



6712-01

FEDERAL COMMUNICATIONS COMMISSION

Information Collections Approved by the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice of public information collection approved by the Office of Management and Budget.

SUMMARY: The Federal Communications Commission has received the Office of Management and Budget (OMB) approval for the following public information collection(s) pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number, and no person is required to respond to a collection of information unless it displays a currently valid OMB control number.

FOR FURTHER INFORMATION CONTACT: For additional information, please contact Cathy Williams on (202) 418-2918 or via email at cathy.williams@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-1173.

OMB Approval Date: July 24, 2012.

OMB Expiration Date: July 31, 2015.

Title: Creation of a Low Power Radio Service and Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations, Fourth Report and Order and Third Order on Reconsideration (“Fourth Report and Order”), MM Docket 99-25, MB Docket No. 07-172, RM-11338; Implementation of Application Caps.

Form Number: N/A.

Number of Respondents and Responses: 300 respondents; 300 responses.

Frequency of Response: One-time reporting requirement.

Estimated Time per Response: 2 hours.

Total Annual Burden: 600 hours.

Total Annual Costs: None.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Sections 154(i) of the Communications Act of 1934, as amended.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: On March 19, 2012, the Commission adopted a Fourth Report and Order and Third Order on Reconsideration (“Fourth Report and Order”), FCC 12-29. In the Fourth Report and Order, the Commission adopts the national and market-specific caps proposed in the Third Further Notice, FCC 11-105, and requires parties with more than 50 pending applications and/or more than one pending application in the markets identified in Appendix A of the Fourth Report and Order (the top 150 Arbitron markets plus markets with more than 4 pending translator applications) to request the dismissal of applications to comply with these limits. Applicants may request such dismissal by filing a letter with the Commission (“Dismissal Letter”) identifying the applications they wish to be dismissed. In the event that an applicant does not timely comply with these dismissal procedures, the Commission staff will first apply the national cap, retaining on file the first 50 filed applications and dismissing those that were subsequently filed. The

staff will then dismiss all but the first filed application in each of the markets identified in Appendix A.

OMB Control Number: 3060-1172.

OMB Approval Date: July 24, 2012.

OMB Expiration Date: July 31, 2015.

Title: Creation of a Low Power Radio Service and Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations, Fourth Report and Order and Third Order on Reconsideration (“Fourth Report and Order”), MM Docket 99-25, MB Docket No. 07-172, RM-11338; Translator Amendments and Top 50 Market Preclusion Showings.

Form Number: N/A.

Number of Respondents and Responses: 500 respondents; 1,300 responses.

Estimated Time per Response: 2 hours.

Total Annual Burden: 2,600 hours.

Total Annual Costs: None.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Sections 154(i) of the Communications Act of 1934, as amended.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: On March 19, 2012, the Commission adopted a Fourth Report and Order and Third Order on Reconsideration (“Fourth Report and Order”), FCC 12-29. It adopts the market-based dismissal policy proposed in the Third Further Notice, FCC 11-105, with certain modifications. Among other things, it gives all translator applicants a limited opportunity to amend their proposals. It holds that translator applicants in “spectrum available” markets may modify their proposals so long as they do not preclude any LPFM channel/point combination identified in the Bureau's study (“Spectrum Available Amendments”). It further holds that translator applicants with proposals in “spectrum limited” markets will be allowed to modify their proposals to eliminate their preclusive impact on any of the LPFM point/channel combinations that would be

available within the grid if all translator window applications in that market were dismissed (“Spectrum Limited Amendments”) (“Spectrum Available Amendments” and “Spectrum Limited Amendments” are collectively referred to herein as, “Amendments”). In addition, any translator applicant in any top 50 spectrum limited market must demonstrate that its out-of-grid proposal would not preclude the only LPFM station licensing opportunity at that location (“Top 50 Market Preclusion Showing”). Specifically, it needs to demonstrate either that no LPFM station could be licensed at the proposed transmitter site or, if an LPFM station could be licensed at the site, that an additional channel remains available for a future LPFM station at the same site.

Federal Communications Commission.

Bulah P. Wheeler,

Deputy Manager,

Office of the Secretary,

Office of Managing Director.

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