

## **SUPPORTING STATEMENT**

3060-0626

~~November~~~~October~~ August 2007

## SUPPORTING STATEMENT

### § 90.483 – Permissible methods and requirements of interconnecting private and public systems of communications

#### **A. Justification:**

1. Section 90.483 contains the permissible methods and requirements of interconnecting private and public systems of communications. This section allows Part 90 CMRS providers to interconnect by any technically feasible means. Various subsections require that licensees obtain the consent of co-channel licensees within a 120 km (75 mile) radius of the interconnected base station transmitter and submit a statement to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment.

There have been some changes made to this information collection since the last time that it was approved by OMB. The revisions to this IC are due to the elimination of duplicative rule requirements in § 90.168, which is accounted for in the “Common Carrier Annual Employment Report” collection (OMB Control Number 3060-0076) handled by the Wireline Competition Bureau, and § 90.425, which is accounted for under OMB Control Number 3060-0599. Also, this information collection has been renamed to conform to the rule section that implements this collection. Those changes are noted in Item 15 of this statement.

Consequently, now there is one rule section (§ 90.483) that has a PRA requirement. This information is necessary to ensure that licensees comply with the Commission’s technical and operational rules. We are submitting this information collection as a revision to OMB in order to obtain the full three-year clearance.

As noted on the Form OMB 83-I, this 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 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

2. The information is used by the Commission staff in carrying out its duties under the Communications Act. Without this information, the Commission would not be able to carry out its statutory responsibilities.
3. Prior to finalizing rule makings, the Wireless Telecommunications Bureau conducts an analysis to insure that improved information technology can 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 collection on the respondents. No similar information is available.
5. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing applications to deter against possible abuses of the processes, and to ensure compliance with the Commission's rules. 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.
6. The information collected is generally required when or within a specified period of time after a licensee enters into an agreement with co-channel licensees to operate without otherwise required monitoring equipment. Therefore, the frequency of the filing is generally determined by the applicant.
7. The current data collection is consistent with 5 C.F.R. § 1320.6.
8. ~~The Commission Notice of the information collection~~ published a 60 day notice which appeared in the Federal Register on Friday, August 31, 2007— 72 FR 50370—, in compliance with 5 C.F.R. § 1320.8. No comments were received as a result of this notice. A copy of the notice is included attached to in this submission to the OMB.
9. Respondents will not receive any payments.
10. There is no need for confidentiality.
11. This collection does not address any private matters of a sensitive nature.
12. According to the ULS database, we estimate that 100 Part 90 CMRS providers will submit a statement to the Commission indicating that all co-channel licensees have consented to operate without the automatic monitoring equipment that is normally required to be installed at the base station to prevent activation of the transmitter when signals of co-channel stations are present and could possibly interfere with communications in process. We estimate that each respondent will need 1 hour in order to meet this requirement.

100 (respondents) x 1 (hr. per response) = 100 hours.

**TOTAL ANNUAL HOUR BURDEN IS: 100 hours.**

13. Estimate of cost to respondents: We estimate that the respondents will use in-house personnel to prepare this information at a cost of \$35.00 per hour. Therefore, there are no costs incurred.

~~Section 90.483~~ 100 (respondents) x 1 hr. x \$35/hr. (personnel) is \$3,500.00.

**TOTAL ANNUAL COST BURDEN IS: None.**

14. We estimate that the Federal Government will need 1 Industry Analyst at the GS 11/5 level for approximately .5 hours per filing at a cost of \$28.00 per hour to analyze, process, and maintain these submissions.

Section 90.483 -- 100 (respondents) x .5 hours (~~Analyst~~) x \$28.00/hr. (~~Analyst~~) =  
\$1,400.00.

**TOTAL ANNUAL COST TO THE FEDERAL GOVERNMENT is: \$1,400.00**

15. Because there are material changes to the information collection instrument and instructions since the last time it was submitted to OMB for review and approval, we are submitting it now as a revision. The changes that have occurred are due to the elimination of duplicative rule requirements in § 90.168, which is accounted for in the “Common Carrier Annual Employment Report” collection (OMB Control Number 3060-0076) handled by the Wireline Competition Bureau, and § 90.425, which is accounted for under OMB Control Number 3060-0599. Also, the information collection has been renamed to conform to the rule section that implements this collection. The changes that have occurred are due to the elimination of duplicative rule requirements in § 90.168, which is accounted for in the “Common Carrier Annual Employment Report” collection (OMB Control Number 3060-0076) handled by the Wireline Competition Bureau, and § 90.425, which is accounted for under OMB Control Number 3060-0599. Also, the information collection has been renamed to conform to the rule section that implements this collection. The Commission is seeking to obtain the full three-year clearance from OMB for this collection.
16. The data will not be published for statistical use.
17. No expiration date will be displayed.
18. There are no exceptions to Item 19.

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

No statistical methods are employed.