**SUPPORTING STATEMENT**

1. The Federal Communications Commission ("Commission") is requesting that the

Office of Management and Budget (“OMB”) approve an extension of OMB Control No. 3060-0994 titled, “Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L Band, and the 1.6/2.4 GHz Band.” This collection is revised to lower the estimated annual costs from $529,160 to $488,360 due to an application fee reduction that was adopted in *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission’s Rules*, Report and Order, FCC 20-184 (2020), 86 FR 15026. There are no changes to the number of respondents, responses, or annual burden hours.

The purposes of the information collection are to obtain information necessary for licensing operators of Mobile-Satellite Service (MSS) networks to provide ancillary services in the U.S. via terrestrial base stations (Ancillary Terrestrial Components, or ATCs); obtain the legal and technical information required to facilitate the integration of ATCs into MSS networks in the L-Band and the 1.6/2.4 GHz Bands; and to ensure that ATC licensees meet the Commission's legal and technical requirements to develop and maintain their MSS networks and operate their ATC systems without causing harmful interference to other radio systems.

The Commission has authority for the information collection pursuant to Sections 4(i), 7, 302, 303(c), 303(e), 303(f) and 303(r) of the Communications Act of 1934, as amended; 47 U.S.C. Sections 154(i), 157, 302, 303(c), 303(e), 303(f) and 303(r).

This information collection does not affect individuals and, therefore, is not subject to the Privacy Act of 1974, as amended.

2. This information collection is used by the Commission to license commercial ATC radio communication services in the United States, including low-power ATC. The collection is used by the Commission to regulate equipment manufacturers and licensees of low-power ATC networks. Without this information collection the Commission would not have the necessary information to grant entities the authority to operate commercial ATC stations and provide telecommunications services to consumers.

3. Applicants are required to complete and file the Application for Satellite Space and Earth Station Authorizations (FCC Form 312) with the Commission electronically via the International Bureau Filing System (“IBFS”). In 2005, the Commission received approval from OMB for mandatory electronic filing of all Part 25 (satellite, earth station, and ATC) applications under OMB Control No. 3060-0678. A total of 100 percent of documents required for licensing and application procedures are filed electronically in MyIBFS.

4. The information in this collection is not duplicated elsewhere and similar information is not available.

5. This collection may have an impact on small businesses. Equipment manufacturers are required to demonstrate that they comply with Section 25.149(c)(4) of the Commission’s rules. These equipment certification rules are limited to the information that the Commission needs to ensure that the equipment is properly manufactured to provide the regulated service.

6. Without the collections of information pursuant to these rules, the Commission would not have the information necessary to determine whether it can authorize MSS operators to operate ATC systems, including low-power ATC. This would result in potential financial losses to these entities and prevent them from maximizing the value of their assigned spectrum. The Commission would also not have the necessary information with which to determine whether it can grant equipment manufacturers the ability to manufacture equipment that will operate with the low-power broadband network. Additionally, American consumers could be adversely impacted by the unavailability of additional telecommunications services.

7. The collection of information is not conducted in any manner known to be inconsistent with the guidelines stipulated in 5 C.F.R. 1320.

8. On August 30, 2022, the Commission published a 60-day notice in the Federal Register (87 FR 52969) to solicit comments from the public. No comments were received from the public.

9. The Commission will not provide any payment or gift to respondents for fulfilling their information collection requirements.

10. The Commission does not provide assurances of confidentiality to entities submitting their filings and applications. However, entities may request confidential treatment of their applications and filings under 47 C.F.R. 0.459 of the Commission's rules. With regard to certifications filed pursuant to Part 2 of the Commission's rules, parties receive minimal exemption from the Freedom of Information Act (FOIA).

11. The collection does not ask questions of a sensitive nature.

12. See **Attachment A** for the number of respondents and responses, frequency of response, annual burden hours, and an explanation of how the burden was estimated.

13. The Commission estimates that the licensees will also receive assistance for consulting services of engineering firms and law firms for their ATC license applications and equipment certification filings with the Commission.

The estimated hourly rate for engineers is $250/hour.

It is estimated that law firms are paid at approximately $300 per hour and engineering companies are paid at approximately $250 per hour to file the information with the Commission. The estimated hours for the consulting services of engineering firms and law firms are as follows:

Cost of Outside Legal and Engineering Assistance

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| --- | --- | --- | --- | --- |
| Outside Engineering & Legal Assistance | Rate  Per Hour | Hours  Per  Response | Responses | Total |
| Outside Engineering Assistance | $250 | 7 | 126 | $220,500 |
| Outside Legal Assistance | $300 | 7 | 126 | $264,600 |
| Totals: |  |  |  | $485,100 |

Cost of Application Fees

|  |  |  |  |
| --- | --- | --- | --- |
| Type  Of Application | Cost  Per Application | ATC  Licensees |  |
| Blanket Authorizations | $815 | 4 | $3,260 |

Total Costs

|  |  |
| --- | --- |
|  | Total  Costs |
| Outside Legal and Engineering Assistance | $485,100 |
| Application Fees | $3,260 |
| Totals: | $488,360 |

14. The total annualized costs to the Federal government for the review of the information collection requirements is $162,550.08**.** The breakdown of costs isas follows:

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| --- | --- | --- | --- | --- | --- |
| Staff | Hourly  Rate | Number  of Staff | Burden  Hours | Number  of Submissions  Reviewed | Total  Cost |
| GS-15/Step 5 Electronics Engineer | $80.63 | 2 | 4  Hours Per Submission | 126 | $81,275.04 |
| GS-15/Step 5 Attorney Advisor | $80.63 | 2 | 4  Hours Per Submission | 126 | $81,275.04 |
| Totals: |  |  |  |  | $162,550.08 |

15. There are no program changes to this collection. There are adjustments to the annual cost of -$40,800 which are due to the Commission’s reduction of the application fee for an MSS blanket earth station initial license from $11,015 to $815.

16. The results of this collection of information will not be published for statistical use.

17. We do not seek approval to not display the expiration date of OMB approval of the collection.

18. There are no exceptions to the certification statement.

Part B. Collections of Information Employing Statistical Methods.

Not applicable. This information collection does not employ statistical methods.

Attachment A – Response to Item # 12

Please see the chart below for the number of responses, frequency of response, time per response, total annual burden hours, and explanation of burden estimate for the respondents to this information collection. All information collection requirements fall under 47 CFR 25.149 of the Commission’s rules unless noted otherwise.

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| --- | --- | --- | --- | --- |
| **Explanation**  **of Burden Estimate**  **(47 CFR 25.149)** | **Number of Respondents** | **Frequency**  **of Response/**  **Number of Responses** | **Time**  **Per**  **Response** | **Total**  **Annual Burden Hours** |
| MSS operator that is granted ATC authority must notify the Commission within 30 days once it begins providing ATC service by filing a letter in the appropriate MSS license docket that certifies that the ATC operation is consistent with its ATC license authority. | 2 Big LEO licensees +  2 L-Band MSS licensees  **= 4 TOTAL** | 1 Response/  Respondent for a Total of 4 Responses  (One-time filing) | 1 hour/  response | 4 hours |
| Letter notifying the Commission of the initiation of MSS system satellite construction and the MSS operator’s intent to construct and test ATC facilities. The letter shall specify the frequencies on which the MSS licensee proposes to engage in pre-operational testing etc. | 2 Big LEO licensees +  2 L-Band MSS licensees  **= 4 TOTAL** | 1 Response/  Respondent for a Total of 4 Responses  (One-time filing) | 1 hour/  response | 4 hours |

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| --- | --- | --- | --- | --- |
| **Explanation**  **of Burden Estimate** | **Number of Respondents** | **Frequency**  **of Response/**  **Number of Responses** | **Time**  **Per**  **Response** | **Total**  **Annual Burden Hours** |
| To ensure that MSS-ATC licensees have the capability to continue MSS operations under technical difficulties, they are required to maintain a spare satellite as a replacement if an operational satellite is destroyed or becomes defective. This requirement must be met as a condition of authorizing ATC. | 1 Big LEO licensees +  2 L-Band MSS licensees  **= 3 TOTAL** | 1 Response/  Respondent for a Total of 3 Responses  (One-time filing) | 2 hours/  response | 6 hours |
| Applicants must demonstrate that they use a dual-mode handset to provide the proposed ATC service  (OPTIONAL: Applicants may provide other technical, economic or other substantive showing IN LIEU of the dual mode handset showing; NOT COUNTED) | 1 Big LEO licensees +  2 L-Band MSS licensees  **= 3 TOTAL** | 1 Response/  Respondent for a Total of 3 Responses  (One-time filing) | 0.5 hours/  response | 1.5 hours |
| Licensees must certify compliance with technical rules to protect adjacent channel systems & frequency allocations | 2 Big LEO licensees +  2 L-Band MSS licensees =  **4 TOTAL** | 1 Response/  Respondent for a Total of 4 Responses  (One-time filing) | 1 hour/  response | 4 hours |

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| --- | --- | --- | --- | --- |
| **Explanation**  **of Burden Estimate** | **Number of Respondents** | **Frequency**  **of Response/Number of Responses** | **Time**  **Per**  **Response** | **Total**  **Annual Burden Hours** |
| Licensees must certify compliance with Section 25.253(c)(2) that limits EIRP of ATC base stations | 2 L-band MSS licensees | 1 Response/  Respondent for a Total of 2 Responses  (One-time filing) | 1 hour/  response | 2 hours |
| Certify compliance with ATC base station emissions near harbors and waterways in compliance with Sec. 25.253(c)(5) | 2 L-Band MSS licensee | 1 Response/  Respondent for a Total of 2 Responses  (One-time filing) | 1 hour/  response | 2 hours |
| Recordkeeping requirement -  L-Band licensee must maintain a record of total number of base stations throughout U.S. operating on any given 200 kHz of spectrum | 2 L-Band Licensees | 1 Response/  Respondent for a Total of 2 Responses  (Annual response) | 5 hours/  response | 10 hours |
| L-band ATC operators must report to the Commission annually on the peak traffic on the ATC system and to limit the peak traffic to no more than 90,000 ATC MTs. | 2 L-Band Licensees | 1 Response/  Respondent for a Total of 2 Responses  (Annual response) | 1 hour/  response | 2 hours |
| Big LEO applicants must demonstrate that base stations are tunable across the entire 2483.5 - 2500 MHz MSS allocation in compliance with Sec. 25.254(a)(4) | 1 Big LEO licensee | 1 Response/  Respondent for a Total of 1 Response  (One-time filing) | 3 hours/  response | 3 hours |

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| **Explanation**  **of Burden Estimate** | **Number of Respondents** | **Frequency**  **of Response/**  **Number of Responses** | **Time**  **Per**  **Response** | **Total**  **Annual Burden Hours** |
| Licensees seeking to operate a terrestrial low-power system in the 2483.5-2495 MHz band must demonstrate compliance with Sec. 25.149(c)(4) | 1 Big LEO licensee | 1 Response/  Respondent for a Total of 1 Response  (One-time filing) | 3 hours/ response | 3 hours |
| All MSS licensees must apply to modify their licenses using FCC Form 312 in order to request blanket authority to construct and operate ATC base stations. Applicants must provide the following information and certifications: (1) terrestrial facilities will comply with technical restrictions; (2) terrestrial facilities will comply with rules on environmental impact; (3) terrestrial facilities will comply with Part 17 on antenna structure clearance with FAA; and (4) terrestrial facilities will operate consistent with international agreements | 2 Big LEO licensees +  2 L-Band MSS licensees  **= 4 TOTAL** | 1 Response/  Respondent for a Total of 4 Responses  (One-time filing) | 26 hours/  response | 104 hours |
| Licensees seeking to operate a terrestrial low-power system in the 2483.5-2495 MHz band must certify that they will utilize a Network Operating System to manage the network and resolve interference issues under Sec. 25.149(g) | 1 Big LEO licensee | 1 Response/  Respondent for a Total of 1 Response  (One-time filing) | 0.5 hours/ response | 0.5 hours |

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| **Explanation**  **of Burden Estimate** | **Number of Respondents** | **Frequency**  **of Response/**  **Number of Responses** | **Time**  **Per**  **Response** | **Total**  **Annual Burden Hours** |
| Filing of separate application for any ATC base station requiring prior FAA notification or Environmental Assessment | 4 applicants estimated | 1 Response/  Respondent for a Total of 4 Responses  (One-time filing) | 1 hour/  response | 4 hours |
| MSS operators that will operate ATC networks must obtain equipment certification pursuant to Part 2, Subpart J of the Commission's rules for all end user equipment (in addition to blanket authorization) | 2 Big LEO licensees +  2 L-Band MSS licensees  **= 4 TOTAL** | 1 Response/  Respondent for a Total of 4 Responses  (One-time filing) | 50 hours/  response | 200 hours |
| 85 interference analyses conducted between MSS licensees and 85 fixed stations | 85  Fixed Stations | 1 Response/  Respondent for a Total of 85 Responses  (Third-party disclosures) | 2 hours/  response | 170 hours |
| **TOTALS:** | **126**  **Respondents** | **126**  **Responses** | **0.50 - 50 Hours** | **520**  **Annual Burden Hours** |