



Legacy High-Cost Support Usage Flexibility Certification

Pursuant to rules adopted by the Commission in the *5G Fund Report and Order* ([FCC 20-150](#)), a competitive eligible telecommunications carrier (ETC) that receives legacy high-cost support for mobile wireless services must use an increasing percentage of such support on the deployment, maintenance, and operation of mobile networks that provide 5G service. Each legacy support recipient must spend at least one-third of the legacy support it receives in 2021, at least two-thirds of the legacy support it receives in 2022, and all legacy support in 2023 and beyond on 5G.

A legacy support recipient has the flexibility to make up for any shortfall in meeting its 2021 requirement by proportionally increasing the amount of support it spends above the two-thirds requirement for 2022, provided that it certifies to the Wireline Competition Bureau the amount of support it will spend on 5G in 2021 and that it will make up for any 2021 shortfall in 2022.

For example, a competitive ETC that receives \$9 million per year in legacy high-cost support is required to spend at least \$3 million in 2021, at least \$6 million in 2022, and all \$9 million in 2023 and each subsequent year on 5G. If the competitive ETC only spends \$2 million on 5G in 2021 (\$1 million below the 2021 requirement), it must spend at least \$7 million in 2022 on 5G (\$1 million to complete the 2021 requirement, plus \$6 million for the 2022 requirement) and submit this certification to remain in compliance with its public interest obligations.

Consistent with the geographic flexibility granted to legacy support recipients, a competitive ETC that receives legacy support for multiple service areas or is affiliated with other competitive ETCs that receive legacy support (for example, where such competitive ETCs share a common holding company) may submit a single certification.

Completed certifications must be submitted via the Commission's Electronic Comment Filing System in GN Docket No. 20-32, available at <https://www.fcc.gov/ecfs/>.

Legacy High-Cost Support Information

Enter the service area(s) for which the competitive ETC and any affiliated mobile competitive ETC(s) receive legacy high-cost support:

State	Study Area Code	Competitive ETC Name	Annual Legacy Support Amount
Total:			



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Enter the total amount of legacy high-cost support that the competitive ETC and/or its affiliates will spend on the deployment, maintenance, and operation of mobile networks that provide 5G service in calendar year 2021 across the identified service areas:

Total Legacy High-Cost Support Usage to be Spent in 2021: _____

Certification

On behalf of the competitive ETC(s) identified above, I declare, under penalties of perjury, that:

1. I am an officer or other authorized representative of the competitive ETC(s) identified above;
2. I have read the information contained in this form and all information and statements contained herein are true, correct, and complete;
3. In accordance with 47 CFR § 54.322(c)(4), the competitive ETC(s) identified above will make up for any shortfall in the amount of legacy support required to be spent on 5G in calendar year 2021 pursuant to 47 CFR § 54.322(c)(1) by proportionally increasing the amount of legacy support spent on 5G in calendar year 2022 above the level required pursuant to 47 CFR § 54.322(c)(2); and
4. I understand that making willful false statements in any part of this certification is punishable by fine or imprisonment pursuant to 47 U.S.C. §§ 416(c), 503(b)(1)(B), and 18 U.S.C. § 1001.

Name: _____

Phone: _____ **Extension:** _____

Email: _____

Title: _____

Signature: _____ **Date:** _____

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