

Misuse of Internet Protocol Captioned Telephone Service (IP CTS); Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 13-24 and 03-123

SUPPORTING STATEMENT

A. Justification:

1. The Commission is submitting this revised information collection to the Office of Management and Budget (OMB) to add information collection requirements adopted in the *IP CTS Modernization Order*¹ and the *IP CTS Program Management Order*,² pursuant to section 225 of the Communications Act of 1934, as amended (the Act),³ and to modify the estimates of existing burdens that were included in the February 2018 Paperwork Reduction Act (PRA) submission to OMB.

The Americans with Disabilities Act of 1990 (ADA), Pub. L. No. 101-336, 104 Stat. 327, 366-69, was enacted on July 26, 1990.

(a) The purposes of the ADA are:

- (i) to provide a clear and comprehensive national mandate to end discrimination against individuals with disabilities and to bring persons with disabilities into the economic and social mainstream of American life;
- (ii) to provide enforceable standards addressing discrimination against individuals with disabilities; and
- (iii) to ensure that the Federal government plays a central role in enforcing these standards on behalf of individuals with disabilities.

(b) Title IV of the ADA adds section 225 to the Communications Act of 1934 (the Act) which directs the Commission to promulgate regulations that require all domestic telephone common carriers to provide telecommunications relay services (TRS).⁴

¹ *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 03-123 and 13-24, Report and Order, Declaratory Ruling, Further Notice of Proposed Rulemaking, and Notice of Inquiry, 33 FCC Rcd 5800 (2018) (*IP CTS Modernization Order*), FCC 18-79.

² *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 03-124 and 13-24, Report and Order, Further Notice of Proposed Rulemaking, and Order, 34 FCC Rcd 691 (2019) (*IP CTS Program Management Order*), FCC 19-11.

³ 47 U.S.C. § 225.

⁴ The Communications Act of 1934, as amended, defines telecommunications relay services (TRS) as:

telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication by wire or radio with one or more individuals, in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability to communicate using voice communication services by wire or radio.

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- (c) 47 CFR Part 64, Subpart F implements certain provisions of the ADA pertaining to TRS. It contains the operational, technical, and functional standards required of all TRS providers and the procedures for state certification.
- (d) The Commission has noted that the overall purpose of section 225 of the Act is to “ensure that interstate and intrastate [TRS] are available, to the extent possible and in the most efficient manner, to hearing-impaired and speech-impaired individuals in the United States.”
- (e) The Commission has further noted that section 225 of the Act, consistent with section 7(a) of the Act,⁵ requires that the rules the Commission prescribes to implement section 225 encourage “the use of existing technology and do not discourage or impair the development of improved technology.”
- (f) The Commission has also concluded that the functional equivalency standard requires that those technological services currently offered to non-disabled persons should also be available to persons with disabilities, if it is technologically feasible to do so.

History:

On August 1, 2003, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Declaratory Ruling, 18 FCC Rcd 16121 (2003) (*Captioned Telephone Declaratory Ruling*). The Commission concluded that *one-line* CTS is a type of TRS, and that eligible providers of such services are eligible to receive compensation in accordance with section 225 of the Act.

On July 19, 2005, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, 20 FCC Rcd 13195 (2005) (*Two-Line Captioned Telephone Order*). The Commission concluded that two-line CTS, like one-line CTS, is a type of TRS eligible for compensation from the Interstate TRS Fund (TRS Fund or Fund).

On January 11, 2007, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Declaratory Ruling, 22 FCC Rcd 379 (2007) (*IP CTS Declaratory Ruling*). The Commission concluded that IP CTS is a type of TRS, and providers of such services are eligible to receive compensation when offered in compliance with the applicable TRS mandatory minimum standards.

On August 26, 2013, the Commission issued *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for*

47 U.S.C. § 225(a)(3) (as amended by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Pub. L. No. 111-260, § 103(b), 124 Stat. 2751, 2755 (2010); Pub. L. No. 111-265 (technical amendments to CVAA)). The Interstate TRS Fund compensates eligible providers of interstate TRS and Internet-based TRS (iTRS) for their reasonable costs of providing these services. See 47 CFR § 64.604(c)(5)(iii).

⁵ 47 U.S.C. § 157(a).

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Individuals with Hearing and Speech Disabilities, CG Docket Nos. 03-123 and 13-24, Report Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 13420 (2013) (*IP CTS Reform Order*), to regulate practices relating to the marketing of IP CTS, impose certain requirements for the provision of this service, and mandate registration and certification of IP CTS users.

- (a) In the *IP CTS Reform Order*, the Commission adopted user registration and certification requirements that are codified at 47 CFR § 64.604(c)(9). In order to be eligible for compensation from the Fund, the *IP CTS Reform Order* requires providers to register each new IP CTS user. As part of the registration process, each provider must obtain from each user a self-certification that the user (1) has a hearing loss that necessitates use of captioned telephone service; (2) understands that captions on captioned telephone service are provided by a live communications assistant who listens to the other party on the line and provides the text on the captioned phone; (3) understands that the cost of captioning each IP CTS call is funded through a federal program; and (4) will not permit, to the best of the consumer's ability, persons who have not been registered to use IP CTS to make captioned telephone calls using the consumer's registered IP Captioned telephone service or device. This self-certification must be made on a form separate from any other user agreement and be separately signed, under penalty of perjury.
- (b) The *IP CTS Reform Order* also requires providers to maintain all documents relating to user registration and certification in a confidential manner for a period of five years after the consumer ceases to obtain service from the provider.
- (c) For applicants seeking certification as IP CTS providers, the *IP CTS Reform Order* requires that they submit to the Commission a description of how they will ensure that they do not request or collect payment from the TRS Fund for service to consumers who do not satisfy the registration and certification requirements, and an explanation of how those measures provide such assurance. 47 CFR § 64.606(a)(2)(ii)(F).
- (d) Pursuant to the *IP CTS Reform Order*, each IP CTS provider is required to ensure that its IP CTS equipment and software has affixed in a conspicuous location a label or notification that contains the following brief statement: FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING THIS DEVICE WITH THE CAPTIONS ON. 47 CFR § 64.604(11)(c)(iii).
- (e) For software applications on mobile phones, laptops, tablets, computers or other similar devices, the *IP CTS Reform Order* requires that IP CTS providers ensure that, each time the consumer logs into the application, the required notification language appears in a conspicuous location on the device screen immediately after log-in.
- (f) The *IP CTS Reform Order* requires that records of the provision to consumers of required labels, as well as instructions for existing equipment, be maintained for a minimum of five years after the consumer ceases to obtain service from the provider. 47 CFR § 64.604(c)(11)(iv).

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On June 8, 2018, the Commission released the *IP CTS Modernization Order*, adopting requirements to deter the unauthorized use of IP CTS and to permit the provision of IP CTS in emergency shelters.

- (a) IP CTS providers must include on the websites and in other informational materials used to market, advertise, educate or otherwise inform professionals and consumers about IP CTS, the following five sentences: “FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING INTERNET PROTOCOL (IP) CAPTIONED TELEPHONES WITH THE CAPTIONS TURNED ON. IP Captioned Telephone Service may use a live operator. The operator generates captions of what the other party to the call says. These captions are then sent to your phone. There is a cost for each minute of captions generated, paid from a federally administered fund.” On IP CTS provider websites, these sentences must be included on the website’s home page, each page that provides consumer information about IP CTS, and each page that provides information on how to order IP CTS or IP CTS equipment. IP CTS providers that do not use live communications assistants (CAs) to generate the captions may leave out the second, third and fourth sentences. 47 CFR § 64.604(c)(11)(v).
- (b) An IP CTS provider that becomes aware of any of the following practices being or having been committed by any person shall, as soon as practicable, report such practices to the Commission or the TRS Fund administrator. These include causing or encouraging: false or unverified claims for TRS Fund compensation; unauthorized use of video relay service (VRS) or IP CTS; the making of VRS or IP CTS calls that would not otherwise be made; or the use of VRS or IP CTS by persons who do not need the service in order to communicate in a functionally equivalent manner. A VRS or IP CTS provider shall not seek payment from the TRS Fund for any minutes of service it knows or has reason to know are resulting from any of these practices or from the use of IP CTS by an individual who does not need captions to communicate in a functionally equivalent manner. 47 CFR § 64.604(c)(13)(iii).
- (c) IP CTS providers may complete and request compensation for IP CTS calls to or from unregistered users of temporary, public IP CTS devices set up in emergency shelters. The IP CTS provider must notify the TRS Fund administrator of the dates of activation and termination for such devices. 47 CFR § 64.604(c)(13)(iv).

On February 15, 2019, the Commission released the *IP CTS Program Management Order*. To reduce the risk of waste, fraud, and abuse in the IP CTS program, the Commission expanded the Telecommunications Relay Service User Registration Database (Database) that the Commission created for the VRS program to encompass IP CTS. Among the requirements to integrate IP CTS into the Database each IP CTS provider is required to:

- (a) collect and submit registration information for each IP CTS user to the Database, including the user’s name, address, telephone number, a unique identifier, last four digits of the social security or Tribal Identification number, date of birth, Registered Location, IP CTS provider name and dates of service, self-certification of eligibility for IP CTS and the date obtained by the provider, and (for existing users only) the date on which the registered Internet-based TRS user last placed an IP CTS call; explain clearly to each user the specific information

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- obtained by the IP CTS provider from the user that is to be transmitted; inform the user that the information is being transmitted to the Database; collect consent from each user to transmit the user's information to the Database; keep a record of such consent; maintain the confidentiality of any registration and certification information obtained by the provider; and not disclose such registration and certification information or the content of such registration and certification information except as required by law or regulation;
- (b) collect, maintain, and transmit to the Database registration information for IP CTS devices to be used in emergency shelters as reasonably requested by the Database administrator, including the telephone number and location of the device; and request that the administrator of the Database remove from the Database the device's registration information when the service for such a device is terminated; and
 - (c) request that the administrator of the Database remove from the Database user information for any registered user who no longer wants, or is no longer eligible for, TRS services. The administrator of the Database shall remove the data of these users.

The information collections in *IP CTS Modernization Order* do not affect individuals or households, and thus, there are no impacts under the Privacy Act. However:

- (a) Information that is related to individuals is collected by third parties—IP CTS providers; and
- (b) The Commission has no direct involvement in the collection of this information on individuals.⁶

The information collections in the *IP CTS Program Management Order* affects individuals or households. The Commission is not the party collecting personally identifiable information (PII) for the purpose of populating the Database; however, the Database is made available to and accessible by the Commission. Although TRS users are required to provide their personal information to register for using TRS, such information is available only to the user's IP CTS provider, a third-party independent vendor selected by the Commission's Managing Director, and the Commission. The IP CTS providers, the third-party vendor, and the Commission are each required to maintain all registration information, including PII, in the Database confidential in accordance with the Commission's rules and the directives under contract with the Commission's Managing Director.

As required by Privacy Act 5 U.S.C. § 552a, the FCC published a system of records notice (SORN), FCC/CGB-4, "Internet-based Telecommunications Relay Service-User Registration Database (ITRS-URD)," on February 9, 2015 (80 FR 6963), which became effective on March 23, 2015, covering the PII that may be collected, maintained, used, and stored, and disposed of when obsolete, and which are part of the information associated with these information collection requirements, *i.e.*, the new SORN will ensure that the PII collected in this information collection will be handled in a manner consistent with the Privacy Act of 1974, as amended. Also, as required by the Office of Management and Budget Memorandum M-03-22 (September 26, 2003), the FCC is in the process of completing the Privacy Impact Assessment.

⁶ Although the FCC has no direct involvement in the collection of this information on individuals or households, 47 CFR § 64.604(c)(9)(x) requires that IP CTS providers maintain the confidentiality of the documentation of hearing loss.

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The statutory authority for the information collection requirements is found at section 225 of the Act, 47 U.S.C. § 225, which was enacted on July 26, 1990 by the Americans with Disabilities Act of 1990 (ADA), Pub. L. No. 101-336, § 401, 104 Stat. 327, 366-69 (Telecommunications Services for Hearing-Impaired and Speech-Impaired Individuals).

2. The Commission's rules require each IP CTS provider to maintain a consumer complaint log that must be submitted to the Commission annually. *See* 47 CFR § 64.604(c)(1)(i), (ii). This requirement has minimal, if any, economic impact on TRS providers because it merely requires the submission of an annual summary of the complaint log to the Commission.

The *IP CTS Reform Order* imposes registration and certification requirements for new users and requires applicants for certification to be qualified as IP CTS providers to describe how the applicants will ensure that they do not request or collect payment for service to consumers who do not satisfy the registration and certification requirements. The *IP CTS Reform Order* also places labeling requirements on IP CTS providers. In addition, the *IP CTS Reform Order* requires maintenance of records of these requirements.

- (a) The registration and certification requirements, set forth in 47 CFR § 64.604(c)(9), are to ensure that IP CTS providers are providing service only to individuals who have a hearing loss that necessitates use of the service as required by section 225 of the Act. In particular, section 225(a)(3) defines TRS as “telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication by wire or radio with one or more individuals.” 47 U.S.C. § 225(a)(3).
- (b) As part of the requirements of section 64.604(c)(9) of the Commission's rules, providers are required to obtain from new IP CTS consumers self-certification of hearing loss necessitating the use of IP CTS and their understanding of the IP CTS program. IP CTS providers are required to maintain records of these registration and certification requirements for five years after the consumer ceases to obtain service from the provider. This registration, certification and recordkeeping is necessary to ensure that Fund expenditures are made only on behalf of individuals who have a hearing loss that necessitates use of the service, thereby preventing waste and abuse of the Fund that add costs to the Fund, which are ultimately borne by the general public using interstate telecommunications and voice over Internet protocol (VoIP) services.
- (c) The provider certification application process requirement in section 64.606(a)(2)(ii)(F) of the Commission's rules, provides additional assurance that providers approved for reimbursement will have the means to ensure that Fund expenditures are made only on behalf of individuals who have a hearing loss that necessitates use of the service, thereby preventing waste and abuse of the Fund that add costs to the Fund, which are ultimately borne by the general public using interstate telecommunications and VoIP.
- (d) As a part of the equipment requirements in section 64.604(c)(11) of the Commission's rules, providers must provide labeling on all new equipment, software, and mobile applications to notify potential users of restrictions on the use of captioning by ineligible

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persons. Providers must maintain records of this label distribution for a period of five years after the consumer ceases to obtain service from the provider. Again, this is necessary to ensure that Fund expenditures are made only on behalf of individuals who have a hearing loss that necessitates use of the service, thereby preventing waste and abuse of the Fund.

The *IP CTS Modernization Order* takes further steps to deter the unauthorized use of IP CTS and permits the provision of IP CTS in emergency shelters.

- (a) Section 64.604(c)(11)(v) of the Commission's rules prescribes five sentences that IP CTS providers must include on their websites and in other informational materials used to market, advertise, educate or otherwise inform professionals and consumers about IP CTS. Section 64.604(c)(11)(v) also specifies the location of the information on websites. This information helps to ensure that professionals and consumers are aware that use of IP CTS is restricted, that a live operator may be used to generate captions, and that there is federal funding for the cost of providing IP CTS. Due to the recent growth of IP CTS and the related concerns about waste of the TRS Fund via IP CTS, this information is needed to ensure that people who do not need IP CTS in order to communicate on the telephone do not make use of IP CTS, and that only those people who actually need the service will make use of IP CTS and have those calls be supported by the TRS Fund.
- (b) Section 64.604(c)(13)(iii) of the Commission's rules requires IP CTS providers to inform the TRS Fund administrator or the Commission of fraudulent activity. In particular, an IP CTS provider must make such reports if they are aware of the following activities being or having been committed by any person causing or encouraging: false or unverified claims for TRS Fund compensation; unauthorized use of VRS or IP CTS; the making of VRS or IP CTS calls that would not otherwise be made; or the use of VRS or IP CTS by persons who do not need the service in order to communicate in a functionally equivalent manner. As with section 64.604(c)(11)(v) of the Commission's rules, section 64.604(c)(13)(iii) of the Commission's rules seeks to curtail any waste of the TRS Fund. By placing an affirmative obligation on IP CTS providers to report unlawful practices, the Commission will be in a position to collect that information and take action, as appropriate, in order to stop the unlawful practices, help deter unlawful practices in the future, and ensure the continued viability of IP CTS for people with hearing loss who need it. Section 64.604(c)(13)(iii) of the Commission's rules further seeks to remove any incentives for unlawful practices by prohibiting IP CTS providers from requesting payment for IP CTS calls that the IP CTS provider knows or has reason to know have resulted from these unlawful practices.
- (c) To further the goal of section 225 of the Act to ensure that TRS is available "to the extent possible and in the most efficient manner, to hearing-impaired and speech-impaired individuals in the United States," section 64.604(c)(13)(iv) of the Commission's rules permits IP CTS providers to make IP CTS available to unregistered users in emergency shelters if they need IP CTS in order to communicate by telephone. The calls made from these shelters will be compensated from the TRS Fund. To ensure that the Commission is aware of such use, each IP CTS provider is required to inform the Commission of the

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commencement and termination of such service at each shelter location. The provision of this information to the Commission is a minor burden on the providers, while the provision of IP CTS to people in emergency shelters will have immeasurable benefits in helping them and their families contact medical and other services.

The *IP CTS Program Management Order* adopts rule changes to facilitate the Commission's efforts to reduce waste, fraud, and abuse and improve its ability to efficiently manage the IP CTS program.

- (a) Section 64.611(j)(2) of the Commission's rules requires IP CTS providers to collect and submit registration information for each IP CTS user to the Database. IP CTS providers are already required to collect this information from IP CTS users. Section 64.611(j)(2) of the Commission's rules also requires IP CTS Providers to obtain and keep affirmative acknowledgement by every registered IP CTS user of the user's consent to the IP CTS provider to transmit such registration information to the Database. Lastly, section 64.611(j)(2) of the Commission's rules requires IP CTS providers, before commencing service to temporary, public IP CTS devices set up in emergency shelters, to provide all information reasonably requested by the Database administrator, including the telephone number and location of the device.
 - (b) Section 64.615(a)(3) of the Commission's rules requires IP CTS providers to keep their registration databases current and notify the Database administrator of any users removed from their databases and any users who request to no longer use the service. The Database administrator must remove said users from the Database after receiving such notification.
3. An electronic means has been established for IP CTS providers to submit user registration to, user removal from, and queries to the Database. At this time, the Commission is not considering additional uses of improved information technology because the cost of implementing additional new information technology outweighs its benefits. There are currently only eight possible respondents (the five IP CTS providers and three applicants for certification to provide IP CTS) that will be required to provide information directly to the Commission. The IP CTS providers are required to maintain complaint logs with their internal information technology, and consumers affected by this information collection will be providing information to the IP CTS providers, and not to the Commission. The Commission encourages IP CTS providers to use information technology to whatever extent possible to reduce the burden of the information collections, and the IP CTS providers are free to set up their own systems, which may include improved information technology, to obtain registration and certification information.
 4. The information is not duplicated elsewhere. No similar information is available.
 5. There are currently only five entities providing and three entities with applications for certification to provide IP CTS. Four of these eight entities are small entities. In the *IP CTS Reform Order*, the *IP CTS Modernization Order*, and the *IP CTS Program Management Order*, the Commission attached a Final Regulatory Flexibility Analysis (FRFA), which provided an analysis of the economic impact of each of the new rules on small entities and certified that the requirements of the *IP CTS Reform Order*, the *IP CTS Modernization Order*, and the *IP CTS*

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Program Management Order will not have a significant economic impact on a substantial number of small entities. Because there may be additional applicants for certification to provide IP CTS, for the purposes of estimating the information collections that may occur, we have estimated that there may be up to ten entities providing IP CTS.

6. The Commission's rules require IP CTS providers to file annual summaries of consumer complaint logs with the Commission. The complaint log summaries must indicate the number of complaints for the 12-month period ending May 31. If such an information collection is not completed, IP CTS providers will not be eligible to receive compensation from the Interstate TRS Fund.

The *IP CTS Reform Order* requires certain information collections, distribution and maintenance, including:

- (a) the collection of certain registration and eligibility certification information from new users;
- (b) maintenance, in a confidential manner, of the registration and certification information for five years after the consumer ceases to obtain service from the provider;
- (c) distribution of labeling information on new equipment and software and advising consumers of the restrictions on the use of IP CTS to registered users;
- (d) maintenance of records as to distribution of equipment labels; and
- (e) collection of assurances from applicants for certification to be eligible to be IP CTS providers as to how they will ensure that they do not request or collect payment from the TRS Fund for service to consumers who do not satisfy the registration and certification requirements, and an explanation of how those measures provide such assurance.

The *IP CTS Modernization Order* requires certain information collections, distribution and maintenance, including:

- (a) the placement of information about the restrictions on the use of IP CTS on websites and other informational materials used to market, advertise, educate or otherwise inform professionals and consumers about IP CTS;
- (b) reporting to the Commission or the TRS Fund administrator whenever the IP CTS provider becomes aware of certain prohibited practices being or having been committed by any person; and
- (c) reporting to the TRS Fund administrator the initiation and termination of the provision of IP CTS to unregistered users at emergency shelters.

The *IP CTS Program Management Order* requires certain information collections, distribution and maintenance, including:

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- (a) reporting certain IP CTS registration information to the Database;
- (b) reporting that an IP CTS user's information should be removed from the Database
- (c) the collection of an affirmative acknowledgement from every registered IP CTS user of the user's consent to the IP CTS provider to transmit such registration information to the Database; and
- (d) maintenance of the user's consent in the IP CTS provider's records.

The information collection and recordkeeping requirements are necessary. The Commission must be able to easily confirm that only eligible users are receiving IP CTS to ensure that Fund expenditures are made only on behalf of individuals who have a hearing loss that necessitates use of the service. The Commission must also be assured that users and non-eligible individuals understand that use of IP CTS is restricted to registered users. Without such information and recordkeeping requirements, the Commission would be limited in its ability to prevent waste and abuse of the Fund. This would add costs to the Fund, which are ultimately borne by the general public using interstate telecommunications and VoIP services.

7. The collection is not being conducted in any manner inconsistent with the guideline of 5 CFR § 1320.5(d)(2).
8. The Commission published a notice in the *Federal Register* pursuant to 5 CFR § 1320.8(d) on September 9, 2019 (84 FR 47290) seeking comments from the public on the information collection requirements contained in this supporting statement. Hamilton Relay, Inc. (Hamilton) filed comments on November 6, 2019, asserting that it is not in a position to assess the total financial impact of the information collections because of its pending Petition for Reconsideration of the Commission's test for whether costs are eligible for reimbursement.⁷ Hamilton is mistakenly equating calculating the costs for the information collection with a determination of whether such costs will be reimbursable from the TRS Fund as exogenous costs. IP CTS providers, including Hamilton, are capable of estimating the potential costs of this information collection, regardless of whether such costs are eligible for reimbursement. Further, the exogenous cost recovery guidelines for which Hamilton sought reconsideration were previously established by this Commission for the recovery of exogenous costs by VRS providers.⁸ The *IP CTS Program Management Order* made it clear that the Commission would be following the same guidelines previously established for VRS cost recovery during the established rate period, with the understanding that future costs would be appropriately calculated into the compensation rate for the provision of IP CTS.⁹ In addition, Hamilton argues that "it is unclear how to reconcile the \$86,000 in the Commission's published burden estimate for *all* information collection activities covered by the *Notice*, with the Commission's estimate that IP CTS

⁷ Comments of Hamilton Relay, Inc. (Nov. 6, 2019) at 1-2.

⁸ See *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities Internet-based Captioned Telephone Service*, Report and Order and Order, 32 FCC Rcd 5891, 5925, para. 66 (2017).

⁹ *IP CTS Program Management Order*, 34 FCC Rcd at 703-04, para. 26.

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providers' cost of implementation should be 'about \$10 million, but perhaps "a one-time cost of \$13.6 million."¹⁰ However, the cost figure published in the Notice is for the item 13 total of annualized out-of-pocket capital and startup costs as estimated for (i) implementation of technological infrastructure to electronically communicate with the Database and (ii) annual costs associated with record storage facilities for retaining records for user registration and certification. That cost is separate from the information collection burden estimate of \$16.7 million for in-house costs, as provided in item 12, which aligns much more closely to the Commission's initial estimates in the *IP CTS Program Management Order*.

9. No payment or gifts will be given to respondents.
10. The Commission sets annual interstate TRS compensation rates based on cost and demand data submitted by TRS providers.
 - (a) These data, particularly cost data, are:
 - (1) confidential, proprietary data of the individual submitting TRS providers, and
 - (2) protected from disclosure under the Freedom of Information Act (FOIA) and the Commission's rules implementing FOIA.
 - (b) Except as otherwise set out herein, the Commission is not requesting respondents to submit confidential information.
 - (c) If the Commission requests respondents to submit information that the respondents believe is confidential or highly confidential, respondents may request confidential treatment of such information pursuant to section 0.459 of the Commission's rules or the *Third Protective Order*,¹¹ as applicable.
 - (d) Moreover, the Commission requires the Interstate TRS Fund administrator to keep all data from contributor and TRS providers confidential.
 - (e) The Interstate TRS Fund administrator shall not disclose such data in company specific form unless directed to do so by the Commission.

As to the collections required by the *IP CTS Reform Order* and the *IP CTS Modernization Order*, confidential information that is related to individuals is collected by third parties—IP CTS providers—and the Commission has no direct involvement in the collection of this information on individuals. Moreover, section 64.604(c)(9)(x) of the Commission's rules requires that IP CTS

¹⁰ Comments of Hamilton Relay, Inc. (Nov. 6, 2019) at 2-3. The cost published in both the 60-day Federal Register Notice cited by Hamilton and the 30-day Federal Register Notice, 84 FR 63877, November 19, 2019, is incorrect. For both notices, the cost should have been listed as \$56,000, as reflected in item 13.

¹¹ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities et al.*, CG Docket No. 03-123 *et al.*, Order and Third Protective Order, 33 FCC Rcd 6801 (2018) (*Third Protective Order*).

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providers maintain the confidentiality of the registration and certification information that they obtain, as well as the content of such information, except as required by law.

As to the collections required by the *IP CTS Program Management Order*, the TRS Fund administrator is required to keep all data obtained from TRS providers confidential and may not disclose such information in company-specific form unless directed to do so by the Commission. Further, the Commission has taken several steps to specifically protect customer proprietary network information. As noted in item 1, the FCC completed the requirements for a system of records notice (SORN), FCC/CGB-4, "Internet-based Telecommunications Relay Service-User Registration Database (ITRS-URD)," which covers the PII that may be collected, maintained, used, stored, and disposed of when obsolete, and which is part of the information associated with these information collection requirements. This SORN should address any privacy concerns.

11. There are no questions of a sensitive nature with respect to the information collected.
12. The following represents the estimates of hour burden of the collection of information affected by the *Captioned Telephone Declaratory Ruling, Two-Line Captioned Telephone Order, IP CTS Declaratory Ruling, IP CTS Reform Order, IP CTS Modernization Order, and IP CTS Program Management Order*:

Captioned Telephone Declaratory Ruling, Two-Line Captioned Telephone Order, and IP CTS Declaratory Ruling

In the *Captioned Telephone Declaratory Ruling*, the Commission concluded that one-line CTS is a type of TRS eligible for compensation from the Interstate TRS Fund. In the *Two-Line Captioned Telephone Order*, the Commission concluded that two-line CTS is a type of TRS eligible for compensation from the Interstate TRS Fund. In the *IP CTS Declaratory Ruling*, the Commission concluded that IP CTS is a type of TRS eligible for compensation from the Interstate TRS Fund.

The Commission estimates that the 5 providers currently offering one-line CTS, two-line CTS, and IP CTS, plus up to 5 new providers of IP CTS, for an estimated total of 10 providers, will each maintain a log of consumer complaints and file a summary of the complaint log with the Commission.¹²

This process is done annually and requires approximately 8 hours to complete.

10 respondents x 1 complaint log submission per respondent = 10 responses

10 respondents x 8 hours to maintain consumer complaint logs = 80 hours

The Commission estimates that respondents will utilize in-house personnel whose pay is comparable to mid-to-senior level federal employee (GS-15/5) to maintain consumer complaint

¹² Hamilton and Sprint each provide one-line CTS, two-line CTS, and IP CTS. ClearCaptions, Sorenson (through its wholly-owned subsidiary CaptionCall), and InnoCaption each provide IP CTS. In addition, three potential new entrants have filed applications seeking authority for certification to provide IP CTS.

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log submissions. The Commission estimates respondents' cost to be about \$74.86 per hour to complete.

10 respondents x 1 complaint log submission per respondent x 8 hours to maintain consumer complaint log submissions x \$74.86/hour = \$5,988.80

Captioned Telephone Declaratory Ruling, Two-Line Captioned Telephone Order, and IP CTS Declaratory Ruling Totals are as follows:

Total annual number of respondents: 10

Total number of responses: 10

Total annual burden hours: 80 hours

Total in-house costs: \$5,988.80

IP CTS Reform Order

A. IP CTS Labeling Requirement

In the *IP CTS Reform Order*, the Commission adopted sections 64.604(c)(11)(iii) and (iv) of its rules, adding labeling and notification requirements for new equipment and software. Labels must be printed and adhered to new IP CTS equipment, and notifications must appear on the device screen each time the consumer logs into IP CTS software. In addition, records must be maintained on this label disbursement. At this time, an estimated 72,000 new consumers are added annually.

For new equipment and software, the Commission estimates that each IP CTS provider will spend approximately 15 minutes (.25 hour) creating, printing and adhering labels to new equipment and creating notifications for new software and preserving records of each such labeling and notifications. The Commission further estimates that each provider will utilize personnel whose pay is comparable to mid-level federal employees—GS-9/Step 5 level (\$31.23/hour)—to collect such information. This is an on-going requirement.

Annual Number of Respondents: 10 Respondents¹³
10 IP CTS Providers

Annualized Number of Responses: 72,000 Responses
7,200 responses per respondent on average

Annualized Burden Hours: 18,000 Hours
72,000 responses x .25 hour = 18,000 burden hours for all 10 IP CTS providers

¹³ These are the same 10 respondents that are submitting complaint log summaries.

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Annualized In-House Cost: \$562,140

18,000 hours x \$31.23/hour = \$562,140 total cost to all 10 IP CTS providers

There is no corresponding time required of consumers under this requirement for new equipment.

B. IP CTS Provider Applicant Assurance

For applicants seeking certification as IP CTS providers, the *IP CTS Reform Order* requires that they submit to the Commission a description of how they will ensure that they do not request or collect payment from the TRS Fund for service to consumers who do not satisfy the registration and certification requirements, and an explanation of how those measures provide such assurance. 47 CFR § 64.606(a)(2)(ii)(F).

The Commission estimates that each IP CTS provider applicant will spend approximately five hours drafting such description and assurance. The Commission further estimates that each provider will utilize personnel whose pay is comparable to senior-level federal employees—GS-15/Step 5 level (\$74.86/hour)—to collect such information. This is an ongoing requirement.

Annualized Burdens: Each existing IP CTS provider and each new market entrant will incur the burdens estimated in this section once every five years. There are currently 5 existing IP CTS providers and up to 5 potential new market entrants, for a total of up to 10 providers and new market entrants. The Commission estimates that 60 percent of the providers and new market entrants, or up to 6 respondents will submit applications for certification over the next 3 years.¹⁴ Therefore:

Total Annualized Number of Respondents: 6 respondents / 3 years = 2 respondents

Total Annualized Number of Responses: 6 responses / 3 years = 2 responses

Total Annualized Burden Hours: 10

5 hours per application x 6 responses = 30 hours

30 burden hours / 3 years = 10 burden hours

Total Annualized In-House Cost: \$748.60

30 hours x \$74.86/hour / 3 years = \$748.60

IP CTS Reform Order Totals are as follows:

Total annual number of respondents: 10

Total number of responses: 72,002

Total annual burden hours: 18,010

¹⁴ These respondents are 6 of the 10 respondents that are submitting complaint log summaries.

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Total in-house costs: \$562,888.60

IP CTS Modernization Order

A. IP CTS Informational Requirement

In the *IP CTS Modernization Order*, the Commission adopted section 64.604(c)(11)(v) of its rules, adding new requirements for IP CTS providers to include specific information about IP CTS on their websites and in other informational materials used to market, advertise, educate or otherwise inform professionals and consumers about IP CTS. This requirement applies to new websites and informational materials as well as to updates to existing websites that may occur.

The Commission estimates that each IP CTS provider will spend on average approximately 40 hours in the first year and 5 hours in subsequent years ensuring that the information is included on its website and in other informational materials. Because the annual burden decreases after the first year, these estimates are annualized over the three-year period for which the Commission seeks approval for this collection. The Commission further estimates that each provider will utilize personnel whose pay is comparable to senior-level federal employees—GS-14/Step 5 level (\$63.64/hour)—to provide such information. This is an ongoing requirement.

Annual Number of Respondents: 10 Respondents¹⁵

10 IP CTS providers

Annualized Number of Responses: 10 Responses

10 IP CTS providers x 1 response/provider = 10 responses

Annualized Burden Hours: 170 Hours

(40 hours for the first year + 5 hours for each of the second and third years) per respondent / 3 years = 16.67 annualized burden hours per respondent (17 hours rounded)

10 responses / year x 17 annualized burden hours = 170 annualized burden hours for all 10 IP CTS providers

Annualized In-House Cost: \$10,818.80

170 hours x \$63.64/hour = \$10,818.80 total cost to all 10 IP CTS providers

B. Reporting Unauthorized and Unnecessary Use of IP CTS

In the *IP CTS Modernization Order*, the Commission adopted section 64.604(c)(13)(iii) of its rules, which requires an IP CTS provider to notify the Commission or the TRS Fund administrator when the IP CTS provider becomes aware that the prohibited practices enumerated below are being or have been committed.¹⁶

¹⁵ These are the same 10 respondents that are submitting complaint log summaries.

¹⁶ 47 CFR § 64.604(c)(13)(iii) also requires VRS providers to report such prohibited practices. The corresponding information collections for VRS providers were approved in OMB Control Number 3060-1201.

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The Commission estimates that each respondent will require approximately 0.5 hour (30 minutes) to report to the Commission or the TRS Fund administrator any of the following fraudulent activities: (1) false or unverified claims for TRS Fund compensation, (2) unauthorized use of IP CTS, (3) the making of IP CTS calls that would not otherwise be made, or (4) the use of IP CTS by persons who do not need the service in order to communicate in a functionally equivalent manner. The Commission estimates that each respondent will report to the Commission or the TRS Fund administrator on the average of 2 times in each year. The Commission further estimates that each provider will utilize personnel whose pay is comparable to senior-level federal employees—GS-14/Step 5 level (\$63.64/hour)—to provide such information. This is an ongoing requirement.

Annual Number of Respondents: 10 respondents¹⁷

10 IP CTS providers

Annual Number of Responses: 20

2 responses per respondent per year x 10 respondents = 20

Annual Burden Hours: 10 hours

0.5 hours per response x 20 responses = 10 hours

Annual In-House Cost: \$636.40

10 hours x \$63.64 per hour = \$636.40

IP CTS Modernization Order Totals are as follows:

Total annual number of respondents: 10

Total number of responses: 30 responses

Total annual burden hours: 180 hours

Total in-house costs: \$11,455.20

IP CTS Program Management Order

A. User Registration Database

- (i) The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS will require approximately 0.5 hour (30 minutes) to compile and submit specific information for each existing user to the Database, including the user's name, address, telephone number or a unique identifier, last four digits of the social security or Tribal Identification number, date of birth, Registered Location, IP CTS provider name and dates of service, self-certification of eligibility for IP CTS and the date obtained by the provider, and (for existing users only) the date on which the registered Internet-based TRS user last placed an IP CTS call. The Commission estimates that there are approximately 300,000 existing IP CTS users. The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees - GS-14/5 (\$63.64) to collect and submit

¹⁷ These are the same 10 respondents that are submitting complaint log summaries.

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the required information for each user to the Database. This is a one-time requirement that will be met within the first year.

Annual Number of Respondents: 5¹⁸

Annual Number of Responses: 300,000

(60,000 responses per respondent)

60,000 responses x 5 IP CTS users = 300,000 responses

Annual Burden Hours: 150,000 hours (within the first year)

0.5 hour per response x 300,000 responses

Annual In-House Cost: \$9,546,000 (within the first year)

150,000 hours x \$63.64 per hour = \$9,546,000

- (ii) The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS will each require approximately 0.2 hour (12 minutes) to provide a clear explanation about the Database to each existing user and collect and retain consent from each user to transmit the user's information to the Database. The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees - GS-14/5 (\$63.64) to collect consent from each IP CTS user. This is a one-time requirement that will be met within the first year.

Annual Number of Respondents: 5¹⁹

Annual Number of Responses: 300,000 (within the first year)

(60,000 responses per respondent)

60,000 responses x 5 IP CTS user = 300,000 responses

Annual Burden Hours: 60,000 hours (within the first year)

0.2 hour per response x 300,000 responses

Annual In-House Cost: \$3,818,400 (within the first year)

60,000 hours x \$63.64 per hour = \$3,818,400

- (iii) The Commission estimates that each existing IP CTS user will require approximately 1 hour to submit to its IP CTS provider the specific user information that each provider is required to submit to the Database. This includes the user's consent to the provider to submit such information to the Database. The Commission estimates that there are approximately 300,000 existing IP CTS users. This is a one-time requirement that will be met within the first year.

Annual Number of Respondents: 300,000

Annual Number of Responses: 300,000

¹⁸ These are 5 of the 10 respondents that are submitting complaint log summaries.

¹⁹ These are the same 5 respondents that are submitting the information to the Database.

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1 response per IP CTS user x 300,000 IP CTS users

Annual Burden Hours: 300,000 hours (within the first year)

1 hour per response x 300,000 responses

Annual In-House Cost: \$0

- (iv) The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will require approximately 0.5 hour (30 minutes) to collect, compile, and submit specific information for each newly enrolled IP CTS user to the Database,²⁰ including the user's name, address, telephone number, a unique identifier, last four digits of the social security or Tribal Identification number, date of birth, Registered Location, IP CTS provider name and dates of service, self-certification of eligibility for IP CTS and the date obtained by the provider, and (for existing users only) the date on which the registered Internet-based TRS user last placed an IP CTS call. The Commission estimates that on average, each IP CTS provider will enroll approximately 7,200 new users annually. The Commission assumes that respondents will use "in-house" personnel whose pay is comparable to senior level federal employees - GS-14/5 (\$63.64) - to collect, compile, and submit the required information for each newly enrolled user to the Database. This is an ongoing requirement.

Annual Number of Respondents: 10²¹

Annual Number of Responses: 72,000

1 response per new user x 10 providers x average of 7,200 new users/provider annually

Annual Burden Hours: 36,000 hours

0.5 hour per response x 10 providers x 7,200 responses/provider annually

Annual In-House Cost: \$2,291,040

0.5 hour per response x 10 providers x 7,200 responses/provider x \$63.64 per hour)

- (v) The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will require approximately 0.2 hour (12 minutes) to provide a clear explanation about the Database to each new user and collect and retain consent from each user to transmit the user's information to the Database. The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees - GS-14/5 (\$63.64) to collect consent from each IP CTS user. This is an ongoing requirement

Annual Number of Respondents: 10²²

Annual Number of Responses: 72,000

²⁰ Prior to the Database becoming available to accept registration information, the IP CTS providers will be registering users pursuant to the procedures established under the *IP CTS Reform Order*. Those annual burdens are included here.

²¹ These are the same 10 respondents that are submitting complaint log summaries.

²² These are the same 10 respondents that are submitting complaint log summaries.

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1 response per new user x 10 providers x average of 7,200 new users/provider annually

Annual Burden Hours: 14,400 hours

0.2 hour per response x 10 providers x 7,200 responses/provider annually

Annual In-House Cost: \$916,416

0.2 hour per response x 10 providers x 7,200 responses/provider x \$63.64 per hour)

(vi) The Commission estimates that each new IP CTS user will require approximately 1 hour to submit to its IP CTS provider the specific user information that each provider is required to submit to the Database.²³ This includes the user's consent to the provider to submit such information to the Database. The Commission estimates that approximately 72,000 new IP CTS users will enroll annually. This is an ongoing requirement.

Annual Number of Respondents: 72,000

Annual Number of Responses: 72,000

1 response per new user x 72,000 new users

Annual Burden Hours: 72,000

1 hour per response x 72,000 responses

Annual In-House Cost: \$0

B. Notifications of the Provision of Service at Emergency Shelters

In the *IP CTS Modernization Order*, the Commission adopted section 64.604(c)(13)(iv) of its rules, which requires an IP CTS provider to notify the TRS Fund administrator of the activation and termination of service to a temporary, public IP CTS device set up in an emergency shelter. In the *IP CTS Program Management Order*, the Commission adopted section 64.611(j)(iii), which requires an IP CTS provider, before commencing service to such device, to submit registration information to the Database and to remove the device's registration information from the Database when service to such device is terminated.

The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will require approximately 0.5 hour (30 minutes) to notify the TRS Fund administrator and register with the Database the activation of a temporary, public IP CTS device set up in an emergency shelter. Similarly, the Commission estimates that each IP CTS provider will require approximately 0.5 hour (30 minutes) to notify the TRS Fund administrator of the deactivation of the device and to remove the registration information from the Database. The Commission estimates that each IP CTS provider, on average, will perform these tasks 20 times each year (i.e., 10 times for service activation and 10 times for service termination). The Commission further estimates that each provider will utilize personnel whose pay is comparable to mid-level federal employees—GS-9/Step 5 level (\$31.23)—to provide such information. This is an ongoing requirement.

²³ Prior to the Database becoming available to accept registration information, IP CTS users will register with the providers pursuant to the procedures established under the *IP CTS Reform Order*. Those annual burdens are included here.

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Annual Number of Respondents: 10 respondents²⁴

Annual Number of Responses: 200
20 responses x 10 respondents = 200

Annual Burden Hours: 100 hours
0.5 hour per response x 20 responses x 10 respondents = 100 hours

Annual In-House Cost: \$3,123
0.5 hour per response x 20 responses x 10 respondents x \$31.23 per hour = \$3,123

C. Removal from the Database

The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will require approximately 0.1 hour (6 minutes) to submit each request to the administrator of the Database to remove from the Database user information for each registered IP CTS user who no longer wants, or is no longer eligible to use, IP CTS. The Commission assumes that respondents will use in-house personnel whose pay is comparable to senior level federal employees - GS-14/5 (\$63.64 per hour) - to submit such requests. This is an ongoing requirement.

Annual Number of Respondents: 10

Annual Number of Responses: 30,000
3,000 responses x 10 respondents

Annual Burden Hours: 3,000 hours
0.1 hour per response x 3,000 responses x 10 respondents

Annual In-House Cost: \$190,920
0.1 hour per response x 3,000 responses x 10 respondents x \$63.64 per hour = \$190,920

IP CTS Program Management Order Totals are as follows:

Total annual number of respondents: 372,010

Total number of responses: 1,146,200

Total annual burden hours: 635,550 hours

Total in-house costs: \$16,765,899

²⁴ These are the same 10 respondents that are submitting complaint log summaries.

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Rulemakings	Number of Respondents	Number of Responses	Total Burden Hours	Staff Hourly Salary	In-House Costs
<i>Captioned Telephone Declaratory Ruling, Two-Line Captioned Telephone Order, and IP CTS Declaratory Ruling</i>	10 ²⁵	10	80	\$74.86	\$5,988.80
<i>IP CTS Reform Order</i>	10 ²⁶	72,002	18,010	\$31.23 – \$74.86	\$562,888.60
<i>IP CTS Modernization Order</i>	10 ²⁷	30	180	\$63.64	\$11,455.20
<i>IP CTS Program Management Order</i>	372,010 ²⁸	1,146,200	635,550	\$31.23 – \$63.64	\$16,765,899
CUMULATIVE TOTALS	372,010²⁹	1,218,242	653,820		\$17,346,231.60

13. Under the *IP CTS Declaratory Ruling*, the Commission does not anticipate any capital and start-up costs associated with the information collection after the first year, which has already passed.

Under the *IP CTS Reform Order*, the Commission does not anticipate any capital and start-up costs associated with the information collection after the first year, which has already passed.

Under the *IP CTS Modernization Order*, the Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will incur capital and start-up costs associated with web design modifications in an amount up to \$3,000 each. The Commission does not anticipate any capital and start-up costs associated with this aspect of the information collection after the first year.

²⁵ These are the 10 respondents that are submitting complaint log summaries and are the same 10 respondents included elsewhere in this collection.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.* See *infra* n.22 for a detailed explanation.

²⁹ Overall, there will be: (a) a total of 10 provider respondents, of which 5 provider respondents are certified to provide IP CTS and 5 provider respondents are the estimated number of new providers; and (b) an estimated 372,000 consumer respondents subject to the information collection requirements contained in this supporting statement—totaling 372,010 respondents for this collection.

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(a) Total Annualized Capital and Start-up Costs: **\$30,000**

10 respondents x \$3,000 = \$30,000

(b) Total annual costs (operation and maintenance): **\$0**

(c) Total annualized cost request: **\$30,000**

Under the *IP CTS Program Management Order*, the Commission estimates that current IP CTS providers will incur costs for the following:

(a) Capital/start-up costs associated with the implementation of technological infrastructure to electronically communicate with the Database. The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will purchase software at up to \$30,000 each to implement electronic communications with the Database. The Commission further estimates that such software will have a useful life of 10 years.

10 respondents x \$30,000 / 10 years = \$30,000 / year

(b) Annual costs (operation and maintenance) associated with record storage facilities for retaining records for user registration and certification information provided to the Database. The Commission estimates that the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants will need to spend \$2,600 per year for additional server space, memory, communications, and backup/recovery service, including maintenance, associated with a requirement to retain records of user registration and certification information provided to the Database.

10 respondents x \$2,600 / year = \$26,000 / year

(a) Total annualized capital/start-up cost: **\$30,000**

(b) Total annual costs (operation and maintenance): **\$26,000**

(c) Total annualized cost requested: **\$56,000**

Total annualized cost requested: \$56,000

14. For the *IP CTS Declaratory Ruling*, the Commission will process the annual consumer complaint log summaries filed by current IP CTS providers using Commission staff.

The Commission will use staff attorneys at the GS-14/5 level to process annual consumer complaint log summaries filed by the 5 IP CTS providers that are currently certified to provide IP CTS and 5 new market entrants. The Commission estimates the time to process each consumer complaint log to be approximately 2 hours.

On average, the Commission estimates that it will receive approximately 10 consumer complaint log summaries annually, thus:

10 summaries x 2 hours/report x \$74.86/hour = **\$1,497.20**

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For the *IP CTS Modernization Order*, the Commission will process reports of persons engaging in the unlawful practices listed in section 64.604(c)(13)(iii) of the rules using Commission staff.

The Commission will use staff attorneys at the GS-15/5 level to process such reports. The Commission estimates that it will receive 20 reports a year, and the time to process each report will be 5 hours per report. Thus:

$$20 \text{ reports/year} \times 5 \text{ hours/report} \times \$74.86/\text{hour} = \mathbf{\$7,486}$$

For the *IP CTS Program Management Order*, the Commission will process and make a determination on appeals from IP CTS service providers of users that do not pass the identity verification conducted by the Database administrator.

The Commission will use staff attorneys at the GS-15/5 level to process the appeals filed by current IP CTS providers. The Commission estimates the time to process and make a determination on each appeal to be approximately 3 hours. The Commission estimates it will receive 100 appeals annually. Thus:

$$100 \text{ appeals/year} \times 3 \text{ hours/appeal} \times \$74.86/\text{hour} = \mathbf{\$22,458}$$

Annual Cost to Federal Government = \$31,441.20.

15. The Commission has the following program changes to this collection which are due to (1) existing respondents having met the *New Consumer Registration and Self Certification* requirement adopted in the *IP CTS Reform Order* (**- 60,000 respondents, -120,000 responses, and -90,000 annual burden hours**); (2) adoption of the *IP CTS Modernization Order* and the *IP CTS Program Management Order* (**+372,000 respondents, +1,146,230 responses, and +635,730 annual burden hours**); and (3) reevaluation of the information collection requirements' burdens previously reported in this collection:

(a)(1) the number of respondents due to the *IP Reform Order* has decreased by **-60,000**, from 60,010 to 10 respondents;

(a)(2) the number of respondents due to the *IP CTS Program Management Order* has increased by **+372,000**, from 10 to 372,010 respondents;

Total Program Change in Respondents: +312,000

(b)(1) the number of responses due to the *IP CTS Reform Order* has decreased by **-120,000**, from 180,012 to 60,012;

(b)(2) the number of responses due to the *IP CTS Modernization Order* and the *IP CTS Program Management Order* has increased by **+1,086,218**, from 60,012 to 1,146,230 responses;

Total Program Change in Responses: +966,218

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(c)(1) the total annual burden hours due to the *IP CTS Reform Order* has decreased by **-90**, from 105,088 to 104,998 annual burden hours;

(c)(2) the total annual burden hours due to the *IP CTS Modernization Order* and the *IP CTS Program Management Order* has increased by **+530,732**, from 104,998 to 635,730 annual burden hours; and

Total Program Change in Annual Burden Hours: +530,642

(d) the total annual cost for this collection increased from \$0 to \$56,000.

Total Program Change in Annual Cost: +\$56,000

The Commission also has the following adjustments to this collection which are due to the remaining *IP CTS Reform Order* information collection requirements regarding **IP CTS Labeling and IP CTS Provider Applicant Assurance**. The Commission has re-estimated the remaining burdens to reflect any changes that may have occurred since the last time this collection was reviewed and approved by OMB, and makes the following adjustments:

(a) the Commission's estimate for the number of responses has increased by **+72,012** annual number of responses, from 1,146,230 to 1,218,242 annual number of responses;

(b) the Commission's estimate for the total annual burden hours has increased by **+18,090** annual burden hours, from 635,730 to 653,820 annual burden hours.

16. The results of this information collection will not be published.
17. The Commission is not seeking approval not to display the expiration date for OMB approval of these information collection(s) because the collection(s) do not include a form number.
18. On September 9, 2019, the Commission published a 60-day Federal Register Notice (Notice) at 84 FR 47290 and a 30-day Federal Register Notice at 84 FR 63877 on November 19, 2019. In these Notices, the Commission stated that the total annual cost is \$86,000. This cost is corrected to read \$56,000. There are no other exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

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