OMB Control Number: 3060-1194 **November 2026**
Title: AM Station Modulation Dependent Carrier Level (MDCL) Notification Form; FCC Form 338

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.

FCC Form 338, AM Station Modulation Dependent Carrier Level (MDCL) Notification Form is used by AM broadcasters to implement MDCL technologies without prior authorization, by electronic notification within 10 days of commencing MDCL operations. In addition to the standard general contact information, FCC Form 338 solicits minimal technical data, as well as the date that MDCL control operations commenced.

History

On October 23, 2015, the Commission released the First Report and Order, Further Notice of Proposed Rule Making, and Notice of Inquiry, *Revitalization of the AM Radio Service* (*First R&O*), FCC 15-142, MB Docket 13-249. In the *First R&O*, the Commission adopted its proposal for wider implementation of MDCL control technologies by amending section 73.1560(a) of the rules,[1] to provide that an AM station may commence operation using MDCL control technology without prior Commission authority, provided that the AM station licensee notifies the Commission of the station's MDCL control operation within 10 days after commencement of such operation using the Bureau's Consolidated Database System (CDBS).

In September 2011, the Commission's Media Bureau (Bureau) released an *MDCL Public Notice*,[2] in which it stated that it would permit AM stations, by rule waiver or experimental authorization, to use MDCL control technologies, which are transmitter control techniques that vary either the carrier power level or both the carrier and sideband power levels as a function of the modulation level. This allows AM licensees to reduce power consumption while maintaining audio quality and their licensed station coverage areas.

There are two basic types of MDCL control technologies. In one type, the carrier power is reduced at low modulation levels and increased at higher modulation levels.[3] In the other type, there is full carrier power at low modulation levels and reduced carrier power and sideband powers at higher modulation levels.[4] Use of any of these MDCL control technologies reduces the station's antenna input power to levels not permitted by Section 73.1560(a) of the Commission's rules.

The *MDCL Public Notice* permitted AM station licensees wanting to use MDCL control technologies to seek either a permanent waiver of Section 73.1560(a) for those licensees already certain of the particular MDCL control technology to be used, or an experimental authorization pursuant to section 73.1510 of the Rules for those licensees wishing to determine which of the MDCL control technologies would result in maximum cost savings and minimum effects on the station's coverage area and audio quality.[5] Between release of the *MDCL Public Notice* and release of the *Notice of Proposed Rule Making* in MB Docket No.

[1] 47 CFR § 73.1560(a). AM stations not using MDCL control technologies are required to adhere to the limits on antenna input power currently specified in Section 73.1560(a).
[2] *Media Bureau to Permit Use of Energy-Saving Transmitter Technology by AM Stations*, Public Notice, 26 FCC Rcd 12910 (MB 2011) (*MDCL Public Notice*).
[3] Adaptive Carrier Control (ACC), Dynamic Amplitude Modulation (DAM), and Dynamic Carrier Control (DCC) are examples of this type of MDCL control technology.
[4] Amplitude Modulation Companding (AMC) is this type of MDCL control technology.

13-249, FCC 13-139 (*NPRM*), 33 permanent waiver requests and 20 experimental requests authorizing use of MDCL control technologies had been granted by the Bureau.

AM station licensees using MDCL control technologies have reported significant savings on electrical power costs and few, if any, perceptible effects on station coverage area and audio quality. Accordingly, the *NPRM* tentatively concluded that use of MDCL control technologies reduces AM broadcasters' operating costs while maintaining a station's current level of service to the public, without interference to other stations. The Commission, therefore, proposed to allow an AM station to commence operation using MDCL control technology by notification to the Commission, without prior Commission authority. Consistent with the Commission's new rule allowing AM broadcasters to implement MDCL technologies without prior authorization, by electronic notification within 10 days of commencing MDCL operations, in the *First R&O* the Commission created the FCC Form 338, AM Station Modulation Dependent Carrier Level (MDCL) Notification.

The following rule section is covered by this information collection:

47 CFR 73.1560(a)(1) specifies the limits on antenna input power for AM stations. AM stations using MDCL control technologies are not required to adhere to these operating power parameters. AM stations may, without prior Commission authority, commence MDCL control technology use, provided that within ten days after commencing such operation, the licensee submits an electronic notification of commencement of MDCL operation using FCC Form 338.

The Commission is now requesting a three-year extension for this collection from OMB.

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

Statutory authority for this collection of information is contained in Sections 154(i), 303, 310, and 533 of the Communications Act of 1934, as amended.

2. **Agency Use of Information:** FCC staff use the data to determine if an AM station is using MDCL control technology before inspecting an AM station and performing field strength measurements thereon. Additionally, the staff will use the data to track the rate at which AM radio stations implement MDCL technology.

3. **Consideration Given to Information Technology:** AM station licensees must electronically notify the Media Bureau of the station's MDCL control operation within 10 days of commencement of such operation using the FCC Form 338 – AM Station MDCL Notification, available in the Media Bureau's electronic filing system, the Licensing and Management System (LMS).

4. **Effort to Identify Duplication and Use Similar Information:** No other agency imposes a similar information collection on the respondents. There are 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. Therefore, this

[5] 47 CFR § 73.1510. Effective May 29, 2013, Section 73.1510 was deleted, and experimental authorizations for licensed broadcast stations are now governed by 47 CFR § 5.203.

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 respondents, as necessary. If this collection were not conducted, the Commission could not carry out its statutory duties under Section 301 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).

8. The Commission published a Notice in the *Federal Register* on September 22, 2026 (91 FR 60124) seeking public comment for the information collection requirements contained in this supporting statement. To date, the Commission received no comments from the public as a result of the publication of the Notice.

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

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

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 Costs:** The following estimates are provided for annual public burden:

	Number of Respondents	**Number of Responses**	**Burden Hours of Respondents**	**Annual Burden Hours**	**Hourly Salary of Respondents[6]**	**Annual In-House Cost**
Electronic Notification of AM Station MDCL Control Operation using FCC Form 338	15	15	1	15	$48.08	$721.20
Totals:	**15**	**15**		**15 hours**		**$721.20**

13. **Annual Cost Burden to Respondents:** Due to the simplicity of the preparation and filing of FCC Form 338 – AM Station MDCL Notification, AM station licensee respondents will not need to hire engineering and

[6] The Commission estimates the average salary at $100,000/year or $48.08/hour for in-house personnel who include the station manager, engineer and attorney.

legal consultants to fulfill the information collection requirements contained in this collection.[7] The requirements will be fulfilled by in-house staff and are covered under Question #12 of this Supporting Statement.

14. **Cost to Federal Government:** There was an initial cost of $30,000 for the Commission to first implement the electronic filing of FCC Form 338 – AM Station MDCL Notification in the Media Bureau's Consolidated Database System (CDBS), but there has been little or no cost to the Federal Government beyond this initial cost.

Initial Implementation of FCC Form 338 – AM Station MDCL Notification – in the Media Bureau's CDBS:

TOTAL	$30,000.00

15. There are no program changes or adjustments to this collection.

16. FCC Form 338 – AM Station MDCL Notification submissions are electronically filed in LMS and are therefore available to the public.

17. We are seeking continued approval to not display the expiration date on FCC Form 338. This will obviate the need for the Commission to update electronic forms upon the expiration of the clearance. OMB approval of the expiration date of the 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.

No statistical methods are employed.

[7] There is no filing fee associated with this collection. *See* 47 CFR § 1.1104.