

SUPPORTING STATEMENT

A. Justification:

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitates the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Commission is seeking a new information collection associated with 47 CFR Section 90.372 (“DSRCS Notification Requirement”) to obtain the full three-year clearance from the Office of Management and Budget (OMB).

On November 20, 2020, the Federal Communications Commission released a First Report and Order, Further Notice of Proposed Rulemaking, and Order of Proposed Modification, Use of the 5.850-5.925 GHz Band, ET Docket No. 19-138. Among other things, the Commission repurposed 45 megahertz of the 5.850-5.925 GHz band (the 5.9 GHz band), specifically the spectrum from 5.850-5.895 GHz, to allow for the expansion of unlicensed operations into that sub-band. At the same time, the Commission recognized that the 5.9 GHz band plays an important role in supporting intelligent transportation system (ITS) operations, and therefore continued to dedicate 30 megahertz of the 5.9 GHz band, specifically the sub-band from 5.895-5.925 GHz, for use by the ITS radio service. ITS licensees must cease operations in the 5.850-5.895 GHz sub-band by the deadline the Commission set in the First Report and Order. In addition, to promote the most efficient and effective use of the remaining ITS spectrum, the Commission will require ITS operations in the 5.895-5.925 GHz sub-band to transition from the current technology, Dedicated Short-Range Communications (DSRC), to the emerging Cellular Vehicle-to-Everything (C-V2X)-based technology by the end of a transition period to be decided following action on the Further Notice.

47 CFR New Section 90.372 requires DSRC licensees to notify the Commission that they have ceased operations in the 5.850-5.895 GHz sub-band. Below is section 90.372 as adopted in the First Report and Order:

§ 90.372 DSRCS Notification Requirement.

(a) DSRCS licensees authorized pursuant to 90.370(b) must notify the Commission that as of the transition deadline of July 5, 2022, they have ceased operating in the 5.850-5.895 GHz portion of the band. This notification must be filed via ULS within 15 days of the expiration of the transition deadline.

(b) Continued operation in the 5.850-5.895 GHz portion of the band after the transition deadline, will result in automatic termination of that licensee's authorization without specific Commission action.

2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

DSRC licensees will provide the information in new section 90.372 to advise the Commission that they have complied with the requirement to cease operations to the 5.895-5.925 GHz sub-band by the deadline set forth by the Commission in the First Report and Order. This notification must be filed via the Commission's Universal License System (ULS) within 15 days of the expiration of the transition deadline.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Collection of this information via ULS online involves the use of automated, electronic, or other mechanical collection techniques. Licensees' burden is reduced by submitting notifications via accessing their license files already established in the ULS data base.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.

No similar information is available elsewhere.

5. If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.

This information collection is necessary to ensure that the public receives the benefits of both unlicensed operations and the ITS radio service in the 5.9 GHz band in a prompt and efficient manner. The regulatory burden applies equally to large and small entities, thus without differential impact. The Commission will continue to examine alternatives in the future with the objective of eliminating unnecessary regulations and minimizing any significant impact on small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

This information collection is necessary to ensure that ITS radio services licensees properly shift their operations out of the 5.850-5.895 GHz band to allow for the expansion of unlicensed operations into that band by the deadline the Commission set in the First Report and Order.

7. Explain any special circumstances that cause an information collection to be conducted in a manner: requiring respondents to report information to the agency more often than quarterly; requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; requiring respondents to submit more than an original and two copies of any document; requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are no special circumstances required for this collection of information.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information prior to submission to OMB.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The views of industry and the general public were solicited when the Commission published the Notice in the *Federal Register* on May 26, 2021, 86 FR 28342. The Commission received no comments in response to the Notice in the *Federal Register*.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No gift or payments will be given to respondents for this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

No information is requested that would require assurance of confidentiality.

11. Provide additional justification for any questions of a sensitive nature.

No sensitive information is required for this collection.

12. Provide estimates of the hour burden of the collection of information. The statement should: indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance.

As of April 15, 2021, there are 125 active ITS licensees in the Commission's database that are required to cease using the 5.850-5.895 GHz portion of the band for their DSRC-based operations. The Commission estimates that these 125 licensees will notify the Commission of cessation of operations in the 5.850-5.895 GHz band by the Commission's deadline set forth in the First Report and Order.

Total Number of Respondents: 125
125 ITS Licensees.

Total Number of Responses: 125
125 ITS Licensees ceasing DSRC operations in the 5.850-5.895 GHz sub-band.

The Commission estimates an average 2 hours of response time for each of the 125 ITS licensees authorized to operate DSRC to submit the ULS notification that they have ceased operating in the 5.850–5.895 GHz portion of the band.

Total burden hours: 125 respondents x 2 hours = 250

- This is a one-time notification requirement; therefore, these totals reflect only one filing period ending on the deadline that the Commission set forth in the First Report and Order.

13. Provide estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).

For all 125 ITS licensees authorized to operate DSRC to submit the ULS notification that they have ceased operating in the 5.850–5.895 GHz portion of the band, the Commission estimates 2 hours of response time at a billing rate of \$250 per hour.

Total estimated respondent cost: \$250 x 125 licensees x 2 hours/response = \$62,500

- This is a one-time notification requirement; therefore, these totals reflect only one filing period ending on the deadline that the Commission set forth in the First Report and Order.

14. Provide estimates of annualized costs to the Federal government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expenses that would not have been incurred without this collection of information.

According to the 2021 General Schedule Pay Tables, an Industry Analyst employee at a GS-7 Step 5 is paid \$26.69/per hour. The Commission estimates that an Industry Analyst will spend 2 hours of review time at a billing rate of \$26.69/per hour for each ITS licensee notification that it has ceased operating in the 5.850–5.895 GHz portion of the band.

Total estimated cost to the Federal Government: 125 licensee notifications x 2 hours review time @ \$26.69 per hour (GS-7 Step 5) = \$6,672.50.

- This is a one-time notification requirement; therefore, these totals reflect only one filing period ending on the deadline that the Commission set forth in the First Report and Order.

15. Explain the reasons for any program changes or adjustments reported.

This is a new information collection resulting in a program change. There are increases to the total number of respondents and total annual responses of +125, the total annual burden hours of +250 hours and total annual costs of +\$62,500 due to the adoption of FCC 20-164. These estimates will be added to OMB's Active Inventory.

There are no adjustments.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

The data will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

This information collection does not include any FCC forms; therefore, the Commission is not seeking exemption from displaying the expiration date for OMB approval of this collection.

18. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods:

This information collection does not employ statistical methods.