

## **SUPPORTING STATEMENT**

### **A. Justification:**

1. The Federal Communications Commission (Commission) seeks the Office of Management and Budget (OMB) approval to extend for three years the FCC Form 477 (Form 477) data collection. On December 9, 2022, the Commission adopted an Order that sunset the collection of broadband deployment data through Form 477.<sup>1</sup> The Form 477 filing system will not accept data as of December 31, 2022 and beyond, but will remain open for filers to view the latest submitted data for filings as of June 30, 2022 and earlier. Broadband and voice subscription data are submitted through the Broadband Data Collection (BDC) system.

#### **Existing Information Collection Requirements:**

The Commission initially established a reporting program using Form 477 to collect basic information about (1) the deployment of broadband services, and (2) the development of local telephone service competition. Over time, the Form 477 data collection has evolved into the primary data source for many Commission actions, including reporting to Congress and the public about the availability of broadband services, informing transaction reviews, and supporting our universal service policies.<sup>2</sup>

The following types of entities must file Form 477: (1) facilities-based providers of fixed broadband services, (2) incumbent and competitive local exchange carriers (LECs), (3) interconnected VoIP service providers, and (4) facilities-based providers of mobile voice and broadband services. Respondents are required to file on a semi-annual basis, with submissions due on March 1 and September 1.

Form 477 collects information about broadband connections to end-user locations, wired and wireless local telephone services, and interconnected Voice over Internet Protocol (VoIP) services in the 50 states, the District of Columbia, and the Territories and possessions.<sup>3</sup> Data obtained from this form provides an understanding of the extent of broadband deployment, facilitates the Commission's development of appropriate broadband policies, and enables the Commission to carry out its obligation under section 706 of the Telecommunications Act of 1996, as amended, to "determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion."<sup>4</sup> In addition, the information collected in Form 477 enhances the Commission's analysis and understanding of the extent of local telephone competition, which in turn supports the Commission's efforts to open all

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<sup>1</sup> *Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program*, WC Docket Nos. 19-195 & 11-10, FCC 22-93 (Dec. 9, 2022).

<sup>2</sup> *See Modernizing the FCC Form 477 Data Program*, WC Docket No. 11-10, Report and Order, 28 FCC Rcd 9887, 9895, para. 16 (2013); *Local Telephone Competition and Broadband Reporting*, WC Docket No. 04-141, Report and Order, 19 FCC Rcd 22340, 22341, paras. 1-2 (2004) (*2004 Broadband Data Gathering Order*); *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol Subscribership*, WC Docket No. 07-38, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 9691, 9692, paras. 1-2 (2008).

<sup>3</sup> *See* 47 U.S.C. § 153(58).

<sup>4</sup> *See* 47 U.S.C. § 1302.

telecommunications markets to competition and to promote innovation and investment by all participants, including new entrants, as required by the Telecommunications Act of 1996.<sup>5</sup>

Statutory authority for collecting information from carriers and other entities is set out in sections 4(i), 201, 218-220, 251-252, 271, 303(r), 332, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 4(i), 201, 218-220, 251-252, 271, 303(r), 332, and 403, and in section 706 of the Telecommunications Act of 1996, as amended, codified in section 1302 of the Broadband Data Improvement Act, 47 U.S.C. § 1302.

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

2. The Commission currently uses the broadband and voice subscription data obtained in the Form 477 collection to prepare reports that help inform consumers and policy makers at the federal and state level about the adoption of broadband and voice services. The Commission releases to the public the broadband subscription and mobile voice subscription data that it collects, which enables consumers, federal and state government agencies, analysts, and others to better understand the adoption of broadband and voice services.

The subscription information obtained in the Form 477 collection is critical to understanding and validating the broadband availability data collected in the FCC's Broadband Data Collection. The Form 477 subscription data therefore are necessary to understand and examine broadband availability and adoption in conjunction with its congressionally mandated section 706 broadband progress reports. In addition, the Commission uses the data to support its analyses in a variety of rulemaking proceedings under the Communications Act, including those related to fulfilling its universal service mandate.

3. Respondents use a web-based interface to submit Form 477 data electronically over the Internet. The web-based interface employs HyperText Transfer Protocol over Secure Socket Layer (HTTPS) to secure the submitted information during transmission. The interface includes the following pages:

- A Login page where users enter an FCC CORES username and password to gain access to the site;
- A Main Menu page where filers can create a new filing and access existing filings;
- A Submission Menu page that provides access to various sections of the form and allows users to submit or revise a filing;
- Pages for each section of the form; and
- A Submission Confirmation page that provides a link to a Filing Summary, a document summarizing the data included in a filing that users can print or download.

Various instructional documents and other resources are available to filers on the Commission's Form 477 Resources page at [www.fcc.gov/form477](http://www.fcc.gov/form477), including:

- An explanation of who must file Form 477;
- Instructions;
- A glossary of Form 477 terms;
- Interface user guide;
- Frequently asked questions;

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<sup>5</sup> See 47 U.S.C. §§ 251, 252, 271.

- File upload templates;
- Formatting information documents;
- Links to various geographical resources; and
- Links to various data and reports.

4. Without this collection, the information on broadband and voice subscription would not be otherwise available; in the Commission's experience, no nationwide studies of broadband adoption or local telephone competition are based on a more complete source of data.

5. There is no minimum size requirement for submission of FCC Form 477 and therefore, many small entities are required to file. In designing the Form 477 web application, the Commission was careful to provide enhanced functionality specifically targeted to reduce burden and provide a streamlined user experience for smaller entities. Specifically, businesses with a small number of voice subscribers or internet access service connections can enter the required data interactively, using a step-by-step approach. In addition, the Commission has created a help ecosystem around the filing, providing static documentation as well as access to personalized technical assistance. We believe that the actions taken to streamline the filing process benefited small entities, as well as respondents of all sizes.

6. Standing alone and through the connection to the broadband availability data collected in the Broadband Data Collection, the information collected on the subscription of broadband and voice services is essential to the Commission in determining the effectiveness of its policies, informing analyses in a variety of Commission rulemaking proceedings. The information supports the Commission's evaluation of broadband policies and industry developments as they affect all Americans, including those residing in rural areas. The Form 477 subscription data would not be available through another source if this data was not collected through use of this form.

7. The currently approved information collection is consistent with OMB's guidelines as stated in 5 CFR §1320.5(d)(2). Respondents are not required to file the information collection with the Commission more often than semi-annually. No other special circumstances apply to this information collection.

8. The Commission published a 60-day notice in the Federal Register pursuant to 5 CFR § 1320.8(d), *see* FR on September 25, 2025 (90 FR 46198). No comments were received from the public on the information collection requirements contained in this collection.

9. The Commission has not provided any payment or gift to respondents.

10. We will continue to allow respondents to certify that some or all of the subscription data contained in that submission are privileged or confidential and that disclosure of such information would likely cause substantial harm to the competitive position of the entity making the submission. If the Commission receives a request for, or proposes to disclose the information, the respondent would be required to show, pursuant to the Commission's rules for withholding from public inspection information submitted to the Commission, that the information in question is entitled to confidential treatment. We will retain our current policies and procedures regarding the protection of submitted Form 477 data subject to confidential treatment. We note that we do not consider service providers' minimum advertised or expected speed data for mobile broadband services or provider-specific coverage data to be confidential. Filers will not be permitted to request confidential treatment for such information upon filing.

11. None of the information collection requirements contained in this submission address any private matters or questions of a sensitive nature.

12. The following represents the estimated hour burden of the collection of information:

(1) Number of Respondents: Approximately **3,400 respondents**.

Based on the Commission's past experience with the Form 477 information collection, we estimate there will be approximately 3,400 respondents. Respondents include facilities-based providers of fixed broadband services, incumbent and competitive local exchange carriers (LECs), interconnected VoIP service providers, and facilities-based providers of mobile voice and broadband services. Respondents with both incumbent LEC and non-incumbent LEC operations must submit separate reports.

(2) Frequency of Response: Responses will continue to be made on a semi-annual basis.

(3) Total Number of Responses Annually: Approximately **6,800 responses**.

The Commission estimates that each respondent will have submitted two semi-annual responses.

Approximately 3,400 respondents x 2 responses/year = approximately 6,800 total responses.

(4) Estimated Annual Hour Burden: Approximately **1,965,200 hours** (for *all* respondents).

We derived this estimate by totaling the estimated annual hour burdens for each category of respondent listed in the answer to 12(1) (*i.e.*, facilities-based providers of broadband connections, incumbent and competitive local exchange carriers (LECs), interconnected VoIP service providers, and facilities-based providers of mobile wireless service). We calculated the annual hour burden for each category by estimating the number of hours required to complete the parts of Form 477 that are applicable to the filers in each category and multiplying it by the estimated number of respondents in each category, based on past Form 477 submissions. We also account for respondents that fall into several categories and will need to complete multiple parts, but not necessarily all, of Form 477.

Based on this calculation, the Commission estimates that the average hour burden, per semi-annual response, for the *average* respondent is approximately **289 hours**.

The estimated annual hour burden for *all* respondents is therefore:

Approximately 3,400 respondents x 2 responses/year x approximately 289 hours/response = approximately **1,965,200 total annual burden hours (average)**.

(5) Estimated Total Annualized "In-House" Cost to Respondents for the hour burdens for collection of information: Approximately **\$130,901,972** (approximately \$38,501 per respondent on average).

The Commission estimates that respondents will use a staff equivalent GS 11, Step 5, plus 45% overhead, to comply with the requirement throughout the authorized period. Based on this formula, we estimate the cost to respondents is approximately **\$66.61 per hour** (\$45.94 salary per hour plus \$20.67 overhead per hour).<sup>6</sup>

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<sup>6</sup> Salary Table 2025 – DCB, Incorporating the 1.7% General Schedule Increase and a Locality Payment of 33.94%, for the Locality Pay Area of Washington-Baltimore-Arlington, DC-MD-VA-WV-PA, Total Increase 2.22%, Effective January 2025, <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/>

Estimated 1,965,200 burden hours/year x \$66.61/hour = \$130,901,972.

13. The annual reporting and recordkeeping cost burdens are estimated as follows:

(1) Total capital and start-up cost component (annualized over its expected useful life): \$0.

Providing the requested information will not require the purchase of additional equipment and/or software.

(2) Total operation and maintenance and purchase of services component: \$0.

Providing the requested information will not result in additional operating or maintenance expenses or in the purchasing or contracting out of information collection services.

(3) Total annualized cost requested: \$0.

14. Costs to the Commission: approximately \$350,000 per year.

The program will be administered by economists, GIS experts, analysts, and support specialists, with the assistance of senior managers and attorneys. Based on its extensive experience managing this particular data collection, the Commission estimates that the program will cost approximately \$350,000 per year. The Commission does not envision other costs, *e.g.*, personnel or other resources from other government agencies or from the private sector.

15. Since the last submission to OMB, the Commission is not reporting any program changes or adjustments to this information.

16. Fixed and mobile broadband and voice subscription data collected on Form 477 are made available to the public on the FCC's website aggregated at the nationwide, state, and county level. Data from Form 477 subscription filings are available approximately 5 to 6 months after they are collected. They are also used in Commission reports, such as the Internet Access Services Report and the Voice Telephone Services Report.

17. We are requesting continued OMB approval to not display the OMB expiration date. Displaying the OMB expiration date each time this information collection is submitted to OMB for approval would require updating that expiration date on the Form 477. The Commission will use an edition date on the form instead of the OMB expiration date. OMB approval of the expiration date and the title of this information collection will be displayed on OMB's website.

18. There are no exceptions to the Certification Statement.

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

The Commission does not anticipate that the collection of information will employ statistical methods.