

E-Rate Central News for the Week of June 10, 2019

- Funding Status – FY 2019
- Updates on USAC’s E-Rate Productivity Center and Legacy System
 - Category 2 Budget Tool Updates
- E-Rate Updates and Reminders
 - Upcoming E-Rate Dates
 - FCC Decision Watch
- USAC News Brief Dated June 7 – Service Substitution Certifications

Funding Status – FY 2019

USAC released Wave 7 for FY 2019 on Thursday, June 6th. Funding totaled \$49.9 million including \$523.3 thousand for Nevada. Cumulative funding through Wave 7 is \$838 million including \$3.7 million for Nevada.

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

Category 2 Budget Tool Updates:

Last Friday’s USAC News Brief, referenced below, reports that USAC’s two Category 2 budget tools have been updated with FY 2019 funding data and with the FY 2019 inflationary adjustments of the budget factors. In particular:

1. The Category 2 Budget Status dashboard in EPC was updated during the most recent system deployment; and
2. The non-EPC [Category 2 Budget Lookup Tool](#) is now also up-to-date.

Users of the Category 2 Budget Status tool dashboard in EPC are reminded that the EPC budget information does not include data from FY 2015. Applicants who began the 5-year Category 2 budget cycle in FY 2015 should use the non-EPC Category 2 Budget Lookup Tool.

E-Rate Updates and Reminders

Upcoming E-Rate Dates:

- | | |
|---------|--|
| June 17 | Form 486 deadline for FY 2018 funding committed in Wave 45. More generally, the Form 486 deadline is 120 days from the FCDL date or the service start date (typically July 1 st), whichever is later. Other upcoming Form 486 deadlines are: |
|---------|--|

Wave 46	06/21/2019
Wave 47	07/01/2019

Note: Applicants missing any Form 486 deadline should watch carefully for “Form 486 Urgent Reminder Letters” in their EPC News Feed. These Reminder Letters afford applicants 15-day extensions to submit their Form 486s without penalty.

- June 30 Deadline to complete FY 2018 special construction required to light or use fiber. It is also the last day to request a one-year extension of the special construction deadline for FY 2018 requests.
- July 1 Deadline for submitting comments to the FCC ([DA 19-493](#)) on a [petition](#) filed by three Texas carriers to prohibit the use of E-rate funds to build fiber networks in areas where fiber networks already exist (see our newsletter of [May 27th](#)). Reply comments are due July 16th.
- August 5-9 USAC is holding two [service provider training](#) sessions in Washington DC, one at the beginning of the week (August 5-6) and one at the end of the week (August 8-9). Each two-day session will begin with a half-day presentation for beginners and will include a second full day for everyone.
USAC’s training announcement also indicates:
 - Service provider training on other USF programs will be held in Washington DC on August 7th, the day between the two E-rate sessions.
 - Plans for general E-rate applicant training and for special E-rate tribal training will be announced later in 2019.

FCC Decision Watch:

The FCC issued another set of “streamlined” precedent-based decisions ([DA 19-482](#)) on May 31st. Applicants facing similar problems as 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 last week’s decisions, the FCC:

1. Dismissed:
 - a. Six Requests for Review and/or Waiver deemed moot on which (a) invoices had been paid on all requested funding, (b) USAC had already taken the requested action, or (c) the funding request had been withdrawn by the applicant.
 - b. Two Petitions for Reconsideration that failed to identify any factors not already fully considered by the Wireline Competition Bureau.
2. Granted:
 - a. One Request for Review of an appeal initially deemed untimely by USAC. The FCC determined that the appeal was of a different decision than the one USAC had used to determine timeliness.
 - b. One Request for Review of a USAC discount calculation determination.

- c. One Request for Review granting additional time to respond to USAC's request for information.
 - d. Ninety Requests for Waiver of the FY 2019 application window for Form 471s filed within 14 days of the deadline.
 - e. Four Requests for Waiver involving Form 471 changes involving ministerial and/or clerical errors.
 - f. One Request for Review concerning potential service provider involvement in the competitive bidding process. The FCC found that a violation by one service provider "does not indicate a violation on the part of every vendor selected to provide services arising from the same FCC Form 471."
 - g. Three Requests for Review and/or Waiver of the appeal deadline for appeals received by the FCC or USAC "only a few days late."
 - h. Three Requests for Waiver of the special construction service delivery deadline because the "applicants were unable to complete implementation for reasons beyond their control and had made good faith efforts to comply with Commission rules and procedures."
3. Denied:
- a. One Request for Review finding that the applicant failed to submit sufficient documentation to support their requested discount rate.
 - b. One Request for Review for failure to conduct a competitive bidding process and to make price the primary factor in a bid selection.
 - c. Eleven Requests for Waiver seeking invoice deadline extensions.
 - d. One Request for Waiver for a late-filed Form 486.
 - e. Six Requests for Waiver for late-filed Form 471s.
 - f. One Request for Waiver for an application change not deemed a ministerial and/or clerical error.
 - g. Three Requests for Review and/or Waiver seeking support for services not covered in the applicants' Form 470s.
 - h. Six Requests for Review and/or Waiver of late-filed appeals or waivers.

USAC News Brief Dated June 7 – Service Substitution Certifications

[USAC's Schools and Libraries News Brief of June 7, 2019](#), reminds applicants submitting service substitution requests to carefully read and correctly respond to the service substitution certifications. Most specifically, USAC cautions that a response of "No" when certifying the accuracy of the service substitution statements means that the statements are not true. Hint: Such a response will most likely delay approval of the requested substitution.

Last week's News Brief also reports on the Category 2 budget tool updates discussed above and includes a reminder on the June 30th deadline to complete fiber special construction projects. As noted above, June 30th is also the last day to request a one-year extension of the special construction deadline for FY 2018 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 the SLD, FCC, or OSIT.

For further information on E-rate, follow us on Twitter, Facebook, and LinkedIn.



If you have received this newsletter from a colleague and you would like to receive your own copy of the Nevada E-Rate Weekly News, send an email to nevada@e-ratecentral.com. Please include your name, organization, telephone, and e-mail address. This email address can also be used to unsubscribe.

E-Rate Central is a nationally recognized E-rate consulting firm providing complete E-rate application and processing services for applicants and is official E-rate partner with the State of Nevada.



Nevada Governor's
Office of Science, Innovation and
Technology