



**6712-01**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 54**

**[WC Docket Nos. 19-126, 10-90; FCC 20-5; FR 16801]**

**Rural Digital Opportunity Fund, Connect America Fund**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, an information collection associated with the rules for the Rural Digital Opportunity Fund auction contained in the Commission's Rural Digital Opportunity Fund Order, FCC 20-5. This document is consistent with the Rural Digital Opportunity Fund Order, which stated that the Commission would publish a document in the Federal Register announcing the effective date of the new information collection requirements.

**DATES:** The amendment to § 54.804(a) published at 85 FR 13773, March 10, 2020, is effective **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

**FOR FURTHER INFORMATION CONTACT:** Alexander Minard, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484. For additional information concerning the Paperwork Reduction Act information collection requirements contact Nicole Ongele at (202) 418-2991 or via email: [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission submitted revised information collection requirements for review and approval by OMB, as required by the Paperwork Reduction Act (PRA) of 1995, on April 20, 2020, which were approved by the OMB on May 22, 2020. The information collection requirements are contained in the Commission's Rural Digital Opportunity Fund Order, FCC 20-5, published at 85 FR 13773, March 10, 2020. The OMB Control Number is 3060-1252. The Commission publishes this document as an

announcement of the effective date of the rules published March 10, 2020. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1-A620, 445 12<sup>th</sup> Street, SW, Washington, DC 20554. Please include the OMB Control Number, 3060-1252, in your correspondence. The Commission will also accept your comments via e-mail at PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

## **SYNOPSIS**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the Commission is notifying the public that it received OMB approval on May 22, 2020, for the information collection requirements contained in 47 CFR 54.804(a), published at 85 FR 13773, March 10, 2020. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-1252.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Pub. L. 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

**OMB Control Number:** 3060-1252.

**OMB Approval Date:** May 22, 2020.

**OMB Expiration Date:** May 31, 2023.

**Title:** Application to Participate in Rural Digital Opportunity Fund Auction, FCC Form 183.

**Form No.:** FCC Form 183.

**Respondents:** Business or other for-profit entities, Not-for-profit institutions, and State, Local or Tribal governments.

**Number of Respondents and Responses:** 500 respondents and 500 responses.

**Estimated Time per Response:** 7 hours.

**Frequency of Response:** On occasion reporting requirement.

**Obligation to Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 154, 254 and 303(r) of the Communications Act of 1934, as amended.

**Total Annual Burden:** 3,500 hours.

**Total Annual Cost:** No Cost.

**Nature and Extent of Confidentiality:** Although most information collected in FCC Form 183 will be made available for public inspection, the Commission will withhold certain information collected in FCC Form 183 from routine public inspection. Specifically, the Commission will treat certain technical and financial information submitted in FCC Form 183 as confidential and as though the applicant has requested that this information be treated as confidential trade secrets and/or commercial information. In addition, an applicant may use the abbreviated process under 47 CFR 0.459(a)(4) to request confidential treatment of certain financial information contained in its FCC Form 183 application. However, if a request for public inspection for this technical or financial information is made under 47 CFR 0.461, and the applicant has any objections to disclosure, the applicant will be notified and will be required to justify continued confidential treatment of its request. To the extent that a respondent seeks to have other information collected in FCC Form 183 withheld from public inspection, the respondent may request confidential treatment pursuant to 47 CFR 0.459.

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

**Needs and Uses:** The Commission will use the information collected to determine whether applicants are eligible to participate in the Rural Digital Opportunity Fund auction. On January

30, 2020 the Commission adopted the *Rural Digital Opportunity Fund Order*, WC Docket Nos. 19-126, 10-90, FCC 20-5 which will commit up to \$20.4 billion over the next decade to support up to gigabit speed broadband networks in rural America. The funding will be allocated through a multi-round, reverse, descending clock auction that favors faster services with lower latency and encourages intermodal competition in order to ensure that the greatest possible number of Americans will be connected to the best possible networks, all at a competitive cost.

To implement the Rural Digital Opportunity Fund auction, the Commission adopted new rules for the Rural Digital Opportunity Fund, including the adoption of a two-stage application process. For the Connect America Fund Phase II auction, applicants that wanted to qualify to bid in the auction were required to submit the FCC Form 183 short-form application. Because the Connect America Fund Phase II auction has ended, the Commission intends to repurpose the FCC Form 183 for the Rural Digital Opportunity Fund. Any entity that wishes to participate will be required to submit the FCC Form 183 short-form application to demonstrate its qualifications to bid.

Accordingly, the Commission revises this collection to indicate that it now intends to collect this information pursuant to § 54.804(a) of the Commission's rules, replacing § 54.315(a) of the Commission's rules. 47 CFR 54.315(a), 54.804(a). The Commission also makes several revisions to FCC Form 183, including text changes to reflect the Rural Digital Opportunity Fund. Based on the Commission's experience with auctions and consistent with the record, this two-stage collection of information balances the need to collect information essential to conduct a successful auction with administrative efficiency.

Under this information collection, the Commission will collect information that will be used to determine whether an applicant is legally qualified to participate in an auction for Rural Digital Opportunity Fund support. To aid in collecting this information, the Commission will use FCC Form 183, which the public will use to provide the necessary information and certifications.

Commission staff will review the information collected on FCC Form 183 as part of the pre-auction process, prior to the start of the auction, and determine whether each applicant satisfies the Commission's requirements to participate in an auction for Rural Digital Opportunity Fund support. Without the information collected on FCC Form 183, the Commission will not be able to determine if an applicant is legally qualified to participate in the auction and has complied with the various applicable regulatory and statutory auction requirements for such participation. This approach is an appropriate assessment of providers for ensuring serious participation without being unduly burdensome.

**FEDERAL COMMUNICATIONS COMMISSION.**

**Cecilia Sigmund,**

Federal Register Liaison Officer

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