

Dated: February 25, 1998.

**Richard D. Wilson,**

*Acting Assistant, Administrator for Air and Radiation.*

[FR Doc. 98-5411 Filed 3-2-98; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission

February 24, 1998.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid 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 (PRA) that does not display a valid control number. Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before May 4, 1998. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Judy Boley, Federal Communications Commission, Room 234, 1919 M St., N.W., Washington, DC 20554 or via internet to [jboley@fcc.gov](mailto:jboley@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judy Boley at 202-418-0214 or via internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Approval Number:* 3060-0502.

*Title:* Section 73.1942, Candidate rates.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Businesses or other for-profit.

*Number of Respondents:* 11,518.

*Estimated Time Per Response:* 0.5 hours for disclosure of lowest unit charge; 20 hours for calculation of lowest unit charge; 2 hours for review of records.

*Total Annual Burden:* 650,767 hours.

*Frequency of Response:* On occasion reporting requirement.

*Estimated Cost Per Respondent:* N/A.

*Needs and Uses:* Section 315(b) of the Communications Act directs broadcast stations to charge political candidates the "lowest unit charge of the station" for the same class and amount of time for the same period, during the 45 days preceding a primary or runoff election and the 60 days preceding a general or special election.

Section 73.1942 requires broadcast licensees to disclose any station practices offered to commercial advertisers that enhance the value of advertising spots and different classes of time (immediately preemptible, preemptible with notice, fixed, fire sale, and make good). Section 74.1942 also requires licensees to calculate the lowest unit charge. Stations are also required to review their advertising records throughout the election period to determine whether compliance with this section requires that candidates receive rebates or credits. The disclosure would assure candidates that they are receiving the same lowest unit charge as other advertisers.

*OMB Approval Number:* 3060-0211.

*Title:* Section 73.1943, Political file.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Businesses or other for-profit.

*Number of Respondents:* 15,817.

*Estimated Time Per Response:* 0.25 hours per request (each station is estimated to have 25 political broadcasts per year).

*Total Annual Burden:* 98,856 hours.

*Frequency of Response:* On occasion reporting requirement.

*Estimated Cost Per Respondent:* N/A.

*Needs and Uses:* Section 73.1943 requires licensees of broadcast stations to keep and permit public inspection of a complete record (political file) of all requests for broadcast time made by or on behalf of candidates for public office, together with an appropriate notation showing the disposition made by the

licensee of such request. The data is used by the public to assess money expended and time allotted to a political candidate and to ensure that equal access was afforded to other qualified candidates.

*OMB Approval No.:* 3060-0788.

*Title:* DTV Showings/Interference Agreements.

*Form No.:* FCC 301/FCC 340.

*Type of Review:* Extension of currently approved collection.

*Respondents:* Businesses or other for-profit, not-for-profit institutions.

*Number of Respondents:* 20.

*Estimated Hours Per Response:* 55 hours (5 hours applicant; 60 hours advisory committee).

*Frequency of Response:* On occasion reporting requirement.

*Cost to Respondents:* Undetermined.

*Estimated Total Annual Burden:* 100 hours.

*Needs and Uses:* Section V-D of the FCC 301/FCC 340 begins with a "Certification Checklist." This checklist contains a series of questions by which applicants may certify compliance with key processing requirements. The first certification requires conformance with the DTV Table of Allotments. In the Sixth Report and Order in MM Docket No. 87-268, the Commission allowed flexibility for DTV facilities to be constructed at locations within five kilometers of the reference allotment sites without consideration of additional interference to analog or DTV service, provided the DTV service does not exceed the allotment reference height above average terrain or effective radiated power. In order for the Commission to process applications that cannot certify affirmatively, the rules adopted in the Sixth Report and Order require applicants to submit a technical showing to establish that their proposed facilities will not result in additional interference to TV broadcast and DTV operations.

Additionally, in the Sixth Report and Order, the Commission permitted broadcasters to agree to proposed DTV facilities that do not conform to the initial allotment parameters, even though they might be affected by potential new interference. The Commission also recognized that industry frequency coordination could help to facilitate the implementation of the DTV service, and it encouraged the broadcast industry to continue their voluntary coordination efforts through a process open to all affected parties. In this regard, the Commission will consider granting applications on the basis of interference agreements, including agreements obtained through

the coordination process, if it finds that such grants will serve the public interest. These agreements must be signed by all parties to the agreement. In addition, the Commission needs the following information to enable such public interest determinations: a list of parties predicted to receive additional interference from the proposed facility, a showing as to why a grant based on the agreements would serve the public interest, and technical studies depicting the additional interference. Applicants who use a voluntary coordination process should provide the name, address and telephone number of the person who coordinated studies and a description of how the coordination process was open to all interested parties.

The technical showings and interference agreements will be used by FCC staff to determine if the public interest would be served by the grant of the application and to ensure that the proposed facilities will not result in additional interference.

*OMB Approval Number:* 3060-0500.

*Title:* Section 76.607, Resolution of Complaints.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business and other for-profit entities.

*Number of Respondents:* 11,365 cable television systems.

*Estimated Time Per Response:* 1-26 hours.

*Frequency of Response:* On occasion reporting requirement.

*Cost to Respondents:* \$56,825. The annual printing, photocopying and stationery costs associated with the disclosure and recordkeeping requirements accounted for in this collection are estimated to be \$5 per cable system.  $11,365 \text{ systems} \times \$5 = \$56,825$ .

*Total Annual Burden to Respondents:* 306,855 hours. Based on Commission records, there are approximately 11,365 cable television systems in the nation. The average burden for cable systems to advise subscribers at least once each calendar year of the procedures for resolution of complaints is estimated to be one hour per system. This information is assumed to be easily disclosed to subscribers as part of, or attached to, monthly billing statements.  $11,365 \text{ systems} \times 1 \text{ hour} = 11,365 \text{ hours}$ . The average burden for cable systems to undergo recordkeeping procedures for subscriber complaints/resolutions is estimated to be no more than .5 hours per week, or 26 hours per year.  $11,365 \text{ systems} \times 26 \text{ hours} = 295,490 \text{ hours}$ .  $11,365 + 295,490 = 306,855 \text{ total annual burden hours}$ .

*Needs and Uses:* On March 4, 1992, the Commission adopted a Report and Order, FCC 92-61, MM Docket Nos. 91-169 and 85-381 in the matter of cable television technical and operational requirements. This rulemaking added Section 76.607 to the Commission's rules. Section 76.607 requires cable system operators to advise subscribers at least once each calendar year of the procedures for resolution of complaints about the quality of television signals delivered. Section 76.607 also requires that records be maintained by cable system operators on all such subscriber complaint and resolution of complaints for at least a one-year period. The records are used by local franchising authorities to assess the technical performance of cable television systems and to ensure that quality service is being provided to subscribers.

*OMB Approval Number:* 3060-0316.

*Title:* Section 76.305, Records to be maintained locally by cable system operators for public inspection.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business and other for-profit entities.

*Number of Respondents:* 4,670 cable television systems.

*Estimated Time Per Response:* 26 hours.

*Frequency of Response:* On occasion reporting requirement.

*Cost to Respondents:* \$46,700. The annual printing, photocopying and stationery costs associated with the recordkeeping requirements accounted for in this collection are estimated to be \$10 per cable system.  $4,670 \text{ systems} \times \$10 = \$46,700$ .

*Total Annual Burden to Respondents:* 121,420 hours. According to the National Cable Television Association's Cable Television Developments publication, Fall 1997, p. 11, there are an estimated 10,943 cable television systems in the nation, of which approximately 4,670 serve more than 1,000 subscribers. The average burden for each cable system serving more than 1,000 subscribers to comply with Section 76.305 recordkeeping requirements that are not already accounted for in other OMB information collections is estimated to be 26 hours yearly. This estimate is based on FCC staff's knowledge and familiarity with the availability of the data required.  $4,670 \text{ cable systems} \times 26 \text{ hrs. per week} = 121,420 \text{ hours}$ .

*Needs and Uses:* Section 76.305 requires cable television systems having 1000 or more subscribers to maintain a public inspection file containing various records in accordance with the

following Sections of the Commission's rules: Section 76.207 (political file); Section 76.221 (sponsorship identifications); Section 76.79 (EEO records available for public inspection); Section 76.225(c) (commercial records for children's programming); Section 76.601(c) (proof-of-performance test data); Section 76.601(e) (signal leakage logs and repair records); Section 76.701(h) (records for leased access); and records kept regarding the testing and activation of Emergency Alert Systems. Many of the recordkeeping requirements listed have OMB approval under separate information collection Control Numbers. Specifically, the recordkeeping requirements set forth in Section 76.207 are approved under OMB Control Number 3060-0313. The recordkeeping requirements set forth in Section 76.221 are approved under OMB Control Number 3060-0315. The recordkeeping requirements set forth in Section 76.79 are approved under OMB Control Number 3060-0348. The recordkeeping requirements set forth in Section 76.601(e) are approved under OMB Control Number 3060-0332. Finally, the recordkeeping requirements set forth in Section 76.701(h) no longer exist in the Code of Federal Regulations. On May 7, 1997, the Commission released a Memorandum Opinion and Order in MM Docket No. 92-258, FCC 97-156, which amended Section 76.701 and removed subsection (h). This information collection, Control Number 3060-0316, therefore accounts for the remaining recordkeeping requirements set forth in Section 76.305. These records are used by Commission staff in field inspections/investigations, by local public officials and by the public to assess a cable television system's performance and to ensure that the system is in compliance with all of the Commission's applicable rules and regulations.

Federal Communications Commission.

**Magalie Roman Salas,**

Secretary.

[FR Doc. 98-5403 Filed 3-2-98; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority; Comments Requested

February 25, 1998.

**SUMMARY:** The Federal Communications Commission, as part of its continuing