



- Funding Status
 - E-Rate for FY 2026 – Application Window
 - E-Rate for FY 2025
 - Cybersecurity Pilot Program
- M&C Errors – Substantive vs. Procedural
- Updates and Reminders
 - Upcoming Dates

Funding Status

E-Rate for FY 2026 – Application Window:

Application Window: The Form 471 application window for FY 2026 will open midday on Wednesday, January 21st, and close on Wednesday, April 1st, at 11:59 p.m. EDT. The administrative window, giving applicants an opportunity to update their EPC entity profiles, will close on Friday, January 16th.

For additional guidance, see USAC’s [E-Rate News Brief dated December 18th](#).

E-Rate for FY 2025:

USAC did not issue a funding wave last week. Total funding for FY 2025, as of Wave 34, stands at \$2.50 billion, including \$53.2 million for North Carolina. Currently, USAC has funded 94.5% of submitted applications, representing 84.2% of the dollars requested.

Cybersecurity Pilot Program:

Similarly, USAC did not issue another Cyber Pilot funding wave last week. After the first Cyber wave the preceding week, total funding for the Cybersecurity Pilot Program is \$46.9 million. Wave 1 funding included \$1.78 million for three North Carolina applicants.

M&C Errors – Substantive vs. Procedural

The FCC issued an instructive Order ([FCC 25-87](#)) last week denying two applications for review filed by Brooklyn Public Library involving a UCAC decision to retroactively deny funding on a FY 2014 application for internet services and to seek full recovery of funds. The decision hinged on a flawed competitive bid analysis in which the library claimed that a ministerial and clerical (“M&C”) transposing two scores in the pricing algorithm led to the selection of the highest cost vendor. The library asked the FCC to overlook the M&C error or, at most, limit the return of funds to the difference between the erroneously high bid and what would have otherwise been the winning bid. The FCC rejected both arguments.

Because the FCC sometimes overlooks M&C errors when deciding on Requests for Review and/or Waiver, it is instructive to consider the FCC’s logic in this instance. The key sentence in the FCC’s Order reads: “When an applicant argues that an error is ministerial or clerical, the Commission considers whether the effect of the error was substantive or procedural in making its determination whether to grant or deny the waiver request.” A footnote referencing an earlier Bishop Perry decision provides an expanded explanation of the difference between “substantive” and “procedural” reading:

Bishop Perry Order, 21 FCC Rcd at 5321, para. 11 (illustrating two types of “errors” that can occur, “those that could not result[] in an advantage for [the applicant] in the processing of their application”—i.e., a procedural error—or those which result in an “applicant receiving more funding than it was entitled to”—i.e., a substantive error). The types of errors that the Commission has waived as “ministerial or clerical” errors include mistyping a number or using the wrong name or phone number on an application. These errors could not have resulted in the applicant receiving more funding than it was entitled to and are, procedural in nature.

Having lost on the procedural nature of the M&C error, the library argued that “...requiring the library to return the full amount of disbursed funding will cause significant detriment to the residents of Brooklyn” and that the “special circumstances” of this case argues that the FCC should “refrain from seeking full recovery” — i.e., that the library should have to return only the difference between the amount initially claimed and the amount that would have been charged by the correctly winning vendor.

The FCC rejected this argument as well finding that “...this was a substantive error, causing the library to not select the most cost-effective service offering and resulting in the library receiving more E-Rate funding that it was entitled to, thereby violating sections 54.504(a)(ix) and 54.511(a) of the Commission’s rules, and thus fails to constitute a special circumstance to warrant a waiver.

The Brooklyn Public Library decision is prime example of the point that we stress on all our E-rate training sessions, that competitive bidding is the most crucial step in the entire E-Rate application/funding process. The decision’s timing, coming less than one month before the opening of the FY 2026 application window, could not be more appropriate.

Updates and Reminders

Upcoming Dates:

- | | | | | | |
|-------------|---|---------|------------|---------|------------|
| January 1 | Happy New Year! | | | | |
| January 2 | The winter deferral period for PIA inquiries, which began December 19 th , will close the day after New Years'. | | | | |
| January 2 | FY 2025 Form 486 deadline for applicants funded in Wave 20. More generally, 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 2025 are:
<table><tr><td>Wave 21</td><td>01/09/2026</td></tr><tr><td>Wave 22</td><td>01/16/2026</td></tr></table> | Wave 21 | 01/09/2026 | Wave 22 | 01/16/2026 |
| Wave 21 | 01/09/2026 | | | | |
| Wave 22 | 01/16/2026 | | | | |
| January 16 | In preparation for the opening of the FY 2026 application window, the EPC Administrative Window will be closed. At that point, EPC applicant profiles will be locked until after the close of the application window. | | | | |
| January 21 | The FY 2026 Form 471 application window opens at noon EST. The window will close at 11:59 p.m. EDT (no fooling) on April 1, 2026.

To meet the minimum 28-day posting requirement and still be able to file a Form 471 by April 1 st , a Form 470 for FY 2026 must be filed no later than March 4, 2026. Waiting to the last day to file a Form 470 is strongly discouraged. | | | | |
| January 22 | USAC webinar on the E-Rate pre-commitment process (register). | | | | |
| January 28 | Invoice deadline, and deadline to request an invoice deadline extension, for non-recurring services for FY 2024. | | | | |
| February 19 | USAC Q&A session on the E-Rate pre-commitment process (register). | | | | |

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.