

- Funding Status – FY 2021
- ECF Developments
 - BEAR Form Available in ECF Portal
 - USAC Requests for Missing SAM.gov Registrations
- Updates and Reminders
 - Upcoming Dates
 - FCC ESL Comments
 - Updated Definition of Tribal Libraries
 - FCC Streamlined Decisions
- USAC ECF Newsletter Dated September 28 – Updates and FAQs

Funding Status – FY 2021

Wave 25 for FY 2021 was released on Thursday, September 30th, for a total of \$33.6 million. none for North Carolina. Cumulative commitments are \$2.26 billion including \$83.3 million for North Carolina. Nationwide, USAC has now funded 98% of the FY 2021 applications representing 78% of the requested funding.

Wave 1 of the Emergency Connectivity Fund (“ECF”) was released Friday, September 24th, for a total of over \$1.2 billion. We had hoped to see a second ECF wave last week but did not. A second two-week 2021-2022 ECF application window opened last week and will close next Wednesday, October 13th.

ECF Developments

BEAR Form Available in ECF Portal:

As of Friday, October 1st, ECF applicants with approved applications could begin filing for reimbursements. The first screen in the BEAR filing process is shown below.

The screenshot shows the 'Request for Reimbursement Nickname' step of the BEAR filing process. The form is titled 'Bear FCC Form 472 – Emergency Connectivity Fund Reimbursement Application' and is for 'PUBLIC SCHOOLS (BEN: 142119)'. The current step is 'Request for Reimbursement Nickname', with other steps like 'Request for Reimbursement Line Item', 'Request for Reimbursement Summary', and 'Request for Reimbursement Certifications' visible in the background. The form includes a text input field for the nickname, a 'DISCARD FORM' button, and a 'SAVE & CONTINUE' button. Below the input field, there are sections for 'Contact Information' and 'Entity Information'. The 'Entity Information' section shows 'Billed Entity Name' as 'AURORA PUBLIC SCHOOLS' and 'Billed Entity Number' as '142119'. The 'Contact Information' section shows fields for Name, Address, Phone Number, and Email.

The FCC's most recent list of [ECF FAQs](#) indicates the following additional information that applicants or service providers should submit along with their requests for reimbursement using the ECF Form 472 ("BEAR") or Form 474 ("SPI"):

Each request for reimbursement must be accompanied by a vendor invoice supporting the amount requested. Vendor invoices must include the level of detail needed for USAC to validate the following information during its review of this supporting documentation.

- A date of the service for non-recurring charges, or a bill date for recurring charges that is consistent with what was entered on the ECF Form 472/474.
- A date of the service or bill that is acceptable based on the relevant funding period.
- The equipment or services provided are the same as what was approved on the ECF FCC Form 471 (unless modified pursuant to an approved post-commitment change) and are at or below the price approved on the ECF Form 471.
- The service provider who provided the equipment or services is the same as the service provider approved on the ECF Form 471 (unless modified pursuant to an approved post-commitment change).
- The service or equipment has been delivered.

USAC Requests for Missing SAM.gov Registrations:

USAC began reaching out to ECF applicant contacts last week encouraging them to register in SAM.gov at their earliest convenience. Applicants seeking BEAR reimbursements will be unable to receive ECF program funding until they are registered in the SAM.gov system. The outreach was in the form of emails beginning as follows:

Missing SAM.gov Registration for ECF Application – [REDACTED]

Dear [REDACTED],

Thank you for participating in the Emergency Connectivity Fund (ECF). The Universal Service Administrative Company (USAC) has determined that a current SAM.gov registration is not associated with your application. Registration with the [System for Awards Management \(SAM.gov\)](#) is necessary for all applicants and service providers who will submit requests for reimbursement (FCC Forms 472/474) in the Emergency Connectivity Fund Program. The FCC will be pulling the banking information from the SAM account associated with the DUNS we have on file.

Please register in SAM.gov at your earliest convenience. You will not be able to receive ECF program funding if you do not have a SAM.gov registration.

To register for a SAM account, you will need to enter the following information into the SAM.gov:

- Data Universal Numbering System (DUNS) number;
- Taxpayer Identification Number (TIN) or Employment Identification Number (EIN) **Note:** The EIN listed in the [Commission's Registration System \(CORES\)](#) (associated with the FRN) must match the EIN listed in [SAM.gov](#); and
- Your bank's routing number, your bank account number, and your bank account type (i.e., checking or savings), to set up electronic funds transfer (EFT). You will receive a confirmation email once the registration is activated.

Updates and Reminders

Upcoming Dates:

- October 7 Form 486 deadline for FY 2020 covering funding committed in Wave 58. More generally, the Form 486 deadline is 120 days from the FCDL date or from the service start date (typically July 1st), whichever is later. Upcoming Form 486 deadlines are:
- | | |
|---------|------------|
| Wave 59 | 10/14/2021 |
| Wave 60 | 10/21/2021 |
- October 12 Reply comment deadline for the FCC’s draft Eligible Services List for FY 2022 ([DA 21-1062](#)).
- October 13 Close of the second ECF application window for 2021-2022.
- October 20 Nomination deadline for six USAC Board members including one school representative. The FCC subsequently added a request for board member nominations representing commercial mobile radio service providers (due November 8th).

FCC ESL Comments:

The draft Eligible Services List (“ESL”) for FY 2022 ([DA 21-1062](#)) is virtually unchanged from the current version. This is a clear indication, as has been the case for several years, that the FCC has no intention of expanding the list of eligible equipment and services. As has also been the case in recent years, the majority of the comments on the FCC’s draft focused on the desperate need to expand the ESL to include cybersecurity products and services. Key comments supporting this addition were received from:

[The Consortium for School Networking \(“CoSN”\)](#)
[Fortinet, Inc.](#)
[NCTA – The Internet & Televisions Association](#)
[The Schools, Health & Libraries Broadband \(“SHLB”\) Coalition](#)

Reply comments on the FCC’s proposed ESL for FY 2022 are due by October 12th.

Updated Definition of Tribal Libraries:

The FCC issued a [News Release](#) on Thursday indicating a proposed update to the E-rate rules defining the eligibility of Tribal libraries. The actual Notice of Proposed Rulemaking (“NPRM”) is expected to be published early this week. The News Release notes:

Some Tribal libraries have been unable to receive support from the program, which provides discounts on broadband services to schools and libraries, because they did not meet the outdated definition of a library in the Commission’s rules. Today’s Notice of Proposed Rulemaking would address this issue and seeks comment on whether the Commission should consider any other measures to ensure eligible Tribal entities have access to the E-Rate program.

FCC Streamlined Decisions:

The FCC issued another set of “streamlined” precedent-based decisions ([DA 21-1231](#)) last week. As with past streamlined decisions, applicants facing similar problems as those addressed in these decisions may garner useful information by carefully reading the additional FCC explanations found in the footnotes. The original appeal and waiver requests can be found online in the FCC’s [Search for Filings](#) under Docket 02-6.

In September’s streamlined decisions, the FCC:

1. Dismissed:
 - a. Two Requests for Review or Waiver deemed to insufficiently meet the FCC’s filing requirements.
2. Granted:
 - a. Four Requests for Review on discount rate calculations, in one case allowing an updated calculation and remanding three cases to USAC for reprocessing.
 - b. Twenty-four Requests for Waiver for late-filed FY 2021 applications: (1) filed within 14 days of the close of the window; or (2), filed more than 30 days late due to COVID-related problems.
 - c. Ten Requests for Review and/or Waiver for ministerial and/or clerical Form 471 errors.
 - d. One Request for Waiver for an untimely filed appeal filed within a “reasonable period of time.”
 - e. One Request for Waiver for a USAC decision that was not issued until after the associated invoice deadline.
 - f. One Request for Waiver (involving 126 applications) on the requirement that Form 470s indicate the issuance of an RFP in instances where the existence such RFP “did not provide any bidder with an unfair advantage or otherwise affect the competitive bidding process.”
3. Denied:
 - a. One Request for Waiver involving an impermissible increase in broadband costs for a second Form 471.
 - b. Fourteen Requests for Waiver for late-filed Form 471 applications where petitioners failed to present justifications of special circumstances.
 - c. One Request for Waiver of a request for increased bandwidth not deemed a ministerial and/or clerical error.
 - d. One Request for Review involving a Form 470 that did not seek bids on the types of services later requested.
 - e. Two Requests for Waiver involving untimely appeals or waiver requests.

USAC ECF Newsletter Dated September 28 – Updates and FAQs

[USAC's Emergency Connectivity Fund Program Newsletter of September 28, 2021](#), discusses the second ECF application window, the first wave of ECF commitments for the first application window, the availability of invoicing on October 1st, and ECF E-learning modules.

The ECF newsletter also includes the following FAQs:

If I filed an application after the first application filing window deadline on August 13, 2021, should I cancel my application and reapply in the second window?

Short answer: No.

What if I filed a waiver request for my late-filed application with the FCC already?

Short answer: File with the FCC to withdraw the waiver request.

When will information about applications filed during the second application filing window be made available on Open Data?

Short answer: After the 2nd window closes on October 13th.

Do CIPA requirements apply to a school's or library's existing computers if the school or library is seeking ECF-support to provide broadband services to its students', school staff members', or library patrons' homes for use only in conjunction with computers and devices the students, school staff or library patrons own?

Short answer: No.

Do I need a SAM.gov account if I am an annual E-Rate applicant?

Short answer: SAM.gov accounts are not required for E-rate, just ECF.

Can a school or library submit a reimbursement request after it has received the ECF-supported equipment but before it distributes the equipment to their students, school staff, or library patrons?

Short answer: Yes.

Are taxes included as part of the \$400 maximum for connected devices?

Short answer: No.

I applied during the initial application filing window and I'm still waiting to hear back about my application. Is there anything else I should be doing now?

Short answer: Double-check necessary registrations.

Will I have visibility in the ECF Portal for the committed version of my application?

Short answer: Yes.

Will I receive a notification when the PIA reviewer contacts me about my application?

Short answer: Yes — full rights users only.

I can access the ECF Portal, but can't file any forms – what can I do?

Short answer: Ask your account administrator to be upgraded to full rights.

Newsletter information and disclaimer: This newsletter may contain unofficial information on prospective E-rate developments and/or may reflect E-Rate Central's own interpretations of E-rate practices and regulations. Such information is provided for planning and guidance purposes only. It is not meant, in any way, to supplant official announcements and instructions provided by USAC, the FCC, or NCDPI.

Additional North Carolina specific E-rate information is available through our Web site — <http://www.e-ratecentral.com/us/stateInformation.asp?state=NC>. Note that this site provides easy access to formatted North Carolina applicant E-rate histories via the Billed Entity Number (“BEN”) search mechanism in the upper left-hand corner. Detailed information can be obtained by “drilling down” using the links for specific funding years and individual FRNs.

If you have received this newsletter from a colleague and you would like to receive your own copy of the North Carolina E-Rate Forum, send an email to join-ncerate@lists.dpi.state.nc.us. Please include your name, organization, telephone, and e-mail address.

In compliance with federal law, the NC Department of Public Instruction administers all state-operated educational programs, employment activities and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability, or gender, except where exemption is appropriate and allowed by law.