

## Please see the attached newsletter for articles on:

- Funding Status – FY 2020
- E-Rate Updates and Reminders
  - Remote Learning Update
  - Form 470 for FY 2021
  - FCC Decision Watch
- USAC News Brief – None for the 4<sup>th</sup> of July Week

### Funding Status – FY 2020

Wave 9 for FY 2020 was released on Thursday, July 2<sup>nd</sup> for a total of \$64.6 million including \$860.9 thousand for Nevada. Cumulative commitments through July 2<sup>nd</sup> are \$1.06 billion including \$3.4 million for Nevada. Nationwide, USAC has now funded over 71% of the FY 2020 applications received during the filing window representing 37% of the requested funding.

### E-Rate Updates and Reminders

#### *Remote Learning Update:*

Momentum continues to build for additional pandemic relief legislation including funding for broadband services generally and more specifically to support remote learning at home. Congressional action last week included the introduction of the following legislation:

- The House passed the [Moving America Forward Act](#) (H.R. 2) that would provide \$80 billion to deploy broadband in underserved areas. More directly, the bill would provide \$5 billion to expand the Federal Communications Commission’s E-rate program to fund more home broadband connections (both wired and wireless), laptops and tablets for rural students, and mobile hotspot-lending for schools and libraries. To further help students with long travel times to school, the legislation would require the FCC to make Wi-Fi access on school buses eligible for E-rate funding.
- The [Accessible, Affordable Internet for All Act](#), introduced by Senator Amy Klobuchar (D-MN), a companion to a [House bill](#) introduced the previous week by House Majority Whip James E. Clyburn (D-SC), would invest \$100 billion into broadband infrastructure.
- The [Library Stabilization Fund Act](#), introduced by Senator Jack Reed (D-RI) and Representative Andy Levin (D-MI), would provide \$2 billion of emergency support for libraries including support for digital literacy training and resources for remote learning.
- The [Emergency Educational Connections Act](#), filed as an amendment to the National defense Authorization Act by Senator Edward Markey (D-MA) and others, would provide \$4 billion for elementary and secondary schools and libraries to provide Wi-Fi

equipment, devices, and Internet services to students, staff, and patrons tied to guidelines of the E-rate program.

### *Form 470 for FY 2021:*

As of July 1<sup>st</sup>, the EPC portal was updated to permit the submission of Form 470s for FY 2021. The initial Form 470 screen is shown below.

Records / Applicant Entities  
# [REDACTED] - [REDACTED]

Summary Customer Service Modifications Additional Information Contracts FCC Forms FRN Appeals News **Related Actions**

### FCC Form 470 - Funding Year 2021

Basic Information Service Requests Technical Contact Information Procurement Information FCC Form 470 Review Certifications & Signature

> **FCC Notice Required By The Paperwork Reduction Act (OMB Control Number: 3060-0806)**

▼ **Billed Entity Information**

Billed Entity Number: [REDACTED]  
FCC Registration Number: [REDACTED]

**Application Nickname**  
Please enter an application nickname here.\*

DISCARD FORM SAVE & SHARE SAVE & CONTINUE

Please remember that the Form 470, which the FCC had planned to update this year with less confusing drop-down menus for service types, will remain the same (see our [newsletter of June 15<sup>th</sup>](#)). Most importantly, care should be taken to select the appropriate choice(s) for Internet access and related transport services. Specifically:

- The appropriate drop-down option for an applicant seeking bids for Internet access delivered to its premises (i.e., a service that includes data transmission service) is either **Leased Lit Fiber (with or without Internet Access)** or **Internet Access and Transport Bundled (Non-Fiber)**.
- The appropriate drop-down option for an applicant seeking bids on bulk Internet, which the applicant is responsible for transporting to its premises, is **Internet Access: ISP Service Only (No Transport Circuit Included)**.

### *FCC Decision Watch:*

Last November, the FCC adopted an Order ([FCC 19-121](#)) barring the use of Universal Service Fund (“USF”) subsidies to fund equipment and services from companies deemed to provide a national security risk (see our [newsletter of December 2<sup>nd</sup>](#)). Last week, the FCC formally designated two Chinese companies — Huawei Technologies Company ([DA 20-690](#)) and ZTE Corporation ([DA 20-691](#)) — as covered companies for purposes on the November 2019 ban. As a result of this action, money from the FCC’s Universal Service Fund may no longer be used to purchase or upgrade any equipment or services from either company or source through non-affiliated suppliers. This ban will largely only affect U.S. carriers. Historically, E-rate applicants have used only a little over \$2 million in Huawei-branded equipment and services.

The FCC also issued another set of “streamlined” precedent-based decisions ([DA 20-656](#)) 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 last week’s streamlined decisions, the FCC:

1. Dismissed:
  - a. One Request for Review deemed moot as a result of USAC’s approval of the underlying funding request.
2. Granted:
  - a. One Request for Review and/or Waiver of the 28-day bidding rule involving the inadvertent omission of five prospective locations on one of several lists to which all bidders had access.
  - b. One Request for Waiver of a service provider’s invoice deadline extension request for an invoice originally filed on time but rejected multiple times as the result of (a) an untimely service certification by the applicant, (b) USAC’s untimely processing of the service provider’s annual certification (“SPAC”), and (c) a ministerial error on the invoice.
  - c. 26 Requests for Waiver for late-filed FY 2020 Form 471 applications filed within 14 days of the close of the window, and 13 Requests for Waiver for late-filed FY 2020 Form 471 applications due to COVID-related circumstances beyond applicant control.
  - d. Seven Requests for Review and/or Waiver for ministerial and/or clerical errors.
  - e. One Request for Review remanding an application to USAC with instructions to provide the applicant with a “specific explanation of its decision” to provide a “meaningful opportunity to respond.” The FCC agreed that the “rationale for [the] USAC decision is unclear.”
  - f. Two Requests for Waiver of the appeal/waiver deadline because the issues on appeal should have been resolved by USAC before the petitioners resorted to filing appeals with the FCC.
3. Denied:
  - a. One Request for Review (denied in part) for service provided outside of the funding year.
  - b. Two Requests for Review and/or Waiver for improper service provider involvement in the competitive bidding process.
  - c. Six Requests for Waivers of invoice deadline extension requests.

### **USAC News Brief – None for the 4<sup>th</sup> of July Week**

Due to the federal holiday, USAC did not issue a Schools and Libraries Program News Brief on Friday, July 3<sup>rd</sup>.

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*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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Office of Science, Innovation and  
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