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Funding Status for E-Rate and ECF

E-Rate for FY 2023:

USAC issued Wave 13 for FY 2023 on Thursday, July 20th, for \$68.3 million including \$779 thousand for ten North Carolina applicants. Total funding is now \$1.69 billion including \$57.5 million for North Carolina. At this point, USAC has already funded 87.5% of the originally submitted applications representing 57.3% of the dollars requested.

ECF for 2021-2023:

Total commitments for all three ECF windows are \$6.76 billion including \$192 million for North Carolina. USAC has funded 89.5% of the ECF applications representing 68.7% of the requested funding.

FCC Adopts New Rules for Tribal Libraries and others

With unanimous Commissioner support at last week's open meeting, the FCC adopted a Report and Order ("R&O") simplifying E-rate rules for Tribal libraries and, to a lesser extent, for other applicants. As summarized in the FCC's [news release](#), the Tribal updates will:

- Grant E-rate eligibility to Tribal College and University libraries that serve as public libraries in their communities.
- Increase the maximum Category Two discount rate to 90% and the funding floor to \$55,000 for Tribal libraries.
- Adopt a formal definition of "Tribal" within the E-rate program to better identify Tribal applicants seeking E-rate funding.
- Add a Tribal community representative to the USAC Board of Directors.
- Direct USAC to provide increased outreach and training to Tribal applicants.

Providing relief for more than Tribal libraries alone the R&O would:

- Create an exemption to the competitive bidding requirements for all libraries — but not schools — seeking E-rate support for Category Two services that total a pre-discount price of \$3,600 or less per library per funding year.
- Eliminate burdensome cost-allocation requirements for all applicants when:
 - At least 90% of an applicant’s internet service is used for eligible purposes.
 - A building’s internal cable network is not being used specifically for ineligible purposes (e.g., security cameras or dedicated voice services).
 - Equipment is cost-effectively shared with NIFs.

The FCC also adopted an accompanying Further Notice of Proposed Rulemaking (“FNPRM”) to seek comment on an even broader range of program simplifications that would benefit all E-rate applicants (see the second half of the article in our [newsletter of July 3rd](#)).

The combined R&O and the FNPRM ([FCC 23-56](#)) will become effective 30 days after publication in the *Federal Register*. The initial comment period for the FNPRM will run for forty-five days after the *Federal Register* publication date with reply comments due thirty days later.

One disappointing aspect of the FCC’s open meeting discussion was that, although every Commissioner spoke positively about the R&O simplifications for Tribal libraries, there was nary a word concerning the accompanying FNPRM proposals seeking comments on broadly simplifying E-rate for all applicants. Chairwoman Rosenworcel missed a golden opportunity to do so when she recounted a visit to a rural Tribal library and noted:

What stayed with me from this visit, however, was binder by the desk of the head librarian. It was bulky, chock filled with papers and it was labeled E-rate. The binder made clear what conversations alone did not. Tribal libraries like this one are working with so many constraints to figure out how to get broadband connections.

We have seen similar binders — fortunately now migrating to endless data files — in many E-rate applicant and consultant offices. Complexities and constraints are the hallmark of all things E-rate and we hope to see fully addressed in the FNPRM.

Updates and Reminders

Upcoming Dates:

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| July 27 | USAC Form 470 webinar (registration).

All indications are that USAC will again, unfortunately, not be offering in-person E-rate training this year. Those seeking broad E-rate training from USAC will have to make do with this and a series of other webinars and/or state-sponsored workshops. |
| July 28 | The Form 486 deadline for FY 2022 Wave 50. More generally, the Form 486 deadline is 120 days from the FCDL date or from the service start |

date (typically July 1st), whichever is later. Upcoming Form 486 deadlines are:

Wave 51	08/04/2023
Wave 52	08/11/2023
Wave 53	08/18/2023

The first Form 486 deadline for FY 2023, for FCDLs issued on or before July 1st — normally October 29th (which is a Sunday this year) — will be Monday, October 30, 2023.

Further FCC Chairwoman Action on Cybersecurity:

Unrelated to E-rate, but following closely after a proposal for a \$200 million cybersecurity pilot program for schools and libraries (see our [newsletter of July 17th](#)), FCC Chairwoman Jessica Rosenworcel [proposed](#) another cybersecurity initiative to put in place the first-ever voluntary cybersecurity labeling program for connected smart devices.

The program's objective would be to help consumers make informed purchasing decisions, differentiate trustworthy products in the marketplace, and create incentives for manufacturers to meet higher cybersecurity standards. The FCC has already filed a "U.S Cyber Trust Mark" logo for certification with the U.S Patent and Trademark Bureau.



Head Scratching Math on USAC ECF Inquiries:

We've received a few reports from ECF applicants mystified with the math reflected in ECF inquiries they've received from USAC with statements such as:

You **reported** your student count to **650** and your unmet needs for **devices to 300 of unmet needs**.

This would suggest that your unmet needs are the same or similar to your total student count.

Although the language of this apparent template is a little awkward, the statement suggesting that 300 is the same or even similar to 650 is even more puzzling. Our suggestion is to ignore the math — or seek help from a youngster who has been schooled in new math — and simply answer the following and more straightforward questions on students with unmet needs.

USAC E-Rate News Brief Dated July 20 – Form 470 Reminders and Invoice Permissions

[USAC's E-Rate News Brief Dated July 20, 2023](#), includes the following reminders for filing a Form 470:

- You must file the FCC Form 470 in EPC.
- Your organization's profile must be established in EPC before you can file a program form, including a Form 470.

- If you issue a request for proposal (RFP) and/or RFP documents, you must upload these documents to your FCC Form 470.
- Certify the form online in EPC.
- Your receipt notification will appear in your EPC News feed after you certify your form.
- Service providers can view filed Form 470s either through EPC or on the USAC website.

Last week’s News Brief further reminds applicants that the legacy BEAR filing system will be transitioned into EPC later this year. EPC has already been modified to keep track of individuals authorized to prepare and/or certify BEARs. For the most part, these authorizations have been migrated from the BEAR legacy system but should be checked by all applicants.

To review and/or modify BEAR permissions within EPC, the Account Administrator should use the Manage User Permissions function and make sure, as shown below, that the proper option has been selected for each user.

The screenshot shows the 'Manage User Permissions' page for ABC School District. It includes organization details, user permissions, and a table of users with their respective permissions. A dropdown menu is open for the 'BEAR(472) Permission' column, showing options for 'Full', 'Partial', and 'View Only'. A red arrow points to the 'Full' option.

Name	Email	Apply All	470 Permission	471 Permission	BEAR(472) Permission	498 Permission
Alice Smith	asmith@abcusacdistrict.net	[Dropdown]	Full	Full	Full	School or Library Office
Ed Smith	esmith@abcusacdistrict.net	[Dropdown]	Full	Full	[Dropdown]	No Access

The News Brief also reminds service providers to file their FY 2023 Form 473, Service Provider Annual Certification (“SPAC”) forms. USAC will not process either BEAR or SPI invoices associated with service providers without current SPACs for that funding year. Funding years for which SPACs have been filed are listed in the [Service Provider Download Tool](#).

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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