



# PUBLIC NOTICE

Federal Communications Commission  
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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PROPOSED CHANGES TO FCC FORM 479, FCC FORM 486, FCC FORM 500 AND ACCOMPANYING INSTRUCTIONS, FOR SCHOOLS AND LIBRARIES UNIVERSAL SERVICE SUPPORT PROGRAM

CC Docket No. 02-6

**Comment Date: August 14, 2013**

**Reply Comment Date: August 28, 2013**

Pursuant to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13,<sup>1</sup> the Wireline Competition Bureau is revising existing collection 3060-0853.<sup>2</sup> In this notice, we seek comment on proposed revisions to the Federal Communications Commission (FCC) Forms 479 and 486, and accompanying instructions, which are used at the point where applicants receive or are about to receive services that will be supported by the E-rate program (also known as the schools and libraries universal service support program). We also seek comment on proposed revisions to FCC Form 500, and accompanying instructions, which is used to make changes to previously filed forms.

FCC Forms 479 and 486 enable participants in the program to certify that they are compliant with the Children's Internet Protection Act (CIPA), when they seek discounts for Internet access, internal connections and basic maintenance of internal connections.<sup>3</sup> With the exception of program participants who receive only telecommunications services, CIPA compliance is a necessary prerequisite to invoicing and payment of E-rate support.<sup>4</sup> FCC Form 486 also is the form that school and library applicants use to notify the Universal Service Administrative Company (USAC or the Administrator) of their service start dates and certify compliance with E-rate program technology plan requirements.<sup>5</sup> As aforementioned, FCC Form 500 is used by E-rate participants to make adjustments to previously filed forms, such as

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<sup>1</sup> See 44 U.S.C. § 3507 (setting forth requirements when an agency seeks to adopt or revise a public information collection).

<sup>2</sup> See 60-Day PRA Notice for Collection 3060-0853, 78 Fed. Reg. 40476 (July 6, 2013). The current forms expire on October 31, 2013.

<sup>3</sup> 47 U.S.C. § 254 (h)(5)-(7), (l). CIPA provides that schools and libraries that have computers with Internet access must certify that they have in place certain Internet safety policies and technology protection measures in order to be eligible to receive program-supported services under section 254(h) of the Communications Act of 1934, as amended. See 47 C.F.R. § 54.520.

<sup>4</sup> 47 C.F.R. § 54.520.

<sup>5</sup> 47 C.F.R. §§ 54.503(c)(2)(iii)-(iv), 54.504(a)(1)(iv)-(v), and 54.508.

adjusting their contract expiration dates, changing their funding year services start date, or cancelling or reducing the amount of funding commitments.

The proposed revisions to the forms and instructions have been released with this Public Notice. These proposed revisions include:

- Clarifications and updates where needed or information is outdated.<sup>6</sup>
- Name changes for the FCC Form 486 and FCC Form 500, and accompanying instructions.
- Adjustments to form certifications to ensure consistency with the requirement to retain documentation for at least five years after the last day of the delivery of discounted services, or, for the purposes of equipment transfers, five years from the transfer.<sup>7</sup>
- Removal of the check boxes for waivers on the FCC Form 479 and FCC Form 486.
- Revising the forms to reflect that the *Schools and Libraries 6th Report and Order* changed the requirements for technology planning in the E-rate program.<sup>8</sup>
- Adding new sections to the FCC Form 500 to allow applicants to seek extensions of the implementation deadline for non-recurring services and to notify USAC when they are transferring equipment.<sup>9</sup>

We seek comment on all of the proposed changes to the forms and instructions. Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **August 14, 2013**, and reply comments on or before **August 28, 2013**. All pleadings are to reference **CC Docket No. 02-6**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS), or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

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<sup>6</sup> For example, we updated the instructions for the FCC Form 479 and FCC Form 486 to reflect that applicants may request a telecommunications service, telecommunications, interconnected voice over Internet protocol (VoIP) service, or fiber in the Internet access service category, but may indicate on their forms that CIPA does not apply when they are using those services for telecommunications transmission only. See *Wireline Competition Bureau Provides Guidance Following Schools and Libraries Universal Service Support Program Sixth Report and Order*, CC Docket No. 02-6, GN Docket No. 09-51, Public Notice, 25 FCC Rcd 17332, 17335 (Wireline Comp. Bur. 2010) (noting that CIPA compliance is not required when telecommunications, VoIP or fiber services are requested, even in the Internet access category, for telecommunications transmission purposes; but if any other Internet access services, such as basic Internet access, web hosting or e-mail service, are included or bundled with these services, CIPA compliance is required).

<sup>7</sup> See 47 C.F.R. §§ 54.513, 54.516. Also, newly included in the certification for FCC Form 500 is the recognition that applicants will need to produce records upon request in accordance with section 54.516 of the Commission's rules. 47 C.F.R. § 54.516.

<sup>8</sup> *Schools and Libraries Universal Service Support Mechanism; A National Broadband Plan for Our Future*, CC Docket No. 02-6, GN Docket No. 09-51, Sixth Report and Order, 25 FCC Rcd 18762, 18789-93 (2010) (eliminating the E-rate technology planning requirement for schools and libraries seeking only priority one services) (*Schools and Libraries 6th Report and Order*).

<sup>9</sup> 47 C.F.R. §§ 54.507(d), 54.513.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
  - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

In addition, we request that one copy of each pleading be sent to each of the following:

1. Cara Voth, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 6-A365, Washington, DC 20554; e-mail: [Cara.Voth@fcc.gov](mailto:Cara.Voth@fcc.gov);
2. Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-B521, Washington, DC 20554; e-mail: [Charles.Tyler@fcc.gov](mailto:Charles.Tyler@fcc.gov).

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For further information, contact Cara Voth, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400, TTY (202) 418-0484.

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