

SUPPORTING STATEMENT

A. Justification:

1. The Commission is requesting an extension of this information collection in order to receive approval/clearance from the Office of Management and Budget (OMB) for three years.

Form 2100, Schedule 350 – FM Translator or FM Booster Station License Application (LMS FM Translator or FM Booster License Application)¹ is used in all cases when applying for an FM translator or FM booster broadcast station license in the current Media Bureau database system, the Licensing Management System (LMS).

History

The Commission previously submitted a non-substantive change request to OMB for approval of minor non-substantive changes made to the CDBS-based FCC Form 350. The Media Bureau transitioned to a new on-line, electronic licensing database system called the “Licensing Management System” (LMS) in which all Media Bureau broadcast applications and reporting forms are now filed. In effect, the database transition required a corresponding design conversion of all then-existing CDBS forms. The Media Bureau developed electronic, LMS-compatible versions of various broadcast station application and reporting forms, such as this LMS FM Translator or FM Booster License Application as part of the database transition.

In general, the LMS FM Translator or FM Booster License Application replicates the CDBS-based FCC Form 350. The form sections and substance of the individual questions essentially remained the same. As with the CDBS-based FCC Form 350, the LMS FM Translator or FM Booster License Application requires applicants to certify compliance with statutory and regulatory requirements. The application is presented primarily in a “Yes/No” certification format and contains places for submitting explanatory exhibits where appropriate.

The respondents, burden hours and costs of this Information Collection were not impacted by the minor non-substantive changes to the FCC Form 350, which are now part of the LMS FM Translator or FM Booster License Application. The minor non-substantive change is highlighted below:

To accommodate the Media Bureau’s database transition from CDBS to LMS, FCC Form 350 was replaced with the LMS-compatible LMS FM Translator or FM Booster License Application. The certification-based questions and explanatory exhibit format remains the same.

¹ Pursuant to a non-substantive change, CDBS-based FCC Form 350 was renamed “Form 2100, Schedule 350 – FM Translator or FM Booster Station License Application” and was encompassed within the on-line, electronic licensing database system called the Licensing Management System. Accordingly, the title of this Information Collection was also concurrently changed. Notice of Approval, ICR Reference No: 201905-3060-007 (May 13, 2019).

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

The statutory authority for this collection of information is contained in Sections 154(i), 307, 308 and 309 of the Communications Act of 1934, as amended.

2. **Agency Use of Information.** FCC staff members use the data to confirm that the station has been built to terms specified in the relevant construction permit. Data is then extracted from the LMS FM Translator or FM Booster License Application for inclusion in the subsequent license authorization to operate the station.

3. **Consideration Given to Information Technology.** The Commission requires applicants to file the LMS FM Translator or FM Booster License Application electronically. The electronically filed applications are publicly available.

4. **Effort to Identify Duplication and Use Similar Information.** No other agency imposes a similar information collection on the respondents. There is no similar data available.

5. **Effort to Reduce Small Business Burden.** In conformance with the Paperwork Reduction Act of 1995, the Commission makes an effort to minimize the burden on all respondents. Therefore, this information collection will not have a significant economic impact on a substantial number of small entities/businesses.

6. **Less Frequent Data Collection.** The frequency for this collection of information is determined by the respondents, as necessary.

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 last published a Notice (89 FR 27750) in the *Federal Register* on April 18, 2024, seeking public comment on the information collection requirements contained in this supporting statement. No comments were received from the Notice.

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

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

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

12. **Estimate of Burden and Burden Hour Cost.** We estimate that 500 applications will be filed and processed. The average burden on a licensee is 1.0 hour per request. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

Total Number of Annual Respondents: 500 Licensees/Permittees of FM Translator or FM Booster Stations

Total Number of Annual Responses: 500 - LMS FM Translator or FM Booster License Applications

Total Annual Burden Hours:

500 LMS FM Translator or FM Booster License Applications x 1.0 hour/application/respondent = **500 hours**

Annual “In-House Cost”: We assume that 50% of the estimated applications received will be completed by the respondent. It will take the respondent 1 hour to complete each application. The remaining 50% will be completed by an engineer at the station, which will take the engineer 1 hour to complete per application. The respondent is estimated to have an average salary of \$100,000/year (\$48.08/hour). A station engineer is estimated to have an average salary of \$22/hour.

250 LMS FM Translator or FM Booster License Applications (50% of the total applications) x 1.0 hour/application x \$48.08/hr = \$12,020.00

250 LMS FM Translator or FM Booster License Applications (50% of the total applications) x 1.0 hour/application x \$22.00/hr = \$5,500.00

Total “In-Hour” Cost = \$12,020.00 + \$5,500.00 = \$17,520.00

13. **Annual Cost Burden:** An application fee must be submitted with filing of the application for a commercial station. We estimate that 60% of applications submitted will require the submission of a fee. The fee for a commercial FM Translator or FM Booster license application is \$200 per application.

Total Annual Cost Burden:

300 LMS FM Translator or FM Booster License Applications (60% of the total applications) x \$200/application = **\$60,000.00**

14. **Cost to the Federal Government:** The Commission will use professionals GS-13, step 5 (\$64.06/hour), and clerical personnel, GS-5, step 5 (\$24.52/hour) to process LMS FM Translator or FM Booster License Applications. For application processing, the GS-13 personnel require one hour and the GS-5 personnel require 0.50 hour.

Professional: 1.0 hour x \$64.06 x 500 applications = \$32,030.00

Clerical: 0.5 hour x \$24.52 x 500 applications = \$ 6,130.00

Total Cost of the Federal Government: \$38,160.00

15. **Reason for Changes in Burden or Costs.** There are no program changes or adjustments to this collection.

16. **Plans for Publication.** The LMS FM Translator or FM Booster License Applications are filed in LMS and available to the public.

17. **Display of OMB Approval Date.** An extension of the waiver not to publish the expiration date on the form is requested. This will prevent the Commission from needing to update electronic files upon the expiration of the clearance.

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

B. Collections of Information Employing Statistical Methods

No statistical methods are employed.