



Federal Communications Commission
Washington, D.C. 20554

September 12, 2014

Mr. Alex Hunt
Chief, Information Policy Branch
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Hunt:

The Federal Communications Commission (Commission) requests OMB approval under the “emergency processing” provision of the Paperwork Reduction Act (PRA) of 1995 (5 C.F.R. § 1320.13) for the revised information collection requirements contained in 3060-0806, Universal Service – Schools and Libraries Universal Service Program (FCC Forms 470 and 471). We respectfully request OMB approval for this collection by November 3, 2014.

On July 23, 2014, the Commission released a Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 13-184, FCC 14-99 (*E-Rate Modernization Order*), instituting new rules to modernize the E-rate program. The program modifications initiated in the *E-Rate Modernization Order*, result, in part, from numerous meetings Commission staff conducted with interested parties, including school districts, libraries, associations, and service providers.

The order adopts new rules and procedures to streamline the E-rate program. The Commission modifies the existing FCC Forms 470 and 471 to provide a streamlined application process that encourages district wide applications, applications from multiple school districts, and consortia applications. Furthermore, it provides a streamlined multi-year application process further reducing the burden for applicants in subsequent years. The order also modifies E-rate program rules to require applicants and service providers to retain supporting documentation for ten years, as opposed to the previous 5 year period. Finally, the revised E-rate application process will require online applications, reducing the opportunity for omissions and clerical errors. The filing process is also being modernized to provide a simple, web-based interface for submission of the FCC Forms 470 and 471. The E-rate program Administrator, the Universal Service Administrative Company (USAC), will implement the revised information collection for these forms through an online interface on the USAC web site. Through this interface, applicants will be able to input data in required fields and have calculations and other data auto-populated for them in other related fields or worksheets. In the future, this information will be stored and auto-populated for the applicants. Combined, these modifications should reduce administrative costs for applicants, service providers, and USAC.

Public harm is likely to result if normal clearance procedures are followed in this matter. The application process for E-rate funds commences with applicants filing the FCC Form 470 to seek competitive bids from service providers, and this should occur 12 months before the funding year begins. Applicants that are delayed in their ability to seek bids on services by filing the FCC Form 470 will be delayed in their ability to file the FCC Form 471 to seek funding from USAC. The E-rate funding year, when applicants may start receiving E-rate funding commitments, opens July 1 of each year. The funding application window for the FCC Form 471 must open and close prior to July 1 so that USAC may start processing applications in time for the start of the funding year. Based on past filing window deadlines, the filing window typically must open in January and close in March. Schools and libraries are already in great need of E-rate program funds to satisfy their connectivity needs. The core changes made to the E-rate program in the *E-rate Modernization Order* were especially designed to extend critical funds to more

schools and libraries, but these applicants can only seek these funds, and receive the benefits of these changes, if the revised forms used for processing requests are available for use. Without emergency approval, distribution of these much needed funds will be delayed, depriving students, teachers, and library patrons internet connectivity. This delay would result in harm to the public and the program.

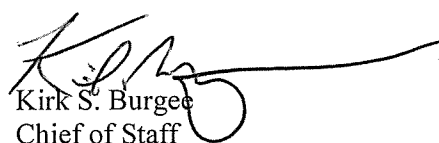
The use of normal clearance procedures also is likely to prevent or disrupt the collection of information. If the Commission were to wait 120 days to formally notify eligible libraries and schools of its intent to collect this information, distribution of E-rate funds would be substantially delayed. The funding year window typically opens in January, but as explained above, applicants need to begin the process approximately 6 months earlier to seek bids before they can seek funding. Therefore, there is not enough time to complete and comply with the regular clearance provisions prior to applicants needing to use the revised FCC Form 470 in time to seek bids. Also, the Commission and USAC need to finalize the FCC Form 471 earlier than January 2015, because the FCC Form 471 is being redesigned as a web-based interface available on USAC's website and must be tested before it is publicly available. We are requesting approval by November 3, 2014, to allow for a two month testing period for the FCC Form 471 after OMB approves this revision.

Because of these circumstances, the Commission requests emergency processing and approval in order to facilitate the E-rate funding commitment process for the instant program year. Further, due to the emergency nature of this request, the FCC is seeking a waiver of the requirement of the 60-day notice requirement under 5 C.F.R. § 1320.8(d). The Commission will publish a 30-day notice in the *Federal Register* soliciting public comment on the emergency approval request. The Commission will conduct all necessary regular submission requirements under the PRA after approval of this emergency request.

The Commission's staff is ready and eager to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB's approval of this emergency request by November 3, 2014.

If you need any additional information to complete the OMB approval of this request or have questions, please immediately contact Leslie Smith at (202) 418-0217 or by email at Leslie.Smith@fcc.gov.

Sincerely,


Kirk S. Burgee
Chief of Staff
Wireline Competition Bureau