

## REVISED FUNDING COMMITMENT DECISION LETTER SUPPLEMENT

Thank you for your Funding Year 2016 post commitment request for the Schools and Libraries Universal Service Support Program (E-rate) and for any assistance you provided throughout our review. The actual current funding statuses or post commitment changes to the funding requests are included in the attached spreadsheet in the News post in your E-rate Productivity Center (EPC) account.

The Universal Service Administrative Company (USAC) is sending this information to both the applicant(s) and the service provider(s) so that you can work together to implement the approved discount(s).

## POSSIBLE NEXT STEPS

### **File FCC Form 486**

If you have not already submitted the FCC Form 486, Receipt of Service Confirmation and Children's Internet Protection Act (CIPA), for any FRNs included in this RFCDL, please do so now.

### **File Invoice**

Once the FCC Form 486 has been approved, either the applicant or the service provider can invoice USAC as products and services are being delivered and billed. If the applicant opted to pay only their portion of the cost of the eligible services, then the service provider must file an FCC Form 474, Service Provider Invoice (SPI) Form, to receive reimbursement from USAC. Applicants that paid for the services in full and who are now seeking reimbursement of the discounted amount must file the FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form.

## TO APPEAL A REVISED FUNDING COMMITMENT DECISION

### **If You Are Appealing A Post Commitment Request Decision**

If you wish to appeal a SPIN change, Service Substitution, CIPA review, and/or FCC Form 500 decision in this letter to USAC, your appeal must be filed within 60 days of the date of this RFCDL, which can be found in the "More Info" section of the associated news post. Failure to meet this deadline will result in automatic dismissal of your appeal.

All appeals must be filed in EPC by selecting "Appeal" from the menu in the top right hand corner of your landing page and providing the requested information.

Your appeal should include the following information. Because you file the appeal through your EPC account, the system will automatically add much of the following identifying information for you.

- 1) Name, address, telephone number, and email address for the contact person for this appeal.
- 2) State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
  - a. Appellant name,
  - b. Applicant name and service provider name, if different from appellant,
  - c. Applicant BEN and Service Provider Identification Number (SPIN)

- d. FCC Form 471 Application Number and the Funding Request Number (FRN) or Numbers as assigned by USAC,
  - e. "Funding Commitment Decision Letter for Funding Year 2016," AND the exact text or the decision that you are appealing.
- 3) Please keep your appeal to the point, and provide supporting documentation. Be sure to keep a copy of your entire appeal, including any correspondence and documentation. A copy will automatically be saved for you in EPC.
- 4) If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. to the applicant(s) affected by USAC's decision.

If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by your decision. USAC will reply to your appeal submissions to confirm receipt.

For more information on submitting an appeal to USAC including step by step instructions on how to file the appeal through EPC, please see "Appeals" in the Schools and Libraries section of the USAC website.

Please remember that waivers of an E-rate rule can only be sought at the Federal Communications Commission (FCC), not USAC. Conversely, the FCC will not accept appeals of USAC decisions that have not first been appealed to USAC.

#### **If You Are Appealing A USAC Appeal Decision**

Parties seeking a waiver of FCC rules or that have filed an appeal with USAC and received a decision may, if they choose, appeal USAC's decision to the FCC. Appeals to the FCC must be made within 60 days of the issuance of USAC's decision, which can be found in associated news post. On all communications with the FCC, be sure to reference the appropriate Docket No: CC Docket No. 02-6 and include all the information referenced above for post commitment appeals.

The FCC recommends filing appeals with the Electronic Comment Filing System (ECFS) to ensure timely filing. Instructions for using ECFS can be found in the ECFS User Help section of the FCC's website. Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 AM ET. If you have questions or comments about using the ECFS, please contact the FCC directly at (202) 418-0193 or via email.

For more information about submitting appeals to the FCC, including options to submit the appeal via U.S. mail or hand delivery, visit the FCC's website.

#### **OBLIGATION TO PAY NON-DISCOUNT PORTION**

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must first bill the applicant before it bills USAC. If USAC is being billed via the FCC Form 472 (BEAR), the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. Note that starting on July 1, 2016, applicants submitting BEARs will be reimbursed directly by USAC. If you anticipate, for any reason, that you or your service provider cannot file an invoice on time, a one-time 120 invoice deadline extension will be granted to extension requests received on or before the last

date to invoice. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.

**Schools and Libraries Division**  
**Universal Service Administrative Co.**