



Federal Communications Commission
Washington, D.C. 20554

May 1, 2015

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 schools and libraries universal service mechanism program (also known as “E-rate”) revised information collection requirements contained in 3060-0806, Universal Service – Schools and Libraries Universal Service Program (FCC Forms 470 and 471). Emergency approval is necessary to ensure that the revised FCC Form 470, which is part of this information collection, is available to E-rate applicants for funding year 2016 through a new online portal by July 1, 2015 (or very soon thereafter). The Bureau would not be able to make this target under the standard Paperwork Reduction Act approval process. We therefore respectfully request OMB approval for this collection by July 1, 2015.

The FCC Form 470 is being modified for funding year 2016 pursuant to program changes the Commission conducted as part of a major modernization of the E-rate program. The *Second E-rate Modernization Order*, WC Docket No. 13-184, FCC 14-189, released in December, takes steps to improve the overall administration of the program and maximizes the options schools and libraries have for purchasing affordable high-speed broadband connectivity by (1) suspending the requirement that applicants seek funding for large up-front construction costs over several years, while, at the same time, allowing applicants to pay their share of one-time, up-front construction costs in installments negotiated with service providers; (2) allowing easier and more equitable access for dark fiber funding, which can be an especially cost-effective option for smaller, rural districts; and (3) allowing schools and libraries to own all or a portion of their networks (i.e., self-construction) when that is the most cost-effective option. The FCC Form 470 must be revised to effectuate these new provisions.

In addition to the changes that will help accomplish the Commission’s goals of promoting high-speed broadband, the FCC Form 470 is being modified to accommodate a new online applicant portal and the requirement that all FCC Forms 470 be electronically filed. The Administrator of the E-rate program, the Universal Service Administrative Company (USAC), has been overhauling its information technology system since the *Second E-rate Modernization Order* was adopted four months ago to help create a new and advanced electronic filing system. These changes will provide applicants a simple, web-based interface, initially for submission of the FCC Forms 470 and 471, and ultimately for all of the forms and information that applicants and service providers file with USAC approved under various OMB control numbers.

Public harm is likely to result if normal clearance procedures are followed for this matter. The application process for the E-rate program commences with applicants filing the FCC Form 470, which is used to seek competitive bids on eligible services from service providers. To ensure that applicants have adequate time to procure E-rate supported goods and services at competitive prices, the FCC Form 470 is made available on July 1 of each year, six months prior to the time that applicants request E-rate funding with the FCC Form 471. Among other things, a six-month bidding period prior to the opening of the

funding application window ensures applicants can comply with state or local procurement schedules that incorporate mandatory timetables and waiting periods.

Filers will not be able to submit the current paper FCC Form 470 for funding year 2016 due to the significant changes to the USAC information technology system and the revisions to the new form that effectuate the Commission's modernization of the E-rate program. Because of this, the use of normal clearance procedures is likely to prevent or disrupt the collection of information because applicants would not be able to start using the revised FCC Form 470 by July 1. Without emergency approval, the policy goals set by the Commission to get high speed broadband out to school and library communities and to distribute much needed funds for connectivity will be jeopardized. 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.

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, at which time we intend to make the necessary revision to move FCC Form 471 to the online portal as well.

The Commission's staff will provide any additional information needed to assist in OMB's review of this emergency request. If you have any questions concerning this request, please contact Nicole Ongele at (202) 418-2991 or by email at Nicole.Ongele@fcc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mindy J. Ginsburg', with a long horizontal flourish extending to the right.

Mindy J. Ginsburg
Deputy Managing Director