

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. 3060-1108 titled, “Consummation of Assignments<sup>1</sup> and Transfers of Control<sup>2</sup> of Authorization.” This Supporting Statement reflects an increase in the cost of +\$27,900, which is a direct result of an increase in the number of filings anticipated each year. There has been no change to the actual information collection authorized in OMB Control No. 3060-1108.

A consummation is a party’s notification to the Commission that a transaction (e.g., assignment or transfer of control of authorization) has been completed.<sup>3</sup> A consummation is applicable to all international telecommunications and satellite services, such as International High Frequency (IHF), Section 214 Applications (ITC), and Submarine Cable Landing Licenses (SCL).

The applicant completes an online form (consummation module) in the International Bureau Filing System (IBFS). After the applicant enters the FCC Registration Number (FRN) in the form, the system generates a list of file numbers and call signs that are related to the FRN. The applicant can select the file numbers and call signs that are part of the consummation. The consummation module saves time for the applicants and Commission staff because the information is readily accessible for viewing and processing 24 hours a day/7 days a week. Furthermore, the consummation module eliminated the requirement that an applicant complete and mail letters and expedited the Commission staff’s receipt of consummations in a timely manner.

The Commission has authority for this information collection pursuant to 47 U.S.C. 154(i) of the Communications Act of 1934.

This information collection does not affect individuals or households, thus, there are no impacts under the Privacy Act.

**2. Use of the Information**

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<sup>1</sup> An assignment of an authorization is a transaction in which the authorization is assigned from one entity to another entity. Following an assignment, the authorization is held by an entity other than the one to which the authorization was originally granted.

<sup>2</sup> A transfer of control is a transaction in which the authorization remains held by the same entity, but there is a change in the entity or entities that control(s) the authorization holder. A change from less than 50 percent ownership to 50 percent or more ownership shall always be considered a transfer of control. In all other situations, whether the interest being transferred is controlling must be determined on a case-by-case basis.

<sup>3</sup> For example, 47 CFR 63.24(e)(4) states that “an assignee or transferee must notify the Commission no later than thirty (30) days after either consummation of the proposed assignment or transfer of control, or a decision not to consummate the proposed assignment or transfer of control.”

**OMB Control No. 3060-1108**  
**Consummations of Assignments**  
**and Transfers of Control of Authorization**  
**August 2022**

The Commission implemented the consummation module in IBFS to keep Commission staff informed of critical information such as the date of consummation or whether there was a decision not to consummate the proposed assignment or transfer of control. The Applicants utilize IBFS to inform the Commission of consummations of assignments and transfers of control of authorization for international telecommunications and satellite services, such as IHF, ITC, SCL applications.

The information is used by the Commission staff in carrying out its duties under the Communications Act. The information collections are necessary largely to ensure compliance with the Commission's rules and regulations and ensure regulatees are providing international telecommunications service pursuant to their authorization or license issued by the Commission. The information also allows the Commission to determine whether and under what conditions the authorizations and licenses are in the public interest, convenience, and necessity. The information collections are necessary for the Commission to maintain effective oversight of U.S. providers of international telecommunications services, maintain up-to-date ownership information of international telecommunications service providers, and their services that are provided pursuant to the providers' approved 214 authorization and the approved transaction..

**3. Use of Information Technology**

In September 2007, the OMB approved mandatory electronic filing of consummations of assignments and transfers of control of licenses for all telecommunications services. A total of 100 percent of the collection involves the use of electronic collection techniques.

**4. Non-Duplication**

This information collection requirement is not duplicated elsewhere.

**5. Burden on Small Business**

The Commission's implementation of the consummation module will decrease costs for small businesses or other small entities because they would not have to incur postage costs to mail letters to various Divisions within the agency. Furthermore, there is no cost to the applicant to complete an online form (consummation module) in IBFS. Therefore, the consummation module benefits small businesses or other small entities because it eliminates the cost of postage and the need to mail letters to the Commission.

**6. Critical Nature of Collection**

Without this collection of information, the Commission would not have critical information such as confirmation of the consummation of the proposed assignment or transfer of control, or a decision not to consummate the proposed assignment or transfer of control. The Commission would not be able to ensure compliance with the Commission's rules and regulations. The

information collections are necessary for the Commission to maintain effective oversight of U.S. providers of international telecommunications services.

**7. Special Circumstances**

The collection of information is not being conducted in any manner known to be inconsistent with the guidelines in 5 CFR 1320. There are no special circumstances associated with this collection.

**8. Federal Register of the Agency's Notice**

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

**9. Gifts or Payment**

The Commission does not provide any payment or gift to respondents.

**10. Confidentiality**

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 CFR 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. Sensitive Questions**

This collection does not contain questions of a sensitive nature.

**OMB Control No. 3060-1108  
Consummations of Assignments  
and Transfers of Control of Authorization  
August 2022**

**12. Respondent Estimated Burden**

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 **405 respondents** to this information collection. We estimate that the average time that the respondents spend entering information in the IBFS is one hour. Please note that the time spent gathering the information would have been completed prior to submitting the initial application to the Commission via IBFS.

	47 CFR		Assignments and Transfers of Control				Total
Explanation of Burden	Rule Section	Abbreviation	Application Type	Responses	Frequency Of Response	Time Per Response	Burden Hours
Section 214 Application	63.24(e)(4)	ITC	Consummation notification	132	On occasion	1 hour	132
Submarine Cable Landing License	1.767	SCL	Consummation notification	15	On occasion	1 hour	15
Satellite Space Station	25.119	SAT	Consummation notification	6	On occasion	1 hour	6
Satellite Earth Station	25.119	SES	Consummation notification	252	On occasion	1 hour	252
International High Frequency	73.3540; 73.3541	IHF	Consummation notification	0	On occasion	1 hour	0
<b>TOTALS:</b>				<b>405</b>			<b>405</b>

**“In-house” Costs:** Respondents are expected to have an hourly salary rate of \$40/hour. Therefore, the in-house costs for respondents to complete their portion of these information collection requirements are calculated as follows:

$$405 \text{ burden hours} \times \$40/\text{hour} = \mathbf{\$16,200}$$

**13. Estimate of the Total Annual Cost Burden to Respondents or Recordkeepers**

The total capital and start-up costs are zero. We estimate that the respondent will require outside legal and engineering assistance for 50% of the responses (202). The costs of outside legal assistance are an average of \$300 per hour. The figure is based on a small survey of local firms in the D.C. area and is considered a conservative estimate.

$$\$300/\text{hour} \times 1 \text{ hour}/\text{response} \times 202 \text{ responses} = \mathbf{\$60,600}$$

Total for outside legal assistance

14. **Estimates of Annualized Cost to the Federal Government**

There are no annualized costs to the Federal government because the consummation is simply a notification to the Commission that a transaction has been completed by the applicants.

15. **Reasons for Change in Burden**

There are no program changes in this collection. There is an adjustment as follows: +242 to the number of respondents, +242 to the annual number of responses, +242 to the annual burden hours and +\$11,700 to the annual cost. These increases are due to an increase in the number of consummation notifications filed each year (based on new averages as calculated for the years 2019-2021).

16. **Publication of Results**

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

17. **Non-Display of OMB Expiration**

Not applicable. The Commission is not seeking approval to not display the expiration date for OMB approval of this information collection.

18. **Exceptions to “Certification for Paperwork Reduction Submissions”**

The Commission published a 60-day notice in the Federal Register. The published numbers should have been as follows in the notice: 405 as the number of respondents, 405 as the annual number of responses, 405 as the annual burden hours and \$60,600 to the annual cost. There are no other exceptions to the certification statement.

**B. Collections of Information Employing Statistical Methods:**

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