**SUPPORTING STATEMENT**

1. **Justification:**

The FCC Form 2100, Schedule F is used by Low Power TV (LPTV) stations that seek to

convert to Class A status; existing Class A stations seeking a license to cover their authorized

construction permit facilities; and Class A stations entering into a channel sharing agreement. The FCC Form 2100, Schedule F requires a series of certifications by the Class A applicant as prescribed by the Community Broadcasters Protection Act of 1999 (CBPA). Licensees will be required to provide weekly announcements to their listeners: (1) informing them that the applicant has applied for a Class A license and (2) announcing the public’s opportunity to comment on the application prior to Commission action.

**Information Collection Requirements**:

**Section 73.6028** permits Class A stations to seek approval to share a single television channel with LPTV, TV translator, full power and Class A television stations. Class A stations interested in terminating operations and sharing another station’s channel must submit FCC Form 2100 Schedule F in order to complete the licensing of their channel sharing arrangement.

**Section 73.3700(b)(3)** requires the licensee of each channel sharee station and channel sharer station to file an application for a license for the shared channel using FCC Form 2100 Schedule B (for a full power station) or F (for a Class A station) within six months of the date that the channel sharee station licensee receives its incentive payment pursuant to section 6403(a)(1) of the Spectrum Act*.*

**Section 73.3700(h)(2)** states that, upon termination of the license of a party to a channel sharing assignees (CSA), the spectrum usage rights covered by that license may revert to the remaining parties to the CSA. Such reversion shall be governed by the terms of the CSA in accordance with 47 C.F.R. § 73.3700(h)(4)(E). If upon termination of the license of a party to a CSA only one party to the CSA remains, the remaining licensee may file an application to change its license to non-shared status using FCC Form 2100, Schedule B (for a full power licensee) or F (for a Class A licensee).

**Section 73.3572(h)** - Class A TV station licensees shall file a license application for either the flash cut channel or the digital companion channel they choose to retain for post-transition digital operations. Class A TV stations will retain primary, protected regulatory status on their desired post-transition digital channel. Class A TV applicants must certify that their proposed post-transition digital facilities meet all Class A TV interference protection requirements.

The Commission is requesting a three year extension from the Office of Management and Budget for this information collection.

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

Statutory authority for this collection of information is contained in Sections 154(i), 307, 308, 309, and 319 of the Communications Act of 1934, as amended, the Community Broadcasters Protection Act of 1999, and the Middle Class Tax Relief and Job Creation Act of 2012.

2. The FCC staff use the data to confirm that the station meets the eligibility standards to convert their licenses to Class A status. Data is then extracted from FCC Form 2100, Schedule F for inclusion in the subsequent license to operate the station.

3. Form 2100, Schedule F must be filed electronically.

 4. No other agency imposes a similar information collection on the respondents. There is 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. Therefore, this collection of information will not have a significant economic impact on a substantial number of small entities/businesses.

6. For this form, the frequency of filing is determined by the respondents. No new or modified TV or DTV facilities can be licensed by a Class A station without using FCC Form 2100, Schedule F.

7. This collection of information is consistent with the guidelines in 5 CFR § 1320.5(d)(2).

8. The Commission published a Notice in the *Federal Register* on November 10, 2022 at (87 FR 67912) seeking comments on the information collection contained in this collection. No comments were received from the public as a result of the Notice.

9. No payment or gift was provided to the respondents.

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

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

12. The burden for this collection is as follows:

**FCC Form 2100, Schedule F:** We estimate that 100 FCC Forms 2100, Schedule F applications for a license to cover a construction permit (“license applications”) and applications to modify an existing license (“modifications”) will be filed by DTV stations with the Commission annually In addition, we estimate that 5 channel sharing stations will file applications (“license applications”) to implement their shared channel outside of the auction context (“non-auction channel sharing”). We assume that the respondent (station licensee/permittee) will file this form. We estimate that the respondent will take two (2) hours to complete each application and file it. We assume that this time period of 2 hours for the completion and filing of each application will also include approximately 0.5 hours for the respondent to consult with a consulting engineer and 0.5 hours to consult with an outside attorney to assist the station in its preparation of the application’s engineering and legal sections, respectively.[[1]](#footnote-2) We estimate that the respondent will have an average salary of $100,000/year ($48.08/hour).[[2]](#footnote-3)

| **Type of Filing** | **# of Respondents** | **# of Responses** | **Burden Hours of Respondents** | **Annual Burden Hours** | **Hourly Salary of Respondents** | **Annual In-House Cost** |
| --- | --- | --- | --- | --- | --- | --- |
| **Form 2100, Schedule F**  |
| Relocating station license application | 100 | 100 | 2 hrs | 200 | $48.08 | $9,616.00 |
| Channel sharer/sharee license Applications | 5 | 5 | 2 hrs  | 10 hrs | $48.08 | $480.80 |
| Notification of dissolution of channel sharing agreement | 5 | 5 | 2 hrs  | 10 hrs | $48.08 | $480.80 |
| Non-auction channel sharing license applications | 5 | 5 | 2 hrs  | 10 hrs | $48.08 | $480.80  |
|  |
| **Total** | **115** | **115** | **2 hours each** |  **230 hours** | **$48.08** | **$11,058.40** |

13. Annual Cost Burden to Respondents:

**FCC Form 2100, Schedule B:** We estimate that each respondent will consult with a consulting engineer for 0.5 hours to assist the respondent in its preparation of the application’s engineering section and that each respondent station licensee/permittee will consult with an outside attorney for 0.5 hours to assist the respondent in its preparation of the application’s the legal section. We estimate that the consulting engineer will have an average salary of $250/hour and the outside attorney will charge approximately $300/hour.

We estimate that licensees filing notifications of dissolution of channel sharing agreements will not incur outside costs.

| **Type** | **Number of Forms** | **Consultant’s Burden** | **Total Annual Burden Hours** | **Consultant’s Hourly Fee or Application Fee** | **Cost Burden** |
| --- | --- | --- | --- | --- | --- |
| **Form 2100, Schedule B** |
| Relocating station – outside attorney | 100 | 0.5 hrs | 50 hrs | $300.00 | $15,000 |
| Relocating station – outside engineering consultation | 100 | 0.5 hrs | 50 hrs | $250.00 | $15,000 |
| Channel sharer/sharee license application – outside attorney | 5 | 0.5 hrs | 2.5 hrs | $300.00 | $750 |
| Channel sharer/sharee license application – outside engineering consultation | 5 | 0.5 hrs | 2.5 hrs | $250.00 | $750 |
| Non-auction channel sharing license application – outside attorney  | 5 | 0.5 hrs | 2.5 hrs | $300.00 | $750 |
| Non-auction channel sharing license application – outside engineering consultation | 5 | 0.5 hrs | 2.5 hrs | $250.00 | $750 |
| **Total** | **$33,000** |

Filing fee: An application fee must be submitted with filing of the application ($315/application). 115 stations filing a license application x $315.00 **= $36,225.00**

**Total Annual Burden Cost: $33,000 + $36,225.00 = $69,225**

14. Cost to the Federal Government: The Commission will use professionals at the GS-13, step 5 level ($58.01/hour) and clerical personnel at the GS-5, step 5 level ($22.20 hour) to process the FCC Form 2100, Schedule F applications.

Professional: 2.5 hours x $58.01/hour x 115 applications = $16,677.88

Clerical: 1 hour x $22.20 x 115 applications = $ 2,553.00

 **Total Cost to the Federal Government: $19,230.88**

15. **Reason for Changes in Burden or Cost:** The Incentive Auction was concluded in April 2017 and the post-auction repacking transition process in July 2020. This resulted in a decrease in the numbers of estimated filings per year. Therefore, the number of respondents decreased by -860, the number of annual responses decreased by -860, the annual burden hours decreased by -1,720 and the annual cost decreased by -$237,900.

16. The data will not be published.

17. An extension of the waiver not to publish the expiration date on the form is requested. This will obviate the need for the Commission to update electronic forms upon the expiration of the

clearance. OMB approval of the expiration date of the information collection will be displayed at 47 CFR Section 0.408.

18 There are no exceptions to the Certification Statement.

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

This information collection does not employ any statistical methods.

1. The respondent’s time to consult with the outside engineer and outside attorney is included in the 2 hours. [↑](#footnote-ref-2)
2. The Commission estimates that the average hourly salary for in-house personnel which includes station manager, engineer and attorney to be $100,000/year or $48.08/hour. [↑](#footnote-ref-3)