

SUPPORTING STATEMENT

A. Justification:

1. FCC Form 603 is a multi-purpose form that is used by radio services in Wireless Services within the Universal Licensing System (ULS) or any other electronic filing interface the Commission develops. FCC Form 603 is composed of a main form that contains the administrative information and a series of schedules used for filing technical information. These schedules are required when applying for Auctioned Services, Partitioning and Disaggregation, Undefined Geographical Area Partitioning, and Notification of Consummation or Request for Extension of Time for Consummation. Applicants/licenseses in the Public Mobile Services, Personal Communications Services, Private Land Mobile Radio Services, Broadband Radio Service, Educational Broadband Service, Maritime Services (excluding Ship), and Aviation Services (excluding Aircraft) use FCC Form 603 to apply for an assignment or transfer, to establish their parties' basic eligibility and qualifications, to classify the filing, and/or to determine the nature of the proposed service. This form is also used to notify the FCC of consummated assignments and transfers of wireless licenses to which the Commission has previously consented or for which notification but not prior consent is required. Respondents are encouraged to submit FCC Form 603 electronically.

The data collected on FCC 603 include the FCC Registration Number (FRN), which serves as a "common link" for all filings an entity has with the FCC. The Debt Collection Improvement Act of 1996 required that those filing with the Commission use the FRN, effective December 3, 2001.

Records may include information about individuals or households, e.g., personally identifiable information or PII, and the use(s) and disclosure of this information are governed by the requirements of a system of records notice or 'SORN', FCC/WTB-1, "Wireless Services Licensing Records." There are no additional impacts under the Privacy Act.

On August 3, 2017, the Commission released the WRS Reform Second Report and Order in which it consolidated the hodgepodge of service-specific geographic partitioning and spectrum disaggregation rules into a consolidated Part 1 rule, 1.950 (See Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services, Second Report and Order and Further Notice of Proposed Rulemaking, FCC 17-105 (WRS Reform Second Report and

Order)).¹ Of relevance to the information collection at issue here, the Commission required that when portions of geographic licenses are sold, both parties to the transaction have a clear construction obligation and penalty in the event of failure.

Specifically, § 1.950(c) requires parties seeking approval for geographic partitioning, spectrum disaggregation, or a combination of both to apply for a partial assignment of authorization by filing FCC Form 603 pursuant to § 1.948 of the Commission's rules. Each request for geographic partitioning must include an attachment defining the perimeter of the partitioned area by geographic coordinates to the nearest second of latitude and longitude, based upon the 1983 North American Datum (NAD83). Alternatively, applicants may specify an FCC-recognized service area (e.g., Basic Trading Area, Economic Area, Major Trading Area, Metropolitan Service Area, or Rural Service Area), county, or county equivalent, in which case, applicants need only list the specific FCC-recognized service area, county, or county equivalent names comprising the partitioned area. Additionally, applicants have the option to submit geographic data associated with applications to partition and/or disaggregate their license using a shapefile, KML or Geojson file format.

In addition, § 1.950(d) requires applicants for geographic partitioning, spectrum disaggregation, or a combination of both, to include, if applicable, a certification with their partial assignment of authorization application stating which party will meet any incumbent relocation requirements, except as otherwise stated in service-specific rules. Further, § 1.950(g) provides parties to geographic partitioning, spectrum disaggregation, or a combination of both, with two options to satisfy service-specific performance requirements (i.e., construction and operation requirements). Under the first option, each party may certify that it will individually satisfy any service specific requirements and, upon failure, must individually face any service-specific performance penalties. Under the second option, both parties may agree to share responsibility for any service-specific requirements. Upon failure to meet their shared service-specific performance requirements, both parties will be subject to any service-specific penalties. The Commission seeks approval for revisions to its currently approved collection of information under OMB Control Number 3060-0800 to permit the collection of the additional information in connection with partial assignments of authorizations for geographic partitioning, spectrum disaggregation, or a combination of both, pursuant to the rules and information collection requirements adopted by the Commission in the WRS Reform Second Report and Order. We do not anticipate that these revisions will impact the collection filing burden.

Statutory authority for this collection of information is contained in 47 U.S.C. sections 154, 155, 158, 161, 301, 303(r), 308, 309, 310 and 332.

2. The FCC uses the information in FCC Form 603 to determine whether the applicant is legally, technically, and financially qualified to obtain the requested authorization. Without such information, the Commission cannot determine whether to issue the licenses to the applicants that provide telecommunication services to the public, and

¹ The rule section that is associated with FCC Form 603 in FCC 17-105 is Section 1.950.

therefore, to fulfill its statutory responsibilities in accordance with the Communications Act of 1934, as amended. Information provided on this form will also be used to update the database and to provide for proper use of the frequency spectrum.

Information about individuals or households, and the use(s) and disclosure of this information is governed by the requirements of system of records, FCC/WTB-1. All information within Universal Licensing System (ULS) is publicly available except TIN Numbers and material that is afforded confidential treatment pursuant to a request made under 47 C.F.R. § 0.459 of the Commission's rules will not be made available for public inspection.

3. The Commission encourages the use of electronic filing. With the advent of the ULS, 98% of all applications and notifications submitted to the FCC are now being filed electronically. Electronic filing is mandatory for certain categories of respondents specified in 47 C.F.R. § 1.913 of the Commission's rules and others have the choice of filing manually or electronically.
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 collection requirements to those absolutely necessary for evaluating and processing each application and to deter against possible abuses of the processes.
6. Generally, the frequency of filing FCC Form 603 is determined by the applicant and the licensee. FCC Form 603 is required when an authorization is assigned or transferred.
7. This collection of information is consistent with the guidelines in 5 C.F.R. § 1320.
8. The Commission published a 60-day notice which appeared in the *Federal Register* on February 6, 2020 (85 FR 6948) seeking comment from the public on the information collection requirements contained in this collection. No comments were received as a result of this notice.
9. Respondents will not receive any payments.
10. Respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR §0.459 of FCC rules.

Information on the FCC Form 603 is maintained in the Commission's system of records, FCC/WTB-1, "Wireless Services Licensing Records." These licensee records are publicly available and routinely used in accordance with subsection b. of the Privacy Act, 5 U.S.C. 552a(b), as amended. TIN Numbers and material that

is afforded confidential treatment pursuant to a request made under 47 CFR §0.459 of the Commission's rules will not be available for public inspection.

The Commission has in place the following policy and procedures for records retention and disposal: Records will be actively maintained as long as the individual remains a licensee. Paper records will be archived after being keyed or scanned into the system. Electronic records will be backed up on tape. Electronic and paper records will be maintained for at least twelve years and three months.

11. This collection does not address private matters of a sensitive nature, and the PII is covered by the system of records notice or 'SORN', FCC/WTB-1, "Wireless Services Licensing Records."
12. The Commission estimates that **2,547 respondents** (applicants/licensees) will file **2,547 FCC Form 603 applications annually** and that the average burden per respondent will be 1.75 hours. Of the estimated 2,547 respondents, we estimate approximately 10 are Cellular Service respondents that will be required to submit the maps (in GIS format and PDF) when applying for Partitioning and Disaggregation, and that the average burden associated with creating and filing the maps is 30 minutes (0.5 hours).

We estimate that 50% of the respondents (1,274) will complete the application themselves with no additional assistance. The remaining 50% (1,273) will contract out completing the form to a law firm or application preparation service. We estimate that it will take 1.75 hours per respondent to complete FCC Form 603 for the respondents completing the forms and keeping records of the forms without hiring a consultant. For those respondents hiring a consultant, we estimate a burden of approximately 30 minutes (0.5 hours) to coordinate with the consultant.

The total annual burden is:

1,274 @ 1.75 hours + 10 @ 0.5 = 2,235 hours
1,273 @ 0.5 hours = 637 hours

Total Burden Hours: 2,235 + 637 = 2,872 hours

In-House Cost: Respondents use personnel comparable in pay to a mid-to-senior level federal employee (GS-13, Step 5) to prepare this collection of information, we estimate the cost to be about \$55.75 per hour.

Total in-house cost to the respondents: 2,872 hours x \$55.75/hour = \$160,114.

13. Cost to the Respondent:
 - a. There are no capital and start-up costs to prepare FCC Form 603.

b. The annual costs (O&M) consist of the following:

There is no cost to file the application electronically with the FCC other than the cost of a long distance phone call and/or Internet access. We assume that respondents that file manually will incur postage costs, which are considered “in house costs.”

(1) The FCC filing fees for this application vary based on radio service. For purposes of this submission, we estimate an average filing fee of \$75 per application:

2,547 applications @ \$75/response = **\$191,025.**

(2) We also estimate that 50% of the respondents will contract out the completion of Form 603 and will use an attorney/engineer or application preparation service at a cost of \$300/hour to prepare the FCC Form 603. It will take the attorney/preparation service .5 hours to complete the FCC Form 603 application for respondents:

1,273 applications x .5 hours @ \$300/hour = \$190,950

Total Estimated Annual Costs: \$191,025 + \$190,950 = \$381,975.

14. Cost to the Federal Government:

FCC Form 603 applications estimated to be filed: 2,547.

2,547 applications x 30 min. (0.5 hrs.)
@ \$39.12 per hour (GS-11, Step 5) for an Industry Analyst = \$49,819.32

Total \$49,819.32

15. The Commission is anticipating no change in burden for the completion of this form. Therefore, there are no program changes or adjustments to this information collection.
16. The data will not be published for statistical use.
17. The Commission is requesting a continued waiver from displaying the OMB expiration date on the FCC Form 603. Granting this waiver will prevent the Commission from destroying stock upon re-approval of the form or updating the electronic screens in ULS. The Commission published all OMB-approved information collections along with their OMB Control Numbers, titles, and OMB expiration dates in 47 CFR § 0.408.

18. The Commission published a 60-day notice in the Federal Register seeking comments on the information collection requirements contained in this collection (85 FR 6948) on February 6, 2020. Since this notice was published, the Commission had a revision to collection 3060-0800. Therefore, the number of responses, burden hours and annual cost changed for the collection. There are no other exceptions to the “Certification Statement.”

B. Collections of Information Employing Statistical Methods:

This information collection does not use any statistical methods.