



- FY 2023 Application Window
- Funding Status for E-Rate and ECF
 - E-Rate for FY 2022
 - ECF for 2021-2023
- APC Adoption Toolkit for School Districts
- Updates and Reminders
 - Upcoming Dates
 - FCC Decision on Appeals for Late-Filed Form 486s

FY 2023 Application Window

The FY 2023 Form 471 application window will close on Tuesday, March 28, 2023, at 11:59 p.m. EDT — see USAC’s E-Rate [Special Edition News Brief Dated January 18th](#).

Funding Status for E-Rate and ECF

E-Rate for FY 2022:

Wave 43 for FY 2022 was issued on Thursday, February 9th, for \$2.39 million, none for North Carolina. Cumulative commitments to date are \$2.82 billion including 71.1 million for North Carolina. Nationwide, USAC has funded 98.4% of the FY 2022 applications representing 94.6% of the requested funding.

ECF for 2021-2023:

Total commitments for all three ECF windows are \$6.57 billion including \$189 million for North Carolina. Nationwide, USAC has funded 84.6% of the ECF applications representing 67.2% of the requested funding. Window 3 applications are now being funded down to the 65% rural band. Total disbursements as of last Friday were \$2.78 billion.

APC Adoption Toolkit for School Districts

Education SuperHighway (“ESH”) has developed an Affordable Connectivity Program (“ACP”) [Adoption Toolkit for School Districts](#) designed to help schools lead efforts to enroll low-income families in ACP so as to provide discounted internet service for their students.

Brief Review: The ACP program provides discounts on internet service of up to \$30 per month (\$75 per month in Tribal areas) and on the purchase of connected devices of up to \$100. ACP is a valuable tool that can be used by schools to assure home internet services for many of their

students. As such, ACP can be viewed as a tool for those schools that did not apply for ECF-funded internet services or, alternatively, those schools that have been using ECF, as an ongoing tool to help maintain home internet services as ECF reimbursements end.

The ESH toolkit for schools includes a three-step action plan to:

1. Start spreading awareness using ESH resources to add ACP information to school websites and to use existing communication channels (e.g., newsletters flyers, texts, social media, and robocalls).
2. Support qualified households by providing documented proof of NSLP, CEP, and/or enrollment eligibility.
3. Empower families to enroll in ACP perhaps, for example, by hosting enrollment support events or designating school staff to answer questions and/or help with enrollment.

More broadly, ESH has launched [LearnACP](#), a free online course open to school staff and other community organizations, to develop ESH-certified ACP enrollment specialists.

Updates and Reminders

Upcoming Dates:

February 13	Comments due on requests to allow the use of E-rate funds for advanced or next generation firewalls and/or other network security services (DA 22-1315). Reply comments are due March 30 th .						
February 16	FCC Open Meeting to include the consideration of an NPRM that would “...seek comments on improvements to the E-Rate program that would increase access for Tribal applicants generally as well as within the Tribal Libraries E-Rate Pilot Program” (see Public Draft and our newsletter of February 6th).						
February 17	The Form 486 deadline for FY 2022 Wave 27. 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 28</td><td>02/24/2023</td></tr><tr><td>Wave 29</td><td>03/03/2023</td></tr><tr><td>Wave 30</td><td>03/10/2023</td></tr></table>	Wave 28	02/24/2023	Wave 29	03/03/2023	Wave 30	03/10/2023
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February 27	Extended invoice deadline for FY 2021 recurring services (applicable only for those applicants and service providers that had applied for an extended deadline on or before October 28, 2022).						
February 28	Last possible date — please do not wait until then — to file a Form 470 for FY 2023 in order to: (a) meet the 28-day posting period; (b) close the bidding process and select the winning bidder(s); (c) sign any necessary contract(s); and (d) file the Form 471 application(s), all on the last day of the application window.						
March 28	Close of the FY 2023 Form 471 application window at 11:59 p.m. EDT.						

FCC Decision on Appeals for Late-Filed Form 486s:

An FCC Order on Reconsideration ([DA 23-110](#)) granted requests by three school districts for additional time to file USAC appeals on late-filed Form 486s. The districts' initial FCC filings, seeking "waivers" of the Form 486 deadline, had been rejected by the FCC on the basis that "appeals" must be filed first with USAC.

The unique aspect of this situation deals with the proper handling of a request for relief of a missed E-rate filing deadline — specifically, the Form 486 filing deadline. All three districts had assumed that a waiver of a Form 486 deadline was required (as it is for every other late-filed E-rate form deadline) and that "waivers" must be filed with the FCC. What the FCC's decision clarifies is that because **"the deadline for the FCC Form 486 is administrative in nature, there was not any rule for the Commission to waive."** Consequently, what the districts should have done was file "appeals" with USAC rather than to file "waivers" with the FCC. Acknowledging that this distinction may have been confusing — indeed, in contrast to the proper handling of all other late-filed E-rate forms — the FCC Order on Reconsideration directed the districts to file USAC appeals and gave them time to do so.

To review:

- Appeals of USAC decisions must first be filed with USAC. If USAC's response is deemed unsatisfactory, an appeal can then be filed with the FCC.
- USAC has no authority to waive FCC E-rate rules. Requests to waive an FCC rule — including filing deadlines for most E-rate forms — must be filed directly with the FCC.
- As per last week's decision, the Form 486 deadline is not based on an FCC rule; a request to "waive" the Form 486 deadline must first be filed as an appeal with USAC.

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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