



September 9, 2022

**SUBMITTED ELECTRONICALLY VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street, N.E.  
Washington, D.C. 20554

**Re: Ex Parte Filing**  
Schools and Libraries Universal Service Support Mechanism; CC Docket No. 02-6

Dear Ms. Dortch:

The Schools, Health & Libraries Broadband (SHLB) Coalition respectfully submits the following Ex Parte filing to supplement its originally filed request to waive and extend the E-rate service delivery deadline for non-recurring services for funding years 2020 and 2021.<sup>1</sup> Below is SHLB's response to an email inquiry from Veronica Garcia-Ulloa, Wireline Competition Bureau, requesting additional information regarding SHLB's extension request for FY 2020 applicants.

Our original intention was to request a one-year extension of the service delivery deadline for non-recurring services for all FY 2021 funding requests and for those FY 2020 funding requests that currently have a service delivery deadline of September 30, 2022. However, your question prompted some additional thinking, and we would also like to ask the Commission to grant a blanket extension of the service delivery deadline for non-recurring services for *all* FY 2020 and 2021 funding requests, regardless of what their current service delivery deadline is.

Specifically, while considering your question, we have learned that there are approximately 500 unpaid funding requests for FY 2020 non-recurring services that do not yet have an extended service delivery deadline. While the applicants that filed these funding requests have not had their original service delivery deadline extended—either automatically or by request—the same concerns that we described in our petition apply equally to them. Many if not most of these applicants were inevitably faced with the same equipment delivery delays, labor shortages, and other COVID-related challenges that we described on pages 2-4 of our request for waiver. These applicants were also contending with the start of in-person classes at the beginning of the 2021-

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<sup>1</sup> SHLB, Request for E-rate Service Delivery Deadline Extension – FY 2020 and 2021, *In the Matter of Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Ex Parte Filing (Aug. 10, 2022) <https://www.fcc.gov/ecfs/search/search-filings/filing/10810512508278>.

2022 school year, after more than a year of online classes—a change that overwhelmed the IT departments of many schools.

Furthermore, as we noted on page 5 of the request for waiver, SHLB’s main concern is for applicants that do not know they will need to file an FCC Form 500 by September 30 if they cannot meet the deadline, and will forfeit E-rate funding as a result. Undoubtedly many FY 2020 applicants made the same mistake in September 2021, not realizing until too late that they needed to request an extension before the service delivery deadline passed, or perhaps simply forgetting to file the extension request during the hectic early weeks of in-person classes. Accordingly, SHLB believes that these applicants should be given the same extended deadline for non-recurring services as applicants who have already had their FY 2020 service delivery deadline extended for one reason or another (e.g., Hurricane Ida, or a funding commitment received after March 1 of the funding year).


We note that for the majority of those 500 additional FRNs we’ve identified from FY 2020, the applicants have attempted to invoice USAC and have had their invoices rejected. This means that a significant percentage of those applicants will likely file (or have already filed) appeals with USAC and/or requests for waiver with the Commission. Thus, not only would a blanket waiver for all FY 2020 and 2021 funding requests for non-recurring services address the policy considerations that apply equally to all of those applicants; it would also prevent a significant amount of work by USAC and the Commission by obviating the need to decide numerous individual appeals and waiver requests.

To the extent that the Commission finds it necessary, it can grant the requested extension of the service delivery deadline for non-recurring services for all FY 2020 and 2021 funding requests on its own motion, on the ground that the policy considerations that SHLB identified apply equally to all requests for funding for non-recurring services filed in FYs 2020 and 2021. If the Commission needs to have an official request for a blanket extension of the service delivery deadline, please consider this response a formal request to issue such an extension request for all 2020 and 2021 funding requests for non-recurring services. If, for some reason, the Commission cannot grant such a blanket extension for all applicants, we believe the Commission should grant our original request for those funding requests that have a service delivery deadline of September 30, 2022 as soon as possible.

As always, SHLB’s goal is to help as many schools and libraries as possible without making onerous requests of the Commission. We believe that this request strikes the perfect balance: extending the service delivery deadline for nonrecurring services to October 2, 2023 for all FY 2020 and FY 2021 funding requests will help many E-rate applicants while resulting in less work for the Commission and for USAC. If we can provide any additional information, please let us know.

Thank you in advance for considering this request. Please contact me if you have any questions or if we can provide additional information.

Respectfully Submitted,



Kristen Corra  
Policy Counsel  
Schools, Health & Libraries Broadband (SHLB) Coalition  
1250 Connecticut Ave. NW Suite 700  
Washington, DC 20036  
[kcorra@shlb.org](mailto:kcorra@shlb.org)  
571-306-3757

cc: Veronica Garcia-Ulloa  
Sue McNeil  
John Windhausen, Jr.