

**SUPPORTING STATEMENT**

**A. Justification:**

1. On March 23, 2017, the Commission adopted the Report and Order, Channel Sharing by Full Power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context, GN Docket No. 12-268, MB Docket No. 03-185, MB Docket No. 15-137, FCC 17-29 (“Report and Order”). This document approved channel sharing outside of the incentive auction context between full power, Class A, Low Power Television (LPTV) and TV translator stations. Channel sharing stations also must notify MVPDs of the fact that stations will be terminating operations on one channel to share another station’s channel.

47 CFR 73.3800, Full Power Television Channel Sharing Outside the Incentive Auction, Section 73.6028 Class A Television Channel Sharing Outside the Incentive Auction and Section 74.799 Low Power Television and TV Translator Channel Sharing require that stations seeking to channel share outside of the incentive auction provide notification to MVPDs of the fact that the station will be terminating operations on one channel to share another station’s channel.

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

Statutory authority for this collection of information is contained in Sections 1, 4(i) and (j), 7, 154, 301, 302, 303, 307, 308, 309, 312, 316, 318, 319, 324, 325, 336, and 337 of the Communications Act of 1934, as amended.

2. MVPDs use the data to determine the changes they may need to make to their systems.
3. The notification is not filed with the Commission but rather provided to the MVPDs from stations changing channel assignments.
4. No other agency imposes a similar information collection on the respondents. There is no similar data available.
5. This information collection will not have a significant economic impact on a substantial number of small entities/businesses.
6. The frequency for this collection of information is one time for stations providing notice to MVPDs.
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 9, 2022 seeking public comment on the information collection requirements contained in this supporting statement, *see* 87 FR 67684. The Commission did not receive any PRA comments from the public
9. No payment or gift was provided to the respondents.

- 10. This information does not have to be kept confidential.
- 11. This information collection does not address any private matters of a sensitive nature.
- 12. We make the following estimates for the MVPD notice.

**MVPD Notice**

For the channel sharing outside of the auction, we estimate that a total of 10 full power and Class A television stations will be required to provide the notification to MVPDs (“non-auction notifications”). We estimate that 90% of these filings (or 9 filings) will be made by the station without outside consultation and will require two (2) hours preparation, while 10% of these filings (or 1 filing) will be contracted out to outside attorneys and will require one (1) hour of consultation with these outside parties.

| Type  | # of Respondents | # of Responses | Burden Hours of Respondents | Annual Burden Hours | Hourly Salary of Respondents <sup>1</sup> | Annual In-House Cost |
|---|------------------|----------------|-----------------------------|---------------------|---|----------------------|
| MVPD Notification- in-house prepared (channel sharing)  | 9                | 9              | 2 hrs                       | 18 hrs              | \$48.08                                   | \$865.44             |
| MVPD Notification – prepared by outside attorney but requiring the respondent to consult with said attorney (channel sharing) | 1                | 1              | 1 hr consultation           | 1 hr                | \$48.08                                   | \$48.00              |
| <b>Total</b>  | <b>10</b>        | <b>10</b>      |                             | <b>19 hrs</b>       |   | <b>\$913.44</b>      |

**13. ANNUAL COST BURDEN:**

An attorney would prepare the MVPD notification, estimated above to be 1 filing. We estimate that the average salary for the attorney is \$300/hour and take two hours to prepare per notification.

1 MVPD Notices prepared by Attorney x 2 hours/notification x \$300/hour = \$600

**Total Annual Cost Burden = \$600.00**

**14. Cost to the Federal Government:**

There will be no cost to the government for this notice.

<sup>1</sup> This estimate is based on an average salary for a station manager of \$100,000 per year or \$48.08 per hour.

**15.** 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 -725, the annual number of responses decreased by -725, the annual burden hours decreased by -1,378 and the annual cost decreased by \$43,200.

**16.** No data will be publically available on an FCC database.

**17.** OMB approval of the expiration of the information collection will be displayed at 47 C.F.R. Section 0.408.

**18.** There are no exceptions to the Certification Statement.

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

No statistical methods are employed.