

**FCC Application for Radio Service Authorization**  
**Wireless Telecommunications Bureau; Public**  
**July 2023**

**3060-0798**

**Safety and Homeland Security Bureau**

**SUPPORTING STATEMENT**

**A. Justification:**

1. FCC Form 601 is a consolidated, multi-part application form that is used for market-based and site-based licensing for wireless telecommunications services, including public safety, which are filed through the Commission's Universal Licensing System (ULS) or any other electronic filing interface the Commission develops. FCC Form 601 is composed of a main form that contains administrative information and a series of schedules used for filing technical and other information. This form is used to apply for a new license, to amend or withdraw a pending application, to modify or renew an existing license, cancel a license, submit required notifications, request an extension of time to satisfy construction requirements, request an administrative update to an existing license (such as mailing address change), or request a Special Temporary Authority License. Respondents are required to submit FCC Form 601 electronically.

The data collected on FCC Form 601 includes the FCC Registration Number (FRN), which serves as a "common link" for all filings an entity has with the FCC. The Debt Collection Improvement Act of 1996 requires entities filing with the Commission to use an FRN.

Records such as Form 601 may include information about individuals or households, *e.g.*, personally identifiable information or PII, and the use(s) and disclosure of this information are governed by the requirements of a system of records notice or "SORN", FCC/WTB-1, "Wireless Services Licensing Records." There are no additional impacts under the Privacy Act.

**Revisions to the collection which require approval from the Office of Management and Budget (OMB):**

On January 18, 2023, the Commission adopted the 4.9 GHz Seventh Report and Order (FCC 23-3) where it concluded that collecting additional technical data on public safety operations in the 4.94-4.99 GHz band (4.9 GHz band) will improve interference protection and give public safety licensees more confidence in the band without adding a significant burden on licensees or applicants. The Commission also established a Band Manager to coordinate operations in the 4.9 GHz band. The Band Manager will use the more granular technical data collected on public safety operations in ULS via the FCC Form 601 to perform frequency coordination and will be empowered to work with public safety licensees to ensure efficient use of this spectrum and enable new, non-commercial operations on a secondary, preemptable basis.

The Commission is creating two new radio service codes and directing applicants seeking to license 4.9 GHz band base/mobile, mobile-only or temporary fixed stations (new radio service code PB) to

submit with their applications on FCC Form 601: coordinates (base), antenna height above average terrain (base), center frequency, emission designator, effective radiated power, number of units (mobile and temporary fixed), and area of operation (mobile and temporary fixed). Similarly, the Commission is directing applicants seeking to license 4.9 GHz band permanent fixed point-to-point, point-to-multi-point and fixed receiver stations (new radio service code PF) to submit with their applications on FCC Form 601: transmitter and receiver antenna coordinates, frequencies, polarizations, tolerance, effective isotropic radiated power, emission designator, type of modulation, antenna model, gain, antenna center line height(s) above ground level and ground elevation above mean sea level, and path azimuth and distance.

The current FCC Form 601 already collects the information detailed above on Schedules D, H and I, but existing 4.9 GHz band operations under radio service code PA are not currently required to utilize these schedules. The changes proposed herein will modify the instructions of the FCC Form 601 to include the two new radio service codes and to duplicate certain questions from Schedule D onto Schedule I regarding eligibility, extended implementation and associated call sign.

On July 18, 2022, the Commission released a Report and Order and Second Further Notice of Proposed Rulemaking, Partitioning, Disaggregation, and Leasing of Spectrum, WT Docket No. 19-38, FCC 22-53, in which the Commission established the Enhanced Competition Incentive Program (ECIP) to establish incentives for wireless radio service licensees to make underutilized spectrum available to small carriers, Tribal Nations, and entities serving rural areas (ECIP Report and Order in WT Docket No. 19-38, FCC 22-53). In the Report and Order, the Commission adopted a program under which any covered geographic area licensee may offer spectrum to an unaffiliated eligible entity through a partition and/or disaggregation, and any covered geographic area licensee eligible to lease in an included service may offer spectrum to an unaffiliated eligible entity through a long-term leasing arrangement. If the FCC finds that approval of an ECIP eligible assignment or lease is in the public interest, the agency will consent to the transaction and confer benefits, including five-year license term extensions, one year construction extensions, and substituted alternative construction requirements for rural-focused transactions. The Commission also established rules to permit reaggregation of geographic licenses.

In establishing the ECIP, the Commission requires applicants seeking to participate in the program to submit certain information that shows the transaction qualifies for ECIP inclusion. The Commission found that the ECIP builds on Congressional goals in the MOBILE NOW Act to incentivize beneficial transactions in the public interest that will promote greater competition in the provision of wireless services, facilitate increased availability of advanced wireless services in rural areas, facilitate new opportunities for small carriers and Tribal Nations to increase access to spectrum, and bring more advanced wireless service including 5G to underserved communities.

The ECIP related change created a new Schedule O, similar to schedule K, that will be used by certain ECIP Licensees to file either their Initial Operation Requirement Notifications (IORN) or their Final Operation Requirement Notifications (FORN), as required by 47 CFR §§ 1.60004, 1.60006

The Commission now seeks approval for revisions to its currently approved collection of information under OMB Control Number 3060-0798 to permit the collection of the two changes. We anticipate that these revisions will have no impact on the hourly burden to complete FCC Form 601, as the existing burden already provides the appropriate estimate. The Commission therefore seeks approval for a revision to its currently approved information collection on FCC Form 601 to revise FCC Form 601 accordingly.

Statutory authority for this information collection is contained in 47 U.S.C. §§ 151, 152, 154, 154(i), 155(c), 157, 161, 201, 202, 208, 214, 301, 302a, 303, 307, 308, 309, 310, 311, 314, 316, 319, 324, 331, 332, 333, 336, 534, 535, and 554.

2. The Commission, in accordance with its statutory responsibilities under the Communications Act of 1934, as amended, uses the information provided by applicants on FCC Form 601 to update its licensing database and to determine if the applicant is legally, technically, and financially qualified to provide licensed services and make proper use of the frequency spectrum. The 6 GHz and 900 MHz requirements will be used by Commission personnel in evaluating the applicant's need for such frequencies and to minimize the interference potential to other stations operating on the proposed frequencies.
3. Electronic filing is mandatory for all respondents as specified in 47 CFR §1.913. Prior to finalizing rulemakings, the Commission conducts an analysis to ensure that improved information technology cannot be used to reduce the burden on the public. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other federal agencies.
4. This agency does not impose a similar information collection on the respondents. There are no similar data available.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing each application and to deter possible abuses of the processes.
6. Generally, the frequency of filing FCC Form 601 is determined by the applicant and/or licensee and the frequency of response can be on occasion or periodic.
7. This collection of information is consistent with the guidelines in 5 CFR § 1320.
8. The Commission published a 60-day notice for the FCC Form 601 requirements that appeared in the Federal Register on May 25, 2023 (88 FR 33882), seeking comment from the public on the information collection requirements contained in this aspect of the collection. No comments were received on the Paperwork Reduction Act (PRA) as a result of the notice.
9. Respondents will not receive any payments.

10. Respondents may request that materials or information submitted to the Commission be withheld from public inspection under 47 CFR §0.459 of the FCC rules.

Information on the FCC Form 601 is maintained in the Commission's system of records notice or 'SORN', FCC/WTB-1, "Wireless Services Licensing Records." These licensee records are publicly available and routinely used in accordance with subsection b. of the Privacy Act, 5 U.S.C. 552a(b), as amended.

The Commission has in place the following policy and procedures for records retention and disposal: Records will be actively maintained as long as the authorization is valid. Paper records will be archived after being keyed or scanned into the database and destroyed when 12 years old. Electronic records will be backed up and deleted twelve years after the authorization is no longer valid.

11. This collection does not address private matters of a sensitive nature, and the PII is covered by the system of records notice or 'SORN', FCC/WTB-1, "Wireless Services Licensing Records."

12. The Commission estimates that 255,552 respondents (applicants/licensees) will file FCC Form 601 applications annually and that the *average* burden per response is 1.25 hours.

The Commission estimates that 50% of the 255,552 respondents (127,776) will complete the application themselves with no additional assistance and the remaining 50% (127,776) will contract out the completion of the form to a law firm or application preparation service.

The Commission estimates the average burden per response to be approximately 1.25 hours for those respondents completing the forms themselves. For those respondents hiring a consultant, we estimate a burden of approximately 30 minutes (0.5 hours) to coordinate with the consultant.

The estimated annual burden is:

127,776 responses x 1.25 hours = 159,720 hours

127,776 responses x .50 hours = 63,888 hours

**Total Annual burden: 159,720 hours + 63,888 hours = 223,608 hours.**

The Commission also estimates that between zero and 400 entities will annually file FCC Form 601 applications regarding eligibility for designated entity benefits. We therefore estimate that there will be 400 such entities.

The Commission estimates that 50% of these 400 respondents (200) will complete the application themselves with no additional assistance and the remaining 50% (200) will contract out the completion of the form to a law firm or application preparation service.

The Commission estimates the average burden per response to be approximately

1.25 hours for those respondents completing the form themselves. For those respondents hiring a consultant, we estimate a burden of approximately 45 minutes (0.75 hours) to coordinate with the consultant. The estimated annual burden is:

200 responses x 1.25 hour = 250 hours

200 responses x 0.75 hours = 150 hours

**Annual burden hours: 250 + 150 = 400**

The Commission also estimates that thirty (30) 900 MHz entities will hire a consultant, such as a law or engineering firm, to produce documentation and exhibits to support their FCC Form 601 applications. The Commission estimates that the 30 respondents will each annually file supporting documents for two applications with an average burden of 30 hours to produce such documents.

The estimated annual burden is:

60 responses x 30 hours = **1,800 hours**

**TOTAL ANNUAL BURDEN HOURS: 223,608 + 400 + 1,800 = 225,808**

**TOTAL NUMBER OF RESPONDENTS: 255,552**

**TOTAL NUMBER OF RESPONSES: 255,552**

Commission Rules require that certain applicants obtain frequency coordination prior to submitting their application to the FCC. We estimate that approximately 40% of the total respondents (102,181 respondents) are required to comply with frequency coordination requirements. There is no additional time burden placed on the respondent for this third-party disclosure requirement, however, it adds an extra “step” to the application filing requirements. Applicants forward their applications via the non-profit private sector frequency coordinators designated by type of radio service to the FCC. The frequency coordinator then forwards the application and application remittance to the FCC. The frequency coordinator must file electronically.

#### **“In-House Cost”:**

Assuming that 50% of the respondents use personnel comparable in pay to a mid-to-senior level federal employee (GS-13, Step 5) to prepare the collection, we estimate the cost to be about \$60.83 per hour @ 1.25 hours per filing. The cost per filing:  $\$60.83 \times 1.25 = \$76.04$ .

127,776 applications x \$76.04 per filing = \$9,716,087

The Commission estimates that 50% will contract out the completion of the form to a law firm or application preparation service and will spend approximately 30 minutes (0.5 hours) coordinating

this information. Assuming they use personnel comparable in pay to a mid-to-senior level federal employee (GS-13, Step 5) to coordinate this submission we estimate the cost to be approximately \$60.83 per hour @ 0.5 hours per filing. The cost per filing = \$30.42.

$$127,776 \text{ applications} \times \$30.42 \text{ per filing} = \$3,886,946$$

Assuming that 50% of the respondents filing the 601 annually for designated entity benefits use personnel comparable in pay to a mid-to-senior level federal employee (GS-13, Step 5) to prepare the collection, we estimate the cost to be about \$60.83 per hour @ 1.25 hours per filing. The cost per filing =  $\$60.83 \times 1.25 = \$76.04$ .

$$200 \text{ responses} \times \$76.04 \text{ per response} = \$15,208$$

The Commission estimates that 50% will contract out the completion of the form to a law firm or application preparation service and will spend approximately 30 minutes (0.5 hours) coordinating this information. Assuming they use personnel comparable in pay to a mid-to-senior level federal employee (GS-13, Step 5) to coordinate this submission we estimate the cost to be approximately \$60.83 per hour @ 0.75 hours per filing. The cost per filing =  $\$60.83 \times 0.75 = \$45.62$ .

$$200 \text{ responses} \times \$45.62 \text{ per response} = \$9,124$$

**TOTAL IN-HOUSE COST:<sup>1</sup>**

$$\$9,716,087 + \$3,886,946 + \$15,208 + \$9,124 = \$13,627,365$$

**\*The Commission estimates that for both the ECIP and 4.9 GHz related changes requested herein, the burden will not increase the existing estimate.**

13. Cost to the Respondent:

- a. Total annualized capital/start-up costs: \$0.00
- b. Total annualized cost requested to prepare FCC 601 are:

There is no cost to file the application electronically with the FCC.

FCC application filing fees:

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<sup>1</sup> In-house costs associated with coordinating with an attorney or engineering firm regarding the preparation and filing of the application and supporting documents are already reflected in the 50% of applicants that use in-house personnel to coordinate with outside consultants.

We estimate that approximately 75% of 255,552 various applications filed require an application fee of \$65-\$430 each. (The balance of the respondents would be exempt from filing fees due to type of entity, i.e. public safety, governmental entities, non-commercial educational broadcasters, or because the purpose for which they are filing does not require a fee.)

For purposes of this submission, we estimate the total application fees using an average of \$125 per filing:

$$255,552 \text{ total respondents} \times 75\% \text{ (feeable)} = 191,664 \text{ feeable filings}$$

$$191,664 \text{ filings} \times \$125 \text{ average fee} = \$23,958,000$$

We estimate that 50% of the respondents will contract out the completion of the form and would use an attorney or application preparation service at a cost of \$300/hour to prepare the FCC 601 and take the consultant 1.25 hours to complete each form.

$$127,776 \text{ applications} \times 1.25 \text{ hours} \times \$300/\text{hour} = \$47,916,000$$

Regarding respondents eligible for designated entity benefits, there is no application fee because the services involved are subject to auctions.

We estimate that 50% of the respondents will contract out the completion of the form and would use an attorney or application preparation service at a cost of \$300 per hour to prepare in 1 hour the FCC Form 601.

$$200 \text{ applications} \times 1 \text{ hour} \times \$300 \text{ hour} = \$60,000$$

Regarding 900 MHz respondents submitting documentation and exhibits in support of their applications:

We estimate that 30 respondents will use an attorney or engineering firm at a cost of \$300 per hour to prepare the documentation and exhibits supporting 60 applications (two per respondent). Preparation of the supporting documents is estimated to take 30 hours per application.

$$60 \text{ applications} \times 30 \text{ hours} \times \$300 = \$540,000$$

**TOTAL ESTIMATED RESPONDENT COST: \$23,958,000 + \$47,916,000 + \$60,000 + \$540,000 = \$72,474,000**

14. Cost to the Federal Government:

FCC Form 601 Applications estimated to be filed: 255,552

127,776 applications x 30 mins. (0.50 hrs)  
@ \$28.84 per hour (GS-7 Step 5) (Processing) = \$1,842,530  
Industry Analyst

127,776 applications x 10 mins. (0.166 hrs) = \$611,720  
(Processing)  
@ \$28.84 per hour (GS-7 Step 5) for an  
Industry Analyst

**Total = \$2,454,250**

15. There are no program changes or adjustments to this collection. The form changes will not increase the annual burden hours and annual cost for this collection.

16. The data will not be published for statistical use.

17. The Commission is requesting a continued waiver from displaying the OMB expiration date on FCC Form 601. Granting this waiver will prevent the Commission from destroying excess forms, having to update computer versions and thus reduce waste. All OMB-approved information collections are published displayed on OMB's website which includes the OMB control number, title of the collection and the OMB expiration date.

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

**B. Collections of Information Employing Statistical Methods:**

This information collection does not use any statistical methods.