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Funding Status

E-Rate for FY 2024 – The Application Window is Closed:

The Form 471 filing window for FY 2024 closed March 27th. The preliminary demand total is \$3.2 billion, up from \$2.9 billion last year. Initial funding requests from North Carolina were \$87.7 million.

Applicants failing to meet the March 27th application deadline may wish to avail themselves of the traditional two week grace period provided by the FCC. This will require the submission of late applications by this Wednesday, April 10th. Those applicants will then have to file FCC waivers asking that their “Out of Window” applications be moved to “In Window.”

E-Rate for FY 2023

USAC issued Wave 50 for FY 2023 on Thursday, April 4th, for \$5.01 million, none for North Carolina. Total funding remains \$2.60 billion including \$84.7 million for North Carolina. At this point, USAC has funded 98.0% of the originally submitted applications representing 94.0% of the dollars requested.

E-Rate for FY 2023:

USAC issued Wave 49 for FY 2023 on Thursday, March 28th, for \$1.69 million, none for North Carolina. Total funding remains \$2.60 billion including \$84.7 million for North Carolina. At this point, USAC has funded 98.0% of the originally submitted applications representing 93.8% of the dollars requested.

Updates and Reminders

Upcoming Dates:

April 10 Two weeks after the March 27th close of the FY 2024 application window. Traditionally, the FCC has routinely granted out-of-window waivers for all

late-filed Form 471 applications filed and certified within two weeks of the window close without a requirement to show an “extraordinary” reason for the delay.

- April 12 Form 486 deadline for FY 2023 Wave 34. 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 35 | 04/19/2024 |
| Wave 36 | 04/26/2024 |
- April 18 USAC webinar on Program Integrity Assurance (“PIA”) and Selective Reviews ([registration](#)).
- June 30 Last day to receive FY 2023 recurring services and all ECF Window 3 services.
- August 29 Invoice deadline for ECF Window 3 applications.

RSC Budget Proposal on CEP:

As a rule, we try to avoid commenting on political proposals, particularly those with little chance of attracting widespread Congressional support. We do think it is important to note, however, that the recently released 2025, 180-page, budget proposal entitled “[Fiscal Sanity to Save America](#)” from the Republican Study Committee (comprised of roughly three-quarters of House Republicans) calls for the elimination of the Community Eligibility Program (“CEP”). We have always been enthusiastic supporters of CEP, not only because of the discount advantages it provides for many E-rate applicants, but more so for the socially transparent way in which it provides free meals to all students in lower-income schools. Replacing CEP with block grants to the states (see p. 46), particularly following a decision by the U.S. Department of Agriculture to expand CEP by lowering the threshold for school eligibility, would be a major step backwards for student health and E-rate applicants.

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 March’s streamlined decisions ([DA 24-296](#)), the FCC:

1. E-Rate Dismissed:
 - a. One Request for Waiver dismissed as moot due to actions already taken by USAC.
 - b. One request for not meeting the FCC’s basic appeal filing requirements.
 - c. Two Petitions for Reconsideration for failure to identify any material error, omission, or reason warranting reconsideration.
 - d. Two Requests for Waiver to allow appeals to be filed with USAC.

2. E-Rate Granted:

- a. One Request for Waiver for bidding in which the FCC determined that price had been the primary factor.
- b. One Request for Waiver allowing the submission of discount rate information when the applicant had previously been unable to supply it within USAC's permitted time period.
- c. One Request for Waiver involving an incorrect service start date on a Form 486.
- d. One Request for Waiver involving ministerial and/or clerical errors on an application.
- e. One Request for Waiver finding that the competitive bidding process was not harmed by adding one new school without filing a new Form 470.
- f. One Request for Waiver for a permissible service implementation delay.
- g. One Request for Waiver reconsidered on its merits.
- h. One Request for Review was remanded to USAC to assure that service eligibility was properly characterized as on-premise Category 1.
- i. One Request for Waiver was remanded to USAC to obtain additional information on services delivered.
- j. One Request for Waiver on the date of a legally binding commitment delayed pending approval by the applicant's governing board.

3. E-Rate Denied:

- a. One Request for Review for a competitive bidding violation of the 28-day rule.
- b. One Request for Waiver for failure to review all bids.
- c. One Request for Review and/or Waiver when price was not the primary factor in vendor selection.
- d. Two Requests for Review for cost-effectiveness violations on the purchase of routers at 2-3 times greater cost than prices available from commercial vendors.
- e. Four Requests for Waiver for late-filed invoices or invoice deadline extension requests.
- f. Two Requests for Waiver for relying on Form 470s that did not seek bids on the types of service later requested.
- g. Eight Requests for Waiver for untimely filed appeals or waiver requests for failing to demonstrate special circumstances.
- h. One Request for Review upholding USAC's funding procedures that are "not able, procedurally and systematically, to process partial-month funding commitments." This is an interesting case in which the applicant's internet was upgraded to a higher-cost service mid-month. The applicant was reimbursed at the lower rate for the entire month but was denied payment at the higher rate for the second portion of the month.

Minor QDR Errors:

On March 31st, USAC emailed out Quarterly E-Rate Payment Authorization Reports (also known as "QDR Notification Letters") that, as was also the case in the last quarterly reports, had minor funding year errors. The QDRs (standing for Quarterly Disbursement Reports) indicate

what invoice payments — BEARs or SPIs — have been paid out on behalf of applicants during the preceding quarter, in this case 1Q24.

As shown below, however, the data for 2023 invoice payments, shown on Page 2, correctly identifies the FY 2023 applications (“APPL”) and FRN numbers but shows the previous year’s Funding Year (07/01/2022-06/30/2023).

USAC Schools and Libraries
E-Rate Quarterly Disbursements
Authorization Report

Privileged and Contains Confidential Information
Period: 01/01/2024 - 03/31/2024

Billed Entity Number: [REDACTED] Billed Entity Name: [REDACTED]

Funding Year	APPL #	FRN #	FRN Committed Amount	FRN Authorized Disbursements to Number (SPIN) Date	Service Provider Number (SPIN)	Service Provider Name	Disbursement Authorization Date	Authorized Disbursements		Total
								SPI	BEAR	
07/01/2022-06/30/2023	2310	23990	\$12,240.00	\$5,100.00	[REDACTED]	[REDACTED]	2024-01-11	\$1,020.00		\$1,020.00
FY 2022	FY 2023						2024-02-15	\$1,020.00		\$1,020.00
							2024-03-11	\$1,020.00		\$1,020.00
							SPIN Total	\$3,060.00		\$3,060.00
							Application Total	\$3,060.00		\$3,060.00

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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