

SUPPORTING STATEMENT

A. Justification:

1. FCC Form 2100, Schedule B (formerly FCC Form 302-DTV)¹ is used by licensees and permittees² of full power broadcast stations to obtain a new or modified station license and/or to notify the Commission of certain changes in the licensed facilities of those stations. It may be used: (1) To cover an authorized construction permit (or auxiliary antenna), provided that the facilities have been constructed in compliance with the provisions and conditions specified on the construction permit; or (2) To implement modifications to existing licenses as permitted by 47 C.F.R. Sections 73.1675(c) or 73.1690(c).

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 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 paragraph (h)(4)(E) of this section. 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 73.3800 allows full power television stations to channel share with other full power stations, Class A, LPTV and TV translator stations outside of the incentive auction context. Full power stations file FCC Form 2100, Schedule B in order to complete the licensing of their shared channel.

¹ The Commission implemented a new on-line (electronic) licensing system called “Licensing and Management System” in which all FCC broadcast licensing forms, including former FCC Form 302-DTV, were combined into a single common form - FCC Form 2100. FCC Form 302-DTV is encompassed by the “Licensing and Management System” and the new common form - FCC Form 2100. General questions, which were formally asked in all licensing applications, will compose the body of FCC Form 2100. The questions pertinent only to FCC Form 302-DTV applicants will now be contained in Schedule B of FCC Form 2100. OMB approved this non-substantive change to rename FCC Form 302-DTV as part of FCC Form 2100 and the electronic “Licensing and Management” system. The former FCC Form 302-DTV no longer exists, but is renamed as FCC Form 2100, Schedule B and its contents are fully contained within FCC Form 2100 and the “Licensing and Management” system.

² A “permittee” is a party that has received a construction permit for a broadcast station. Once the permittee has constructed the station facilities according to the construction permit, it will file an application for a broadcast license. When the license application is granted, the permittee becomes a “licensee.”

OMB Control Number: 3060-0837

January 2023

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule B (Former FCC Form 302-DTV), Section 73.3700(b)(3), Section 73.3700(h)(2) and Section 73.3800

The Commission is requesting a three-year extension from the Office of Management and Budget (OMB).

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, and the Middle Class Tax Relief and Job Creation Act of 2012.

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

2. Agency Use of Information: FCC staff use the data to confirm that the station has been built to terms specified in the outstanding construction permit, and to update FCC station files. Data is then extracted from FCC 2100, Schedule B for inclusion in the subsequent license to operate the station. The Commission reviews these applications to ensure that the minor changes made by the station will not have any significant impact on other stations and the public.

3. Consideration Given to Information Technology: The Commission requires applicants to file this form electronically.

4. Effort to Identify Duplication and Use Similar Information: This agency does not impose a similar information collection on the respondents. There are no similar data available.

5. Effort to Reduce Small Business Burden: In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents. The Commission has limited the information requirements to those that are absolutely necessary for evaluating and processing the applications. Therefore, the information collection does not have a significant economic impact on a substantial number of small entities/businesses.

6. Less Frequent Data Collection: For all uses of this form, the frequency of filing is determined by the respondents. However, no new or modified TV or DTV facilities can be licensed by a full power station without using FCC Form 2100, Schedule B.

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

8. Comments Received from the Public: The Commission published a Notice in the Federal Register Notice on *Federal Register* on November 28, 2022 at (87 FR 72993) seeking public comment on the information collections contained in this supporting statement. No comments have been received from the public.

9. Payment or Gift: No payment or gift is provided to the respondents.

10. **Confidentiality of Information:** There is no need for confidentiality with this information collection.

11. **Justification for Sensitive Questions:** This information collection does not address any private matters of a sensitive nature.

12. **Estimate of Burden and Burden Hour Cost:**

FCC Form 2100, Schedule B: We estimate that 250 of FCC Forms 2100, Schedule B applications for a license to cover a construction permit (“license applications”) and 100 applications to modify an existing license (“modifications”) will be filed by full power television stations with the Commission annually.³ In addition, we estimate that 5 channel sharer stations and 5 channel sharee stations will file applications for a license to cover a construction permit (“license applications”). In addition, we estimate that 5 channel sharer stations and 5 channel sharee stations will file to change their status to indicate their channel sharing agreement has dissolved. 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.⁴ We estimate that the respondent will have an average salary of \$100,000/year (\$48.08/hour).⁵

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 B						
Relocating station license application	350	350	2 hrs	700	\$48.08	\$33,656.00
Channel sharer/sharee license	10	10	2 hrs	20	\$48.08	\$961.60

³ We note that this estimate includes the filing of amendments to these applications.

⁴ The respondent’s time to consult with the outside engineer and outside attorney is included in the 2 hours.

⁵ 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.

OMB Control Number: 3060-0837

January 2023

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule B (Former FCC Form 302-DTV), Section 73.3700(b)(3), Section 73.3700(h)(2) and Section 73.3800

Type of Filing	# of Respondents	# of Responses	Burden Hours of Respondents	Annual Burden Hours	Hourly Salary of Respondents	Annual In-House Cost
Applications						
Notification of dissolution of channel sharing agreement	10	10	2 hrs	20 hrs	\$48.08	\$961.60
Non-Auction channel sharing license applications	5	5	2 hrs	10 hrs	\$48.08	\$480.80
Total	375	375	2 hours each	750 hours	\$48.08	\$36,060.00

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	350	0.5 hrs	175 hrs	\$300.00	\$52,500
Relocating station – outside engineering consultation	350	0.5 hrs	175 hrs	\$250.00	\$43,750
Channel sharer/sharee license application – outside attorney	10	0.5 hrs	5 hrs	\$300.00	\$1,500
Channel sharer/sharee	10	0.5 hrs	5 hrs	\$250.00	\$1,250

OMB Control Number: 3060-0837

January 2023

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule B (Former FCC Form 302-DTV), Section 73.3700(b)(3), Section 73.3700(h)(2) and Section 73.3800

Type	Number of Forms	Consultant's Burden	Total Annual Burden Hours	Consultant's Hourly Fee or Application Fee	Cost Burden
license application – outside engineering consultation					
Non-auction channel sharing license application – outside attorney	10	0.5 hrs	5 hrs	\$300.00	\$1,500
Non-auction channel sharing license application – outside engineering consultation	10	0.5 hrs	5 hrs	\$250.00	\$1,250
Total					\$101,750

Filing Fee: There is a filing fee of \$315.00 per application to cover an outstanding construction permit, applicable to relocating stations with outstanding construction permits and stations seeking to complete the licensing of their shared channel. Of the estimated 375 license applications that will be filed to cover a construction permit we estimate that 90% or 338 of these applications will be filed by a commercial DTV station. The remaining 10% or 38 of the applications we estimate will be filed by noncommercial stations and will not be subject to a filing fee.

338 stations filing a license application x \$315.00 = **\$106,470.**

Total Annual Burden Cost: \$101,750 + \$106,470 = \$208,220.

14. **Cost to Federal Government:** The Commission will use professional staff at the GS-14, step 5 level (\$68.55/hour), paraprofessional staff at the GS-11, step 5 level (\$40.70/hour), and clerical staff at the GS-5/Step 5 level (\$22.20/hour) to process the FCC Form 2100, Schedule B applications.

Clerical	0.50 hours x \$22.20/hour x 375 =	\$ 4,162.50
Paraprofessional	1.75 hours x \$40.70/hour x 375 =	\$ 26,709.38
Professional	5.25 hours x \$68.55/hour x 375 =	<u>\$134,957.81</u>
Total Cost to Federal Government =		\$165,829.69

15. **Reason for Changes in Burden or Cost:** There are no program changes to this information collection. There are adjustments to collection as follows: -600 to the number of respondents, -600 to the annual number of responses, -1,200 to the annual burden hours and -\$377,725. 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.

16. **Plans for Publication:** The data will not be published.

OMB Control Number: 3060-0837

January 2023

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule B (Former FCC Form 302-DTV), Section 73.3700(b)(3), Section 73.3700(h)(2) and Section 73.3800

17. Display of OMB Approval Date: We request extension of the waiver not to publish the expiration date on the form. 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 § 0.408.

18. Exceptions to the Certification Statement: There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

This information collection does not employ any statistical methods.