



- Funding Status for E-Rate and ECF
 - E-Rate for FY 2022
 - ECF for 2021-2023
- Draft ESL for FY 2023
- Updates and Reminders
 - Upcoming Dates
 - USAC Board Nominations Sought
 - Connected Devices and CIPA Concerns
- USAC ECF Newsletter Dated August 23 — Resources, Reminders, and FAQs

Funding Status for E-Rate and ECF

E-Rate for FY 2022:

Wave 19 for FY 2022 was issued on Thursday, August 25th, for \$65.9 million, none for North Carolina applicants. Cumulative commitments to date are \$2.41 billion including \$62.4 million for North Carolina. Nationwide, USAC has funded 94.8% of the FY 2022 applications representing 78.0% of the requested funding. Overall:

National Funding Stats - 2022 As of Wave 19		
FRN Status	Original Funding Request	Committed Funding Request
Cancelled	\$ 83,790,108	-
Denied	\$ 19,703,612	-
Funded	\$ 2,473,778,391	\$ 2,406,185,468
Pending	\$ 678,678,541	-
Total	\$ 3,255,950,652	\$ 2,406,185,468

ECF for 2021-2023:

Wave 21 for ECF-1/2 and Wave 6 for ECF-3 was issued August 24th for \$41.8 million, largely for ECF-3 applications, including 280 thousand for three North Carolina applicants. Total commitments for all three ECF windows are now \$5.74 billion including \$157 million for North Carolina. Nationwide, USAC has funded 96.4% of the applications from ECF windows one and two and 24.9% of applications from ECF window three. Total disbursements as of last Friday remain unchanged at \$1.65 billion.

Draft ESL for FY 2023

The FCC released the proposed FY 2023 Eligible Services List (“ESL”) for public comment last week. The entire process can be summarized by one sentence in the first paragraph of the Public

Notice ([DA 22-878](#)) reading: “This year, the Administrator and the Bureau are not recommending any specific changes to the proposed FY 2023 eligible services list.”¹”

The most interesting aspect of this year’s ESL Public Notice is what it did not include but did explain in a footnote addressing the eligibility of Wi-Fi on school buses stating:

On May 11, 2022, Chairwoman Rosenworcel circulated that a Declaratory Ruling, if adopted, would allow for providing Wi-Fi on school buses, finding that it serves an educational purpose and that the provision of such service is eligible for E-Rate support. See [Press Release](#), FCC, Chairwoman Rosenworcel Circulates Ruling Making Wi-Fi on School Buses Eligible for E-Rate Support (May 11, 2022). If adopted, the Bureau will separately seek comment on the specific services and equipment needed to provide Wi-Fi on school buses.

Cybersecurity, another category of services and equipment that might someday become eligible for E-rate support, is again absent from the draft ESL but is likely to be proposed in the public comments. Although we encourage pro-cybersecurity comments, we note that the FCC has traditionally stated that the ESL comment process is not the forum for considering new classes of eligibility. Nevertheless, we were encouraged by a statement in the FCC’s “Report on the Future of the Universal Service Fund” ([FCC 22-67](#)) (see our [newsletter of August 22nd](#)) that while reliability and cybersecurity were not USF goals themselves because those “**important concepts are already captured by our existing availability goals**” [*emphasis added*]. In other words — our words, not the FCC’s — **cybersecurity is already a goal!**

Comments on the proposed ESL for FY 2023 are due September 21st; reply comments are due October 6th.

Updates and Reminders

Upcoming Dates:

- | | | | | | |
|--------------|--|---------|------------|---------|------------|
| September 6 | Form 486 deadline for FY 2021 covering funding committed in Wave 54. 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 55</td><td>09/15/2022</td></tr><tr><td>Wave 56</td><td>09/26/2022</td></tr></tbody></table> | Wave 55 | 09/15/2022 | Wave 56 | 09/26/2022 |
| Wave 55 | 09/15/2022 | | | | |
| Wave 56 | 09/26/2022 | | | | |
| 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. | | | | |
| September 21 | Comments due on the FCC’s proposed Eligible Services List (DA 22-878) for FY 2023. Reply comments are due October 6 th (see article above). | | | | |
| September 30 | Service delivery deadline for FY 2020 and FY 2021 non-recurring services. | | | | |

¹ The only small change we noted was that the listing for “Wireless” under “Data Transmission and/or Internet Access” no longer includes the parenthetical “(e.g., microwave).”

Note: Given current global supply chain problems, the Schools, Health & Libraries Broadband (“SHLB”) Coalition filed a blanket request for [waiver](#) with the FCC asking for an extension of the non-recurring service delivery deadline for both FY 2020 (that had already been extended one year) and FY 2021 for an additional year. Unless and until this waiver is approved, we recommend that applicants knowingly facing service delivery delays this fall file a Form 500 requesting their own extensions of the September 30th service delivery deadline.

- October 24 Nominations due for six USAC Board of Directors positions (see [DA 22-877](#) and brief article below).
- October 28 Invoice deadline for FY 2021 recurring service FRNs and/or the deadline for requesting an additional 120-day extension to February 27, 2023.
- October 31 The first Form 486 deadline for FY 2022 Waves 1-11, committed before July 1, 2022.

USAC Board Nominations Sought:

The FCC is seeking nominations for six, three-year term, positions on the USAC Board of Directors (see [DA 22-877](#)). From an E-rate perspective, the two most important positions are for representatives of schools (currently held by Dr. Daniel A. Domenech, Executive Director, American Association of School Administrators) and of libraries (currently held by Amber Gregory, Manager of E-Rate Services, Arkansas State Library). Current Board members are eligible for renomination. The four other Board positions up for nominations are for representatives of: (1) commercial radio service providers; (2) cable providers; (3) incumbent local exchange carriers; and (4), state consumer advocates. Nominations are due October 24th.

Connected Devices and CIPA Concerns:

Senator Marsha Blackburn and FCC Commissioner Brendan Carr have written a [letter](#) to USAC CEO Radha Sekar expressing a concern that many laptops, tablets and other connected devices provided to students under the ECF program may not be CIPA-compliant. The letter poses a series of questions about the number of devices funded, CIPA compliance, and enforcement actions. The letter should serve as a reminder to ECF (and E-rate) applicants that children must be protected from obscene and harmful content. To quote the FCC’s ECF Order (including an important exception):

Specifically, we conclude that CIPA applies to the use of school or library owned computers, including laptop and tablet computers, if the school or library accepts Emergency Connectivity Fund or E-Rate support for Internet access or Internet services, or E-Rate support for internal connections. We also conclude that CIPA does not apply where schools or libraries have purchased advanced telecommunications and information services through the Emergency Connectivity Fund Program to be used only in conjunction with student-, school staff- or patron-owned computers.

USAC ECF Newsletter Dated August 23 — Resources, Reminders, and FAQs

USAC’s Emergency Connectivity Fund Program Newsletter of August 23, 2022, is the first of the ECF newsletters since USAC switched to a monthly, rather than a weekly, schedule. Topics include:

- Links to ECF data resources in Open Data and to the special Invoice Decision Report.

Note: The Invoice Decision Report is not updated daily. Indeed, the newsletter link is to the June 24th version. To get to the most current version, go to the [ECF Open Data](#) page and scroll down to the Invoicing Decision Dataset section (shown below). Pay attention the date of the last update that might not actually have been posted until a day or so after the last “Invoice Batch Completion Data” (processed about every two weeks).

Invoicing Decision Dataset

🕒 In conjunction with the completion of the ECF payment file, we have an updated ECF payment decision report published to the link below.

The attached data gives applicants and service providers visibility into the status of requests for reimbursement from the ECF program. The data includes information such as whether the request for reimbursement was approved, partially approved, or denied and the amount approved for disbursement. For further information regarding why a particular request was partially approved or denied, the requestor may refer to the Communications Tab of the request for reimbursement form in the ECF Portal. Applicants and service providers should use this data for informational purposes.

[Invoice Decision Report](#) 

Data was last updated August 19, 2022. 

- Reminders of reimbursements with a focus on SAM.gov registrations and the DUNS-to-UEI transition.
- The three following FAQs:

Q. I submitted a request for reimbursement in the ECF program, but it is taking longer to process than requests for reimbursement I’ve submitted in the E-Rate program. Why is it taking longer?

Short answer: The ECF Program is an appropriated program and the review and processing of ECF requests for reimbursement entails more steps and, in some cases, further review than in E-Rate.

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?

Short answer: As a simple average of the consortium member discounts.

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)?

Short answer: Yes, please! This frees up funding for lower discount rate applicants with pending applications in the third ECF 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.

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.