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Funding Status

E-Rate for FY 2025

Wave 12 of funding commitment decision letters for FY 2025 was released on Thursday, July 10th, for \$69.4 million, including \$1.13 million for twenty-two North Carolina applicants. Total funding is now \$1.50 billion, including \$33.9 million for North Carolina. Currently, USAC has funded 75.3% of submitted applications, representing 46.5% of the dollars requested.

Cybersecurity Pilot Program – Application Window:

The Form 471 application window for the Cybersecurity Pilot Program opened on March 18th and will close on September 15th, 2025. Total pilot funding is capped at \$200 million for 690 applicants, including \$7.9 million for fifteen North Carolina applicants.

As previously discussed, July 1st was the deadline set by the FCC to permit Pilot participants to voluntarily withdraw from the program without incurring any liability. Last week, the Wireline Competition Bureau formally acknowledged more than half of the seventeen (by our count) withdrawal requests. Each acknowledgement letter indicated: “Approximately five business days after you receive this letter, [Applicant] will be removed from the Program, and your pre-discount, three-year budget will be allocated to another participant.” As noted in our [newsletter of July 7th](#), we estimate that the budget freed up by these withdrawals is about \$8 million.

So far, post-July 1st, we have seen two other cyber participants seek to withdraw from the Program, “requesting a grace period” for the late notification.

FCC Indicates Review of School Bus Wi-Fi Eligibility

When the Supreme Court ruled earlier last month that the Universal Service Fund (“USF”) was constitutional (see our [newsletter of June 30th](#)), the decision was with respect to a key, but only one argument, brought by plaintiffs who were seeking to reverse the FCC’s Order of October 2023 ([FCC 23-84](#)) that made school bus Wi-Fi services eligible for E-Rate discounts.

Although the Supreme Court’s decision was a major win for the E-Rate program in general, little notice was taken to the last sentence of the majority opinion that read: “We accordingly reverse the judgment of the Court of Appeals for the Fifth Circuit and remand for further proceedings consistent with this opinion.” The Fifth Circuit’s “judgement” that the Supreme Court reversed was that USF was unconstitutional. The Supreme Court did not address the more specific issue of the eligibility of school bus Wi-Fi. That eligibility issue remains in the case before the Fifth Circuit.

The big news on this front last week was that both the petitioners and the FCC asked the Fifth Circuit Court to hold the case in abeyance pending the FCC’s review of the initial school bus Wi-Fi Order. The FCC explained that only one Commissioner (Democrat representative Anna Gomez) had initially voted to approve the bus Wi-Fi measure. The current FCC, now with a Republican majority, “is reevaluating the agency’s past actions” including school bus Wi-Fi eligibility (and presumably hotspots as well).

The Fifth Circuit granted the abeyance request subject to the condition, actually proposed by the FCC, that the FCC “file a status report 90 days from the date of this order and every 90 days thereafter until such time as the order is lifted or the court gives further direction.”

Assuming the FCC’s status reports are made public, we may know more about the future of school bus Wi-Fi — and perhaps, by extension, hotspots as well — by October. Hopefully, should the FCC move to reconsider the eligibility of school bus Wi-Fi, it will do so via a public comment notice that will give the school community a say in the outcome.

Updates and Reminders

Upcoming Dates:

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| July 18 | FY 2024 Form 486 deadline for Wave 48. The Form 486 deadline is 120 days after the FCDL date, or the service start date (typically July 1 st), whichever is later. The next Form 486 deadlines for FY 2024 are:
Wave 49 07/25/2025
Wave 50 08/01/2025 |
| August 18 | Last day to certify a CBR Form 470 to meet the minimum 28-day posting period before filing the CBR Form 471. |
| September 5 | Final day of the PIA summer deferral period (which began May 23 rd). |
| September 9 | USAC in-person training in Denver, CO. |
| September 15 | Close of the Cybersecurity Pilot Form 471 application window and deadline for filing the Form 484 Part 2. |
| September 16 | USAC in-person training in Washington, DC. |

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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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