

SUPPORTING STATEMENT

A. Justification:

1. The Commission adopted on April 17, 2023, the *Report and Order (R&O)*, In the Matter of Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations, Update of Parts 74 of the Commission’s Rules Related to Low Power Television and Television Translator Stations, MB Docket Nos. 03-185 and 22-261, FCC 23-25. The *Report and Order* adopted the following revision to 47 CFR Section 74.703(h):

47 CFR Section 74.703(h) requires in each instance where suspension of operation is required, the licensee shall submit a full report to the FCC via a Resumption of Operations notice in the Commission’s Licensing and Management System (LMS) after operation is resumed, containing details of the nature of the interference, the source of the interfering signals, and the remedial steps taken to eliminate the interference.

The Commission is reinstating OMB control number 3060-0236 back into the Office of Management and Budget’s (OMB) inventory. However, the Commission adopted on October 25, 2021, the *Order (Order)*, In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auction, GN Docket No. 12-268. The *Order* adopted a number of changes, including removing 47 CFR Sections 74.703(f) and 74.703(g). This means that collection 3060-0236 now only covers the information collection requirements covered under 47 CFR 74.703(h).

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 Section 154(i) of the Communications Act of 1934, as amended.

2. The data is used by FCC staff to determine that the licensee has eliminated all interference caused by operation of their station.

3. We do not believe the use of information technology is feasible in this situation.

4. No other agency imposes a similar information collection on the respondents. There is no similar data available.

5. This information collection does not impose any significant impact on small businesses.

6. The frequency for this collection of information is determined by respondents, as necessary.

7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2).
8. The Commission published a Notice (88 FR 28547) in the *Federal Register* on May 4, 2023, seeking comments on the information collection requirements contained in this supporting statement. No comments were received from the public.
9. No payment or gift was provided to the respondent.
10. There is no need for confidentiality with this information collection.
11. This collection of information does not address any private matters of a sensitive nature.
12. We estimate that 50 licensees of low power TV or TV translator stations will spend time with the consulting engineer to provide information to the engineer for the reports concerning interference. The average hour burden is 2 hours of consulting time per report for the licensee. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

Total Number of Respondents: 50 Licensees

Total Number of Response: Section 74.703(h) - 50 Notifications/Reports

Total Annual Burden Hours:

50 reports x 2 hours/notice/report/licensee/annum/consultation time = **100 hours**

Annual "In-House" Cost: We estimate that 100% of the licensees would use a consulting engineer to identify the source of interference and to eliminate interference. We estimate that the licensee would spend 2 hours in consultation with this consulting engineer to provide information for the reports. The licensee is estimated to have an average salary of \$100,000/year (\$48.08/hour).

50 interference reports x 2 hours consulting time x \$48.08/hour = \$4,808

Total Annual "In-House" Cost: \$4,808

13. Annual Cost Burden: We estimate that it would take approximately 8 hours for a consulting engineer to resolve interference issues and prepare reports for the licensee. This consulting engineer would have an average salary of \$250/hour.

50 interference notifications/reports x 8 hours¹/report x \$250/hour = \$100,000

Total Annual Cost Burden: \$100,000

14. Cost to the Federal Government: The Commission will use professional staff at the GS-11, step

¹ This time includes time that is needed for the consultant to identify and resolve interference issues and prepare the necessary notifications for the licensee.

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5 grade level (\$42.68/hour) and clerical staff at the GS-5, step 5 grade level (\$23.28/hour) to process the 50 reports.

50 reports x 8 hours/report x \$42.68/hour = \$17,072

50 reports x 2 hours/report x \$23.28/hour = \$ 2,328

Total Cost to the Federal Government = \$19,400

15. The Commission is reinstating OMB control number 3060-0236 back into OMB's inventory. The reinstatement and the information collection requirements adopted in FCC 23-25 will have the following program changes to this collection: +50 to the annual responses, +100 to the annual burden hours and +\$100,000 to the annual cost.

16. The data will not be published.

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

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

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.