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Funding Status for E-Rate and ECF

E-Rate for FY 2023:

USAC issued Wave 22 for FY 2023 on Thursday, September 21st, for \$18.0 million including \$713 thousand for one North Carolina applicants. Total funding is now \$2.19 billion including \$81.7 million for North Carolina applicants. At this point, USAC has funded 93.8% of the originally submitted applications representing 75.4% of the dollars requested.

ECF for 2021-2023:

Wave 34 for Window 3 was [issued](#) on Wednesday, September 20th, for \$40.9 million including \$1.67 million for six North Carolina applicants. Total commitments for all three ECF windows are now at \$6.44 billion including \$188 million for North Carolina.

Updates and Reminders

Upcoming Dates:

- September 25 Due date for comments on the FCC’s Further Notice of Proposed Rulemaking portion of ([FCC 23-56](#)) regarding additional rule changes to simplify E-rate (see the second half of the article in our [newsletter of July 3rd](#)). Reply comments are due October 23rd.
- September 26 First USAC webinar of the upcoming E-rate system consolidation webinars (see schedule and registration information in [USAC’s E-Rate Special Edition News Brief Dated September 14, 2023](#)).
- September 26 First of two three-day E-rate “Boot Camps” run by NCDPI in Lake Junaluska ([registration](#)). A second session will be held November 7-9 in the Research Triangle.

- October 2 Last day to receive service or to submit a Service Delivery Deadline request for FY 2022 non-recurring services. (Note: September 30th, the normal Service Delivery Deadline, falls on a Saturday this year.)
- October 3 First 2023 fall USAC training webinar [E-Rate Program Overview](#). For the full schedule see [USAC's E-Rate News Brief dated September 21, 2023](#).
- October 6 Revised due date ([DA 23-852](#)) for comments on the FCC's Notice of Proposed Rulemaking ([FCC 23-65](#)) on cybersecurity labeling for internet devices (see our [newsletter of August 14th](#)). Reply comments are due November 10th.
- October 12 Due date for comments on the FCC's Draft Eligible Services List for FY 2024 ([DA 23-819](#)). Reply comments are due October 26th.
- October 13 USAC's one-day E-rate in-person training in Washington, DC. Limited space was fully subscribed as soon as the training was [announced](#) but training material should become publicly available shortly before the training date.
- October 24 Opening of the EPC administrative window to allow applicants to update entity profiles (including student counts and NSLP percentages) in advance of the FY 2024 application window. USAC will close the administrative window shortly before the Form 471 application window opens in mid-January at which point EPC entity profiles will be locked during the window.
- October 24 Nominations are due for six positions, including one school representative, on the USAC Board of Directors (see [DA 23-753](#)).
- October 30 E-rate invoice deadline for FY 2022 recurring services. (Note: October 28th, the normal invoice deadline, falls on a Saturday this year.) This is also the deadline for requesting an invoice deadline extension for the same FRNs.
- October 30 ECF invoice deadline for most Window 1 and Window 2 committed FRNs with service delivery deadlines of June 30, 2023. For details on other upcoming invoice deadlines, see USAC's [Emergency Connectivity Fund Invoice Deadline Tool](#).
- October 30 First Form 486 deadline for FY 2023, for FCDLs issued on or before July 1st (i.e., Waves 1-9).
- 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. The Form 486 deadline for FCDL's issued in Wave 10 would normally have been November 3rd (now probably November 7th as result of the EPC shutdown through November 6th).
- October 30 – November 6 USAC [announced](#) that EPC will be unavailable to all users from October 30th at 11:59 p.m. through November 6th.

Electronic Cybersecurity Labels:

As discussed in our [newsletter of August 14th](#), the FCC has initiated a Notice of Proposed Rulemaking ([FCC 23-65](#)) seeking comment on a “U.S. Cyber Trust Mark” program that would help consumers, including schools and libraries, identify trustworthy internet devices such as laptops and cellphones that meet certain cybersecurity criteria and standards. The due date for initial comments on this NPRM was recently extended until October 6th.

As contemplated in the NPRM, the “Trust Mark” would take the form of a printed label, including a QR code that could be scanned for additional information. E-Rate Central believes that printed labels, while useful, would be of limited use beyond informing a consumer’s initial purchase. The real need for cybersecurity protection arises when a device connects to a system.

E-Rate Central recently filed [comments](#) in this proceeding encouraging the FCC to extend its labeling proposal beyond printed labels to incorporate electronic device “labels” that could be “read” by the systems to which these devices seek to be connected. We believe this could be done, for example, by incorporating an appropriate code within a wireless device’s unique Media Access Code (“MAC”) address.

Were the FCC to consider electronic cyber-labeling, which is not contemplated in the existing NPRM, a Further Notice of Proposed Rulemaking (“FNPRM”) may be required. Nevertheless, we encourage parties to indicate their support — if only by filing a simple “Express Comment” — for this broader electronic initiative in their initial comments or reply comments. As it is, the development of a printed cyber-labeling program would need a significant effort requiring broad industry support that, with little duplication, could yield an electronic labeling component.

Express comments in this proceeding by completing a simple form with text boxes on the FCC’s [“Submit a FILING”](#) site, specifying “23-239” as the proceeding number on the first line.

USAC E-Rate News Brief Dated September 21 – More Topics

[USAC’s E-Rate News Brief dated September 21, 2023](#), starts by summarizing the impact of USAC’s planned transition of the legacy invoicing system into EPC that will take the EPC system offline for seven days. The key dates to remember are:

Legacy System Shutdown:	October 30 at 11:59 p.m. ET
EPC Unavailable for all users:	October 30 at 11:59 p.m. ET to November 7, 2023
EPC available for all Funding Year (FY) 2016 and later processing:	November 7, 2023
First EPC Invoicing Disbursement:	November 9, 2023

Last week’s News Brief also discusses:

- USAC’s 2023 fall online training schedule as outlined below:
 - [E-Rate Program Overview](#): October 3

- [E-Rate Pre-Commitment Process](#): October 5
 - [Eligible Services 101](#): October 12
 - [Category Two Budgets](#): October 17
 - [EPC Administrative Window](#): October 19
 - [E-Rate Post-Commitment Process](#): November 7
 - [Invoicing](#): November 9
- A new Form 470 Download Tool became available last Friday with easy-to-use filters for service providers.
 - Reminder: Monday, October 30th, is the deadline for filing invoices — or requests to extend the invoice deadline — for most FY 2022 recurring services.
 - Questionable Reminder: The News Brief indicates that October 31st is the deadline for filing a Form 486 for FY 2023 FCDLs issued on or before July 1st (i.e., Waves 1-9) and for services beginning July 1st. We believe the correct Form 486 deadline for these approved services should be October 30th, noting the following:
 - 120 days from July 1st is October 29th that, being on a Sunday this year, should make the deadline Monday, October 30th.
 - To compound the error, and as indicated in the table above, EPC will not be operational on October 31st.
 - Summary of FY 2024 program updates incorporated in the Tribal library order including:
 - Maximum Category 2 discount for Tribal libraries is now 90%.
 - Minimum Category 2 budget for Tribal libraries is now \$55,000.
 - Tribal college and university libraries (“TCUs”) serving as community public libraries are now eligible for E-rate. These newly eligible entities should establish their EPC profiles during the administrative window opening October 24th.
 - All (not just Tribal) libraries seeking E-rate support for any eligible service (not just internet) totaling \$3,600 or less (pre-discount) per library are no longer required to file Form 470s.
 - If at least 90% of an applicant’s internet service is being used for eligible purposes, the remaining usage (less than 10%) is considered ancillary. Cost allocation will not be required.
 - Urban/rural designations will now be based on 2020 Census data.

- The EPC administrative window opens October 24th. This will allow applicants to update their EPC entity profiles (including student counts and NSLP percentages) in advance of the FY 2024 application window. USAC will close the administrative window shortly before the Form 471 application window opens in mid-January. Once closed, EPC entity profiles will be locked while the application window is open.
- Summary of the FCC’s rule and deadline waivers providing relief to those affected by the Hawaii wildfires and Hurricane Idalia.
- Notice of the FCC’s request for comments on the proposed ESL for FY 2024 (see our [newsletter of September 18th](#)).

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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