

- FY 2022 Application Window
- Funding Status for 2021-2022
 - E-Rate
 - ECF
- Comment Period Opens on FCC E-rate Competitive Bidding Portal
- FCC Adopts New Rules on Tribal Library Eligibility
- Updates and Reminders
 - Upcoming Dates
- USAC ECF Newsletter dated January 25 – Wave 8; Nothing Else New

FY 2022 Application Window

The FY 2022 Form 471 Application Window will close on Tuesday, March 22, 2022, at 11:59 p.m. EDT. Form 470s must be filed no later than February 22nd to meet the 28-day posting requirement before the Form 471 window closes.

Funding Status for 2021-2022

E-Rate:

Wave 42 for FY 2021 was released on Thursday, January 27th, for a measly \$1.45 million, none for North Carolina applicants. Cumulative commitments are now \$2.57 billion including \$84.5 million for North Carolina. Nationwide, USAC has now funded 98% of the FY 2021 applications representing 92% of the requested funding

ECF:

Wave 8 was [released](#) on January 25th for a total of \$241 million including \$11.6 million for 22 North Carolina applicants. Cumulative ECF commitments are \$4.42 billion including \$146 million for North Carolina. Authorized disbursements as of last Friday totaled \$289 million.

Comment Period Opens on FCC E-Rate Competitive Bidding Portal

The FCC’s Notice of Proposed Rulemaking (“NPRM”) ([FCC 21-124](#)) was published in the [Federal Register](#) last week formally initiating the public comment process. Initial comments are due by March 28th; reply comments are due April 27th.

As discussed in our [newsletter of December 20th](#), the key aspects of the proposed bidding portal would or might include the following:

- Service providers responding to Form 470s (and RFPs) would submit their bids through the bidding portal rather than directly to the applicants.
- Bid hold periods might be established that would prevent applicants from reviewing bids for at least 28 days from the Form 470 certification date to ensure that service providers are competing on a “level playing field.” Such a waiting period would effectively create a “sealed bid” process.
- An additional period — e.g., two weeks — might be established for bid review. Doing so would extend the minimum filing period between a Form 470 and a Form 471.
- The bidding portal may support the anonymous submission of service provider questions and public responses by the applicants.
- Applicants may be required to submit bid selection documentation such as bid comparison matrices and related contract documents at the time funding is requested.

The competitive bidding NPRM is expected to be widely debated within the E-rate community by both applicants and service providers. Major concerns have already been expressed that such a bidding portal would conflict with established state and local procurement rules. We expect that the critical issue will be whether a new federal portal and bidding rules are to be implemented: (a) as a replacement for state and local rules; or (b), as a structural addition to state and local rules so as to provide a reasonable level of uniformity in process and documentation.

FCC Adopts New Rules on Tribal Library Eligibility

At its January open meeting last Thursday, the FCC [approved](#) a Report and Order to update the definition of “library” to clarify that Tribal libraries are eligible for E-rate support. E-rate rules have always required that a library be eligible for assistance from a state library administrative agency under the “Library Services and Technology Act” (LSTA). Prior to a 2018 amendment to the LSTA, some Tribal libraries were deemed ineligible by their state library administrative agencies for funding under the LSTA and, hence, ineligible for E-Rate. The new Order eliminates that barrier by updating the definition of “library” in the E-rate program rules to provide clarity on the eligibility of Tribal libraries. Additionally, the Order directs the FCC’s Office of Native Affairs and Policy and the Wireline Competition Bureau, in coordination with USAC, to develop targeted outreach efforts and program training for Tribal libraries.

The full text of the tribal Report and Order should be released later this week and is expected to track closely with the draft order ([FCC-CIRC2201-02](#)) released earlier this month.

Updates and Reminders

Upcoming Dates:

- February 4 Form 486 deadline for FY 2021 covering funding committed in Wave 26. 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 27 | 02/11/2022 |
| Wave 28 | 02/18/2022 |
- February 10 USAC E-Rate Invoice Training webinar ([register](#)).
- 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 17th. Note: These are new comment deadlines based on the recent FCC extension order ([DA 22-6](#)).
- February 22 Last possible date to file a Form 470 in time to meet the 28-day posting requirement for the close of the FY 2022 Form 471 application window.
- February 25 Extended invoice filing deadline for FY 2020 recurring services.
- March 22 FY 2022 Form 471 Application Filing Window closes at 11:59 p.m. EDT.
- March 28 FCC comments due on the FCC's proposal to create an E-rate competitive bidding portal ([FCC 21-124](#)) (see article above). Reply comments are due April 27th.

USAC ECF Newsletter dated January 25 – Wave 8: Nothing Else New

[USAC's Emergency Connectivity Fund Program Newsletter of January 25, 2022](#), notes the release of ECF funding Wave 8. The remainder of the newsletter again repeats — slightly reordered — information from previous newsletters.

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.