



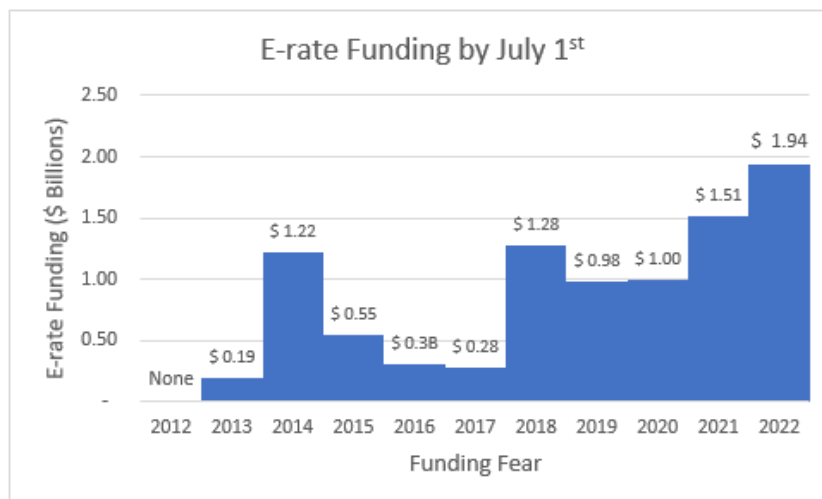
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Funding Status for E-Rate and ECF

E-Rate for FY 2022:

Wave 11 for FY 2022 was issued on Thursday, June 30th, for \$68.0 million including 2.57 million for sixteen North Carolina applicants. Cumulative commitments to date are \$1.94 billion including \$45.3 million for North Carolina. Nationwide, USAC has funded 90.5% of the FY 2022 applications representing 62.8% of the requested funding.

USAC should be complemented on the pace of funding for FY 2022. As shown in the chart below, the \$1.94 billion in cumulative funding by July 1st, the start of the funding year, is by far the highest total in the past decade.



E-Rate for FY 2021:

Wave 58 was released on Wednesday, June 29th, for \$32.1. As of Wave 57, commitments for FY 2021 stand at \$2.67 billion including \$84.2 million for North Carolina. . Nationwide, USAC has funded 98.8% of the FY 2021 applications representing 95.8% of the requested funding.

ECF for 2021-2023:

Two additional waves — Wave 17 for ECF-1/2 and Wave 2 for ECF-3 — were [issued](#) on Thursday, June 30th for a total of almost \$159 million including \$656 thousand for five North Carolina applicants. Total commitments are now \$5.30 billion including \$152 million for North Carolina. Nationwide, USAC has funded 65.8% of applications filed in all three ECF windows. Authorized disbursements as of last Friday totaled \$1.31 billion.

Updates and Reminders

Upcoming Dates:

- | | | | | | |
|-------------|--|---------|------------|---------|------------|
| July 8 | Form 486 deadline for FY 2021 covering funding committed in Wave 48. 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 49</td><td>07/15/2022</td></tr><tr><td>Wave 50</td><td>07/22/2022</td></tr></tbody></table> | Wave 49 | 07/15/2022 | Wave 50 | 07/22/2022 |
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| Wave 50 | 07/22/2022 | | | | |
| July 15 | The FCC will formally decommission the legacy Commission Registration System (“CORES”). To register for, or update, an FCC Registration Number, users must use the current CORES version (designated “CORES2”) that has been in use since 2016 (see DA 22-508). | | | | |
| July 21 | USAC invoice training session (register). | | | | |
| September 9 | Last day of the “Summer Deferral” window giving applicants additional time to respond to PIA E-rate inquiries. No such deferral period is in effect for ECF inquiries. | | | | |

FCC Streamlined Decisions:

The FCC issued another set of “streamlined” precedent-based decisions ([DA 22-658](#)) 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 June’s streamlined decisions, the FCC:

1. E-Rate Granted:
 - a. One Request for Review and/or Waiver regarding the adequacy of information on a Form 470.

- b. Two Requests for Review and/or Waiver on competitive bidding requirements. The waiver was approved on the basis of the applicant having selected the lowest priced option.
 - c. One Request for Review involving the acceptance of a bid received after the ACD, which had been a bid disqualification factor, but for which the vendor had requested an extension before the ACD.
 - d. One Request for Review finding that a multi-tier evaluation process does not violate the competitive bidding rules when price is given the highest weight during the bid evaluation process.
 - e. Four Requests for Review remanding applications back to USAC when the FCC disagreed with USAC's discount rate calculation.
 - f. One Request for Review confirming that a new Form 470 need not be filed for each year of a multiyear contract.
 - g. Two Requests for Waiver finding that the applicants had filed timely Form 471s.
 - h. Eighty-six Requests for Waiver for 110 late filed Form 471 applications filed within 14 days of the deadline.
 - i. Thirty-four Requests for Waiver for 39 late-filed Form 471 applications filed more than 30 days late due to Covid-related issues.
 - j. Nine Requests for Waiver for 30 late-filed Form 471 applications "due to circumstances beyond their control."
 - k. Two Requests for Review and/or Waiver for ministerial and/or clerical errors.
 - l. One Request for Waiver for a service implementation delay.
 - m. One Request for Waiver (granted in part) finding that all but two invoices had been filed on time. Filing extensions on the other two invoices were denied.
2. E-Rate Denied:
- a. Thirteen Requests for Waiver for invoice deadline extensions.
 - b. One Request for Waiver for untimely appeals or waiver requests.
3. ECF Granted:
- a. Nineteen Requests for Review and Waiver for equipment received before the start of the ECF funding year.

Note: Most strikingly, the Commission neither granted nor denied any waivers for late-filed ECF applications. Four such waivers had been denied the preceding month on the basis that the "petitioners failed to present special circumstance justifying a waiver of the rule." We interpret May's denials and June's inaction as an indication that the FCC does not plan to apply its flexible E-rate late-filing waiver policies for third window ECF applications (see our article entitled *Late-Filed ECF Applications – A Cautionary Tale* in our [newsletter of May 23rd](#).)

USAC ECF Newsletter Dated June 28 — Two New FAQs

[USAC's Emergency Connectivity Fund Program Newsletter of June 28, 2022](#), repeats some of the same information from the previous week's newsletter but includes the following new FAQs:

Q: For applications submitted in the third application filing window, how is the discount rate calculated for consortia applicants with a mix of urban and rural members?

A: Consortia applicants calculate their discount rates using a simple average of the ECF discount rates of the consortium members included on the application.

Q: Should applicants cancel or reduce ECF funding commitments, if they do not end up using all of the committed amount (e.g., applicant requested and received a commitment to purchase 500 laptops, but only purchased 400)?

A: Yes, we encourage applicants to file a Post-Commitment Request to cancel or reduce the amount of their ECF funding commitment(s) if they do not need or use the full commitment amount. This will allow the Commission to de-obligate the ECF funds more quickly and make the funds available to applicants who submitted requests in the third ECF application filing window.

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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