

SUPPORTING STATEMENT

A. Justification:

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Commission is seeking an extension of the “Experimental Radio Service” (ERS) information collection in order to obtain the full three-year clearance from the Office of Management and Budget (OMB). Additionally, the Commission removes section 5.64 because there is duplicate coverage of this information collection requirement contained in OMB Control Number 3060-1013, Mitigation of Orbital Debris. Also, we delete section 15.121 as a part of the deregulation initiative by the Direct Final Rule, FCC 25-85, because it no longer applies to this collection.

The Commission’s part 5 rules (47 CFR Part 5, “Experimental Radio Service”) are designed to give effect to the Commission’s statutory requirement to unique ERS license type that provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest, 47 U.S.C. Section 303(g). See appendix A for a full list of applicable sections regarding ERS that are the subject of this information collection.

The Commission has authority for this information collection pursuant to Sections 4, 302, 303, 307, 336, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 302, 303, 307, 336. Interpret or apply sec. 301, 48 Stat. 1081, as amended; 47 U.S.C. 301.

This information collection affects individuals or households. The Commission has a System of Records, FCC/OET-1 “Experimental Licensing System” which covers the personally identifiable information (PII) that individual applicants may include in their submissions for experimental radio authorizations. The system of records notice (SORN) was published in the Federal Register on October 25, 2024, see 89 FR 85205 - 85207. The SORN may be viewed at <https://www.fcc.gov/general/privacy-act-information>.

2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

These rules provide the conditions by which the radio frequency spectrum may be used for experimentation, product development and market trials. Authorizations for stations in the “Experimental Radio Service will be issued only to persons qualified to conduct the types of operations permitted in § 5.3 of the Commission’s rules.

Applicants applying to the FCC for authorization to operate a new or modified experimental radio station (including a Spectrum Horizons License) are required to file FCC Form 442, under 47 CFR Part 5 of the FCC Rules and Regulations. See appendix A for a full list of applicable sections regarding ERS that are the subject of this information collection.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other

forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Except for classified applications, all experimental license applications are filed electronically on the Experimental Licensing System (ELS). Classified applications involve the use of facilities for which technical information is classified and thus the applications could not be filed electronically on ELS.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.

The Commission is the only agency that issues experimental radio authorizations; therefore, no duplication exists.

5. If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.

Although small entities and 3rd party notifications are subject to these reporting requirements, the FCC imposes these requirements to protect public safety and life and to prevent the potentially harmful and detrimental consequences that radio interference can cause the public. The information collected is the minimum required by the FCC to make the determination to issue an experimental authorization.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If the collection is not conducted, the information will not be available elsewhere in the Federal Government. Applicants applying to the FCC for authorization to operate a new or modified experimental radio station (including a Spectrum Horizons License) are required to file FCC Form 442, under 47 CFR Part 5 of the FCC Rules and Regulations.

If the information is not collected the application cannot be granted and there will be no experimental radio stations.

If the collection is not conducted or is conducted less frequently, applicants for experimental licenses will either not be granted the licenses or will not be timely granted the licenses. Information collected is critical to assessing the impact of a potential grant of experimental license and assuring that operation under the license will not interfere with the operation of other licensed services. The primary purpose of experimental licenses is to provide for experimental uses of radio frequencies and development of techniques and systems that are not otherwise permitted under existing service rules. Experimental licenses foster innovation by providing opportunity for manufacturers, inventors, entrepreneurs, and students to experiment with new radio technologies, new equipment designs, characteristics of radio wave propagation, or new service concepts related to the use of the radio spectrum while assuring that non-experimental uses of wireless technologies are protected. As such, the consequences of not collecting the information or collecting the information less frequently could lead to denial of experimental licenses to applicants for experimental use of radio frequencies and this denial will fail to benefit the development of new technologies, expedite their introduction to the marketplace, and unleash

the full power of innovators to keep the United States at the forefront of the communications industry.

7. Explain any special circumstances that cause an information collection to be conducted in a manner:

- Requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

This collection of information is consistent with the specified guidelines in 5 CFR § 1320.5(d)(2).

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information prior to submission to OMB.

-Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The Commission published a notice in the *Federal Register* on December 9, 2025 (90 FR 57048) to solicit the views of industry and the general public. The Commission has received no comments in response to the Notice in the *Federal Register*. The notice is referenced in the submission to the OMB.

9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.

Respondents will not be receiving any payment or gift.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

The Experimental Licensing System database is publicly accessible and in general, respondents do not have any assurances of confidentiality. However, applicants may request that certain portions of their application be kept confidential. In these instances, the Commission has established rules in Section 0.459 regarding how to file such requests.

Any personally identifiable information that individual applicants provide is covered by a system of records, FCC/OET-1, "Experimental Radio Station License Files." The FCC completed a Privacy Impact Assessment (PIA) as required by OMB Memorandum, M-03-22 (September 22, 2003) on June 9, 2009. The PIA may be viewed on the FCC's Privacy Act webpage at: http://www.fcc.gov/omd/privacyact/System_of_records/pia-experimental-radio.pdf.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered

private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection does not include any questions of a sensitive nature. This information is required for the FCC to evaluate and to approve an application for an experimental radio service license, including use of one or more of these FCC Forms: Form 442, Form 405, Form 702, and/or Form 703.

12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of responses, annual hour burden, and an explanation of how the burden was estimated. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance.¹

1. Approximately 405 respondents filing Form 442 per year:

(a) We estimate that it will take a respondent (applicant) approximately three hours to read the directions, to perform any necessary calculations, to answer the questions regarding significant environmental impact, to describe the program of experimentation, and to read the instructions for the fee processing data.

(b) The estimated time to type information into FCC Form 442 on the FCC Internet Web page <http://www.fcc.gov> is 1 hour. The Electronic Filing System (ELS) automatically generates the date/data when the response is created by the respondent known as the "Date Entered" and another date known as "Receipt Date" when it is submitted by the respondent for processing.

(c) Therefore, the average estimated time required to complete the form is 4 hours:

3 hours/reading & reviewing form +1 hour/entering data into the system = 4 hours/FCC Form 442

2. An average of 655 responses filed annually.

3. Based on calculations below, Total Annual Burden Hours to the respondents is 3,475 hours.

The corresponding burden hours per category for third party notifications are as follows:

(a) Businesses and other "for profit" entities:

(1) An estimated average of 20 of experimental responses filed for public safety (PS) frequencies.

¹ The Commission reports that there were no changes in the burdens to this information collection due to the removal of rule sections 5.64 and 15.121.

Public safety actions for experimental authorization responses may require 3 coordinations by a licensee per request at 0.25 hours per coordination:

$$0.25 \times 3 = 0.75 \text{ hour (avg.)}$$

$$20 \text{ responses} \times 0.75 \text{ hour (avg.)} = \mathbf{15 \text{ hours;}}$$

(2) An estimated average of 535 of experimental responses filed by private corporations.

Private corporation entities required to coordinate with other licensees may require 5 coordinations per request at 0.25 hours per coordination:

$$0.25 \times 5 \text{ coordinations} = 1.25 \text{ hours (avg)}$$

$$530 \text{ responses} \times 1.25 \text{ hour (avg)} = \mathbf{663 \text{ hours (rounded up);}}$$

(3) An estimated average of 35 of experimental responses filed for market tests.

Market tests requiring notification to participants are estimated to be 25 notifications at 0.1 hour per notification:

$$0.1 \times 25 \text{ licensee participants} = 2.5 \text{ hours}$$

$$35 \text{ responses} \times 2.5 \text{ hour (avg)} = \mathbf{88 \text{ hours (rounded up).}}$$

(b) Individuals:

An estimated average of 30 of experimental responses filed by individual entities.

Individuals required to coordinate with other licensees may require 5 coordinations per request at 0.25 hours per coordination:

$$0.25 \times 5 \text{ coordinations} = 1.25 \text{ hours (avg)}$$

$$30 \text{ responses} \times 1.25 \text{ hour (avg)} = \mathbf{38 \text{ hours (rounded up).}}$$

(c) Not-for-profit institutions:

An estimated average of 40 of experimental responses filed by state entities.

Fee-exempt entities required to coordinate with other licensees may require 5 coordinations per request at 0.25 hours per coordination:

$$0.25 \times 5 \text{ coordinations} = 1.25 \text{ hours (avg)}$$

$$40 \text{ responses} \times 1.25 \text{ hour (avg)} = \mathbf{50 \text{ hours.}}$$

Annual Burden Hours for coordination: $15 + 663 + 88 + 38 + 50 = 854$ hours.

Annual Burden Hours for filing Form 442: $655 \text{ responses} \times 4 \text{ hours} = 2,620$ hours

Total Annual Burden Hours to the respondents: $2,620 + 854 = 3,474$ hours

We estimate the following in house cost to respondents:

(a) Businesses and other “for profit” entities:

(1) The cost for the respondents to convey information back to licensee for public safety requests – a technical person

@ \$78.15 per hour $\times 0.75 = \$58.61$ per response $\times 20$ experimental authorizations =
\$1,172.20

(2) The corporate entities required to coordinate with the licensees – a technical person:

@ \$78.15 per hour $\times 1.25 = \$97.68$ per response $\times 530$ frequency responses = **\$51,770.40**

(3) The cost of market test notifications – a clerical person:

@ \$31.35 per hour $\times 2.5 = \$78.37$ per response $\times 35$ market test responses = **\$2,742.95**

(b) Not-for-profit institutions:

The fee-exempt entities required to coordinate with the licensees – a technical person:

@ \$78.15 per hour $\times 1.25 = \$97.68$ per response $\times 30$ frequency responses = **\$2,930.40**

(c) The individuals required to coordinate with the licensees – a technical person:

@ \$78.15 per hour $\times 1.25 = \$97.68$ per response $\times 40$ frequency responses = **\$3,907.20**

Total “In House” Cost: $\$1,172.20 + \$51,770.40 + \$2,742.95 + 2,930.40 + 3,907.20 = \$62,523.15$

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).

(a) Total annualized capital/startup costs: None

(b) Total annual costs (O&M): **\$88,100.00**

Each response must include a \$140.00 application fee. There is an additional \$50.00 fee per response if the respondent requests confidentiality. For more information, see OET’s Fee Filing Guide at <https://docs.fcc.gov/public/attachments/DOC-414722A1.pdf>.

Respondents file 655 FCC Form 442 responses annually x \$140.00 filing fee(s) per response; 14% or 90 of those responses will request confidentiality, and the fee for confidentiality is an additional \$50.00 filing fee per response:

$$565 \text{ responses} \times \$140.00 = \$79,100.00$$

$$90 \text{ responses} \times (\$50.00 + \$50.00) = \$9,000.00$$

$$\mathbf{\$79,100 + \$9,000.00 = \$88,100.00}$$

(c) Total annualized cost requested: **\$88,100.00**

14. Provide estimates of annualized costs to the Federal government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expenses that would not have been incurred without this collection of information.

We make the following estimates for the total annual cost to the Federal Government:

- (a) The Commission will use a Supervisory Electronics Engineer (GS-15, Step 5: \$91.93/hour), 4 FCC staff Engineers (GS 14, Step 5: \$78.15/hour) and an FCC Staff Information Technician (GS 7, Step 5: \$31.35/hour).
- (b) These FCC staff will spend approximately one-quarter of their annual work time or $2,080 \times 0.25 = 520$ hours. Thus, the annual cost is estimated as follows:

Sup. Electronics Engineer at \$91.93/hr.	$\$91.93 \times 520 =$	\$47,803.60
Engineer at \$78.15/hr.	$\$78.15 \times 520 =$	\$40,638.00
Engineer at \$78.15/hr.	$\$78.15 \times 520 =$	\$40,638.00
Engineer at \$78.15/hr.	$\$78.15 \times 520 =$	\$40,638.00
Engineer at \$78.15/hr.	$\$78.15 \times 520 =$	\$40,638.00
Information Technician at \$31.35/hr.	$\$31.35 \times 520 =$	<u>\$16,302.00</u>
		\$226,657.60
30% Overhead		\$67,997.28
Total Annual Cost to the Federal Government:		\$294,654.88

15. Explain the reasons for any program changes or adjustments reported.

Due to the adoption of FCC 25-85, the Commission is reporting a program change to this collection by removing section 15.121.

Also, the Commission is reporting adjustments/increases to the collection which are due to incorporating the FCC's updated form fee(s) for fiscal year 2025 to this information collection. The current total annual costs (O&M) is \$52,150 and the total annualized cost requested is \$88,100; an additional adjustment/increase of +\$35,950.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This collection of information is intended to ensure compliance with applicable Commission rules. The data are not compiled, published, or otherwise reported to the public.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Commission is requesting a waiver from displaying the OMB expiration date on FCC Form 442. Granting this waiver will prevent the Commission from having to update the on-line application, upon OMB approval of this information collection.

18. Explain any exceptions to the Certification Statement.

There are exceptions to the Certification Statement. When the 60-day notice was published in the Federal Register on December 9, 2025 (90 FR 57048), the Commission discovered that this information collection covers a duplication to our rules; therefore we're removing section 5.64 from this collection since coverage is included in another information collection, specifically OMB Control Number 3060-1013, Mitigation of Orbital Debris. Also, we're removing a rule section from this collection due to a rulemaking, FCC 25-58, which was effective March 27, 2026.

There are no other exceptions to the Certification Statement.

B. Collection of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.

Appendix A

Rule Parts Referencing Experimental Radio Service (ERS)

Rule Sections (47 CFR)	Reference
5.3	Scope of service
5.51	Eligibility
5.59	Forms to be used
5.61	Procedure for obtaining a special temporary authorization
5.63	Supplemental statements required
5.64(a)(b) [REMOVE]	Special provisions for satellite systems – Section removed and covered under 3060-1013, “Orbital Debris”
5.65	Defective applications
5.73	Experimental report
5.77	Change in equipment and emission characteristics
5.79	Transfer and assignment of station authorization for conventional, program, medical testing, and compliance testing experimental radio licenses
5.81	Discontinuance of station operation
5.107	Transmitter control requirements
5.115	Station identification
5.121	Station record requirements
5.123	Inspection of stations
5.205	Licensing requirements, necessary showing
5.207	Supplemental reports with application for renewal of license
5.217(b)	Rebroadcasts
5.303	Frequencies
5.308	Stop buzzer
5.309	Notification requirements
5.311	Additional requirements related to safety of the public
5.404	Area of operation
5.405	Yearly report
5.406	Responsible party, “stop-buzzer,” and notification requirements, a requirements related to safety of the public

5.504	Responsible party
5.602	Market Trials
5.702	Licensing requirement – necessary showing
5.703	Responsible party
5.704	Marketing of devices under Spectrum Horizons experimental radio licenses
5.705	Interim report
15.121(a)(1) & (a)(2) [REMOVE]	Station record requirements – The Direct Final Rule remove and reserve 15.121 Effective March 27, 2026.