

SUPPORTING STATEMENT

A. Justification:

1. **47 CFR Section 73.3538, Application to Make Changes in an Existing Station.** Section 73.3538(b)(1) of the Commission's rules requires a broadcast station to file an informal application to modify or discontinue the obstruction marking or lighting of an antenna supporting structure.

47 CFR Section 73.1690(e) Modification of transmission systems. Section 73.1690(e) of the Commission's rules requires AM, FM and TV station licensees to prepare an informal statement or diagram describing any electrical and mechanical modification to authorized transmitting equipment that can be made without prior Commission approval provided that equipment performance measurements are made to ensure compliance with FCC rules. This informal statement or diagram must be retained at the transmitter site as long as the equipment is in use.

The Commission is requesting an extension of this collection for a three-year time period from the Office of Management and Budget (OMB).

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(r), 308, 309(j), 337(e) of the Communications Act of 1934, as amended.

2. For Section 73.1690(e), the data is used by broadcast licensees to provide prospective users of the modified equipment with necessary information. If no such information exists, any future problems could prove difficult to solve and could result in electronic frequency interference for long periods of time.

For Section 73.3538, the data is used by FCC staff to ensure that the modification or discontinuance of the obstruction marking or lighting will not cause a menace to air navigation.

3. The use of information technology is not feasible for this collection of information.

4. No other agency imposes a similar information collection on the respondents. There is no similar data available.

5. 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. For Section 73.1690(e), the frequency for this requirement is determined by respondents, as necessary. The information will provide prospective users of the modified equipment with necessary information to correct any future problems with the transmitting equipment. If no such information exists, any future problems with the transmitting equipment could prove difficult to solve and could result in electronic frequency interference for long periods of time. For Section 73.3538, the frequency for filing is determined by respondents, as necessary. If this information was not collected the modification or discontinuance of the obstruction marking or lighting of an antenna supporting structure could cause a menace to air navigation.
7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).
8. The Commission published a Notice (86 FR 44361) in the Federal Register on August 12, 2021 seeking public comment on the information collection requirements contained in this collection. No comments were received from the public as a result of the Notice.
9. No payment or gift was provided to respondents.
10. There is no need for confidentiality with is collection of information.
11. This information collection does not address any private matters of a sensitive nature.
12. The public burden is as follows:

Burden for Section 73.1690(e): We estimate 600 respondents (300 AM, 200 FM and 100 TV) broadcast licensees will perform electrical or mechanical modifications on their transmitting equipment that will require conformance with the recordkeeping requirement of Section 73.1690. The average burden on licensees of an AM station is 3 hours and the average burden on licensees of an FM and TV station is 0.5 hours.

Number of Respondents: 600 AM, FM and TV Broadcast Licensees

Number of Responses: 600 recordkeeping requirements/informal statements

Annual Burden Hours:

300 AM stations x 3 hours = 900 hours

100 TV stations x 0.5 hours = 50 hours

200 FM stations x 0.5 hours = 100 hours

Annual Burden Hours: 1,050 hours

OMB Control Number: 3060-0216

October 2021

Title: Section 73.3538, Application To Make Changes in an Existing Station, Section 73.1690(e)
Modification of Transmission Systems

Annual “In-House” Cost: We assume that an engineer at the station would perform the equipment performance tests and prepare the informal statement or diagram. We estimate that an AM and FM station engineer and TV station engineer both will have an average salary of \$100,000/year (\$48.08/hour).

$\$48.08/\text{hour} \times 300 \text{ AM stations} \times 3 \text{ hours} = \$43,272.00$

$\$48.08/\text{hour} \times 100 \text{ TV stations} \times 0.5 \text{ hours} = \$ 2,404.00$

$\$48.08/\text{hour} \times 200 \text{ FM stations} \times 0.5 \text{ hours} = \$ 4,808.00$

Annual “In-house” Cost: \$50,484.00

Burden for Section 73.3538: We estimate that 50 informal applications will be filed to modify or discontinue the obstruction marking or lighting of an antenna supporting structure with an average burden on licensee of 1.0 hours. This filing is also done at respondent's request and frequency. We assume that the licensee will prepare the informal application to modify or discontinue the obstruction marking or lighting of an antenna supporting structure.

Number of Annual Respondents: 50 Broadcast Stations

Number of Annual Responses: 50 Informal Applications

Annual Burden Hours: 50 informal applications x 1 hour/application = **50 hours**

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

$50 \text{ informal applications} \times 1 \text{ hour} \times \$48.08/\text{hour} = \$2,404.00$

Total Number of Annual Respondents: 650 Broadcast Stations/Licensees

Total Number of Annual Responses: 650 informal requests/informal statements

Total Annual Burden Hours: 1,100 Hours

Total Annual “In-House” Cost: \$50,484.00 + \$2,404.00 = \$52,888.00

13. Annual Cost Burden:

- (a) Total annualized capital/startup costs: None
- (b) Total annual costs (O&M): None
- (c) Total annualized cost required: None

14. Cost to the Federal Government. The Commission will use paraprofessional staff at the GS-11, step 5 (\$39.51/hour) to process the informal applications and requests.

Total Cost to the Federal Government:

50 applications x 2.0 hrs x \$39.51/hour = **\$3,951**

15. There are no program changes or adjustments to this information collection.

16. The data will not be published.

17. OMB approval of the expiration date of the information collection will be displayed at 47 C.F.R. Section 0.408.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods.

No statistical methods are employed.