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Funding Status – FY 2020

Wave 32 for FY 2020 was released on Thursday, December 3rd for a total of $23.6 million including $2.95 million for four North Carolina applicants. Cumulative commitments are $1.98 billion including $65.9 million for North Carolina. Nationwide, USAC has now funded 93% of the FY 2020 applications representing 70% of the requested funding.

FCC Issues FY 2021 Eligible Services List

Last week, the FCC finalized the FY 2021 Eligible Services List ("ESL") ([DA 20-1418](#)). Next year's ESL incorporates only two minor updates to (a) reflect the new Category 2 rule on school district-wide and library system-wide budgets and (b), to include language prohibiting the use of E-rate funds for the purchase of equipment or services provided by any company deemed a national security risk (specifically Huawei and ZTE).

Most disappointingly, but not surprisingly within the traditional scope of the ESL process, the FCC declined requests to make off-campus internet or advanced network security equipment and services eligible.

As a formality, the FCC waived its own requirement that the ESL be released at least 60 days prior to the opening of the Form 471 application window. As in past years, we expect that USAC will open the window in early- to mid-January.

New Email Sender Address for One Portal Verification Codes

Effective today, December 7th, verification codes emailed to One Portal (EPC and BEAR system) users will be sent from a new email address — noreply@okta.com. (See last Friday's USAC News Brief referenced below.) Applicants, service providers, and consultants should make sure that their own email systems recognize this new address as safe. Users receiving verification codes via text messaging will not be affected by this change.

E-Rate Updates and Reminders

December 4   Form 486 deadline for FY 2020 covering funding committed in Wave 14. More generally, the Form 486 deadline is 120 days from the FCDL date or the service start date (typically July 1st), whichever is later. The upcoming Form 486 deadlines this year are:

Wave 15	12/11/2020
Wave 16	12/18/2020
Wave 17	12/26/2020
Wave 18	12/30/2020

December 10   FCC Open Commission meeting to consider, among other issues, "an Order that would amend the invoice filing deadline rule to enhance the efficient administration of the E-Rate Program and ensure program participants have sufficient time to complete the invoice payment process." We expect that this action, if approved, would give applicants an automatic 120-day extension for submitting invoices after the issuance of Revised Funding Commitment Decision Letters ("RFCDLs"). Currently, if an RFCDL is received after an FRN's invoice deadline, an FCC waiver is required to extend the deadline so that an invoice can be filed. A request for this procedural change was initially filed in 2018 by the State E-Rate Coordinators' Alliance ("SECA").

December 16   USAC webinar on the E-rate invoicing process (2:00 p.m. EST).

FCC Streamlined Decisions:

The FCC issued another set of "streamlined" precedent-based decisions (DA 20-1389) last week. 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 waiver requests can be found online in the FCC's Search for Filings under Docket 02-6.

In November's streamlined decisions, the FCC:

1. Dismissed:
   a. Nine Requests for Waiver deemed moot as the result of FY 2020 applications accepted during October's second Form 471 application window.
2. Granted:
   a. One Petition for Reconsideration restoring a mistakenly cancelled funding request.
   b. Five Requests for Waiver for late-filed FY 2020 Form 471 applications filed within 14 days of the close of the window.
   c. Two Requests for Waiver for late-filed FY 2020 Form 471 applications filed less than 60 days (i.e., up to 59 days) late.
   d. Five Requests for Review and/or Waiver for ministerial and/or clerical errors involving incorrect pricing or FRNs on a Form 471.

     e. One Request for Review and/or Waiver to remedy a potential competitive bidding violation while permitting a change of service providers to implement the most cost-effective solution.

     f. One Request for Review and/or Waiver for failure to comply with state competitive bidding requirements but for which the FCC determined technical violations and that there was no evidence of waste, fraud, or abuse.

3. Denied:

     a. One Request for Waiver to permit a library to apply for additional bandwidth during the second FY 2020 application window (open only to schools).

     b. Thirty-three Requests for Waiver of the Form 471 window for applications filed 60 days or more late.

     c. One Request for Review (from 2013) denying an operational SPIN change, not to the second-highest bidder but to the lowest-cost bidder.

FCC Change of Administration:

FCC Chairman Ajit Pai announced his intention to leave the Commission effective as of the January 20th Inauguration Day. This move was not unexpected and is in line with the traditional restructuring of the FCC following a political party change in the Administration. Moving forward, we would expect that the five-member Commission would be made up of three Democrats (including a new Chairman) and two Republicans. The most significant E-rate aspect of that change, hopefully, will be a move towards funding off-campus and/or advanced cybersecurity equipment and services.

USAC News Brief Dated December 4 – USAC Fall Training FAQs, Part 3

USAC's Schools and Libraries News Brief of December 4, 2020, provides additional FAQs from the USAC training webinars conducted last month. Recordings of those sessions and copies of the slides used are available on the USAC website.

E-Rate Post-Commitment Process:

- Which E-rate services require compliance with the Children's Internet Protection Act ("CIPA")?
- Does USAC offer any resources for selecting filtering software that complies with the requirements of CIPA?
- How often do I need to hold the public meeting or hearing required by CIPA?
- Can the public meeting or hearing required be virtual?
- Do I have to file a Form 500 for FY 2020 if I am not going to use my remaining Category Two budget?
- Where does USAC send a Form 486 Urgent Reminder Letter?
- The service provider I have a contract with is now unable to provide service. What are my options?

EPC Administrative Window:

- I know we have to report student counts twice – once for discounts and once for Category Two budgets — but where and how do I update the numbers in EPC?
- How do I correct an incorrect entity type, for example, a school that is currently a non-instructional facility ("NIF") in EPC?
- How do I add or remove a school from my school district, for example, a charter school?
- Please provide more information about using FY 2020 student counts for FY 2021 applications.
- How do I determine the square footage of a library?
- How do I add or remove a consultant from my organization's profile?
- What do I enter in the Community Eligibility Provision ("CEP") Base Year field?
- Do I need to update the profile information for my non-instructional facility ("NIF")?

Eligible Services:

- I am applying for discounts for an equipment license. What service type should I choose?
- How do I apply and get reimbursed for basic maintenance services?
- My service provider wants to finish installation of the equipment necessary to provide my Category One service and turn on the recurring service on May 1st preceding the funding year for testing purposes. Is this allowable?
- Why are basic maintenance services considered recurring services if they are billed annually?
- USAC has not yet approved my Form 471. Will I lose funding as a result?
- Is a firewall service eligible as Category One or Category Two?
- I am a service provider, and I understand that some services I offer may require a cost allocation. Can I just come up with an allocation on my own and provide it to applicants who are requesting bids for the service I provide?