

SUPPORTING STATEMENT**A. Justification:****1. The Commission is modifying this currently approved collection.¹**

On June 23, 2023, the Commission released a Third Report and Order (*Third R&O*), FCC 23-53, in GN Docket No. 16-142. In this *Third R&O*, the Commission makes changes to its Next Gen TV rules designed to preserve over-the-air (OTA) television viewers' access to multicast streams during television broadcasters' transition to ATSC 3.0.

Multicast Licensing. The Commission generally adopts its proposal in the *Next Gen TV Multicast Licensing FNPRM*² to allow a Next Gen TV station³ to seek modification of its license⁴ to include certain of its non-primary video programming streams (multicast streams)⁵ that are aired on "host" stations⁶ during a transitional period. In adopting this proposal, the Commission follows the same licensing framework, and to a large extent the same regulatory regime, established for the simulcast of primary video programming streams on "host" station facilities.⁷

Form 2100. The Commission adopts the Next Gen TV Multicast Licensing FNPRM's proposal to modify its Next Gen TV license application form (FCC Form 2100) to accommodate multicast licensing by collecting information similar to that already collected in the interim STA process. The

¹ We note that the information collection requirements adopted in the *Third R&O* includes those proposed in the Second FNPRM (and listed in the supporting statement thereto), as well as additional requirements.

² *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Second Further Notice of Proposed Rulemaking, FCC 21-116, 36 FCC Rcd 16088 (2021) (*Next Gen TV Multicast Licensing FNPRM* or *Second FNPRM*).

³ By "Next Gen TV" broadcaster or station, we mean a television broadcaster or station that has obtained Commission approval and commenced broadcasting its signal using the ATSC 3.0 standard in its local market. A station can deploy ATSC 3.0 service either by converting its own facility to ATSC 3.0 or by airing its ATSC 3.0 signal(s) on a station in its local market that has converted its facility to ATSC 3.0 (which we refer to as an ATSC 3.0 "host" station). For purposes of this Report and Order, a station's "own" channel or facility refers to the channel and facility on which it operated prior to its transition to ATSC 3.0 (even if it has already converted to operate in 3.0). We use this term to distinguish between operations on this facility and a station's operations as a guest on a host facility.

⁴ While the Commission may refer to the licensing of multicast streams, it has clarified that it is establishing a process to license a guest Next Gen TV station capacity on a host's channel for the purpose of airing one or more guest multicast streams. Consistent with the *Next Gen TV Multicast Licensing FNPRM*, each portion of a host channel that is being licensed by a guest station to air one or more programming streams will be separately authorized channels under the originating (guest) broadcaster's single, unified license.

⁵ For purposes of the Commission's Report and Order, "multicast" stream(s) refers to a TV broadcast station's *non-primary* video programming stream(s); that is, stream(s) other than the station's primary video programming stream.

⁶ A "host" station is one whose facilities are being used to transmit programming originated by another station (*i.e.*, "guest") as part of a local simulcasting arrangement.

⁷ We note that the Commission's rules do not prohibit the use of private contractual arrangements for partner stations to air their multicast streams. For regulatory compliance purposes, such streams would be considered multicast streams of the host partner station, not the originator (guest) station.

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

Commission requires certain additional information as an addendum to Form 2100 if stations seek to include hosted multicast streams within their license. It also clarifies and slightly modifies the requirements of its rules governing Form 2100 to reflect the possibility of reliance on multiple hosts.

Specifically, applicants must prepare an **Exhibit** identifying each proposed hosted stream and provide the following information about each stream, as broadcast:

- the host station;
- channel number (RF and virtual);
- network affiliation (or type of programming if unaffiliated);
- resolution (e.g., 1080i, 720p, 480p, or 480i);
- the predicted percentage of population within the noise limited service contour served by the station's original ATSC 1.0 signal that will be served by the host, with a contour overlay map identifying areas of service loss and, in the case of 1.0 streams, coverage of the originating station's community of license; and
- whether the stream will be simulcast, and if so, the "paired" stream in the other service.

Finally, the **Exhibit** must either state that the applicant will be airing the same programming that it is airing in 1.0 at the time of the application or identify the station that has aired or is airing the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared), as well as that station's lineup (with resolutions). This **Exhibit** must be placed on the applicant's public website or in the applicant's online public inspection file if the station does not have a dedicated website,⁸ with a link provided in the application. This information is consistent both with that currently collected in STA applications and the approach identified in the Next Gen TV Multicast Licensing FNPRM. As with broadcast licenses generally, modifications to this license application or its accompanying exhibit (with respect to the primary or multicast streams) must be preceded by the filing and approval of a new application. Changes to the affiliation or content of a stream, or the elimination of a stream, however, do not implicate the concerns raised in this proceeding if they would not result in the use of additional capacity and if information about the change is easily available to the public. Therefore, in order to streamline this process for both broadcasters and the Commission, such changes may be implemented without prior Commission approval. They need only be reflected in a timely update to the **Exhibit** that the applicant makes available on its public website or in the applicant's online public inspection file and in an email notice to the Chief of the Media Bureau's Video Division.

The new information collection requirements are contained in §§ 73.3801(f) and (i), 73.6029(f) and (i), and 74.782(g) and (j) of the Commission's rules and are indicated in **bold text** below. Otherwise, the following information collection requirements contained in this collection have not changed since last approved by OMB.

⁸ See <https://publicfiles.fcc.gov/>. If a station has neither a public website nor an online public inspection file, it will be considered in compliance with this requirement if it publishes the exhibit in a local newspaper identified in its application. Any changes to the exhibit will require publication of the revised exhibit.

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

Licensing of Simulcasting Stations and Stations Converting to ATSC 3.0 Operation (47 C.F.R. §§ 73.3801(f), 73.6029(f), and 74.782(g))

- *Reporting Requirements (License Application to FCC Required):*
 - A broadcaster must file an application (FCC Form 2100) with the Commission, and receive Commission approval, before:
 - (i) moving its ATSC 1.0 signal to the facilities of a host station, moving that signal from the facilities of an existing host station to the facilities of a different host station, or discontinuing an ATSC 1.0 guest signal;
 - (ii) commencing the airing of an ATSC 3.0 signal on the facilities of a host station (that has already converted to ATSC 3.0 operation), moving its ATSC 3.0 signal to the facilities of a different host station, or discontinuing an ATSC 3.0 guest signal; or
 - (iii) converting its existing station to transmit an ATSC 3.0 signal or converting the station from ATSC 3.0 back to ATSC 1.0 transmissions.
 - *FCC Form 2100:* As directed by the Commission, the Media Bureau will be amending FCC Form 2100 and the relevant schedules (Schedules B, D & F)⁹ as necessary to implement the Next Gen TV licensing process and collect the required information (detailed below). The form has been revised to establish the streamlined “one-step” licensing process for Next Gen TV applicants, including adding the above listed purposes (i-iii) to the form.
 - *Streamlined Process:* A broadcaster may file only an application for modification of license, provided no other changes are being requested in such application that would require the filing of an application for a construction permit as otherwise required by the rules.
 - *Expedited Processing.* An application filed in accordance with the streamlined process will receive expedited processing provided, for stations requesting to air an ATSC 1.0 signal on the facilities of a host station, the station will provide ATSC 1.0 service to at least 95 percent of the predicted population within the noise limited service contour of its original ATSC 1.0 facility.
 - *Required Information:* (47 CFR §§ 73.3801(f)(6), 73.6029(f)(6), and 74.782(j)(6))
 - An application must include the following information:
 - (A) the station **or stations** serving as the host **or hosts, identified by call sign and facility identification number**, if applicable,
 - (B) the technical facilities of the host station, if applicable,
 - (C) the DMA of the originating broadcaster’s facility and the DMA of the host station, if applicable,
 - **(D) A web link to the exhibit described in paragraph (i) of this section, if applicable; and**
 - (E) any other information deemed necessary by the Commission to process the application.

⁹ Schedule B – Full Power License to cover application (OMB control number 3060-0837); Schedule D – LPTV/Translator License to cover application (OMB control number 3060-0017); and Schedule F – Class A License to cover application (OMB control number 3060-0928). The Commission will submit the final versions of FCC Form 2100, Schedules B, D and F under their appropriate OMB control numbers to OMB for its files once issues have been worked out with the IT contractor.

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

- If an application includes a request to air an ATSC 1.0 signal on the facilities of a host station **or stations**, the broadcaster must also indicate on the application (in addition to other required information):
 - (A) the predicted population within the noise limited service contour served by the station’s original ATSC 1.0 signal,
 - (B) the predicted population within the noise limited service contour served by the station’s original ATSC 1.0 signal that will lose the station’s ATSC 1.0 service as a result of the hosting arrangement **or arrangements**, including identifying areas of service loss by providing a contour overlap map, and
 - (C) whether the ATSC 1.0 primary stream simulcast signal aired on the host station will serve at least 95 percent of the population.
- If an application includes a request to air an ATSC 1.0 signal on the facilities of a host station and does not meet the 95 percent standard for expedited processing, the application must contain the following information (in addition to other required information):
 - (A) whether there is another possible host station(s) in the market that would result in less service loss to existing viewers and, if so, why the next Gen TV broadcaster chose to partner with a host station creating a larger service loss;
 - (B) what steps, if any, the station plans to take to minimize the impact of the service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and
 - (C) the public interest benefits of the simulcasting arrangement and a showing of why the benefit(s) of granting the application would outweigh the harm(s). These applications will be considered on a case-by-case basis.
- **Multicast Streams: (47 CFR §§ 73.3801(i), 73.6029(i), and 74.782(j))**
 - **A Next Gen TV station is not required to license, under paragraph (f) of this section, a “guest” multicast programming stream that it originates and which is aired on a host station. If it chooses to do so, it and each of its licensed guest multicast streams must comply with the requirements of this section (including those otherwise applicable only to primary streams), except for paragraph (f)(5) and as otherwise provided in this paragraph. For purposes of this section, a “multicast” stream refers to a video programming stream other than the primary video programming stream.**

(1) 1.0 Multicast Streams. A Next Gen TV station may license its guest ATSC 1.0 multicast stream(s) aired on one or more ATSC 1.0 hosts pursuant to paragraph (f) of this section. Non-simulcast streams are not required to comply with paragraph (b) of this section.

(i) Host Capacity Limit. A Next Gen TV station that has converted its own facility to 3.0 must not license more capacity on one or more partner host stations, in the aggregate, than the station could use if it were still operating on its own facility in 1.0. It must demonstrate

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

compliance with this limit in its license application exhibit.

(2) 3.0 Multicast Streams. A Next Gen TV station may license its guest ATSC 3.0 multicast stream(s) aired on one or more ATSC 3.0 hosts pursuant to paragraph (f) of this section.

(3) Children's Television. A Next Gen TV station may rely on a multicast stream it is airing via a host partner to comply with the Commission's children's television programming requirement in Section 73.671 of this Part. Such a stream must either be carried on the same host as the Next Gen TV station's primary stream, or on a host that serves at least 95 percent of the predicted population served by the Next Gen TV station's pre-transition 1.0 signal.

(4) Application Exhibit Required. A Next Gen TV station seeking to license hosted multicast streams must prepare and host on its public website (or its Online Public Inspection File if the station does not have a dedicated website) the exhibit referenced in paragraph (f)(6)(i)(D) of this section. The exhibit must contain the following:

(i) for each hosted stream: channel number (RF and virtual); network affiliation (or type of programming if unaffiliated); resolution (e.g., 1080i, 720p, 480p, or 480i); whether the stream will be simulcast; and if so, the identity of the paired stream in the other service; and

(ii) for a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the host capacity limit. It may do so by either showing that it is seeking hosting only for streams it was broadcasting on its own 1.0 facility prior to its transition to 3.0, or identifying another 1.0 station that is carrying or has carried the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared);

(iii) for a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the coverage requirement for guest multicast streams, including by providing a contour map showing the guest multicast stream will continue to serve the station's community of license; and

(iv) Changes to the exhibit. Changes to the affiliation or content of a stream that would not result in the use of additional capacity, the elimination of a stream, or non-substantive corrections may be made at the discretion of the applicant but must be reflected in a timely

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

update to the existing public exhibit and an emailed notice to the Chief of the Media Bureau's Video Division or their designee. No other changes, including to the location of the exhibit itself, may be made without the filing and approval of a new application.

Consumer education for Next Gen TV stations (47 C.F.R. §§ 73.3801(g), 73.6029(g), and 74.782(h))

- *Third-Party Reporting Requirement* (Broadcaster On-Air Notices to Consumers): Commercial and noncommercial educational broadcast TV stations that relocate their ATSC 1.0 signals (e.g., moving to a host station's facility, subsequently moving to a different host, or returning to its original facility) are required to air daily Public Service Announcements (PSAs) or crawls every day for 30 days prior to the date that the stations will terminate ATSC 1.0 operations on their existing facilities. Stations that transition directly to ATSC 3.0 will be required to air daily PSAs or crawls every day for 30 days prior to the date that the stations will terminate ATSC 1.0 operations.
 - *PSAs.* Each PSA must be provided in the same language as a majority of the programming carried by the transitioning station and be closed-captioned.
 - *Crawls.* Each crawl must be provided in the same language as a majority of the programming carried by the transitioning station.
 - *Content of PSAs or Crawls.* For stations relocating their ATSC 1.0 signals or transitioning directly to ATSC 3.0, each PSA or crawl must provide all pertinent information to consumers.

Notice to MVPDs (47 C.F.R. §§ 73.3801(h), 73.6029(h), and 74.782(i))

- *Third-Party Reporting Requirement* (Broadcaster Written Notices to MVPDs): Next Gen TV stations relocating their ATSC 1.0 signals (e.g., moving to a temporary host station's facilities, subsequently moving to a different host, or returning to its original facility) must provide notice to MVPDs that: (i) No longer will be required to carry the station's ATSC 1.0 signal due to the relocation; or (ii) carry and will continue to be obligated to carry the station's ATSC 1.0 signal from the new location.
- *Content.* *The notice must contain the following information:*
 - (i) Date and time of any ATSC 1.0 channel changes;
 - (ii) The ATSC 1.0 channel occupied by the station before and after commencement of local simulcasting;
 - (iii) Modification, if any, to antenna position, location, or power levels;
 - (iv) Stream identification information; and
 - (v) Engineering staff contact information.
- *Amended Notice.* If any of the information provided in the Required Notice changes, then an amended notification must be sent.
- *Timing.* Next Gen TV stations must provide notice as required by this section: (i) at least 120 days in advance of relocating their ATSC 1.0 signals if the relocation occurs during the post-incentive auction transition period; or (ii) at least 90 days in advance of relocating their ATSC 1.0 signals if the relocation occurs after the post-incentive auction transition period (see 47 CFR 27.4). If the anticipated date of the ATSC 1.0 signal relocation changes, the station must send a further notice to affected MVPDs informing them of the new anticipated

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

date.

- o *Method.* Next Gen TV stations may choose whether to provide notice as required by this section either by a letter notification or electronically via email if the relevant MVPD agrees to receive such notices by email. Letter notifications to MVPDs must be sent by certified mail, return receipt requested to the MVPD's address in the FCC's Online Public Inspection File (OPIF), if the MVPD has an online file. For cable systems that do not have an online file, notices must be sent to the cable system's official address of record provided in the system's most recent filing in the FCC's Cable Operations and Licensing System (COALS). For MVPDs with no official address in OPIF or COALS, the letter must be sent to the MVPD's official corporate address registered with their State of incorporation.

Local Simulcasting Agreements (47 C.F.R. §§ 73.3801(e), 73.6029(e), and 74.782(f))

- *Recordkeeping Requirement:* Broadcasters must maintain a written copy of any local simulcasting agreement and provide it to the Commission upon request.
 - o *Agreement Content:* Local simulcasting agreements must contain provisions outlining each licensee's rights and responsibilities regarding:
 - (i) Access to facilities, including whether each licensee will have unrestrained access to the host station's transmission facilities;
 - (ii) Allocation of bandwidth within the host station's channel;
 - (iii) Operation, maintenance, repair, and modification of facilities, including a list of all relevant equipment, a description of each party's financial obligations, and any relevant notice provisions;
 - (iv) Conditions under which the simulcast agreement may be terminated, assigned or transferred; and
 - (v) How a guest station's (i.e., a station originating programming that is being transmitted using the facilities of another station) signal may be transitioned off the host station.

History: On November 20, 2017, the Commission released a Report and Order, FCC 17-158, in GN Docket No. 16-142, authorizing television broadcasters to use the "Next Generation" broadcast television (Next Gen TV) transmission standard, also called "ATSC 3.0" or "3.0," on a voluntary, market-driven basis.¹⁰ This authorization is subject to broadcasters continuing to deliver current-generation digital television (DTV) service, using the ATSC 1.0 transmission standard, also called "ATSC 1.0" or "1.0," to their viewers. The requirement to continue to provide ATSC 1.0 service is called "local simulcasting." The local simulcasting rules are codified at 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV).

The 2017 *Next Gen TV R&O* modified the existing license application form, FCC Form 2100, to establish a new purpose: a streamlined, one-step license application for Next Gen TV (ATSC 3.0) service.¹¹ The

¹⁰ *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Report and Order and Further Notice of Proposed Rulemaking, FCC 17-158, 32 FCC Rcd 9930 (2017) (*Next Gen TV R&O and FNPRM*).

¹¹ Ordinarily, an applicant seeking a broadcast license needs to first file an application for a construction permit

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

data elements for the new form purpose and schedules were approved by OMB in July 2018. The form also includes certain data elements from the existing FCC Form 2100 which apply to all applicants (not just Next Gen TV applicants). On March 12, 2019, the Commission submitted “screen shots” of the final version of FCC Form 2100, Schedules B, D and F under their appropriate OMB control numbers to OMB as a non-substantial change request. Although there were wording changes to some questions, there are no substantive changes to the information that is being collected. OMB approved this non-substantive change on March 28, 2019. No changes have been made or requested since OMB’s last approval. See Schedule B – Full Power License to cover application (OMB control number 3060-0837); Schedule D – LPTV/Translator License to cover application (OMB control number 3060-0017); and Schedule F – Class A License to cover application (OMB control number 3060-0928).

On June 16, 2020, the Commission released a Second Report and Order and Order on Reconsideration, FCC 20-72, resolving the remaining issues raised in the Further Notice, as well as the petitions for reconsideration of the First Report and Order. This document did not make any changes to this collection.

On November 5, 2021, the Commission released a Second Further Notice of Proposed Rulemaking (FNPRM), FCC 21-116, in GN Docket No. 16-142. In this FNPRM, the Commission proposed changes to its Next Gen TV rules designed to preserve over-the-air (OTA) television viewers’ access to multicast streams during television broadcasters’ transition to ATSC 3.0.

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, 7, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 614, and 615 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 157, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535.

2. Use of Information: FCC staff will use the license application, and the local simulcasting agreement (when applicable), to determine compliance with FCC rules and to determine whether the public interest would be served by grant of the application for a Next Gen TV station license. Broadcaster on-air notices to consumers will be used to inform consumers if stations they watch will be changing channels and encouraged to rescan their receivers for new channel assignments. Broadcaster notices to multichannel video programming distributors (MVPDs) will be used to notify MVPDs that carry a Next Gen TV broadcast station about channel changes and facility information.

3. Consideration Given to Information Technology: Broadcasters must file Next Gen TV license applications on FCC Form 2100 electronically through the Licensing and Management System (LMS). Broadcasters must provide notices to consumers on-air. Broadcasters may provide notices to MVPDs either by a letter notification or electronically via email if the relevant MVPD agrees to receive such notices by email.

4. Effort to Identify Duplication and Use Similar Information: This agency does not impose a similar

(step 1) and then, when the facility becomes operational, the applicant must file a license to cover application (step 2).

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

information collection on the respondents. There are no similar data available.

5. Effort to Reduce Small Business Burden: This information collection will not have a significant economic impact on small entities.

6. Less Frequent Data Collection: If this collection of information were not sponsored by the Commission, then broadcasters would not have a means to apply to use the Next Gen broadcast TV transmission standard. Furthermore, if these information collection requirements were not conducted, the Commission would be unable to fulfill its obligation to ensure that a grant of a Next Gen TV license is in the public interest. (The frequency for this collection of information is determined by respondents, as necessary.)

7. Information Collection Circumstances: There are no special circumstances associated with this information collection. This collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Public Comment Period: The Commission published a Notice (88 FR 45212) in the Federal Register on July 14, 2023, seeking public comment on the information collection requirements contained in this supporting statement. The Commission did not any comments from the public on the Paperwork Reduction Act (PRA).

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

10. Confidentiality of Information: There is some need for confidentiality for this collection of information. When submitting a local simulcasting agreement with the agency upon request, applicants may redact confidential or proprietary terms.

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

12. Burden Estimate. The estimated burden for this collection of information is as follows:

Next Gen TV License Applications

Next Gen TV service will be deployed by broadcast television stations on a voluntary, market-driven basis. For this reason, it is difficult to predict how many stations will deploy Next Gen TV/ATSC 3.0 service each year. Nevertheless, for purposes of this submission, we estimate that 180 full-power TV stations, 40 Class A stations, 200 LPTV stations and 380 TV translator stations will file applications each year related to deployment of Next Gen TV/ATSC 3.0 service.¹²

We estimate that about 50% of Next Gen TV license applications by full-power and Class A stations (*i.e.*, 110 total applications – 90 full-power TV stations and 20 Class A stations)¹³ will be applications for a 1.0 simulcast license on a host facility.¹⁴ Applications for a 1.0 simulcast license on a host facility¹⁵ will be

¹² These estimates are based on approximately 10% of the totals for full-power TV stations (1,773), Class A stations (403), LPTV stations (1,964) and TV Translator stations (3,750).

¹³ LPTV stations and TV Translators may transition directly to ATSC 3.0 and are not required to simulcast in 1.0.

¹⁴ The other 50% will simulcast in 1.0 on their existing channel.

¹⁵ *I.e.*, Next Gen TV stations seeking to be licensed to simulcast in ATSC 1.0 on a host facility as part of its ATSC 3.0 deployment.

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

required to (1) provide additional information with its license application showing the extent to which it will maintain existing 1.0 service to its viewers,¹⁶ (2) air daily consumer education notices (PSAs or crawls every day for 30 days prior to moving its 1.0 channel), (3) provide notices to MVPDs (that no longer will be required to carry the station's 1.0 signal due to the move or which currently carry the station's 1.0 signal from the existing location and will continue to be obligated to carry the station's 1.0 signal from the new location), and (4) must maintain a copy of its local simulcasting agreement with the host. **In addition, some of these applications may involve multicast licensing and require additional information in this regard.**

We estimate that 90% of Next Gen TV license applications filed by full-power and Class A stations (99 of 110 applications) will be filed with the assistance of outside attorneys and engineering consultants. The station will require one (1) hour of consultation with each of these outside parties. The other 10% of these applications (11 applications) will be made by the station without outside consultation and will require 8 hours of preparation. [99 applications x 2 hours legal/engineering consult = 198 hours] & [11 applications x 8 hours = 88 hours]

Added Burden Estimate: We estimate that of the 99 applications (filed with the assistance of outside attorneys and engineering consultants), about 66% of these applications (i.e., 66 applications) will involve multicast licensing and that such applications will require an additional 1 hour of consult time (for both legal and engineering). We estimate that of the other 11 applications (filed without lawyer/engineering consult), about half or 6 applications will involve multicast licensing and that such applications will require an additional 2 hours of time. [66 applications x 1 hour legal/engineering consult = 66 hours] & [6 applications x 2 hours = 12 hours] [78 hours x \$48.08/hour = \$3,750.24 added burden] **This represents added burden to the existing filers and does not add new filers/respondents.**

New Filers (multicast licensing only): We estimate that 20 new applications (filers/respondents) will be filed that relate only to multicast licensing.¹⁷ We estimate that 15 will be filed with the assistance of outside attorneys and engineering consultants. The station will require one (1) hour of consultation with each of these outside parties. The other 5 applications will be made by the station without outside consultation and will require 4 hours of preparation. [15 applications x 2 hours legal/engineering consult = 30 hours] & [5 applications x 4 hours = 20 hours]

¹⁶ If an application includes a request to air an ATSC 1.0 signal on the facilities of a host station, the broadcaster must also indicate on the application (in addition to other required information): (A) the predicted population within the noise limited service contour served by the station's original ATSC 1.0 signal, (B) the predicted population within the noise limited service contour served by the station's original ATSC 1.0 signal that will lose the station's ATSC 1.0 service as a result of the simulcasting arrangement, including identifying areas of service loss by providing a contour overlap map, and (C) whether the ATSC 1.0 simulcast signal aired on the host station will serve at least 95 percent of the population. If an application includes a request to air an ATSC 1.0 signal on the facilities of a host station and does not meet the 95 percent standard for expedited processing, the application must contain the following information (in addition to other required information): (A) whether there is another possible host station(s) in the market that would result in less service loss to existing viewers and, if so, why the next Gen TV broadcaster chose to partner with a host station creating a larger service loss; (B) what steps, if any, the station plans to take to minimize the impact of the service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and (C) the public interest benefits of the simulcasting arrangement and a showing of why the benefit(s) of granting the application would outweigh the harm(s).

¹⁷ For example, a station may need to change multicast stream locations or (if allowed under our rules) add new multicast streams in 1.0.

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

We estimate that the other 50% of Next Gen TV license applications by full-power and Class A stations (110 applications) and all of the 580 Next Gen TV license applications estimated to be filed by LPTV stations and TV translator stations (690 total applications) will be made by the station without outside consultation and will require 4 hours of preparation. [690 applications x 4 hours = 2,760 hours] **None of these applications will involve multicast licensing on a host.**

The respondent (station manager) is estimated to have an average salary of \$100,000/year (\$48.08/hour).

| | | |
|-------------------------------------|---|--|
| 198 hours x \$48.08/hour = | \$ 9,519.84 | |
| 88 hours x \$48.08/hour = | \$ 4,231.04 | |
| (286 hrs) | (13,750.88) | |
| 66 hours x \$48.08/hour = | \$ 3,173.28 | (added to existing app/ multicast streams) |
| 12 hours x \$48.08/hour = | \$ 576.96 | (added to existing app/ multicast streams) |
| (78 hrs) | (3,750.24) | |
| 30 hours x \$48.08/hour = | \$ 1,442.40 | (new multicast stream only app) |
| 20 hours x \$48.08/hour = | \$ 961.60 | (new multicast stream only app) |
| (50 hrs) | (2,404.00) | |
| <u>2,760 hours x \$48.08/hour =</u> | <u>\$132,700.80</u> | |
| 3,174 hours x \$48.08/hour = | \$152,605.92 in-house cost total | |

Broadcaster On-Air Notices to Viewers/Consumers

As discussed above, 110 broadcasters will be required to air daily consumer education notices (i.e., PSAs or crawls) every day for 30 days prior to moving its 1.0 channel. [110 respondents x 30¹⁸ = 3,300 responses/airings]

We estimate that it will take respondent station 0.25 hours (15 minutes) to prepare a PSA or crawl and that such PSAs or crawls will air for 0.017 hours (approximately 1 minute) daily for 30 days.

[110 PSAs/crawls x 0.25 hours = 27.5 hours x \$48.08/hours = \$1,322.20 cost]

[3,300 PSAs/crawls x 0.017 hours = 56.1 hours x \$48.08/hours = \$2,697.29 cost]

[\$1,322.20 + \$2,697.29 = **\$4,019.49 in-house cost (for primary streams)**]

Added Burden: As discussed above, we estimate that 72 of the above-referenced 110 applications (66+6) will involve multicast streams. We further estimate that these applications will involve on average 3 multicast streams. [72 respondents x 30 days¹⁹ x 3 multicast streams = 6,480 responses/airings]

As with notices for primary streams, we estimate that for each multicast stream it will take respondent station 0.25 hours (15 minutes) to prepare a PSA or crawl (for a given programming stream) and that such PSAs or crawls will air for 0.017 hours (approximately 1 minute) daily for 30 days.

[216 PSAs/crawls²⁰ x 0.25 hours = 54 hours x \$48.08/hours = \$2,596.32 cost]

[6,480 PSAs/crawls x 0.017 hours = 110.16 hours x \$48.08/hours = \$5,296.49 cost]

¹⁸ (1 time per day x 30 days)

¹⁹ (1 time per day x 30 days)

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

[$\$2,596.32 + \$5,296.49 = \$7,892.81$ added in-house cost (for multicast (non-primary) streams)]

$\$4,019.49 + \$7,892.81 = 11,912.30$ in-house cost total

Broadcaster Notices to MVPDs

As discussed above, 110 broadcasters will be required to provide notices to MVPDs (that no longer will be required to carry the station's 1.0 signal due to the move or which currently carry the station's 1.0 signal from the existing location and will continue to be obligated to carry the station's 1.0 signal from the new location). We estimate that each broadcaster must provide such notice to approximately five (5) MVPDs. [110 broadcasters x 5 MVPDs = 550 notices]

We estimate that 90% of these broadcasters (99) will prepare notices to MVPDs without the assistance of outside attorneys and will require two (2) hours preparation, plus an additional 0.25 hours (15 minutes) to tailor each notice to the specific MVPD recipient, while 10% (11) will prepare notices to MVPDs with the assistance of outside attorneys and will require one (1) hour consultation, plus an additional 0.25 hours (15 minutes) to tailor each notice to the specific MVPD recipient.

[99 broadcasters x 2 hours = 198 hours x \$48.08/hours = \$9,519.84]²¹
+
[495 notices x 0.25 hours = 123.75 hours x \$48.08/hours = \$5,949.90]²²
(\$9,519.84 + \$5,949.90 = \$15,469.74) OR (321.75 hrs x \$48.08/hours = \$15,469.74)

[11 broadcasters x 1 hour = 11 hours x \$48.08/hours = \$528.88]²³
+
[55 notices x 0.25 hours = 13.75 hours x \$48.08/hours = \$661.10]²⁴
(\$528.88 + \$661.10 = \$1,189.98) OR (24.75 hrs x \$48.08/hours = \$1,189.98)

$\$15,469.74 + \$1,189.98 = \$16,659.72$ in-house cost

Added Burden: As discussed above, we estimate that 72 applications (66+6) will involve multicast streams. However, multicast streams are not often carried by MVPDs. To the extent that multicast streams may be carried by MVPDs, they will not be carried by new MVPDs that are not already carrying the station's primary stream. Thus, the number of notices will not increase because these broadcasters are already providing notices for their primary streams. Instead, broadcasters that have a multicast stream that is carried by an MVPD will need to add additional information to the required notice that must be sent to such MVPD.

We estimate that of the 72 broadcasters airing multicast streams via a host, 20% (i.e., 14 broadcasters) will have a multicast stream that is carried by MVPDs. Thus, we estimate that 14 broadcasters will need to add information about a multicast stream to an MVPD notice. We further estimate that 90% of these 14

²⁰ 72 respondents x 3 streams = 216

²¹ Each broadcaster will prepare a generic template that will be used for each notice.

²² The broadcaster will tailor its generic template for each notice.

²³ Each broadcaster will prepare a generic template that will be used for each notice.

²⁴ The broadcaster will tailor its generic template for each notice.

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

broadcasters (i.e., 12 broadcasters) will prepare notices to MVPDs without the assistance of outside attorneys and that adding multicast stream information to these notices will add an additional 0.5 hours (30 minutes) of prep time. [12 broadcasters x 0.5 hours = 6 hours x \$48.08/hours = \$288.48 **added in-house cost (for multicast streams)**]

We estimate that the remaining 10% of these broadcasters (i.e., 2 broadcasters) will prepare notices to MVPDs with the assistance of outside attorneys and will require an additional 0.25 hours (15 minutes) of consultation. [2 broadcasters x 0.25 hours = 0.5 hours x \$48.08/hours = \$24.04 **added in-house cost (for multicast streams)**]

\$288.48 + \$24.04 = \$312.52 (**added in-house cost**)
\$16,659.72 + \$312.52 = \$16,972.24 in-house cost total

Maintenance of Local Simulcasting Agreements (Recordkeeping)

As discussed above, 110 broadcasters will be required to maintain a copy of their respective local simulcasting agreement in their records to provide to the FCC upon request. We estimate that it will take broadcasters 0.25 hours (15 minutes) to fulfill this requirement. **This estimate includes the maintenance of agreements that involve multicast streams, thus no additional burden will be imposed as a result of multicast licensing.**

[110 broadcasters x 0.25 hours = 27.5 hours x \$48.08/hours = **\$1,322.20 in-house cost**]

| Information Collection Requirement | | Total Number of Respondents | Total Number of Responses | Burden Hours | Total Burden Hours | Annual "In-House" Cost |
|------------------------------------|--|---|---------------------------|--------------|--------------------|-------------------------|
| Next Gen TV License Applications | 1.0 Simulcast Applications on a Host Facility by Full-Power and Class A Stations | 110 filers | 110 applications | 2-8 hrs. | 286 hrs. | \$ 13,750.88 |
| | 1.0 Simulcast Applications on a Host Facility involving multicast streams | No New Filers / Respondents [Added Burden for 72 of the 110 filers] | No New 72 applications | 1-2 hrs | 78 hrs | \$3,750.24 added burden |
| | 1.0 Simulcast Applications involving | 15 filers | 15 applications | 2 hrs | 30 hrs | \$1,442.40 |

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

| | | | | | | |
|---|-------------------------------------|--------------------------|---|--------------------|--------------------------------------|------------------------------|
| | <i>only</i> multicast streams | 5 filers | 5 applications | 4 hrs | 20 hrs | \$961.60 |
| | All Other Applications | 690 filers | 690 applications | 4 hrs. | 2,760 hrs. | \$132,700.80 |
| Subtotal | | 820 respondents | 820 responses | | 3,174 hours | \$152,605.92 |
| Broadcaster On-Air Notices (PSAs or crawls) to Viewers/Consumers | | 110 respondents | 3,300 responses | 0.017 - 0.267 hrs. | 83.6 hrs. | \$4,019.49 |
| Broadcaster On-Air Notices for Multicast Streams | | 72 respondents | 6,480 responses | 0.017 - 0.267 hrs | 164.16 hrs | \$7,892.81 |
| Subtotal | | 182 respondents | 9,780 responses | | 247.76 hours | \$11,912.30 cost |
| Broadcaster Notices to MVPDs | | 99 respondents | 495 notices | 0.25-2.25 hrs. | 321.75 hrs. | \$15,469.74 |
| | | | Added burden for Notices for which multicast stream information is needed | | 6 hours | \$288.48 |
| | | 11 respondents | 55 notices | 0.25-1.25 hrs | 24.75 hrs | \$1,189.98 |
| | | | Added burden for Notices for which multicast stream information is needed | | 0.5 hrs | \$24.04 |
| Subtotal | | 110 respondents | 550 responses | | 353 hours | \$16,972.24 |
| Maintenance of Local Simulcasting Agreements (Recordkeeping) | | 110 respondents | 110 responses | 0.25 hrs | 27.5 hrs | \$1,322.20 |
| Subtotal | | 110 respondents | 110 responses | | 27.5 hrs | \$1,322.20 |
| TOTALS: | | 1,222 respondents | 11,260 responses | | 3,802 hours (rounded) | \$182,812.66 cost |

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

13. ANNUAL COST BURDEN:

As discussed above, we estimate that 99 Next Gen TV license applications will require consultation with a legal and engineering expert. In addition, 15 additional (multicast only) applications will require consultation with a legal and engineering expert. We estimate that the average salary for the attorney is \$300/hour and the average salary for the engineer is \$250/hour. We estimate that about 75% of these applications, plus all of the multicast only applications (15), will be eligible for expedited processing and thus will require a reduced legal showing.

For these **89** applications, we estimate that outside attorneys will spend 2 hours per application (including consult time) and outside engineering consultants will spend 2 hours per application (including consult time).

[**89** applications Outside Attorney prep/consult x 2 hours/application x \$300/hour = \$53,400]

[**89** applications Outside Engineer prep/consult x 2 hours/application x \$250/hour = \$44,500]

\$53,400 + \$44,500 = \$97,900

For the other 25 applications that will require enhanced legal showings, we estimate that outside attorneys will spend 4 hours per application (including consult time) and outside engineering consultants will spend 2 hours per application (including consult time).

[25 applications Outside Attorney prep/consult x 4 hours/application x \$300/hour = \$30,000]

[25 applications Outside Engineer prep/consult x 2 hours/application x \$250/hour = \$12,500]

\$30,000 + \$12,500 = \$42,500

\$97,900 + \$42,500 = **\$140,400**

As discussed above, we estimate that 11 notices to MVPDs will be prepared with the assistance of outside attorneys. We estimate that the average salary for the attorney is \$300/hour and it will take two hours to prepare each notification.

[11 MVPD Notices prepared by Outside Attorney x 2 hours/notice x \$300/hour = \$6,600]

\$140,400 + \$6,600 = **\$147,000**

Annual Cost Burden = \$147,000

14. Cost to the Federal Government:

The Commission will use legal and engineering staff at the GS-14/Step 5 level (\$71.88/hour), paraprofessional staff at the GS-11/Step 5 level (\$42.68/hour), and clerical staff at the GS-5 level/Step 5 level (\$23.28/hour) to process Next Gen TV license applications.

| | | | |
|--|----------------------------|------------------|---------------------|
| 110 applications | x 8 hrs legal review | x \$71.88/hour = | \$ 63,254.40 |
| 690 applications | x 4 hrs legal review | x \$71.88/hour = | \$198,388.80 |
| 20 applications | x 8 hrs legal review | x \$71.88/hour = | \$ 11,500.80 |
| 800 applications | x 6 hrs engineering review | x \$71.88/hour = | \$345,024.00 |
| 800 applications | x 6 hrs | x \$42.68/hour = | \$204,864.00 |
| 800 applications | x 2 hrs | x \$23.28/hour = | <u>\$ 37,248.00</u> |
| Cost to the Federal Government: | | | \$860,280.00 |

OMB Control Number: 3060-1254

September 2023

Title: Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)

15. There are program changes/increases to this information collection. They are as follows: +92 to the number of respondents, +6,500 to the annual number of responses, +298 to the annual burden hours and +\$16,500 to the annual cost. These program changes are due to the information collection requirements adopted in FCC 23-53.

There are no adjustments to this collection.

16. No data will be publicly available on an FCC database.

17. OMB approval of the expiration of the information collection will be displayed at OMB's website for approved information collections.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.