

SUPPORTING STATEMENT

A. Justification:

1. The Federal Communications Commission (“Commission”) is requesting a three-year extension of a delegated authority information collection titled Ku-Band Non-Geostationary Satellite Orbit, Fixed Satellite Service “Ku-Band NGSO FSS 25.146,” under OMB Control No. 3060-1014.

Section 25.146(l) requires a licensee to file a report annually on the status of its space station construction and launch and identification of any space station(s) not available for service.

Section 25.146(g) states that ninety days prior to the initiation of service to the public, the NGSO FSS system licensee shall submit a technical showing for the NGSO FSS system in the band 12.2-12.7 GHz. The technical information shall demonstrate that the NGSO FSS system is capable of meeting the limits as specified in § 25.208(o). Licensees may not provide service to the public if they fail to demonstrate compliance with the power flux-density (PFD) limits.

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

The Commission has authority for this collection of information pursuant to Sections 1, 4(i), 301, 303, 308, 309, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 151, 154(i), 301, 303, 308, 309, and 310.

2. Information collected during the Commission’s authorization process for U.S.-licensed space station operations is used by Commission staff in carrying out the agency’s duties concerning satellite communications, as required by Sections 301, 308, 309 and 310 of the Communications Act, 47 U.S.C. Sections 301, 308, 309, 310.

3. It is estimated that 100 percent of the annual reports are filed with the Commission electronically.

4. The requirements are not duplicated elsewhere.

5. Small businesses do not have the financial ability to become NGSO FSS system operators because of the high implementation costs, including construction of satellite space stations and rocket launch, associated with satellite systems and services. Therefore, this information collection does not have a significant economic impact on a substantial number of small entities.

6. The information collection requirements accounted for in this collection are necessary to ensure that NGSO FSS licensees follow their service rules. Without such information collection requirements, many existing radio services, both satellite and terrestrial, could potentially be

interrupted by interference caused by NGSO FSS systems on the same frequencies.

7. The collection of information is not being conducted in a manner known to be inconsistent with the guidelines under 5 CFR 1320.6.
8. On November 3, 2008, the Commission published a 60-day notice in the Federal Register (Cite: 73 FR 65310) to solicit comments from the public. The comment period ended on January 2, 2009. No comments were received from the public.
9. The Commission will not provide any payment or gift to respondents.
10. We foresee no need for confidentiality of information contained in the applications filed with the Commission. However, respondents may opt to request confidentiality of the information pursuant to Section 0.459 of the Commission's rules.
11. This collection of information does not contain questions of a sensitive nature.
12. The licensee is required to file a report annually on the status of its space station construction and launch and identification of any space station(s) not available for service pursuant to 47 CFR 25.146(l).¹ The burden for that requirement is as follows:

1 respondent per year X 1 annual report X 2 burden hours = 2 annual burden hours

Also, the licensee shall submit a technical showing for the NGSO FSS system in the band 12.2-12.7 GHz pursuant to 47 CFR 25.146(g) ninety days prior to the initiation of service to the public.

1 respondent per year X 1 one-time filing X 3 burden hours = 3 annual burden hours

Total Annual Burden Hours for this Collection = 2 hours + 3 hours = 5 hours

Total Number of Respondents = 1 Respondent²

Total Number of Responses = 1 annual report + one time filing of technical showing = 2 responses/year

¹ Milestone schedules for all Part 25 licensees, including Ku-Band licensees, are covered under OMB Control No. 3060-1007. All other Part 25-related information collection requirements are covered under OMB Control No. 3060-0678.

² This respondent (licensee) represents the majority in its universe; therefore, the Commission is required to maintain OMB approval for this information collection even with one respondent.

In House Costs – We estimate that in-house staff is paid at an estimated rate of \$50 per hour.

5 hours X \$50 per hour = **\$250 Total In-House Costs to Respondent**

13. Total Annual Cost Burden: 0.

14. Estimates of Annualized Cost to the Federal Government:

The estimates of annualized cost to the Federal government are summarized in the chart below. As shown in the chart, the annualized costs to the Federal government are **\$10,709.76**.

Federal Government Staff	Number of Staff	Salary Per Hour	Annual Burden Hours	Annualized Costs
GS-14/Step 5 Attorney	1	\$57.13	96	\$5,484.48
GS-14/Step 5 Engineer	1	\$57.13	96	\$5,484.48
	2			\$10,968.96

15. This Supporting Statement reflects an adjustment of +3 to the annual burden hours to account for the information collection requirements contained in Section 25.146(g). There are no program changes to this information collection.

16. The results of this collection of information will not be published for statistical use.

17. We do not seek approval to not display the expiration date for OMB approval of the information collection.

18. On November 3, 2008, the Commission published a 60-day notice in the Federal Register (Cite: 73 FR 65310) and stated the following items in error: number of respondents as 5; number of responses as 45; estimated time per response as 1 – 4 hours; the annual burden hours as 140 hours, and the annual costs as \$176,000. The Commission corrects these numbers to read as follows: number of respondents as 1; number of responses as 2; estimated time per response as 2 - 3 hours; the annual burden hours 5 hours, and the annual cost as \$0. There are no other exceptions to the Certification Statement.

Part B. Collections of Information Employing Statistical Methods:

This information collection does not anticipate the use of statistical methods.