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Funding Status for E-Rate and ECF

E-Rate for FY 2022:

The FY 2022 Form 471 Application Window closed on Tuesday, March 22, 2022. We expect FY 2022 funding waves to commence in mid-to late April.

Applicants who missed the March 22nd filing deadline have until tomorrow, April 5th, to file out-of-window applications with the anticipation that the FCC will again routinely approve waivers for applications filed within 14 days of the window deadline. Still later-filed out-of-window waivers may be approved if the applicants can show extraordinary, possibly COVID-related, circumstances.

A special extended application window for new Tribal libraries closes May 26th (see [DA 22-231](#) and our [newsletter of March 14th](#)).

E-Rate for FY 2021:

Wave 51 for FY 2021 was released on Thursday, March 31st, for \$4.67 million, none for North Carolina. Cumulative commitments are now \$2.63 billion including 84.3 million for North Carolina. funding.

ECF 2021-2023:

As of Wave 12, released March 23rd, cumulative ECF commitments are \$4.76 billion including \$150 million for North Carolina. Nationwide, USAC has funded 92.5% of filed applications. Authorized disbursements as of last Friday totaled \$559 million.

The FCC has announced a third ECF application window ([DA 22-309](#)) that will open on April 28th and close on May 13th. The FCC indicates that a minimum of \$1 billion will be available to fund the same type of eligible equipment and services as in the original two windows but for delivery

within the 18-month span from July 1, 2022, through December 31, 2023. For details, see our [newsletter of March 28th](#) and the FAQs in USAC’s ECF newsletter of March 29th discussed below.

Updates and Reminders

Upcoming Dates:

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|----------|--|---------|------------|---------|------------|---------|------------|
| April 8 | Form 486 deadline for FY 2021 covering funding committed in Wave 35. 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><tbody><tr><td>Wave 36</td><td>04/15/2022</td></tr><tr><td>Wave 37</td><td>04/22/2022</td></tr><tr><td>Wave 38</td><td>04/29/2022</td></tr></tbody></table> | Wave 36 | 04/15/2022 | Wave 37 | 04/22/2022 | Wave 38 | 04/29/2022 |
| Wave 36 | 04/15/2022 | | | | | | |
| Wave 37 | 04/22/2022 | | | | | | |
| Wave 38 | 04/29/2022 | | | | | | |
| April 15 | FCC reply comments due on the Further Notice of Proposed Rulemaking for the Affordable Connectivity Program (“ACP”) (FCC 22-2). | | | | | | |
| April 27 | FCC comments due on the FCC’s proposal to create an E-rate competitive bidding portal (FCC 21-124). Reply comments are due May 27 th . Note: These are new extended deadlines granted by the FCC in response to a request filed by a coalition of 27 E-rate stakeholder organizations. | | | | | | |
| April 28 | Opening of the third ECF application window (see DA 22-309 and article above). The window will close May 13 th at 11:59 p.m. EDT. | | | | | | |
| May 26 | Extended FY 2022 application window deadline for new Tribal libraries (see DA 22-231). | | | | | | |

FCC Streamlined Decisions:

The FCC issued another set of “streamlined” precedent-based decisions ([DA 22-328](#)) 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 (E-rate) or Docket 21-93 (ECF).

In March’s streamlined decisions, the FCC:

1. E-Rate Dismissed:
 - a. One Request for Review for which all submitted invoices had been fully paid.
 - b. Two Requests for Waiver for failing to meet the FCC’s basic filing requirements “because of the lack of sufficient information included in the requests.”
 - c. Two service provider Requests for Review, each involving older applications for nine parochial schools, “asking that USAC be directed to issue decisions regarding its pending invoices.” The FCC rejected these requests noting only that “these reviews are still underway and have not been completed yet.”

2. E-Rate Granted:
 - a. One Request for Review and/or Waiver involving eligible entities (remanded to USAC).
 - b. Five Requests for Waiver for invoice issues involving: (a) a correction; (b) timely filings made prior to service provider Form 473 updates; or (c), USAC decisions issued after an invoice deadline.
 - c. Two Requests for Waiver and/or Review for ministerial and/or clerical errors reflecting a service implementation delay.
 - d. One Request for Waiver, remanded to USAC, involving an extensive district rewiring project in which old, rather than newly funded, switches had initially been reinstalled in error.
 - e. One Request for Waiver of a special construction service delivery deadline in which “the applicant was unable to complete implementation for reasons beyond the service provider’s control and the petitioner made good faith efforts to comply with Commission rules and procedures.”
3. E-Rate Denied:
 - a. One Request for Waiver upholding a USAC decision on ineligible services.
 - b. Seventeen Requests for Waiver for invoice extensions.
 - c. One Request for Waiver for increased funding for services not included on a Form 471 in a situation not deemed to be a ministerial and/or clerical error.
 - d. Ten Requests for Waiver for untimely filed appeals or waiver requests.
4. ECF Actions: None.

USAC ECF Newsletter Dated March 29 – DUNS-to-UEI Transition and New FAQs

[USAC’s Emergency Connectivity Fund Program Newsletter of March 29, 2022](#), discusses the SAM.gov transition from the use of DUNS numbers to new Unique Entity Identifier (“UEI”) numbers effective today, April 4th. Applicants and service providers who already have active SAM.gov registrations will not need to do anything as part of this transition process. New SAM.gov registrants will be assigned UEI numbers as part of the registration process and will then have to add those numbers to their ECF Portal accounts.

This week’s ECF newsletter does repeat invoice reminders and FAQs from last week’s newsletter but adds the following three FAQs related to the new third ECF application window:

Q: Can a school or library submit an application in the third application filing window to continue services that were funded through a first or second window funding request?

Short answer: Yes.

Q: Can we request funding for service for all 18 months of the relevant funding period for the third application filing window?

Short answer: No.

Q: What is the deadline for filing for reimbursement for funding requests submitted during the third application filing window?

Short answer: Generally, February 29, 2024.

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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