

SUPPORTING STATEMENT

A. Justification:

1. The requirement contained in 47 CFR 95.1933¹ is necessary for 218-219 MHz service system licensees to file a report after ten years of license grant to demonstrate that they provide substantial service to its service areas.

Statutory authority for this collection of information is contained in Sections 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, and 303.

The Commission is seeking a three-year approval for the Office of Management and Budget (OMB) for the information collection requirements that are contained in this collection.

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

2. The information is used by the Commission staff to assess compliance with 218-219 MHz service construction requirements, and ensure that the spectrum is put to use in the public interest. This will facilitate spectrum efficiency and competition by the 218-219 MHz Service licensees in the wireless marketplace. Without this information, the Commission would not be able to carry out its statutory responsibilities.

3. Prior to finalizing rule makings the Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology cannot be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other federal agencies.

4. No other federal agency collects this data.

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 requirements to that absolutely necessary to deter against possible abuses.

6. This information is collected ten years after the date of license grant.

7. Current data collection is consistent with the guidelines in 5 CFR 1320.

8. The Commission initiated a 60-day public comment period which appeared in the Federal Register on October 11, 2022 (87 FR 61319) seeking comments from the public for the information collection requirements contained in this collection. No comments were received from the public.

9. Respondents will not receive any payments for this collection of information.

¹ This rule section was previously named 47 CFR 95.833.

10. There is no need for confidentiality with this collection.

11. This collection of information does not address any private matters of a sensitive nature.

12. The reporting requirement in Section 95.1933 is a result of comments sought in the Order, Memorandum Opinion and Order and Notice of Proposed Rule Making in WT Docket No. 98-169, FCC 98-228. Entities providing 218-219 MHz service have to provide the Commission with a progress report after ten years to inform the Commission of the construction status of the 218-219 MHz system. There are currently 36 active licensees issued in the 218-219 MHz service. More licenses could be created if the Commission holds an auction for unassigned licenses or the numbers could go down if licenses are terminated, canceled or the licensee failed to renew the license. Current licensees will make their first submission in 2014/2015, if renewed, another submission would not be required until 2024/2025. Therefore, the Commission anticipates that approximately 36 submissions will be file over the ten-year period and that the burden would be about 1 hour per report. The estimate of respondents is based on the current number of licensees in the service. The Commission converted the 10-year reporting requirement into an annual burden for OMB burden purposes (36 submissions ÷ 10 years = 3.6 submissions/year, which we will round up to 4).

Total Number of Respondents: 4.²

Total Number of Annual Responses: 4.

Total Annual Burden Hours: 4 responses x 1 hour/response = 4 hours.

Total “in-house costs”: The Commission estimates that respondents will be paid an hourly wage of \$60/hour to fulfill the requirements contained in this collection. 4 hours x \$60/hour = **\$240.**

13. Estimate of annual cost: We assume that the respondents will need the assistance of a contracting engineering to help in the preparation of the information. The contractor will spend 1 hour in the preparation of the information for the respondent.

Total Annual Cost: \$250/hour x 4 responses x 1 hour/response = \$1,000.

14. Estimate of cost to Federal Government:

The Commission estimates that approximately 3 reports will require Commission staff review and take 1 hour each. The staff member is estimated to be paid at the GS 13 step 5 grade level @ \$58.01/per hour.

The Total Annual Cost to the Federal Government: 4 reports x 1/report x \$58.01/hour = \$232.04.

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

16. The data will not be published for statistical use.

17. No expiration date will be displayed for this collection of information.

18. There are no exceptions to the Certification Statement.

² Although the Commission estimates only 4 annual respondents to this information collection, these respondents make up the majority of their universe of respondents and require OMB approval.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.