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FY 2022 Application Window

The FY 2022 Form 471 Application Window will open on **Wednesday, January 12, 2022**, at 12:00 noon EST and will close on Tuesday, March 22, 2022, at 11:59 p.m. EDT.

Applicants are reminded to update their EPC entity profiles before the close of the Administrative Window this Monday, January 10th at 11:59 p.m. EST. Once the Administrative Window is closed, entity profiles will be locked for the duration of the Application Window.

Funding Status for 2021-2022

E-Rate:

Wave 39 for FY 2021 was released on Thursday, January 6th, for a total of \$16.8 million including \$5.6 thousand for one North Carolina applicant. . Cumulative commitments are now \$2.53 billion including \$84.6 million for North Carolina. Nationwide, USAC has now funded 98% of the FY 2021 applications representing 90% of the requested funding.

ECF:

As of Wave 6, released on December 20th, cumulative ECF commitments are \$3.83 billion including \$127 million for North Carolina. Funding is now being committed for both first and second window applications. Unlike E-rate, for which funding waves are issued weekly, ECF funding waves are being released roughly once a month. ECF invoice payments, also issued in waves, appear to be issued more frequently. Authorized disbursements as of last Friday totaled \$101 million, unchanged from the previous week.

FCC Releases Draft ACP Order

The FCC continues to move at warp speed to implement the Affordable Connectivity Program (“ACP”) as a follow-on — that actually began at the end of December — to the Emergency Broadband Benefit (“EBB”) Program. Transition rules are already in place; Final rules are expected to be enacted by the FCC this coming Friday, January 14th. Last Friday, the FCC released a draft Report and Order and Further Notice of Proposed Rulemaking ([FCC-CIRC22-450-010722](#)). The FCC also [announced](#) that it is modifying its *ex parte* rules in the ACP docket to permit additional, but limited, comments.

An FCC Fact Sheet attached to the draft summarizes:

What the Report and Order Would Do:

- Establish household eligibility requirements for the Affordable Connectivity Program, including adding USDA’s WIC Program and expanding the income eligibility to 200% of the Federal Poverty Guidelines.
- Adopt technology neutral Program rules for participating broadband providers.
- Define the rules governing broadband plans and connected devices available in the new Program, and outline the reimbursement and claims processes providers must follow to receive the up to \$30 per month standard subsidy or the up to \$75 per month subsidy for eligible households on Tribal lands.
- Adopt consumer protection rules as well as disclosure and consumer consent requirements; establish a dedicated FCC complaint process for Program participants.
- Establish a roadmap and consent requirements to assist legacy EBB Program households transitioning to the Affordable Connectivity Program.
- Initiate the FCC’s outreach program as permitted in the Infrastructure Act to encourage eligible households to enroll in the new Program.

What the Further Notice of Proposed Rulemaking Would Do:

- Seek comment on the structure of and objectives for an outreach partner grant program.
- Seek comment on a mechanism with which an eligible household in a high-cost area may receive an enhanced benefit of up to \$75 per month.

From the perspective of schools and libraries, the most important aspect of the proposed rules can be found in Paragraph 103 (and footnotes 305 and 306) dealing with the eligibility of bulk purchasing arrangements and multiple dwelling units (“MDUs”). Assuming these particular rules are finalized as drafted, which we have every reason to expect, Paragraph 103 would mean that:

- Schools and libraries that are already providing internet services to low-income students, staff, and patrons could continue as bulk subscribers for those services while taking advantage of the individual household discounts afforded by ACP. For schools and libraries currently eligible for ECF reimbursements on such services, ACP should provide a viable transition mechanism when ECF funds are depleted.
- Homeless shelters are explicitly identified as ACP eligible. This could provide schools with a targeted way to reach students temporarily residing in such facilities.

Schools and libraries may also wish to comment on the two issues addressed in the Further Notice of Proposed Rulemaking as potential outreach partners or in high-cost internet areas where a \$75/month discount may be needed. Once issued and published in the *Federal Register*, comments on these issues will be due within 30 days; reply comments will be due another 30 days thereafter.

Updates and Reminders

Upcoming Dates:

January 10	Administrative Window closes at 11:59 p.m. EST. This is the last chance to update EPC entity profiles for FY 2022. Thereafter, entity profiles will be locked until the close of the Form 471 Application Window.				
January 12	Opening of the FY 2022 Application Window.				
January 14	Form 486 deadline for FY 2021 covering funding committed in Wave 23. More generally, the Form 486 deadline is 120 days from the FCDL date or from the service start date (typically July 1 st), whichever is later. Upcoming Form 486 deadlines are: <table><tr><td>Wave 24</td><td>01/21/2022</td></tr><tr><td>Wave 25</td><td>01/28/2022</td></tr></table>	Wave 24	01/21/2022	Wave 25	01/28/2022
Wave 24	01/21/2022				
Wave 25	01/28/2022				
January 28	Invoice filing deadline for FY 2019 and FY 2020 non-recurring services.				
February 17	FCC comments due on the Future of the Universal Service Fund Notice of Inquiry (FCC 21-127) (see our newsletter of December 20th). Reply comments are due March 17 th . Note: These are new comment deadlines based on the recent FCC extension order (DA 22-6).				
February 25	Extended invoice filing deadline for FY 2020 recurring services.				
March 22	FY 2022 Application Window closes at 11:59 p.m. EDT.				

ECF Device Cap Waivers:

The FCC's ECF Order ([FCC 21-58](#)) established a "reasonable maximum support amount" of \$400 per connected device. The Order did, however, recognize that device costs might be higher for "individuals with disabilities" and invited schools and libraries to "seek a waiver of this support amount cap" if necessary. Last week, the FCC released its first device cap waiver order ([DA 22-7](#)) granting five of seven waiver requests.

In approving five waiver requests, the FCC noted that those petitioners were serving students (or staff) with disabilities requiring specific devices "compatible with software providing screen magnification and screen reading functionalities for blind or visually impaired students and school staff, and captioning services for deaf students and school staff," or "larger screens, enhanced resolution for visually impaired students and school staff, and touchscreens for students with significant fine motor skills difficulties."

By way of contrast, the two requests not granted by the FCC were for either: (1) ineligible accessories for associated devices (as well as a request to purchase more than one device per student); or (2), devices with compatible specialized hardware and software for specific academic programs. In these two cases, the FCC found “that the petitioners failed to present special circumstances justifying a waiver.”

USAC ECF Newsletter dated January 4 – No New Information

Aside from a summary of Wave 6 ECF funding released on December 20th, [USAC’s Emergency Connectivity Fund Program Newsletter of January 4, 2022](#), repeats the same information covered in the previous ECF newsletter of December 14th.

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.

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