              | 1                          | \$56.31                    | 1,517                              | \$85,422.27             |
| GS-12/Step 5 Attorney              | 1                          | \$47.35                    | 1,517                              | \$71,829.95             |
| GS-15/Step 5 Engineer              | 11                         | \$78.27                    | 694                                | \$597,513.18            |
| GS-14/Step 5 Engineer              | 3                          | \$66.54                    | 2,022                              | \$403,631.64            |
| GS-12/Step 5 Paralegal             | 1                          | \$47.35                    | 500                                | \$23,675.00             |
| GS-12/Step 5 Industry<br>Analyst   | 1                          | \$47.35                    | 1,508                              | \$71,403.80             |
| GS-12/Step 5 Telecom<br>Specialist | 2                          | \$47.35                    | 2,011                              | \$190,441.70            |
| <b>Total</b>                       | <b>29</b>                  |                            | <b>12,800</b>                      | <b>\$2,457,745.76</b>   |

15. *Program changes or adjustments.* There are no program changes or adjustments to this collection as a result of rule revisions adopted in FCC 20-22.

16. *Collections of information whose results will be published.* The data will not be published for statistical use.

17. *Display of expiration date for OMB approval of information collection.* We continue to seek a waiver of the requirement to display the expiration date of OMB approval on the FCC Form 312 (including associated Schedules A, B, and S), FCC Form 312 EZ, and FCC Form 312-R and wish to instead display an edition date. If these forms remain unchanged when it is time to renew OMB approval for this collection, the Commission would be required to destroy all stock on hand displaying the old expiration dates and then reprint and redistribute the forms with the new expiration date. Additionally, it would require the Commission to modify the electronic versions as well. This would be an undue burden on Commission resources and may lead to confusion among licensees.

18. *Exceptions to the certification statement for Paperwork Reduction Act submissions.* There are no exceptions to the Certification Statement.

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

No statistical methods are employed.

### Application Costs (in Dollars)<sup>7</sup>

<sup>7</sup> See 47 C.F.R. § 1.1107.

**Part 25 of the Federal Communications Commission's Rules    OMB Control No. 3060-0678**  
**Governing the Licensing of, and Spectrum Usage by,**  
**Commercial Earth Stations and Space Stations**  
**February 2021**

|  |     |           |           |                                    |
|--|-----|-----------|-----------|------------------------------------|
|  |     |           |           | 29,160.00                          |
| b. Earth Station                                       | 57  | 210.00    |           | 11,970.00                          |
| <b>IV. Transfers of Control and Assignments</b>        |     |           |           |                                    |
| <b>A. Transfers of Control (T/C)</b>                   |     |           |           |                                    |
| a. Space Station                                       |     |           |           |                                    |
| GSO  | 3   | 9,785.00  | 29,355.00 |                                    |
| NGSO   | 1   | 13,480.00 | 13,480.00 |                                    |
|  |     |           |           | 42,835.00                          |
| b. Earth Station                                       |     | 590.00    |           |                                    |
|  |     | 2,945.00  |           |                                    |
| (average earth station T/C fee)                        | 131 | 1,767.50  |           | 231,542.50                         |
|  |     |           |           |                                    |
| <b>B. Assignments</b>                                  |     |           |           |                                    |
|  |     |           |           |                                    |
| a. Space Station                                       | 3   | 9,785.00  |           | 29,355.00                          |
| b. Earth Station                                       | 120 | 1,767.50  |           | 212,100.00                         |
|  |     |           |           |                                    |
| <b>V. Applications for Special Temporary Authority</b> |     |           |           |                                    |
|  |     |           |           |                                    |
| a. Space Station                                       |     |           |           |                                    |
| GSO  | 48  | 980.00    | 47,040.00 |                                    |
| NGSO   | 6   | 3,375.00  | 20,250.00 |                                    |
|  |     |           |           | 67,290.00                          |
| b. Earth Station                                       | 296 | 210.00    |           | 62,160.00                          |
|  |     |           |           |                                    |
| <b>VI. Earth Station License Renewals</b>              | 399 | 210.00    |           | 83,790.00                          |
|  |     |           |           |                                    |
| <b>Totals</b>  |     |           |           | <b>\$13,778,765.81<sup>8</sup></b> |

<sup>8</sup> \$13,778,765.81 was rounded to \$13,778,766.