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Schools and Libraries News Brief

November 7, 2008

TIP OF THE WEEK: If you missed one or both of the October 2008 program deadlines, carefully read the guidance below before you file an invoice for FY2007 recurring services or a Form 486 for FY2008. In general, you can still successfully complete the filing of these forms if you follow the guidance appropriate to your situation.

Commitments for Funding Years 2008 and 2007

Funding Year 2008. USAC will release FY2008 Wave 30 Funding Commitment Decision Letters (FCDLs) on November 12, not November 6 as reported in last week's SL News Brief. This wave will include commitments for approved Internal Connections and Basic Maintenance requests at 90% and denials at 80% and below. As of November 7, FY2008 commitments total over \$1.64 billion.

Funding Year 2007. USAC will not issue a funding wave for FY2007 next week. As of November 7, FY2007 commitments total just under \$2.5 billion.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

FCC Issues Remands

On October 30, the Federal Communications Commission (FCC) issued 28 remand orders covering appeals from FY1999 through FY2008. For the most part, the remands address issues already addressed in previous remand orders, such as:

- Timely responses to USAC questions during the application review process
- Telecommunications Services provided by companies not registered as telecommunications carriers
- Existence of contracts or other legally binding agreements
- Timely filing of Forms 471
- Timely filing of Forms 486
- Timely filing of invoices

USAC will be reaching out to the applicants affected by the remand orders. Please respond promptly to any requests from USAC for information so that we can process your applications as quickly and accurately as possible.

Eligibility of Wireless Access Cards

Wireless data card service typically used for accessing the Internet is conditionally eligible. The physical card itself, a network interface card also sometimes called an Air Card and generally installed in a laptop, is eligible as Internal Connections (Priority Two). The service to the device is eligible as Internet Access (Priority One) only when used at eligible entities, such as schools and libraries.

In addition, the general prohibition against providing services to a residence prohibits the use of this service from the homes of teachers, staff, and students. If the service is accessed from an ineligible location or from a home, the associated costs must be cost allocated out of any funding request. [Cost allocation](#) can happen in a number of ways but must always be based on tangible criteria and reach a realistic result.

Actions to Take If You Missed One or Both October Deadlines

Two program deadlines occurred in late October:

- **October 28, 2008** was the deadline for applicants and service providers to invoice USAC for FY2007 recurring services. This deadline applied to you if the date of your Form 486 Notification Letter is on or before June 30, 2008.
- **October 29, 2008** was the deadline for applicants to file a Form 486 for a Funding Request Number (FRN) from FY2008. This deadline applied to you if your service start date is July 1, 2008 and the date of your FCDL is on or before July 1, 2008.

In general, if you missed one or both of these deadlines, you can still take actions to successfully file and certify your forms without penalty. Below we discuss several scenarios and the actions you should take for each.

INVOICING DEADLINE

Scenario 1 – I filed a Billed Entity Applicant Reimbursement (BEAR) Form 472 online for FY2007 recurring services on or before October 28 and my service provider has not yet approved my form.

USAC should have already granted you an invoicing deadline extension to March 2, 2009 or later. You can verify your extended date by referring to the [FRN Extension Table](#). Choose FY2007 (Year 10), click "Next>>," and search for your FRN(s) on the results page.

- If an FRN has been extended, you have until the extended deadline to file BEAR Forms. However, we suggest that you complete your invoicing as soon as possible.
- If an FRN has not been extended, you must submit an [invoice deadline extension request](#) and wait for USAC to approve it before you can file a BEAR Form.

Scenario 2 – I filed a BEAR Form online for FY2007 recurring services on or before October 28 and my service provider approved my form on October 29.

If your service provider approved your BEAR Form before USAC was able to put an extension in place, the BEAR Form will be rejected. If your FRN has not been extended (check the FRN Extension Table as described above to determine this), you must submit and receive approval for an invoice deadline extension request before you can file another BEAR Form.

Scenario 3 – I did not file an invoice (or my last invoice) before the invoicing deadline.

If you did not complete your invoicing process by the October 28 deadline and your FRN has not been extended, you must submit and receive approval for an invoice deadline extension request before you can file another invoice. This applies to both service providers that file Service Provider Invoice (SPI) Forms 474 and applicants that file BEAR Forms.

FORM 486 DEADLINE

Before we discuss possible scenarios, we would like to remind you that you can use the [Deadlines Tool](#) on the USAC website to calculate program deadlines, including your Form 486 deadline. For example, you can use the tool to verify that your FY2008 Form 486 deadline is **NOT** October 29, 2008 if:

- Your FCDL is dated after July 1, 2008, **OR**
- USAC issues a commitment on a Revised FCDL dated after July 1, 2008 for an FRN that was originally denied in full, **OR**
- Your service start date is after July 1, 2008.

Within the next few weeks, USAC will issue the first Form 486 Urgent Reminder Letters for FY2008. This first batch of letters will be mailed to all FY2008 applicants for FRNs that meet both criteria below:

- USAC issued an FCDL dated on or before July 1, 2008 with a positive commitment, **AND**
- The service start date reported on Form 471 Item 19 was July 1, 2008.

USAC will continue to issue a letter for each additional FY2008 FRN after its estimated Form 486 deadline passes. (For the purpose of issuing the Form 486 Urgent Reminder Letter, USAC estimates the Form 486 deadline as 120 days after the FCDL date or 120 days after the service start date reported on the Form 471, whichever is later.)

Applicants will have 20 days from the date of the Form 486 Urgent Reminder Letter to file and certify a Form 486 online or on paper. For any FRN on a Form 486 received or postmarked after

that date, USAC will reset the service start date to the date 120 days before the Form 486 was certified online or on paper.

Scenario 1 – I didn't file my Form 486 by the deadline.

If you missed your FY2008 Form 486 deadline, you have two options – file your Form 486 now or file your Form 486 after USAC issues the Form 486 Urgent Reminder Letter.

- If you file your Form 486 now – even though you missed the 120-day deadline – your service start date will not be adjusted as long as you have not violated any program rules that necessitate an adjustment.
- If you wait to file your Form 486 until USAC issues the Form 486 Urgent Reminder Letter, your service start date will not be adjusted as long as you file and certify your Form 486 on or before the deadline specified in the letter.

Note that if you have certified a Form 486 before USAC runs its estimated-deadline query, USAC will not issue a Form 486 Urgent Reminder Letter for any FRNs on that Form 486.

Scenario 2 – I filed my Form 486 online by the deadline but I have not yet certified it.

You can certify your Form 486 online or on paper now or wait until USAC issues a Form 486 Urgent Reminder Letter. However, you must certify your Form 486 by the deadline in the Form 486 Urgent Reminder Letter to avoid an adjustment to your service start date.

Scenario 3 – I reported July 1, 2008 as my service start date on my Form 471 but that is no longer the correct service start date.

Use the Deadlines Tool to calculate your Form 486 deadline and file and certify your form before that deadline has passed. Note that USAC will issue only one Form 486 Urgent Reminder Letter for an FRN if you have not certified a Form 486 by your estimated deadline.

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