

SUPPORTING STATEMENT

A. Justification:

1. These information collections are necessary to provide consumers ready access to information concerning the rates, terms, and conditions governing the provision of interstate, domestic, interexchange services offered by nondominant interexchange carriers (IXCs) in a detariffed and increasingly competitive environment. These information collections are consistent with OMB's "strong recommendation" earlier in this proceeding that the Commission consider mechanisms to make pricing information available to consumers, state regulators, and other interested parties.

a. Information Disclosure Requirement: The *Second Order on Reconsideration* reinstated the public disclosure requirement that was originally established in the *Second Report and Order* released in October 1996 (CC Docket No. 96-61) and requires nondominant IXCs to make available to the public information on the current rates, terms, and conditions for all of their interstate, domestic, interexchange services. See 47 C.F.R. § 42.10(a).

b. Internet Posting Requirement: The *Second Order on Reconsideration* requires nondominant IXCs that have Internet websites to make the rate and service information described above in section 1.a available online in a timely and easily accessible manner, and to update this information regularly. See 47 C.F.R. § 42.10(b).

c. Recordkeeping Requirement: Nondominant IXCs are required to maintain at their premises service information regarding all of their interstate, domestic, interexchange service offerings so that they can submit such information to the Commission upon request. See 47 C.F.R. § 42.11.

d. Certification Requirement: Nondominant IXCs that provide detariffed interstate, domestic, interexchange services must file a certification on an annual basis stating that they are providing such services in compliance with their statutory geographic rate averaging obligations under Section 254(g) of the Communications Act of 1934, as amended. See 47 C.F.R. § 64.1900.

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

Statutory authority for this information collection is contained in: sections 1, 4(i), 10, 201-205, 215, 218-220, 226, and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154, 160, 201-205, 215, 218-220, 226, and 254.

2. The information collected under the information disclosure and Internet posting requirements must be disclosed to the public to ensure that consumers have access to the

information they need to select a telecommunications carrier and to bring to the Commission's attention possible violations of the Communications Act without a specific public disclosure

requirement. The information collected under the recordkeeping and certification requirements will be used by the Commission to ensure that affected IXCs fulfill their obligations under the Communications Act, as amended.

3. Commission rules impose the Internet posting requirement described in item 1.b above to ensure that consumers and consumer groups that analyze rate and service information can access this information easier using information technology.

4. We know of no duplication of this information. There is no similar information available in this area.

5. The information collection will affect large and small entities. Because the information required to be disclosed is relatively modest, we do not believe that the requirements severely impact small businesses or other small entities. The *Second Order on Reconsideration* minimizes the burden of compliance by exempting nondominant IXCs that do not have an Internet website from the Internet posting requirement described in item 1.b above.

6. If the information required to be disclosed is not collected or is collected less frequently, it will delay implementation of the Commission's detariffing policy, and may make it difficult for the Commission to ensure that carriers fulfill their obligations under the Communications Act, as amended, and the Commission's policies and rules. In addition, consumers may find it more difficult to obtain the information they need to select a telecommunications carrier and to bring to the Commission's attention possible violations of the Communications Act without a specific public disclosure requirement.

7. Nondominant IXCs are required to maintain rate and service information in a manner that allows them to produce such records within ten business days of receipt of a Commission request. This requirement will enable the Commission to meet, in a timely manner, its statutory duty of ensuring that such carriers' rates, terms, and conditions for service are just reasonable, and not unreasonably discriminatory, and that these carriers comply with the geographic rate averaging and rate integration requirements of the 1996 Act. In addition, maintenance of such records will enable the Commission to investigate and resolve complaints quickly. There are no other special circumstances.

8. Pursuant to 5 C.F.R. § 1320.8(d), the Commission published a 60-day notice in the Federal Register to solicit public comment on December 12, 2022. (See 87 FR 76039).

9. The Commission does not anticipate providing any payment or gift to respondents.

10. No confidential information is being sought; however, respondents may request materials or information submitted to the Commission be withheld from public inspection under section 0.459 of the Commission's rules. See 47 C.F.R. § 0.459.

11. There are no questions of a sensitive nature with respect to the information collected.

12. The following represents the hours burden estimates of the information collections:

a. Information Disclosure Requirement (Third Party Disclosure):

- (1) Number of respondents: Approximately **700**.
- (2) Frequency of response: One-time third party disclosure requirement.
- (3) Total number of responses annually: Approximately **700**.
- (4) Estimated time per response: 1 hour.
- (5) Total annual burden: **700 hours**.

The Commission estimates that approximately 700 respondents will require one hour each per filing.

$700 \text{ respondents} \times 1 \text{ response/year} \times 1 \text{ hour} = 700 \text{ hours}$.

- (6) Total estimate of "in-house" cost to respondents: **\$35,805**.

- (7) Explanation of calculation:

The Commission estimates that the respondents will use personnel comparable to a GS 12/Step 5 employee earning \$51.15 per hour. Thus:

$700 \text{ responses} \times 1 \text{ hour per response} \times \$51.15 \text{ per hour} = \$35,805$.

b. Internet Posting Requirement (Third Party Disclosure):

- (1) Number of respondents: Approximately **700**.
- (2) Frequency of response: One-time third party disclosure requirement.
- (3) Total number of responses annually: Approximately **700**.

(4) Estimated time per response: 1 hour.

(5) Total annual burden: **700 hours**.

The Commission estimates that approximately 700 respondents will require one hour each per filing.

$700 \text{ respondents} \times 1 \text{ response/year} \times 1 \text{ hour} = 700 \text{ hours}$.

(6) Total estimate of “in-house” cost to respondents: **\$35,805**.

(7) Explanation of calculation:

The Commission estimates that the respondents will use personnel comparable to a GS 12/Step 5 employee earning \$51.15 per hour. Thus:

$700 \text{ responses} \times 1 \text{ hour per response} \times \$51.15 \text{ per hour} = \$35,805$.

c. Recordkeeping Requirement:

(1) Number of respondents: Approximately **700**.

(2) Frequency of response: Recordkeeping requirement.

(3) Total number of responses annually: Approximately **700**.

(4) Estimated time per response: 1 hour.

(5) Total annual burden: **700 hours**.

The Commission estimates that approximately 700 respondents will require one hour each per filing.

$700 \text{ respondents} \times 1 \text{ response per year} \times 1 \text{ hour} = 700 \text{ hours}$.

(6) Total estimate of “in-house” cost to respondents: **\$35,805**.

(7) Explanation of calculation:

The Commission estimates that the respondents will use personnel comparable to a GS 12/Step 5 employee earning \$51.15 per hour. Thus:

$700 \text{ responses} \times 1 \text{ hour per response} \times \$51.15 \text{ per hour} = \$35,805$.

d. Certification Requirement (Reporting Requirement):

- (1) Number of respondents: Approximately **700**.
- (2) Frequency of response: One-time reporting requirement.
- (3) Total number of responses annually: Approximately **700**.
- (4) Estimated time per response: 0.5 hours.
- (5) Total annual burden: **350 hours**.

The Commission estimates that it will take no more than 0.5 hours to complete and send the certification requirement to the Commission.

700 respondents x 1 response per year x 0.5 hours per year = 350 hours.

- (6) Total estimate of “in-house” cost to respondents: **\$17,903**.
- (7) Explanation of calculation:

The Commission estimates that the respondents will use personnel comparable to a GS 12/Step 5 employee earning \$51.15 per hour. Thus:

700 responses x 0.5 hour per response x \$51.15 per hour = \$17,903.

Total Respondents: 700 respondents

Total Annual Responses: 700 + 700 + 700 + 700 = 2,800 responses

Total Annual Burden Hours: 700 + 700 + 700 + 350 = 2,450 hours

Total “In-House” Costs: \$35,805 + \$35,805 + \$35,805 + \$17,903 = \$125,318.

13. Cost to the Respondents: None.

14. The estimated annualized cost to the Federal Government is at a minimum the proportion of the annual budget of the Pricing Policy Division that is dedicated to reviewing and filing the annual certifications.

15. The Commission has made no adjustments or program changes to this submission.

16. The Commission does not anticipate that it will publish any of the information.
17. The Commission does not seek approval to not display the expiration date for OMB approval of the information collection.
18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the collections of information will employ statistical methods.