

SUPPORTING STATEMENT

A. Justification:

1. The Commission is now requesting the Office of Management and Budget (OMB) approval for an extension to obtain the three year clearance from them.

The Commission established uniform technical standards for equipment operating under its rules. The technical standards apply to any device capable of generating radiofrequency waves, and such devices include television receivers, field disturbance sensors, *etc.*

To ensure that technical standards are applied uniformly, the Commission requires respondents to follow appropriate equipment authorization procedures specified in subpart J of part 2 of the Commission's rules. These requirements require manufacturers to comply with certain information collection requirements common to all equipment.¹ In addition to these general requirements, the responsible parties for certain types of equipment must maintain special records as specified by the requirements for those devices.

- (a) 47 CFR §15.117(g)(2) of the Commission's rules requires that the responsible party (usually the manufacturer) for equipment insert in its files a statement explaining the basis on which the manufacturer relies to ensure that at least 97.5% of all production units of the test sample that are manufactured have a noise figure of no greater than 14 dB.
- (b) 47 CFR §15.201(a) requires that devices operated under the provisions of 47 CFR §§15.211, 15.213 and 15.221 of the Commission's rules comply with certain additional requirements.
- (c) The Commission's rules permit the operation of field disturbance sensors in the low VHF region of the spectrum, subject to requirements in 47 CFR §15.201(d).
 - (1) Such systems have the potential for interfering with television broadcasting and other radio communication signals.
 - (2) The Commission requires a unique procedure for on-site testing and compliance verification of these systems to ensure that suitable safeguards are in place for the operation of these devices in the VHF range of the spectrum.

This information collection does not affect individuals or households. Respondents in this information collection are limited to certain EMC testing facilities, accreditation bodies, and equipment manufacturers. Thus, there are no impacts under the Privacy Act and a Privacy Impact Assessment is not required.

Statutory authority for this information collection is Sections 4(i), 302, 303(c), 303(f), 303(g) 303(r), and 309(a) of the Communications Act of 1934.

2. Prior to marketing of the field disturbance sensor operating in the frequency bands allocated to television broadcast stations and the TV receivers:

¹ See OMB Information Collections 3060-0057, 3060-0329 and 3060-0636.

- (a) The Commission allows the manufacturer to verify through an “in house” review that the equipment complies with the appropriate technical standards.
 - (1) The Commission’s rules require the holder of the equipment authorization to test each system “in house” upon installation to ensure that technical standards are met at the installation site.
 - (2) The manufacturer must then maintain a list of all installations and records of the testing and measurements that are made.
 - (b) The information is used, as necessary, to determine that the equipment and the operation of the equipment complies with the applicable technical requirements of the Commission’s rules.
3. This information collection includes reporting, recordkeeping and third-party disclosure requirements.
- (a) The information collection requirements include:
 - (1) A “recordkeeping requirement” for documenting test results.
 - (2) An “on occasion reporting requirement.” The Commission may request submission of the information as part of the FCC’s responsibility to monitor equipment authorization verification process.
 - (a) The manufacturer must undertake a self-verification of compliance with technical standards by having the equipment tested and retaining the records of the test results.
 - (b) No filing of the test results is required. On occasion, a request will be made by the Commission for the applicant to submit the test data.
 - (c) The Commission has found that, in recent years, respondents have been required to submit a small number of reports (fewer than 10 on an average) to the FCC annually.
 - (b) Due to the few submissions, the Commission has determined that any program to accept electronic submittal of the information is not considered feasible at this time.
4. No similar information is available from other sources.
5. The burden that the information collection requirements impose on both small and large businesses are minimal and consists solely of the time respondents require to document the standardized procedures and practices used in equipment testing.
6. The Commission requires the collection of conformance-documenting information to ensure that the equipment manufactured has been tested properly and avoids causing harmful interference to authorized users and provides acceptable quality of video signals for reception of broadcast TV.

If the information is not collected, there is potential for manufacturers of RF equipment to relax the quality control standards by which compliance with Commission technical regulations is measured.

The information collection requirements include:

- (a) There is a recordkeeping requirement:

- (1) The equipment manufacturer must retain the information for two years after the manufacture of the product ceases, or two years after completion of an investigation of violation relating to the product.
 - (2) The recordkeeping retention period generally varies from approximately 2.5 years to 10 years, with an average retention period of 6 years.
- (b) There is an “on occasion” reporting requirement:
- (1) If the Commission wishes to verify that the test data collected by the applicant in its self-certification of compliance is correct, or if there is reason to require the information in support of a Commission enforcement action.
 - (2) On average, this reporting requirement has been applied to fewer than 10 manufacturers.
7. 47 CFR §15.117(g)(2) requires the manufacturer to insert in its files a statement explaining the basis on which the manufacturer relies to ensure that at least 97.5% of all production units of the test sample that are manufactured have a noise figure of no greater than 14 dB.

For the field disturbance sensors, the information collection requirements include:

- (a) A “recordkeeping requirement:”
 - (1) The information must be retained by the equipment manufacturer for two years after manufacture of the product ceases, or two years after completion of an investigation of violation relating to the product.
 - (2) We estimate the average recordkeeping retention period for the collected test data to be six years.
 - (b) This is an “on occasion reporting requirement:” The Commission permits manufacturers to perform a “self-verification” of compliance. Sometimes, the Commission may request that the manufacturer submit the testing information for review, although there are usually fewer than 10 such submittals requested annually.
8. A notice soliciting comment by the public was published in the *Federal Register* on September 16, 2022 (87 FR 56949). No comments were received in response to the *Federal Register* notice.
- The Commission also maintains, dialogue with manufacturers and other members of the telecommunications industry, to ensure that the Commission staff remains abreast of new technologies and practices that might affect this information collection.
9. No payments or gifts are given to respondents.
10. The information includes how the manufacturer tested the products to show compliance. The test reports may include some confidential information. There is a minimal exemption from the Freedom of Information Act (FOIA) 5 U.S.C. 552 (b)(4), 47 CFR §0.457(d) of the Commission’s rules, that is granted for trade secrets, which may be submitted to the Commission as part of the documentation of the test results. No other assurances of confidentiality are provided to respondents.

11. This information collection does not include any requests for information of a sensitive nature; however, the manufacturer may have proprietary test data which may be requested to be held confidential. The Commission provides only assurance of confidentiality as provided under the FOIA exemption if the request is filed as provided under 47 CFR §0.459.

12. The Commission estimates that there are 250 respondents, as follows:

- 50 entities that manufacture equipment subject to 47 CFR §15.117(g)(2) of the rules.
- 200 entities subject to 47 CFR §§15.201(d), 15.211, 15.213 and 15.221(c).

(a) 47 CFR §15.117(g)(2) burden:

Annual Hour Burden:

50 manufacturers x 5 hours test result analyses/year = **250 hours**

(b) 47 CFR §§15.201(a), 15.201(d), 15.211, 15.213 and 15.221(c)

Annual Hour Burden:

The range of burden hours is estimated to require between 12 and 24 hours, with the average being 18 hours for each equipment manufacturer to perform the “self-verification” of compliance.

Number of Respondents: 200

Total Number of Responses Annually: 200 respondents x 1 response/yr = **200 responses.**

Total Annual Burden Hours: 200 respondents x 18 hours average burden per response = **3,600 hours.**

Total Number of Respondents: 50 + 200 = 250 respondents

Total Number of Responses Annually: 50 + 200 = 250 responses

Total Annual Hourly Burden: 250 + 3,600 = 3,850 hours

13. The Commission estimates the following cost burden:

(a) Total annualized capital and start-up costs: **\$0.00**

(b) Total annual cost (O&M):

Overhead and maintenance include the cost for preparation of a test report demonstrating compliance of the equipment at the installation site for respondents subject to 47 CFR §§15.201(a), 15.201(d), 15.211, 15.213 and 15.221(c). The cost for respondent subject to 47 CFR §15.117(g)(2) is expected to be minimal.

The average cost to the respondent for a test report is estimated to be \$5,000.

The majority of the cost is for performance testing.

Approximately 5% of the cost (or \$250 per respondent) is estimated to be attributable to the information collection.

O&M Annual Cost: \$250 per submission x 200 respondents = \$50,000.00.

(c) Total annualized cost requested: **\$ 50,000.00.**

14. The Commission estimates that the cost to the Federal Government is considered insignificant:

There may be an “on occasion” review of the test reports requested by the Commission for auditing and compliance purposes. The Commission receives fewer than 10 test results annually.

15. In this extension, the Commission reports no adjustments/increases nor decreases to this collection.

16. The information collected is used to determine compliance with specific measurement standards. The data are not compiled, published, or otherwise reported to the public.

17. The Commission is not seeking OMB approval to not display the OMB expiration date for these requirements. The Commission publishes a list of OMB-approved information collections by OMB control number, title and OMB expiration date in 47 CFR §0.408 of the Commission’s rules.

18. There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods:

The collection of information does not employ statistical methods.