

E-Rate Central News for the Week of May 14, 2018

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Funding Status – FY 2018 and FY 2017

FY 2018:

Wave 5 for FY 2018 was released Thursday, May 10th, for \$69.3 million including \$271 thousand for Nevada. Cumulative funding as of Wave 5 is \$769 million, including \$2.1 million for Nevada. Wave 6 is scheduled for release on Friday, May 18th.

FY 2017:

Wave 53 for FY 2017, specifically for hurricane relief applicants and currently identified in USAC systems as Wave 54 bypassing Wave 53, was released Friday, May 11th, for a total of \$6.2 million supporting a single applicant in Puerto Rico. Cumulative national funding through Wave 53 is \$2.33 billion, including \$7.3 million for Nevada. The next wave is scheduled for release on Tuesday, May 15th.

Updates on USAC’s E-Rate Productivity Center and Legacy System

Form 486 Notification Letter Error Corrected:

Applicants funded in Waves 1-3, who filed early Form 486s, may have noticed that the accompanying Comma Separated Value (CSV) spreadsheet for their Form 486 Notification Letters did not include line items for any FRNs referencing previous year contracts. That EPC system bug was reportedly fixed Thursday evening, May 3rd. Form 486 Notification Letters issued after May 3rd should be correct. USAC expects (hopefully as of this week) to republish applicant News posts linking to corrected spreadsheets.

E-Rate Updates and Reminders

Upcoming 2018 E-Rate Dates:

May 14 FY 2017 Form 486 deadline for funding committed in Wave 34. Other upcoming Form 486 deadlines include:

Wave 35	05/18/2018
Wave 36	05/21/2018
Wave 37	05/29/2018

Applicants missing these (or earlier) deadlines should watch carefully for “Form 486 Urgent Reminder Letters” in EPC. The Reminders will afford applicants with 15-day extensions to submit their Form 486s without penalty.

The first Form 486 deadline for FY 2018 is not until October 29, 2018.

May 23 USAC webinar on [Filing FCC Form 486](#).

June 1 Deadline for submitting comments to the FCC re. the NPRM on *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs* (see our [newsletter of April 2nd](#)). Reply comments are due by July 2nd.

June 20 USAC webinar on [Understanding Post-Commitment Actions](#).

FCC Decision Watch:

The FCC approved a Request for Waiver ([DA 18-473](#)) last week extending by over two years the implementation deadline for special fiber construction work on behalf of the Utah Education and Telehealth Network (“UETN”). Although the approved waiver is specific to UETN, the decision explicitly recognizes the time-consuming nature of certain special construction projects. This recognition, together with the relief provided to UETN, may serve as an important precedent for other applicants seeking deadline extensions for the implementation of late-funded and/or complex fiber networks.

The UETN waiver request involved an FY 2016 Category 1 special construction request that had an initial service implementation deadline of June 30, 2017 (unlike normal non-recurring service delivery deadlines which are September 30). The E-rate Modernization rules permit an applicant to request a one-time one-year implementation extension and require that extension request to be filed before the initial deadline. Without an FCDL in hand, UETN correctly filed for an implementation extension in April 2017. That request was promptly approved by USAC extending the deadline to June 2018. Unfortunately, UETN’s funding request was not finally approved (after an appeal) until late December 2017 — giving UETN’s vendor only six months to complete the project. UETN then filed a Request for Waiver with the FCC to further extend the deadline an additional two years. In supporting its request for an extension, UETN cited specific construction difficulties including the need to traverse the Uinta Mountain range and a limited May-September construction season. The FCC approved the Request for Waiver and extended the service implementation deadline to October 1, 2020.

Although case-specific, approval of UETN’s waiver request does indicate the FCC’s willingness to consider:

1. Longer implementation deadline extensions than the one-year extension provision included in the Second E-rate Modernization Order ([FCC 14-189](#)); and
2. An early-fall deadline date consistent with the Category 2 non-recurring Service Delivery Deadline of September 30th.

USAC News Brief Dated May 11 – Filing FCC Form 486

[USAC’s Schools and Libraries News Brief of May 11, 2018](#), discusses filing the Form 486. The Form 486 notifies USAC that services have started and that USAC can begin to process invoices. It also includes certification of CIPA compliance. The News Brief covers in greater detail:

- Consortium members – recipients of service may need to complete the Form 479, Certification of Administrative Authority to Billed Entity of Compliance with the Children’s Internet Protection Act, and submit it to their consortium lead.
- For pre-FY 2016 commitments that require a Form 486 to be filed, these forms must be filed in USAC’s [Legacy System](#) and not in EPC.
- Do not check every box on the form – read the text next to each checkbox first.
 - The most common errors in FY 2017 were erroneously checked “Early Filing” and “CIPA Waiver” boxes.
- Choose only the FRNs that are ready for filing.
- Modify the service start date(s) as appropriate.
- Choose the correct CIPA certification based on your situation.
- Review your form carefully before you certify it.

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 the SLD, FCC, or OSIT.

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