SUPPORTING STATEMENT

A. Justification:

1. Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, requires that a carrier first obtain FCC authorization either to (1) construct, operate, or engage in transmission over a line of communication, or (2) discontinue, reduce, or impair service over a line of communication. Part 63 of Title 47 of the CFR implements Section 214. Part 63 also implements provisions of the Cable Communications Policy Act of 1984 pertaining to video approved under OMB control number 3060-0149.

***History*:**

In the *Report and Order* for Implementation of Section 402(b)(2)(A) of the Telecommunications Act of 1996 (*214 Streamlining Order*), released on June 30, 1999, the Commission modified Part 63 to eliminate information submission requirements entirely for some categories of communications carriers and to reduce the submission requirements for other categories. As part of the *214 Streamlining Order*, the Commission created a streamlined process to allow carriers' affected customers to object to the proposed discontinuance, and, in the absence of sufficient grounds for denial, to automatically grant an application to discontinue service thirty-one (31) days after the Commission releases public notice of an application for non-dominant carriers, and sixty (60) days after release of public notice of an application for dominant carriers. Grounds for denial include if customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or if the public convenience and necessity would be otherwise adversely affected. Whether or not there are filed objections, the rules provide for an application to be granted automatically unless the Commission finds sufficient grounds for denial and notifies the applicant. In 2009, the Commission extended to providers of interconnected Voice over Internet Protocol (VoIP) service the discontinuance obligations that apply to domestic non-dominant telecommunications carriers under section 214 of the Communications Act of 1934, as amended.

To reduce burdens on carriers, the *2016 Technology Transitions Order* revised the rules governing the section 214(a) discontinuance process to provide streamlined treatment for applications to discontinue a service for which the requesting carrier has had no customers or reasonable requests for service during the 180-day period immediately preceding submission of the application.

The Commission's *2016 Technology Transitions Order* also concluded that the public interest requires that applicants seeking to discontinue a legacy time division multiplexing (TDM)-based voice service as part of a transition to a new technology, whether Internet Protocol (IP), wireless, or another type (technology transition discontinuance application) must demonstrate that an adequate replacement for the legacy service exists in order to be eligible for streamlined treatment (the "adequate replacement test"). For any other domestic service for which a discontinuance application was filed, the then existing framework continued to govern automatic grant procedures. To reduce burdens on carriers, the Commission adopted a more streamlined approach for discontinuances involving services that are substantially similar to those for which a section 214 discontinuance has previously been approved.

On November 16, 2017, the Commission adopted a Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, FCC 17-154 (*2017 Wireline Infrastructure Order*), which modified the rules governing the section 214 discontinuance process to further streamline the discontinuance process or otherwise reduce the barriers to discontinuance in order to accelerate

broadband deployment.

On June 7, 2018, the Commission adopted a Report and Order, FCC 18-74 (*2018 Wireline Infrastructure Second Report and Order*), which further modified certain recordkeeping, recording, and/or filing requirements identified below that relate to the obligations of carriers seeking to discontinue a service.

All requirements contained in the rules listed in Attachment A have been previously approved by the Office of Management and Budget (OMB) and remain unchanged. We are seeking to extend the information collection requirements of this collection from OMB in order to obtain the three-year approval.

Statutory authority for this collection of information is contained in 47 U.S.C sections 214 and 402 of the Communications Act of 1934, as amended.

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

2. The Commission will use the information to determine if affected respondents are in compliance with its rules and the requirements of section 214 of the Communications Act of 1934, as amended.
3. In an effort to reduce any burden created by these information collections, the Commission will permit all respondents to file responses using automated, electronic, mechanical, or other technological collection techniques where feasible.
4. There will be no duplication of information. The information sought is unique to each carrier, and similar information is not already available from other sources.
5. The collections of information may affect small entities as well as large entities. However, in each instance, these requirements were designed to minimize or even reduce the regulatory burden on such entities. The alternative options test adopted in the *2018 Wireline Infrastructure Second Report and Order* provides a less burdensome means than the adequate replacement test for seeking authorization to discontinue legacy voice service because it does not require the testing required by the adequate replacement test. However, should a carrier proceed with a discontinuance application through use of the adequate replacement test, future applications using the same replacement service will be subject to a more streamlined approach. Finally, carriers are no longer required to comply with the section 214(a) and part 63 discontinuance requirements for services for which there have been no customers and no reasonable requests for service during the 30 day period preceding the planned discontinuance.
6. Failing to collect the information, or collecting it less frequently, would prevent the Commission from implementing section 214 of the 1996 Act and reducing the compliance burdens and economic impact of the Commission's discontinuance requirements on carriers.
7. The collections are not being conducted in any manner inconsistent with the guideline of 5 CFR Section 1320.5(d)(2).
8. The Commission published a notice in the *Federal Register* initiating a 60-day comment period on this collection on July 8, 2024 (89 FR 55946). No comments on the notice were received. A copy of the notice is included in the submission to OMB.
9. No gifts or payments will be given to potential respondents for this collection.

10. Information filed in section 214 applications has generally been non-confidential. Requests from parties seeking confidentially are considered by Commission staff pursuant to agency rules. *See* 47 CFR § 0.459.
11. There are no questions of a sensitive nature involved, nor are there any privacy issues.
12. Estimates of the annual hourly burdens for this collection are as follows. These estimates are based on Commission staff's knowledge and familiarity with the availability of the data required.

    The Commission makes several assumptions regarding the impact of the rules adopted in the *2016 Technology Transitions Order, 2017 Wireline Infrastructure Report and Order*, and *2018 Wireline Infrastructure Second Report and Order*:

    - We estimate that two respondents will file technology transitions discontinuance applications under the 2016 adequate replacement test annually, because the majority of carriers will choose to proceed under the alternative options test adopted in the *2018 Wireline Infrastructure Second Report and Order*.
    - We estimate that the total number of applications/responses from those two respondents annually will be 2.
    - Cost and burden hours for repeat technology transitions applicants under the 2016 adequate replacement test will continue to decrease to the extent applicants proceeding under the adequate replacement test can rely on their successful certification of compliance with the adequate replacement test in a previously-approved application involving a substantially similar service. We estimate that 20% of applications will be first-time applications and 80% will be subsequent applications involving a substantially similar service.
    - We estimate that approximately 40 percent of applications relying on the adequate replacement test will involve packet-based networks using an internal performance measurement system, 40 percent will involve packet-based networks using an external performance measurement system, and 20 percent will involve non-packet based networks for which the call blocking test will apply.

    The Commission believes that most of these respondents will use their "in-house" staff to comply with these requirements, given that complex section 214 applications such as those related to technology transitions are generally prepared by high level in-house staff attorneys and engineers of applicants supported by lower categories of staff.

    The Commission has calculated the average number of 214 applications received in 2022 and 2023, taking into account respondents included as a result of the application of these rules to interconnected VoIP providers. The following table summarizes respondents' overall hour burdens and costs for their submission (responses or applications) for all types of discontinuance applications. Detailed breakouts are provided below the following table.

SUMMARY OF ANNUAL HOUR BURDEN AND COSTS

Subject	Number of Respondents	Number of Responses Annually	Annual Hour Burden Per Respondent	Total Annual Hour Burden	In-house Cost Per Respondent	Total In-house cost to Respondent
Adequate	2	10	79	158	$8,095	$16,190

Replacement Test, First Prong, First Criteria						
Adequate Replacement Test, First Prong, Second Criteria	2	10	45	90	$4,675	$9,350
Adequate Replacement Test, First Prong, Third Criteria	2	10	10	20	$1,070	$2,140
Adequate Replacement Test, Second Prong	2	10	10	20	$1,070	$2,140
Adequate Replacement Test, Third Prong	2	10	155	310	$15,315	$30,630
Price Information	2	10	16	30	$1,680	$3,360
TOTALS (Adequate Replacement Test Applications)	2	10	315	628	$31,905	$63,810
Total – Other 214 Discontinuance Applications (All Other Information Collection Requirements)[1]	78	78	6	468	$21,932	$93,600
CUMULATIVE TOTALS	**80**	**88**	**321**	**1,096**	**$53,837**	**$157,410**

The Commission estimates the hour burden for the part 63 collections to be as follows:

A. Calculation of Burden Hours for Applications That Do Not Involve the Adequate Replacement Test

(1) Total Number of Respondents: Approximately 78 respondents.

[1] These figures represent existing respondents, responses, burden hours and in-house cost which have not changed since last approved by OMB for other Section 214 discontinuance applications that are not a part of the technology transitions adequate replacement test application process. Carriers filed 72 discontinuance applications in 2022, none of which were based on the adequate replacement test, and 61 applications in 2023, two of which relied on the adequate replacement test.

(2) Total Number of Responses Annually: 78 responses – one response per respondent.

(3) Frequency of Response: On occasion reporting requirements.

(4) Annual Hour Burden Per Respondent: 6 hours.

(5) Total Annual Hour Burden: 468 hours.

78 respondents x 6 hours/response = 468 hours.

	No. of Respondents	Total Annual Responses	= Total Hour Burden
Current Estimates	78	78	468
In OMB's inventory:	78	78	468
Change in estimates:	0	0	0

Total estimate of in-house cost to respondents for the hour burdens for collection of information: $93,600.

Explanation of calculation: A number of variables must be considered. Complex section 214 applications generally are prepared by high level in-house staff attorneys of applicants supported by lower categories of staff; basic section 214 applications of firms are prepared by staff specialists supported primarily by administrative staff.

We estimate preparation costs of 78 respondents x an average hourly salary for all staff categories of $200 x 6 hours per respondent.

Thus, the total estimated cost to the industry is approximately $93,600.

78 carriers x $200/hour x 6 hours/respondent = $93,600.

B. Calculation of Burden Hours for Technology Transition Discontinuance Applications Under the Adequate Replacement Test

ANNUAL BURDEN HOURS AND COST – FIRST PRONG, FIRST CRITERION (NETWORK PERFORMANCE)

This estimate is for the testing requirements under the first criteria – network performance – under the first prong of the test. Three types of measurements could apply based on the type of replacement network and the performance measurement system used by the applicant. As noted above, we estimate that approximately 40 percent of applications will involve packet-based networks using an internal performance measurement system, 40 percent will involve packet-based networks using an external performance measurement system, and 20 percent will involve non-packet based networks for which the call blocking test will apply.

Summary: This summary reflects our assumptions regarding the number and type of applications that will be received on an annual basis and the efficiencies we anticipate will be achieved for repeat applicants.

(1) Number of Respondents: 2

(2) Total Number of Responses Annually: 10

(3) Frequency of Response: One-time reporting requirement.

(4) Total Annual Hour Burden Per Respondent: 79

- We provide the following estimates for the average hour burdens associated with applications under each testing regime: 30 hours (packet-based, internal); 6 hours (packet-based, external); 7 hours non-packet based per response.
- We estimate that 40 percent of applications will involve packet-based replacement services and utilize an internal testing regime, 40 percent will involve packet-based replacement services and utilize an external testing regime, and 20 percent will involve non-packet based replacement services and use the voice call congestion testing regime.
- In reaching the estimated burden, we weighted the number of applications we expect to receive as follows: (30 hours x (10 x 40%) = 120) + (6 hours x (10 x 40%) = 24) + (7 hours x (10 x 20%) = 14) = 158 hours; 158 hours divided by 10 (# of applications) equals 15.8 hours. 15.8 hours times an estimated 5 responses per respondent equals 79 hours.

(5) Total Annual Hour Burden: 158

- An estimated 15.8 hours per response times 10 responses per year equals 158 hours.

(6) In-house Cost Per Respondent: $8,095

- We provide the following estimates for the average cost burdens associated with applications under each testing regime: $2,961 (packet-based, internal); $628 (packet-based, external).
- We estimate that 40 percent of applications will involve packet-based replacement services and utilize an internal testing regime, 40 percent will involve packet-based replacement services and utilize an external testing regime, and 20 percent will involve non-packet based replacement services and use the voice call congestion testing regime.
- In reaching the estimated burden, we weighted the number of applications we expect to receive as follows: $11,844 ($2,961/response x (10 x 40%)) + $2,512 ($628 x (10 x 40%)) + $1,830 ($915 x (10 x 20%)) = $16,186; $16,816 divided by 10 equals $1,619, times 5 equals $8,095.

(7) Total In-house Cost to Respondents: $16,190

- $1,619 x 10 responses = $16,190

The average overall estimates described in the preceding section are based on the calculations that follow below for each of the three discrete testing regimes envisioned.

Assumptions for Approach 1: Packet-Based Networks with an Internal Performance Measurement System

(1) Annual Hour Burden Per Response: 30

- The burden hour estimates are for setting up engineering processes for performance measurement

systems; panelist lists; web presentation of associated material; and legal review.

- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- Overall, we estimate the average burden per first application is 90 hours, which includes:
    - 84 engineer hours + 2 web administrator hours + 4 attorney hours.
- We estimate that the average burden for subsequent applications is 2 attorney hours and 2 engineer hours.
- To find the average hour burden per response:
    - 90 hours x 1.2 respondents' first applications = 108 hours
    - 4 hours x 2.8 subsequent applications = 11 hours
    - 108 hours + 11 hours = 119/4 responses = approximately 30 hours per response

(2) In-House Cost Per Response: $2,961 (rounded up)

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour)); web administrators (equivalent to federal GS12, step 5, plus 30 percent overhead ($53.87/hour x 1.3 = $70.03/hour)); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- To find the average cost per response:
    - 84 engineer hours at $98.41/hour + 2 web administrator hours at $70.03/hour + 4 attorney hours at $115.75/hour = $8,869.50 per first application
    - $8,869.50 x 1.2 respondents' first applications = $10,643.40 for respondents' first applications
    - 2 attorney hours at $115.75/hour + 2 engineer hours at $98.41/hour = $428.32 x 2.8 subsequent applications = $1,199 for subsequent applications
    - $10,643.40 + $1,199 = $11,842.40/4 responses = approximately $2,961 per response (rounded up)

Assumptions for Approach 2: Packet-Based Networks with an External Performance Measurement System

(1) Annual Hour Burden Per Response: 6

- The burden hour estimates are for setting up engineering processes for external Latency & Packet Loss performance measurement systems; contacts; panelist lists; Web presentation of associated material; and legal review.

- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- Overall, we estimate the average internal burden per first response is 11 hours, which includes:
    - 5 engineer hours + 2 web administrator hours + 4 attorney hours.
- We estimate that the average burden for subsequent applications is 2 attorney hours and 2 engineer hours.
- To find the average hour burden per response:
    - 11 hours x 1.2 respondents' first applications = 13 hours
    - 4 hours x 2.8 subsequent applications = 11 hours
    - 13 hours + 11 hours = 24/4 responses = approximately 6 hours per response

(2) In-House Cost Per Response: $628

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour)); web administrators (equivalent to federal GS12, step 5, plus 30 percent overhead ($53.87/hour x 1.3 = $70.03/hour)); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- Although the Commission expects most reporting requirements for Performance metrics (Latency & Packet Loss) will be met by respondents' "in-house" staff as noted above, some of the larger respondents (we estimate approximately half of respondents) may have external costs for deploying their own performance measurement testing program. These external costs will be further described in Item 13 of the supporting statement. To find the average cost per response:
    - 5 engineer hours at $98.41/hour + 2 web administrator hours at $70.03/hour + 4 attorney hours at $115.75/hour = $1,095 per first application
    - $1,095 x 1.2 respondents' first applications = $1,314 for respondents' first applications
    - 2 attorney hours at $115.75/hour + 2 engineer hours at $98.41/hour = $428 x 2.8 subsequent applications = $1,198 for subsequent applications
    - $1,314 + $1,198 = $2,512/4 responses = approximately $628 annual per response

Assumptions for Approach 3: Non-Packet-Based Networks: Voice-Based Congestion Testing

The blocking test is applied only for technology transitions in which the applicant's copper loop is being replaced by a non-packet, wireless technology. To measure voice-based congestion on non-packet wireless networks, the provider must calculate the probability of congestion-based voice call failure for every hour. For each of the 30 days measured, the provider must then determine the hour that had the highest probability of congestion-based voice call failure that day. The probability of congestion-based

voice call failure each hour should be determined by dividing the number of failed calls during the hour by the total number of call attempts during the hour. For 95 percent of the total days, the failure probability during the hour with the highest failure probability must be less than one percent (i.e., for at least 95 percent of the total days, less than one percent of all calls may be blocked in the worst hour due to unavailability of a radio access channel). These measurements would not be taken on a sample basis, but would be collected at each cell tower over all call attempts to or from customers for a 30-day period. In addition, if there are seasonal differences in traffic load—for example, if the area is a summer resort community—measurements to determine probability of call failure must be taken during the busy season.

(1) Annual Hour Burden Per Response: 14

- We assume that applicants are already collecting the data needed for calculating blocking probability as a routine part of managing their networks. No additional burden hours are assumed for making blocking-related measurements. The burden hour estimates are for compiling and processing the data, which may come from multiple management systems; performing the blocking probability calculations needed for certifications; and legal review.
- The burden hour estimates are for setting up engineering processes for application interoperability tests; web presentation of associated material; and legal review.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- Overall, we estimate the average burden per first response is 29 hours, which includes:
    - 23 engineer hours + 2 web administrator hours and + 4 attorney hours.
- We estimate that the average burden for subsequent applications is 2 attorney hours and 2 engineer hours.
- To find the average hour burden per response:
    - 29 hours x .4 (2 x 20%) respondents' first applications = 12 hours
    - 4 hours x 1.6 (2 x 80%) subsequent applications = 6 hours
    - 12 hours + 6 hours = 18/2 responses = 9 hours per response

(2) In-House Cost Per Response: $915

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70./hour x 1.3 = $98.41/hour)); web administrators ((equivalent to federal GS12, step 5, plus 30 percent overhead ($53.87/hour x 1.3 = $70.03/hour)); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- To find the average cost per response:
    - 23 engineer hours at $98.41/hour + 2 web administrator hours at $70.03/hour + 4 attorney

hours at $115.75/hour = $2,866 per first application

- $2,866 x .4 (2 x 20%) respondents' first applications = $1,146
- 2 attorney hours at $115.75/hour + 2 engineer hours at $98.41/hour = $428 x 1.6 (2 x 80%) subsequent applications = $685 for subsequent applications
- $1,146 + $685 = $1,831/2 responses = approximately $915 per response

ANNUAL BURDEN HOURS AND COST – FIRST PRONG, SECOND CRITERIA (AVAILABILITY TESTS)

This estimate is for the second criteria of the first prong. In order to meet this aspect of the network performance prong and be eligible for automatic grant, an applicant must demonstrate a service availability of 99.99 percent or greater. The replacement service's availability will be calculated using data regarding customer trouble reports, the average repair interval in responding to those reports, the number of lines in the service area, and the duration of the observation period to reach a representative measurement of a "four 9s" benchmark used to measure service availability.

(1) Number of Respondents: 2

(2) Total Number of Responses Annually: 10

(3) Frequency of Response: One-time reporting requirement.

(4) Total Annual Hour Burden Per Respondent: 45

- We assume that respondents are already collecting the data needed for calculating network availability as a routine part of managing their networks. No additional burden hours are assumed for making availability-related measurements. The burden hour estimates are for compiling and processing the data, which may come from multiple management systems; performing the availability calculations needed for certifications; and legal review.
- The burden hour estimates are for setting up engineering processes for application interoperability tests; web presentation of associated material; and legal review.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- We also assume that 20% of applications will be first-time applications and 80% of applications will be subsequent applications.
- Overall, we estimate that the burden per first response is 30 hours, which includes:
  - 24 engineer hours + 2 web administrator hours + 4 attorney hours.
- We estimate that the average hour burden for subsequent applications is 2 attorney hours and 2 engineer hours.
- To find the average hour burden per response/respondent:
  - 30 hours x 2 (10 x 20%) respondents' first applications = 60 hours
  - 4 hours x 8 (10 x 80%) subsequent applications = 32 hours

- 60 hours + 32 hours = 92/10 responses = approximately 9 hours per response
- 9 hours per response x 5 responses per respondent = 45 hours per respondent

(5) Total Annual Hour Burden: 90

- Based on 9 hours per response x 10 responses = 90 hours annually

(6) In-house Cost Per Respondent: $4,675

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour)); web administrators ((equivalent to federal GS12, step 5, plus 30 percent overhead ($53.87/hour x 1.3 = $70.03/hour)); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- To find the average cost per response/respondent:
  - 24 engineer hours at $98.41/hour + 2 web administrator hours at $70.03/hour + 4 attorney hours at $115.75/hour = $2,965 per first application
  - $2,965 x 2 (10 x 20%) respondents' first applications = $5,930 for respondents' first applications
  - 2 attorney hours at $115.75/hour + 2 engineer hours at $98.41/hour = $428 x 8 (10 x 80%) subsequent applications = $3,424 for subsequent applications
  - $5,930 + $3,424 = $9,354 annually/10 responses = approximately $935 per response x 10 responses = $9,350 annually/2 respondents = $4,675 per respondent

(7) Total In-house Cost to Respondents: $9,350

- Based on $935 x 10 responses = $9,350

ANNUAL BURDEN HOURS AND COST – FIRST PRONG, THIRD CRITERIA (NETWORK COVERAGE TESTS)

This estimate is for the third criteria of the first prong. In order to demonstrate sufficient network coverage, the applicant must certify or demonstrate that either: (i) a single replacement service reaches the entire geographic footprint of the service area subject to discontinuance; or (ii) there are multiple providers that collectively cover the entirety of the affected service area.

(1) Number of Respondents: 2

(2) Total Number of Responses Annually: 10

(3) Frequency of Response: One-time reporting requirement.

(4) Total Annual Hour Burden Per Respondent: 10

- We assume that respondents are already collecting the data needed for certifying sufficient network coverage as a routine part of managing their networks. The burden hour estimates are

for engineers to compile, process, and review the data, and for legal review. We estimate the same number of hours will be needed for each certification and therefore did not discount the hours for a respondents' subsequent applications.

- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- Overall, we estimate that the burden per response is 2 hours, which includes:
  - 1 engineer hours + 1 attorney hours.
- To find the hour burden per respondent:
  - 2 hours x 10 responses per year = 20 hours annually/2 respondents = 10 hours per respondent

(5) Total Annual Hour Burden: 20

- Based on 2 hours per response x 10 responses = 20 hours annually

(6) In-house Cost Per Respondent: $1,070

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- To find the average cost per response/respondent:
  - 1 engineer hour at $98.41/hour + 1 attorney hour at $115.75/hour = $214 per application
  - $214 per application x 10 responses = approximately $2,140 annually/2 respondents = $1,070 per respondent

(7) Total In-house Cost to Respondents: $2,140

- Based on $214 per application x 10 responses = $2,140 annually

ANNUAL BURDEN HOURS AND COST – SECOND PRONG (CRITICAL APPLICATIONS)

This estimate is for the second prong of the test. Under the second prong, to remain eligible for automatic grant for a technology transition discontinuance application, an applicant must certify or show that at least one replacement service complies with regulations regarding availability and functionality of 911 service for consumers and public safety answering points (PSAPs), industry standards regarding communications security, and regulations governing compatibility with assistive technologies. The specific requirements are described above.

(1) Number of Respondents: 2

(2) Total Number of Responses Annually: 10

(3) Frequency of Response: One-time reporting requirement.

(4) Total Annual Hour Burden Per Respondent: 10

- We assume that respondents are already complying with these requirements as a routine part of their business management. The burden hour estimates are for engineers and attorneys to review the requirements and certify compliance. We estimate the same number of hours will be needed for each certification and therefore did not discount the hours for a respondents' subsequent applications.
- Overall, we estimate that the burden per response is 2 hours, which includes:
  - 1 engineer hours + 1 attorney hours = 2 hours.
- To find the hour burden per respondent:
  - 2 hours x 10 responses per year = 20 hours annually/2 respondents = 10 hours per respondent

(5) Total Annual Hour Burden: 20

- Based on 2 hours per response x 10 responses = 10 hours annually

(6) In-House Cost Per Respondent: $1,070

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- To find the average cost per response/respondent:
  - 1 engineer hour at $98.41/hour + 1 attorney hour at $115.75/hour = $214 per application
  - $214 per application x 10 responses = approximately $2,140 annually/2 respondents = $1,070 per respondent

(7) Total In-House Cost to Respondents: $2,140

- Based on $214 per application x 10 responses = $2,140 annually

ANNUAL BURDEN HOURS AND COST- THIRD PRONG (APPLICATION INTEROPERABILITY TEST)

This estimate is for the third prong of the test. Applicants must ensure that replacement services are compatible with a defined list of devices, subject to sunset in 2025. These low-speed modem devices—in particular, fax machines, home security alarms, medical monitoring devices, analog-only caption telephone sets, and point-of-sale terminals—make up the initial list of applications for which applicants seeking automatic grant must demonstrate that any replacement service offers interoperability.

(1) Number of Respondents: 2

(2) Total Number of Responses Annually: 10

(3) Frequency of Response: One-time reporting requirement.

(4) Total Annual Hour Burden Per Respondent: 155

- The burden hour estimates are for setting up engineering processes for application interoperability tests; web presentation of associated material; and legal review.

- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- Overall, we estimate the average hour burden per response is 31 hours. Please see the more detailed breakout below.
    - 25 engineer hours + 2 web administrator hours + 4 attorney hours = 31 hours
- To find the hour burden per respondent:
    - 31 hours per response x 10 responses = 310/2 respondents = 155 hours per respondent

(5) Total Annual Hour Burden: 310

- Based on 31 hours per response x 10 responses = 310 hours annually

(6) In-house Cost Per Respondent: $15,315

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour)); web administrators (equivalent to federal GS12, step 5, plus 30 percent overhead ($53.87/hour x 1.3 = $70.03/hour)); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- We are also assuming that a certain percentage of applications (10 percent) will concern replacement networks that have not met the performance benchmark required for a certification, and have included additional burden hours in our estimates for developing engineering and legal arguments to support claims that, in the "totality of circumstances," these networks are still providing adequate service.
- To find the average cost per response/respondent:
    - 25 engineer hours at $98.41/hour + 2 web administrator hours at $70.03/hour + 4 attorney hours at $115.75/hour = approximately $3,063 per application
    - $3,063 x 10 applications = approximately $30,630 annually/2 respondents = approximately $15,315 per respondent

(7) Total In-house Cost to Respondents: $30,630

- Based on $3,063 per application x 10 responses = $30,630 annually

ANNUAL BURDEN HOURS AND COST – PRICE INFORMATION

In order to be considered for streamlined processing, applicants must include information about the price of replacement services compared to the legacy service in their application.

(1) Number of Respondents: 2

(2) Total Number of Responses Annually: 10

(3) Frequency of Response: One-time reporting requirement.

(4) Total Annual Hour Burden Per Respondent: 16

- The burden hour estimates are for engineers to gather and compare pricing information and for

legal review.

- Overall, we estimate the average burden per first response is 8 hours, which includes:
    - 6 engineer hours + 2 attorney hours = 8 hours
- We estimate that the average burden for subsequent applications is 1 engineer hour and one attorney hour.
- To find the average hour burden per response/respondent:
    - 8 hours x 2 (10 x 20%) respondents' first applications = 16 hours
    - 2 hours x 8 (10 x 80%) subsequent applications = 16 hours
    - 32 hours/10 applications = 3 hours per application
    - 16 hours + 16 hours = 32 hours/2 respondents = 16 hours per respondent

(5) Total Annual Hour Burden: 30

- Based on 3 hours per response x 10 responses = 30 hours annually

(6) In-House Cost Per Respondent: $1,680

- We assume that applicants will use in-house, senior engineers (equivalent to federal GS14, step 5, plus 30 percent overhead ($75.70/hour x 1.3 = $98.41/hour)); and attorneys (equivalent to federal GS15, step 5, plus 30 percent overhead ($89.04/hour x 1.3 = $115.75/hour)) for these applications.
- To find the average cost per response/respondent:
    - 6 engineer hours at $98.41/hour + 2 attorney hours at $115.75/hour = $822 per first application.
    - $822 x 2 (10 x 20%) respondents' first applications = $1,644 for respondents' first applications
    - 1 attorney hours at $115.75/hour + 1 engineer hours at $98.41/hour = $214 x 8 (10 x 80%) subsequent applications = $1,712 for subsequent applications
    - $1,644 + $1,712 = $3,356/10 responses = approximately $336 annual cost per response
    - $336 annual cost per response x 5 responses per respondent = $1,680

(7) Total In-House Cost to Respondents: $3,360

- Based on $336 per application x 10 responses = $3,360 annually

13. The following represents the Commission's estimate of the annual cost burden to respondents from the collection of information:

    Estimates of annualized costs to respondents for the hour burdens for providing technology discontinuance applications under the adequate replacement test:

    - The Commission makes the following estimate for external costs for the first applications or responses of mid- to large wireline carriers. Those costs would not be repeated for future applications. Therefore, we estimate $27,900 in one-time costs, but averaged over five

applications (thus reducing the cost per application to $5,580) and only applied to half of respondents, making an approximate burden per response for external costs of $2,790.

- *Equipment & Implementation Costs Per Respondent* = $7,500
  - 100 measurement devices x $75 per device = $7,500 cost per respondent to include shipping and other associated implementation costs. This includes residential and enterprise testing. We assume that respondents will re-use or re-deploy these devices and reduce total costs over multiple transitions.
  - Annualized costs are not applicable as the testing is for 1 month.
- *Operations and Management Costs Per Respondent* = $20,400
  - $14,400 server lease costs + $6,000 consumer panel maintenance costs = $20,400 costs per respondent. We assume these costs will be spread across several responses by each respondent.

Total External Costs: $7,500 + 20,400 = $27,900

Estimates of annualized costs to respondents for the hour burdens for providing all other types discontinuance applications: None.

(a) Total annualized capital/startup costs: $0.00

(b) Total annualized costs (O&M): $0.00

(c) Total annualized cost requested: $0.00

14. The estimates listed here are related to technology transition discontinuance applications seeking streamlined treatment under the adequate replacement test and the existing estimates regarding all other Section 214 applications. Estimated annual cost to the Federal government is **$195,784** based on the current requirements and is estimated as follows:

    We will use FCC engineers (equivalent to an average of federal GS10-14, step 5, plus 30 percent overhead ($55.90/hour[2] x 1.3 = $72.67) and attorney advisors (equivalent to federal GS13-15, step 5, plus 30 percent overhead; including locality pay ($76.27/hour[3] x 1.3 = $99.15/hour)) for these applications.

    Technology Transition Discontinuance Applications Seeking Streamlined Treatment Under the Adequate Replacement Test:

    a. Overall, we estimate the average hours per response is 42 hours.
       i. 2 engineer hours at $72.67/hour + 40 attorney hours at $99.15/hour = $4,111 per application
    b. Total Annual Hour Burden: 420
       i. Based on 42 hours per response x 10 responses.

[2] This hourly rate represents the average for step 5 for each of grades 10 through 14.

[3] This hourly rate represents the average for step 5 for each of grades 13 through 15.

c. Total Annual Cost: $41,110

i. Based on $4,111 per response x 10 responses.

All Other 214 Applications:

d. Overall, we estimate the average hours per response is 20 hours.

i. 20 attorney hours at $99.15/hour = $1,983 per application

e. Total Annual Hour Burden: 1,560

i. Based on 20 hours per response x 78 responses.

f. Total Annual Cost: $154,674

i. Based on $1,983 per response x 78 responses.

The total cost to the Federal government for Section 214 applications is **$41,110 + $154,674 = $195,784.**

15. There are no adjustments and no program changes for this collection.
16. No information is proposed to be published.
17. Approval to not display the expiration date for OMB approval is not sought since this information collection does not include any forms, etc.
18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.

Attachment A

Listing of collections currently in force in Part 63 under OMB Control Number 3060-0149 and which have not been modified other than as described above.

Section 63.01 – Authority for all domestic common carriers.
Section 63.02 – Exemptions for extensions of lines and for systems for the delivery of video programming.
Section 63.50 – Amendment of applications.
Section 63.51 – Additional information.
Section 63.52 – Copies required; fees; and filing periods for domestic authorizations.
Section 63.53 – Form.
Section 63.60 – Definitions.
Section 63.61 – Applicability.
Section 63.62 – Type of discontinuance, reduction, or impairment of telephone or telegraph service requiring formal application.
Section 63.63 – Emergency discontinuance, reduction or impairment of service.
Section 63.65 – Closure of public toll station where another toll station of applicant in the community will continue service.
Section 63.66 – Closure of or reduction of hours of service at telephone exchanges at military establishments.
Section 63.71 – Procedures for discontinuance, reduction or impairment of service by domestic carriers.
Section 63.90 – Publication and posting of notices.
Section 63.100 – Notification of service outage. Approved under OMB control number 3060-0484.
Section 63.500 – Contents of applications to dismantle or remove a trunk line.
Section 63.501 – Contents of applications to sever physical connection or to terminate or suspend interchange of traffic with another carrier.
Section 63.504 – Contents of applications to close a public toll station where no other such toll station of the applicant in the community will continue service and where telephone toll service is not otherwise available to the public through a telephone exchange connected with the toll lines of a carrier.
Section 63.505 – Contents of applications for any type of discontinuance, reduction, or impairment of telephone service not specifically provided for in this part.
Section 63.601 – Contents of applications for authority to reduce the hours of service of public coast stations under the conditions specified in Section 63.70.
Section 63.602 – Additional contents of applications to discontinue, reduce, or impair an existing retail service as part of a technology transition.