



- Funding Status for E-Rate and ECF
 - E-Rate for FY 2023
 - ECF for 2021-2023
 - E-Rate for FY 2024
- ESL Comments on School Bus Wi-Fi
- Updates and Reminders
 - Upcoming Dates
 - FCC Streamlined Decisions

Funding Status for E-Rate and ECF

E-Rate for FY 2023:

USAC issued Wave 32 for FY 2023 on Thursday, November 30th, for \$18.7 million including \$25 thousand for one North Carolina applicant. Total funding is now \$2.44 billion including \$87.1 million for North Carolina. At this point, USAC has funded 96.3% of the originally submitted applications representing 84.5% of the dollars requested.

ECF for 2021-2023:

Total commitments for all three ECF windows remain at \$6.46 billion including \$191 million for North Carolina.

E-Rate for FY 2024:

The EPC administrative window opened on October 24th. This allows applicants to update their 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.

ESL Comments on School Bus Wi-Fi

Last Thursday was the deadline for submitting comments on changes to the Eligible Services List (“ESL”) to accommodate the new eligibility of school bus Wi-Fi equipment and services. A list of, and links to, the more interesting and important comments is provided below:

[E-Rate Central](#)
[Fresno Unified School District \("FUSD"\)](#)
[Kajeet](#)
[KB & Associates](#)
[Los Angeles Unified School District](#)

[NCTA – The Internet & Television Association](#)
[Rollins & Sumrall Education Group, Inc., \(“REGroup”\)](#)
[Schools, Health & Libraries Broadband \(“SHLB”\) Coalition](#)
[State E-Rate Coordinators’ Alliance \(“SECA”\)](#)
[T-Mobile USA](#)
[Wisconsin Department of Public Instruction](#)

Responses to the key issues discussed in these comments are summarized below.

- Non-recurring eligible costs should include the router, antenna, cabling, license, installation, and upfront maintenance/support costs. Recurring eligible costs should include the service to access wireless internet service via a commercially available wireless or satellite vendor using the Wi-Fi equipment. To provide full coverage, service may have to be obtained from more than one internet provider. Several responders stressed the need for router maintenance services.
- There was broad agreement that all equipment and services should be classified as Category One.
- Recognizing the goal of accepting and processing bus Wi-Fi applications for FY 2024, preferably within the regular application window, several suggestions were made to ease the competitive bidding process. In what may be a controversial position, at least from the FCC’s perspective, several parties suggested applying the existing \$3,600 competitive bidding exemption for commercially available internet service (“CABIO”) on a per bus basis.
- Per bus cost estimates varied, but there was widespread agreement that school bus Wi-Fi funding could be easily funded within the existing E-rate cap.

School districts debating the desirability of equipping their buses with Wi-Fi are encouraged to read Fresno’s comments. FUSD first deployed Wi-Fi on its buses seven years ago refreshed their routers again in 2022. FUSD noted:

- Bus Wi-Fi has proven to be an effective “tool in our toolbox for digital equity for low-income students.”
- With bus Wi-Fi in place, “student ridership increased and student behavior improved.” Bus ridership is important because it “helps get students to school and reduces chronic absenteeism.”
- Most of Fresno’s students are living in poverty conditions without access to their own mobile data plans or, if they do, with strictly capped plans. Time on Wi-Fi equipped buses helps level socioeconomic differentiation.

The next step is up to the FCC to release the Wi-Fi enabled Eligible Services List for FY 2024, hopefully later this month, as a prelude for opening of the Form 471 application window in early January.

Updates and Reminders

Upcoming Dates:

- November 30 Due date for comments on the proposed Eligible Services List (“ESL”) ([DA 23-1011](#)) for FY 2024 regarding the eligibility of Wi-Fi on school buses. There is no provision for additional reply comments.
- December 8 The Form 486 deadline for FY 2023 Wave 16. 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 17 | 12/15/2023 |
| Wave 18 | 12/22/2023 |
| Wave 19 | 12/29/2023 |

FCC Streamlined Decisions:

The FCC issued another set of “streamlined,” precedent-based appeals and waivers last week. As with past streamlined decisions, applicants facing similar problems as those addressed in these decisions may garner useful information by carefully reading the additional FCC explanations found in the footnotes. The original appeal and/or waiver requests can be found online in the FCC’s [Search for Filings](#) under Docket 02-6 (E-rate) or Docket 21-93 (ECF).

In November’s streamlined decisions ([DA 23-1104](#)), the FCC:

1. E-Rate Dismissed:
 - a. One Request for Waiver found to be moot as the issue has been resolved.
 - b. Two Petitions for Reconsideration for failure to identify any material error, omission, or reason warranting reconsideration.
 - c. One Request for Waiver to allow the applicant to file an appeal with USAC.
2. E-Rate Granted:
 - a. One Request for Review determining that the applicant had a valid, signed contract in place at the time it submitted its Form 471.
 - b. One Request for Review and/or Waiver “to correct bid evaluation matrix where bid evaluation should have included a multitier process to screen out vendors who could not meet the functional requirements of the proposal.”
 - c. One Request for Review in which the FCC disagreed with USAC’s discount rate calculation.
 - d. One Request for Waiver for discount information submitted outside USAC’s time period for response.
 - e. One Request for Review granting additional time to respond to a USAC invoice inquiry.
 - f. One Petition for Reconsideration and one Request for Waiver based on USAC decisions received after invoice deadlines.
 - g. Four Requests for Waivers or Review involving invoicing, a multi-year agreement, and an omitted FRN.

- h. One Request for Waiver for a permissible implementation delay.
 - i. Two Requests for Waiver of the appeal filing deadline.
3. E-Rate Denied:
- a. Three Requests for Waiver on late-filed Form 471 applications failing to present extraordinary circumstances justifying waivers.
 - b. Two Requests for Waiver for late-filed invoices or invoice deadline extension requests.
 - c. One Request for Waiver for Form 470s that did not seek bids on the types of services later requested.
 - d. Four Requests for Waiver for untimely filed appeals or waiver requests.
4. ECF Dismissed:
- a. One Request for Waiver not meeting general filing requirements.
 - b. Five Requests for Waiver deemed moot as USAC had taken the actions requested.
 - c. One Petition for Reconsideration for failure to identify any material error, omission, or reason warranting reconsideration.
 - d. One Petition for Reconsideration deemed untimely.
5. ECF Granted:
- a. One Request for Review and/or Waiver finding that services requested were eligible.
 - b. One Request for Review and/or Waiver for ministerial and/or clerical errors.
 - c. Three Requests for Review and/or Waiver involving payment verification.
 - d. One Request for Review and/or Waiver of the appeal filing deadline.
6. ECF Denied:
- a. Two Requests for Waiver and/or Review for untimely filed appeals or waiver requests.

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.