Title: FCC Form 2100, Schedule 316 – Application for Consent to Assign Broadcast Station Construction Permit or License or Transfer Control of Entity Holding Broadcast Station Construction Permit or License

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.

Schedule 316 is used to apply for Commission consent to a *pro forma* assignment of a broadcast station license or construction permit, or a *pro forma* transfer of control of an entity holding a broadcast station license or construction permit. Specifically, filing of the Schedule 316 is required when applying for consent to assignment of a broadcast station construction permit or license, or for consent to transfer control of an entity holding a broadcast station construction permit or license, where there is little change in the relative interest or disposition of interests; where transfer of an interest is not a controlling one; where there is no substantial change in the beneficial ownership of the corporation; where the assignment is less than a controlling interest in a partnership; where there is an appointment of an entity qualified to succeed to the interest of a deceased or legally incapacitated individual permittee, licensee or controlling stockholder; and, in the case of LPFM stations, where there is a voluntary transfer of a controlling interest in the licensee entity. In addition, the applicant must notify the Commission when an approved assignment or transfer of control of a broadcast station construction permit or license has been consummated.

History

Information collection requirements that are covered under this collection that have not changed since last approved by OMB are as follows:

The Commission adopted on September 18, 2023, the *Report and Order* (*R&O*), Amendment of Part 73 of the Commission's Rules to Update Television and Class A Television Broadcast Station Rules, and Rules Applicable to All Broadcast Stations, MB Docket No. 22-227, FCC 23-72. The *R&O* adopted a number of revisions to the Commission's rules to reorganize and clarify the Commission's technical licensing, operating, and interference rules for full power and Class A television stations, including revisions to 47 CFR Section 73.3540 to update the reference to FCC Form 2100, Schedule 316.[1]

Circumstances Necessitating Change to Information Collection: This submission was submitted as an extension of an existing information collection pursuant to 44 U.S.C. § 3507. This submission contains revised FCC Form 2100, Schedule 316 (Schedule 316) and its accompanying instructions. In October 2020, the Commission submitted a non-substantive change request to OMB for approval of minor non-substantive changes made to then-FCC Form 316.

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 would eventually be filed. This database transition required a corresponding design conversion of all existing forms previously filed in the legacy CDBS database. The Media Bureau has developed electronic, LMS-compatible versions of various broadcast station application and reporting forms, such as

[1] For informational purposes, the Commission also will update references in 47 CFR Section 73.3540 to FCC Form 2100, Schedules 314 and 315 covered under OMB 3060-0031, and FCC Form 2100, Schedule 345 covered under 3060-0075. The Commission will not revise these collections because only the reference to the forms will be updated. We are noting this ministerial update in this collection.

this Schedule 316, as part of the database transition. To accommodate the database transition from CDBS to LMS in the 2020 phase of the LMS roll-out, the new LMS-filed Schedule 316 replaced the old CDBS-filed Form 316 for applications for consent to a *pro forma* assignment or *pro forma* transfer of control of a broadcast license or construction permit for TV, AM, and FM full-service stations, TV and FM translator stations, Low Power FM stations, Class A Television stations, and Low Power Television stations.

The substance, respondents, burden hours and costs of this Information Collection were not impacted by the minor non-substantive changes. The certification-based questions and explanatory exhibit format on the application remained the same.

OMB approved the non-substantive change request on October 27, 2020.

The 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 154(i) and 310(d) of the Communications Act of 1934, as amended. This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

2. **Agency Use of Information**: FCC staff use the data to determine if the applicant is qualified to become a Commission licensee or permittee of a commercial or noncommercial broadcast station and to carry out the statutory provisions of Section 310(d) of the Communications Act of 1934, as amended.

3. **Consideration Given to Information Technology**: The Commission requires applicants to file Schedule 316 electronically.[2]

4. **Effort to Identify Duplication and Use Similar Information:** This agency does not impose 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 is making an effort to minimize the burden on all respondents. This collection minimizes the burden on all applicants by not requiring them to complete the more burdensome LMS-filed FCC Form 2100, Schedule 314 or Schedule 315 (OMB Control No. 3060-0031).

6. **Less Frequent Data Collection**: The frequency for this collection of information is determined by respondents, as necessary. If this collection were not conducted, the Commission could not carry out its statutory responsibilities under Section 310(d) of the Communications Act of 1934, as amended.

7. **Information Collection Circumstances**: This collection of information is consistent with the guidelines in 5 CFR § 1320.5(d)(2).

[2] On October 20, 2000, the Commission released Public Notice DA 00-2390 announcing the mandatory electronic filing of then-FCC Form 316. Mandatory electronic filing for this form began on November 20, 2000.

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8. **Consultations with Persons Outside the FCC**: Opportunity for public comment on this information collection requirement contained in this supporting statement has been published in a notice in the Federal Register at 91 FR 56143, on September 1, 2026. No comments were received from the public.

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

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

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

12. **Estimate of Burden and Burden Hour Cost**: We estimate that 750 applications will be filed and processed annually. The average burden for the respondent when reviewing Schedule 316 once it is completed by the respondent's attorney is 1.5 hours per form review. We assume all but 35 respondents will hire an attorney to complete and file Schedule 316 for them. Therefore, the burden for the 35 respondents/applicants completing Schedule 316 by themselves will be 4.5 hours per form. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.

Total Number of Respondents: **715 AM/FM/TV applicants**
+ 35 LPFM applicants
750 Applicants/Respondents

Total Number of Responses: 750 applicants x 1 Schedule 316 filing/applicant/annum = **750 responses**

Annual Burden Hours:

715 applicants x 1.5 hours application review/applicant/annum =	1,073 hours
35 applications x 4.5 hours to complete Schedule 316/applicant/annum =	158 hours
Total Annual Burden Hours:	**1,231 hours**

Annual "In-House" Cost: We assume that 715 respondents will have their attorneys complete Schedule 316 and that the respondents will review the work done by the attorney. We estimate this will take approximately 1.5 hours for the applicant to review each application.

We estimate that 35 LPFM applicants will prepare the application themselves and this will take approximately 4.5 hours to complete each application. We estimate that the respondent would have an average salary of $100,000/year ($48.08/ hour).

715 applicants x 1.5 hours Schedule 316 review/applicant x $48.08/hr =	$51,565.80
35 applicants x 4.5 hours to prepare and file Schedule 316 x $48.08/hr =	$ 7,572.60
Total Annual "In-House" Cost:	**$59,138.40**

13. **Annual Cost Burden**: We assume that 715 respondents will use an attorney to prepare and file

the Schedule 316. We estimate that the average cost for an attorney is $300/hour and the attorney will require 3 hours to complete the work.

715 applications x $300/hour x 3 hours/application = $643,500

In addition, a licensee must also submit a fee for each application filed by a commercial broadcast station for assignment or transfer. Full power commercial and class A television station applicants must pay $475/station. TV translator and LPTV applicants must pay $375/station. Full power commercial FM and AM radio station applicants must pay $500/station. FM translator applicants must pay $325/station. We estimate that 86% of non-LPFM/AM/FM/TV applications will be for commercial stations (715 x 86% = 615).

50 Full power commercial and Class A television station applications x $475 =	$ 23,750
50 TV translator and LPTV applications x $375 =	$ 18,750
415 Full power commercial FM and AM applications x $500 =	$ 207,500
100 FM translator applications x $325 =	$ 32,500
Annual Cost Burden =	**$ 282,500**

Total Annual cost Burden: $643,500 + $282,500 = $926,000

14. **Cost to the Federal Government**: The Commission will use professional staff at the GS-14, step5 grade level ($78.15/hour), paraprofessional staff at the GS-11 step 5 grade level ($46.40/hour) and clerical staff at the GS-5, step 5 grade level ($25.31/hour) to process these applications. The processing time the GS-14 staff member will spend on each application will be 0.25 hours, the processing time the GS-11 staff member will spend on each application will be 2 hours/application, and the processing time the GS-5 will spend on each application will be 0.25 hours/application.

750 applications x $78.15/hour /hour x 0.25 hours =	$14,653.13
750 applications x $46.40/hour x 2.0 hours =	$69,600.00
750 applications x $25.31/hour x 0.25 hours =	$ 4,745.63
Total Cost to the Federal Government:	**$88,998.76**

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

16. **Plans for Publication**: All Schedule 316 applications are electronically filed and made available to the public.

17. **Display of OMB Approval Date**: OMB approval of the expiration date of the information collection will be displayed on OMB's website.

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.