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## Funding Status for E-Rate and ECF

### *E-Rate for FY 2023:*

USAC issued Wave 5 for FY 2023 on Thursday, May 25<sup>th</sup>, for \$65.6 million including \$4.21 million for eighteen North Carolina applicants. Total funding after five waves is \$1.26 billion including \$37.8 million for North Carolina. At this point, USAC has already funded 74.1% of the originally submitted applications representing 42.0% of the dollars requested.

### *ECF for 2021-2023:*

Wave 25 for Window 3 was [issued](#) on Wednesday, May 24<sup>th</sup>, for \$12.1 million including \$898 thousand for one North Carolina district. Total commitments for all three ECF windows are \$6.68 billion including \$190 million for North Carolina. Nationwide, USAC has funded approximately 88% of the ECF applications representing 68% of the requested funding. Window 3 applications are now being funded down to the 60% urban band.

ECF applicants, that have not yet been funded, should pay close attention to the Federal debt ceiling discussions this coming week. Without knowing all the details of the “agreement in principle” announced over the weekend, one possible action being discussed under a proposed “Default on America Act” ([see analysis](#)) would be to immediately rescind all unobligated balances from accounts provided in portions of six laws known as the “COVID relief laws.” Should such action be taken, as yet unobligated ECF funds could be cancelled.

## Updates and Reminders

### *Upcoming Dates:*

Current	The summer deferral period for PIA inquiries began last Friday, May 26 <sup>th</sup> , and will end September 8, 2023, the Friday after Labor Day.
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- June 2                    The Form 486 deadline for FY 2022 Wave 42. More generally, the Form 486 deadline is 120 days from the FCDL date or from the service start date (typically July 1<sup>st</sup>), whichever is later. Upcoming Form 486 deadlines are:
- |         |            |
|---------|------------|
| Wave 43 | 06/09/2023 |
| Wave 44 | 06/16/2023 |
| Wave 45 | 06/23/2023 |
| Wave 46 | 06/30/2023 |
- June 30                    The last day to light fiber (or request an extension) for special construction projects from FY 2022. This is also the last day to receive all recurring services for FY 2022 (including BMIC maintenance services even if filed as one-time charges).

*Tribal NPRM Reply Comments:*

Last week was the deadline for submitting reply comments to FCC’s Notice of Proposed Rulemaking ([FCC 23-10](#)) to further improve E-rate program rules and encourage greater Tribal and small applicant participation (see our newsletters of [February 6<sup>th</sup>](#) discussing the NPRM and of [May 1<sup>st</sup>](#) summarizing initial comments). Reply comments further supporting the FCC’s proposed changes and stressing the need for simplifying E-rate rules were received from:

- [ADS Advanced Data Services \(“ADS”\)](#)
- [Alaska Department of Education and Early Development \(“DEED”\) and the Alaska State Library \(“ASL”\)](#)
- [American Library Association \(“ALA”\)](#)
- [Washington State Library \(“WSL”\)](#)
- [Wisconsin Department of Public Instruction \(“WIDPI”\)](#)

**USAC Emergency Connectivity Fund Program Newsletter of May 24 — Deadlines and More**

[USAC’s ECF Program Newsletter Dated May 24, 2023](#), provides a useful table (see below) summarizing the recent FCC rules and regulations extending the service delivery deadlines for ECF equipment and services, depending upon which of the three application windows they were in. Details of the related FCC Public Notice and Order are available in our [newsletter of May 15<sup>th</sup>](#). One critical point to note is that all service delivery deadlines are June 30, 2024, **or earlier**.

Application Filing Windows 1 and 2		
Funding Request Service Type	FCDL or approved RFCDL Received by Date:	Service Delivery Date:
Equipment	On or before December 31, 2022	June 30, 2023
	On or after January 1, 2023	180 days after the date of the FCDL or RFCDL, but not to exceed beyond June 30, 2024
Recurring Services ( <i>*but see recurring costs associated with construction</i> )	On or before June 30, 2022	June 30, 2023
	On or after July 1, 2022	14 months after the date of the FCDL or RFCDL, or June 30, 2024, whichever date is earlier
*Recurring Services associated with approved special construction request	On or before June 30, 2022	June 30, 2023
	On or after July 1, 2022	June 30, 2024
Special Construction		One year from date of FCDL

Application Filing Window 3	
Funding Request Service Type	Service Delivery Date:
Equipment, non-recurring services, and recurring services	June 30, 2024
Special construction	One year from date of FCDL

USAC’s ECF Newsletter also provides important guidance on cancelling or reducing ECF-funded commitments and on voluntarily returning ECF funds that have already been disbursed.

Reasons for cancelling or reducing ECF funding might include:

- Funds for the ECF-supported equipment or services were received from another federal program or grant.
- Services or connected devices originally requested and reimbursed for, are not actually being utilized or used by students, school staff, or library patrons with unmet needs.
- Clerical errors were found in the price per unit.

USAC asks that applicants not planning to use all or a part of ECF funding commitments file Post-Commitment Requests (“PCRs”) as soon as possible. USAC’s instructions on [how to file a PCR](#) focus on reducing quantity or cost elements of an FRN, but do not address how to cancel an FRN in full. Applicants wishing to fully cancel FRNs have come within a penny of that objective by reducing the quantity to one and the unit price to “\$0.01.”

Invoicing topics covered in last week’s ECF Newsletter include:

- The upcoming August 29<sup>th</sup> invoice filing deadline for Windows 1 and 2 funding requests.
- Reimbursement reminders.
- Payment verification requests.

## USAC E-Rate News Brief Dated May 25 — PIA, CIPA, and SRIR

[USAC’s E-Rate News Brief Dated May 25, 2023](#), covers the following topics:

- Tips for responding to Program Integrity Assurance (“PIA”) review questions in EPC including:
  - Receiving PIA questions in the EPC News tab.
  - Accessing those questions via the Review Inquiries hyperlink.

- Available response actions:
  - Responding to questions.
  - Requesting an extension of time to respond.
  - Submitting a request to modify Form 471 information.
- Children’s Internet Protection Act (“CIPA”) reminders:
  - Three basic requirements (see also [E-Rate Central’s CIPA guidance](#)):
    - Internet safety policy.
    - Technology protection measure (e.g., filter).
    - Public notice and meeting.
  - Certifying CIPA compliance via Form 486.
  - Compliance timing and documentation.
- Overview of the Selective Review Information Request (“SRIR”) process, including:
  - Accessing the SRIR questions.
  - Confirming receipt of the SRIR.
  - Responding to the SRIR.
  - Requesting an extension of time to respond.

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*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](mailto:join-ncerate@lists.dpi.state.nc.us). Please include your name, organization, telephone, and e-mail address.*

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