

Schools and Libraries

NEWS BRIEF

July 13, 2012

TIP OF THE WEEK: During the [summer contact period](#), USAC will put the processing of your paper form on hold if we need more information and our attempts to reach you are unsuccessful. If you are waiting for a paper form to be processed, you can [Submit a Question](#) or call the Client Service Bureau to provide any missing or incomplete information.

Commitments for Funding Years 2012, 2011, and 2010

Funding Year 2012. USAC will release FY2012 Wave 3 Funding Commitment Decision Letters (FCDLs) July 17. This wave includes commitments for approved Priority 1 (Telecommunications Services and Internet Access) requests at all discount levels. As of July 13, FY2012 commitments total over \$708 million.

Funding Year 2011. USAC will release FY2011 Wave 52 FCDLs July 18. This wave includes commitments for approved Priority 2 (Internal Connections and Basic Maintenance) requests at 89% and above and denials at 80% and below. As of July 13, FY2011 commitments total over \$2.26 billion.

Funding Year 2010. USAC will release FY2010 Wave 98 FCDLs July 16. This wave can include commitments for approved Priority 2 requests at all discount levels. As of July 13, FY2010 commitments total over \$3.05 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.

Guidance for Completing the FY2012 FCC Form 486 Technology Plan Certification

Beginning with FY2011, technology plans are required for Priority 2 services only. Because the certification on the FCC Form 486 has not yet been updated, applicants filing FY2012 FCC Forms 486 featuring funding requests for **Priority 1 services only** should complete Block 4, Item 8 of the form as follows:

- If you are filing online using the Form 486 Expert, check the box next to Item 8, choose "Other" from the dropdown menu, and enter "NONE" in the resulting text box.
- If you are filing online using the Form 486 Interview, check the box next to Item 8 and click on "I agree," then choose "Other" from the dropdown menu and click "Go," then type "NONE" in the resulting text box.
- If you are filing on paper, check the box next to Item 8 and write "NONE" in the space below the Item 8 certification.

FY2013 FCC Form 470 Available for Online Filing

USAC has now enabled [online filing](#) for FY2013 for the FCC Form 470, Description of Services Requested and Certification Form. USAC can also process paper FCC Forms 470 that feature FY2013 as the funding year in Block 1. (As a reminder, the first day of FY2013 is July 1, 2013.)

If you have already filed an FCC Form 470 for FY2012 and noted in Item 13 that you intended the form for FY2013 services, remember that you cannot cite this form for non-contracted services provided under tariff or on a month-to-month basis. For these services, you must file an FCC Form 470 featuring FY2013 in Block 1, Item 2.

Fall 2012 Applicant Training Sessions

The eight applicant training sessions scheduled for fall 2012 are filling up. We still have space available in Atlanta, Minneapolis, and Portland OR; the other sessions have gone to waiting lists. To register with USAC for the training or to make a room reservation at a conference hotel, refer to the [Trainings and Outreach page](#) on the USAC website.

Registrations are on a first-come, first-served basis. Please register only for the session that you want to attend. You can [email USAC Training](#) with questions or to cancel your registration if your plans change.

What to Do After You Win an Appeal

If program participants disagree with a USAC decision, they can [file an appeal](#) with either USAC or the FCC and request a review of USAC's decision. If the appeal is successful, applicants and/or service providers may still be required to complete additional steps or provide additional information in order to finish the application and invoicing processes.

Appeal decisions issued by USAC are communicated by an Administrator's Decision Letter (ADL). Under certain circumstances, USAC also issues a Revised Funding Commitment Decision Letter (RFCDL).

- The ADL is sent to the appellant (applicant, service provider, or consultant) at the address featured on the appeal. The ADL contains the appeal decision as well as a discussion of how USAC arrived at that decision. If a consultant is representing an applicant, USAC will send a copy of the ADL to the applicant.
- The RFCDL is issued to the applicant at the address featured on the associated FCC Form 471 and also to the affected service provider(s). The RFCDL contains information specific to changes in the funding decision.

Here is a table of USAC's appeal decisions and the letter(s) that are issued for each decision:

Appeal Decision	ADL	RFCDL
Approved in Full	√	√
Approved for Data Entry	√	
Approved for In Window Certification	√	
Approved, Funding Denied	√	
Approved, Funding Reduced	√	√
Approved for Further Review	√	
Canceled	√	
Denied	√	
Dismissed	√	
Partially Approved	√	√

Partially Approved, Funding Denied	√	
Partially Approved, Funding Reduced	√	√

NOTE: If the contact information on the appeal and/or the associated FCC Form 471 has changed since the appeal was filed, you should [update the contact information](#) so that USAC can issue the ADL and RFCDL to the correct person at the correct address.

Below we discuss three common types of appeals and the steps successful appellants, applicants, and service providers should be prepared to take in each case.

Funding denials that are appealed to USAC

As you can see from the table above, if USAC determines on appeal that funding should have been committed on a funding request that was originally denied, USAC will issue an ADL to the appellant and an RFCDL to the applicant and affected service provider(s).

- The appellant should share the information in the ADL with all affected parties.
- Both the applicant and the service provider(s) should review the RFCDL. The RFCDL contains the amount of the revised funding decision as well as a short explanation of the change in the amount.
- The applicant should determine whether a request to change service providers (an [operational SPIN change](#)) and/or a [service substitution](#) request is necessary. For example, the service provider of record may have gone out of business, or the product or service in the original request may no longer be available. Keep in mind that, starting with FY2011 funding requests, there are additional requirements for operational SPIN changes.
- If no changes are required, the applicant should file an [FCC Form 486](#), Receipt of Service Confirmation Form, within 120 days of the date of the RFCDL or the service start date, whichever is later, to avoid a penalty for late filing. (NOTE: If some funding was committed on the original funding request, the deadline for filing the FCC Form 486 is calculated using the date of the original FCDL and the service start date.)
- For contracted services, the applicant should determine whether the contract must be extended. If so, the applicant and service provider should work together to extend the contract. The applicant must then report the new contract expiration date to USAC by filing an [FCC Form 500](#), Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form.
- Applicants and service providers should work together to make sure that the eligible services approved in the RFCDL – if not already received – are delivered and installed in a timely manner and invoiced appropriately.

Invoice deadline extension denials that are appealed to USAC

If USAC determines on appeal that a request for an invoice deadline extension that was originally denied should be approved, USAC issues an ADL to the appellant. In general, if approved, the extended invoice deadline is 120 days after the date of the ADL.

- The appellant should share the information in the ADL with all affected parties.
- If an invoice – FCC Form 472 (BEAR Form) or FCC Form 474 (SPI Form) – was filed and processed for the funding request in the past, the invoicing mode for that funding request has already been set. That mode (BEAR or SPI) should be used for any invoices submitted after the ADL is issued.
- As above, the applicant should determine whether an [operational SPIN change](#) request and/or a [service substitution](#) request is necessary.
- The applicant and service provider should work together to verify that the required program forms have been filed (FCC Form 486 for the applicant and [FCC Form 473](#), Service Provider Annual Certification Form, for the service provider), the eligible services on the funding request have been delivered and installed, and the customer bills have been correctly issued and paid before completing the invoicing process.
- **DO NOT wait until the last minute to invoice USAC.** A BEAR Form submitted online by the applicant and approved by the service provider after the invoicing deadline has passed is **NOT** considered timely filed.

Appeals remanded to USAC by the FCC

If the FCC grants an appeal of a USAC decision, the FCC issues an order and may remand the associated

application to USAC.

- The FCC will issue a memo to the appellant. The memo will contain the proceeding number (generally in the format DA xx-xxx) and the release date of the order that contains the appeal decision.
- The appellant and all affected parties should carefully review the information contained in the order. To locate the order, go to the [FCC website](#) and enter the proceeding number in the search box at the top of the page. The order can be viewed as a text, Word, or PDF document.
- The order contains information about how the FCC reached its decision and gives specific direction to USAC on how to proceed. Note that some appeals are granted outright, while others will require USAC to start or continue its review of an application or request. This review may require the applicant and/or service provider(s) to respond to additional questions from USAC.
- When USAC has completed its work, it will issue letters as described above. Note, however, that USAC does not issue an ADL on an FCC remand if the appeal is approved in full.