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Funding Status

E-Rate for FY 2025

Wave 20 of Funding Commitment Decision Letters for FY 2025 was released on Thursday, September 4th, for \$17.5 million, including \$757 thousand for three North Carolina applicants. Total funding is now \$1.97 billion, including \$46.2 million for North Carolina. Currently, USAC has funded 88.2% of submitted applications, representing 62.1% 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 next Monday, September 15th, 2025. Total pilot funding is capped at \$200 million for 690 applicants, including \$7.9 million for fifteen North Carolina applicants.

FCC to Vote to Reverse Hotspot and Bus Wi-Fi Eligibility

Two FCC Commissioners released statements last week dealing with the future of E-Rate eligibility for hotspots and school bus Wi-Fi. The headlines and contents of the releases could not have been more different. FCC Chairman Brendan Carr, apparently representing the view of his Republican counterpart Olivia Trusty as well, headlined his release “[Carr Proposals Would End FCC’s Unlawful Biden-Era Expansion of Covid Spending Program](#).” A countering release for the Democratic side of the Commission was entitled “[Commissioner Gomez on FCC Proposals to Rip Away Connectivity for Students and Seniors](#).”

At issue here is the E-Rate eligibility of hotspots to provide at-home internet services for students and library patrons and of Wi-Fi services to provide on-the-go internet services to students on school buses. Bus Wi-Fi services became E-Rate eligible in FY 2024; hotspots became — or were to become — eligible in FY 2025. The eligibility of both services was initiated under the previous Administration when, at the time, the three Democratic Commissioners outvoted the two

Republican Commissioners 3:2. The current FCC Chairman, Brendan Carr, had been an outspoken critic of both services. But he now leads a rebalanced, 2:1, Republican dominated Commission.

Under the current [Eligible Services List for FY 2025](#), both hotspots and bus Wi-Fi are technically E-Rate eligible this year. Presumably reflecting guidance from the FCC, however, USAC has not approved a single FY 2025 funding request for either service.

What is expected to happen next, in short order, is that the Republican-controlled FCC will vote on — and approve — the following two measures:

- A declaratory ruling “that funding Wi-Fi on school buses both exceeds the FCC’s statutory authority and does not promote sound policy choices.”
- An order on reconsideration finding “that the FCC lacked legal authority for this [hotspot] expansion and that the agency failed to properly justify its decision.”

If — or more accurately “when” — these measures are approved, both services will become ineligible for E-Rate support. At this point, the FCC plans to direct USAC “to deny pending funding year 2025 requests for E-Rate funding for the off-premises use of Wi-Fi hotspots and Wi-Fi on school buses.”

Updates and Reminders

Upcoming Dates:

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| September 9 | USAC in-person training in Denver, CO (register). |
| September 15 | Close of the Cybersecurity Pilot Form 471 application window and deadline for filing the Form 484 Part 2. |
| September 15 | Due date for comments to the Congressional USF Working Group (see our newsletter of August 4th). |
| September 16 | USAC in-person training in Washington, DC (register) (also available online). |
| September 30 | Last day to receive service, or to submit a Service Delivery Deadline (“SDD”) Extension request, for FY 2024 non-recurring services. |
| October 20 | FCC deadline for nominating six new (or renewed) USAC Board members (see DA 25-738 and our newsletter of August 25th). |
| October 29 | First FY 2025 Form 486 deadline for applicants funded in Waves 1-10. The Wave 11 deadline will be October 31, with subsequent Form 486 Wave deadlines following weekly. Specifically, the Form 486 deadline is 120 days after the FCDL date, or the Service Start Date (typically July 1 st), whichever is later. |
| October 29-31 | AnchorNets : 13 th Annual SHLB Conference, Crystal City, VA. E-Rate Central is a Gold-level sponsor of the event. |

FCC Streamlined Decisions:

The FCC issued another set of “streamlined,” precedent-based appeals and waivers on September 2nd. As with past streamlined decisions, applicants facing similar problems to 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 August’s streamlined decisions ([DA 25-731](#)), the FCC:

1. E-Rate Dismissed:

- a. Three Requests for Waiver dismissed as moot where USAC had already approved the underlying funding requests or, in one case, where the recovery of funds was being sought from the supplier, not the applicant.
- b. Two filings dismissed for failure to comply with the Commission’s basic filing requirements.
- c. Four Petitions for Reconsideration failing to identify any reasons warranting reconsideration.
- d. One Request for Review to allow an appeal to be filed with USAC.
- e. One Petition for Reconsideration filed after the 30-day deadline.

2. E-Rate Granted:

- a. One Request for Review “finding that USAC incorrectly changed the requested category of service during review of the FCC Form 471 application.”
- b. One Request for Review on vendor selection finding that “there is no Commission requirement that vendor selection documentation be dated before the contract award date and there is no evidence of waste, fraud or abuse, or misuse of funds, or a failure to adhere to core program requirement.”
- c. One Request for Review, remanded to USAC, in which the FCC disagreed with USAC’s discount calculation determination.
- d. Four Requests for Review allowing applicants additional time to provide discount calculation information.
- e. One Request for Waiver where the service provider was unable to timely file its SPAC due to technical issues.
- f. Four Requests for Waiver for late-filed appeals or waivers submitted only a few days late.
- g. One Request for Waiver for a late-filed Form 471 due to circumstances beyond the applicant’s control.
- h. Two Requests for Waiver for late Form 471s filed within 14 days of the close of the window.
- i. Seven Requests for Waiver for ministerial and/or clerical errors.
- j. Three Requests for Waiver on an invoice deadline extension request based on a USAC decision issued after the invoice filing deadline.

3. E-Rate Denied:
 - a. Two Requests for Waiver for unfiled Form 470s.
 - b. One Request for Waiver for a late-filed Form 486.
 - c. Nine Requests for Waiver for late-filed Form 471 applications.
 - d. Seven Requests for Waiver for late-filed invoice deadline extension requests.
 - e. Nine Requests for Waiver for untimely filed appeals or waiver requests.
4. ECF Dismissed:
 - a. Three Requests for Waiver dismissed as moot.
5. ECF Granted:
 - a. Two Requests for Waiver for ministerial and/or clerical errors.
6. ECF Denied:
 - a. One Request for Waiver to include additional services.
 - b. Five Requests for Waiver 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.

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