

## SUPPORTING STATEMENT

This collection is being submitted as an extension to an existing collection. The Commission has adjusted the burden estimates for this information collection. See item 15 for an explanation in the change in burden.

### **A. Justification:**

1. In the Second Further Notice of Proposed Rulemaking (FCC 00-297), the Commission invited comment on, among other areas, whether physical collocation in remote terminals presents technical or security concerns and, if so, whether these concerns warranted modification of its collocation rules. The OMB approved this proposed information collection on 10/23/00. The Commission is seeking extension of the proposed information collection below:

(a) **Proposed Demographic Information and Notifications:** The Commission asked whether physical collocation in remote terminals presents technical or security concerns and, if so, whether these concerns warrant modification of its collocation rules. The Commission asked whether incumbent LECs should be required to provide requesting carriers with demographic and other information regarding particular remote terminals similar to the information available regarding incumbent LEC central offices. Requesting carriers use demographic and other information obtained from incumbent LECs to determine whether they wish to collocate at particular remote terminals.

Statutory authority for this collection is contained in 47 U.S.C. sections 151-154, 201, 202, 251-254, 256, 271, 303(r) and 706.

As noted on the OMB Form 83i, this information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

2. This proposed collection will be used by the Commission, the state commissions, and competitive carriers to facilitate the deployment of advanced services and other telecommunications services in implementation of section 251(c)(6) of the Communications Act of 1934, as amended.

3. The Commission does not prohibit the use of improved technology where appropriate.

4. There will be no unnecessary duplication of information filed.

5. The collection of information potentially burdens all incumbent LECs, most of which are large entities. Some incumbent LECs may have 1500 or fewer employees, thus meeting the definition of "small business" under the Small Business Act. We include small incumbent LECs in our Regulatory Flexibility Act (RFA) analysis, although we emphasize that this RFA action has no effect on the Commission's analyses and determinations in other, non-RFA contexts.

6. If the information sought is not collected or is collected less frequently, it may delay implementation of section 251(c)(6) of the Communications 1996 Act and may impede competition in the market for advanced services and other telecommunications services. This would violate the language and intent of the Act, which requires incumbent LECs to provide physical collocation “on rates, terms, and conditions that are just, reasonable, and nondiscriminatory.”

7. There are no circumstances that would cause information collection to be conducted in a special manner.

8. A notice to solicit public comment was published in the Federal Register as required by 5 CFR 1320.8(d). See 74 FR 55550, October 28, 2009. No comments were received.

9. The Commission does not anticipate providing any payment or gift to respondents.

10. The Commission is not requesting respondents to submit confidential information. Any respondent who submits information to the Commission that the respondent believes is confidential may request confidential treatment of such information under section 0.459 of the Commission’s rules. 47 CFR Section 0.459.

11. There are no questions of a sensitive nature with respect to the information collected.

12. The following represents the Commission’s estimate of the annual hour burden of the collection of information:

(a) Proposed Demographic and Other Information

(1) Number of respondents: 1,200.

(2) Frequency of response: On occasion and third party disclosure requirement.

(3) Annual hour burden per respondent: 2 hours. We anticipate 2 filings per respondent per year. (1,200 respondents x 2 hours = 2,400. 2,400 x 2 filings per year = **4,800 total annual burden hours.**)

(4) Method of estimation of burden: We estimate that it would take respondents approximately 2 hours to comply with the proposed collection.

(5) Estimates of annualized cost to respondents for the hour burdens for collection of information. \$224,000. We assume the respondents would use in-house personnel comparable in pay to a GS-14/1 Federal employee including 30% for overhead to comply with the recordkeeping requirement. Thus cost is as follows: 2 hrs. x \$64 x 1200 respondents x 2 filings per year = \$307,200.

13. The following represents the Commission’s estimate of the annual cost burden to respondents or recordkeepers resulting from the foregoing proposed collection of information:

(1) Total capital and start-up cost component (annualized over its useful life): \$0. The requirements will not require the purchase of additional equipment.

(2) Total operation and maintenance and purchase of services component: \$0. The requirements will not require the purchase of additional equipment.

14. There will be no costs to the Commission because the proposed collection requirements are third party disclosure requirement directed toward incumbent LECs and will not require review by the Commission in most instances.

15. Total annual burden for the proposed collection is being reduced to 4,800 burden hours. This adjustment is due to 200 fewer respondents.

16. The Commission does not anticipate publishing any of the information collected pursuant to the notices.

17. The Commission does not intend to seek approval not to display the expiration date of the information collections from OMB.

18. The Commission has changed the estimated number of respondents to 1,200. Therefore, the total annual burden hours have decreased by 800 hours. The Commission is adjusting this figure to reflect more accurate estimates.

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

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