

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 07/09/2008

Federal Communications Commission

FOR CERTIFYING OFFICIAL: Karen Wheelless

FOR CLEARANCE OFFICER: Judith Herman

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 04/28/2008

ACTION REQUESTED: Revision of a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 200804-3060-012

AGENCY ICR TRACKING NUMBER: MB

TITLE: Sections 76.970, 76.971, 76.972, 76.975 and 76.978, Commercial Leased Access

OMB ACTION: Disapproved and continue

OMB Control Number: 3060-0568

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 10/31/2009 DISCONTINUE DATE:

COMMENT: Terms of the previous clearance remain in effect. For the reasons provided below, OMB disapproves the requested revision to this information collection. OMB's approval of the existing information collection (without revision) remains in effect. The expiration date of OMB's approval of the existing information collection is unaffected by this action, and remains 10/31/2009.

Per 5 CFR 1320(5)(d)(1), 5 CFR 1320(5)(d)(2), and section 3506(c)(3) of the Paperwork Reduction Act, the Federal Communications Commission (FCC) has not:

- demonstrated the need for reducing the timeframe operators have to provide information to potential programmers from 15 days to three in accordance with the information collection in Section 76.972(b) of the associated rulemaking;
- demonstrated they have taken reasonable steps to minimize the burden on respondents who will be required to hire new staff in order to maintain the capacity to comply with the reduced deadline for leased access requests in accordance with the information collection in Section 76.972(b) of the associated rulemaking;
- demonstrated there are reasonable mechanisms in place to protect proprietary and confidential information respondents will be required to provide potential programmers, regardless of the legitimacy of the request, in accordance with the information collection in Section 76.972(b) of the associated rulemaking;
- demonstrated the practical utility and need for an increased number of non-bona fide inquiries to respondents and the inherent paperwork burden, due to the reduced pricing, in accordance with the information collection in Section 76.972(b) of the associated rulemaking; and

- demonstrated they have taken reasonable steps to minimize the burden on respondents, who due to reduced pricing, will be required to hire new staff in order to maintain the capacity to respond to an increased number of inquiries in accordance with the information collection in Section 76.972(b) of the associated rulemaking.

OMB Authorizing Official:

Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs