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Schools and Libraries News Brief

August 28, 2009

TIP OF THE WEEK: If you have not yet reserved a hotel room for one of the fall USAC training sessions, do so as soon as possible (see below). Remember that registering with USAC for a training session does not automatically reserve a room for you at the conference hotel.

Commitments for Funding Years 2009

Funding Year 2009. USAC will release FY2009 Wave 19 Funding Commitment Decision Letters (FCDLs) September 3. This wave includes commitments for approved Internal Connections and Basic Maintenance for schools and libraries at 85% and above. As of August 28, FY2009 commitments total over \$720 million.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

Update on Fall Applicant Training

To sign up for one of USAC's fall applicant training sessions, visit the [2009 Schools and Libraries Fall Applicant Trainings page](#) and register for the training that is most convenient for you. You can also find information on the conference hotel for each training session. Remember that registering with USAC does not automatically reserve a hotel room for you at the conference hotel.

Here are the last dates you can make a hotel reservation at the conference rate. The conference rate is not guaranteed – and rooms may not be available – after the cutoff dates listed below.

Location	Cutoff Date
Washington DC	September 2
Newark NJ	September 2
Atlanta GA	September 8
Chicago IL	September 17
Orlando FL	September 7
Los Angeles CA	September 15
Portland OR	September 14
Houston TX	September 21 at 5p.m. CDT

Note that there is still space available in Houston, Orlando, and Newark for the fall training. If you have registered for a training session and your plans change, please [email USAC](#) to cancel your registration so USAC can open a slot for someone else.

Non-recurring Services and Contracts, Part 2

In the [August 21 SL News Brief](#), we discussed requesting a service delivery extension request for non-recurring services and the importance of requesting the extension no later than the deadline for receipt of those services.

In many cases, contracts must also be extended and the new contract extension date reported to USAC. This is important because USAC will not pay invoices for eligible non-recurring services delivered or installed after the last day to receive service (the service delivery deadline), or the last day your contract is valid (the contract expiration date), whichever is earlier.

Extending a contract expiration date for non-recurring services

Applicants report the contract expiration date in Item 20b of the Form 471. USAC will not pay invoices for products and services installed and/or delivered after the contract expiration date on file with USAC. If a service delivery extension has been approved – either automatically or upon request – applicants and service providers will need to change the contract expiration date on file with USAC if products and services will be delivered after the date currently on file.

Please note: The contract extensions we discuss here are solely for the purpose of completing the delivery of services for commitments on Funding Request Numbers (FRNs) for the original funding year, not for extending the services to a new FRN for an upcoming funding year (see below).

If a contract expires before services will be delivered, applicants should do the following:

- Check the [FRN Extension Table](#) to verify that USAC has extended the service delivery deadline for the FRN.
- Determine that an extension of the contract is allowed under the terms of the contract and under state and local procurement rules and regulations.
- If allowed, negotiate an extension of the contract with the service provider.
- File a [Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form](#), to change the contract expiration date on file with USAC.
- After USAC issues a Form 500 Notification Letter, the products and services can be delivered and installed and USAC can be invoiced.

Note that this kind of contract extension is different from a "contract with voluntary extensions." A contract with voluntary extensions allows the applicant and service provider to extend an existing contract and apply for discounts on services in an upcoming funding year in addition to the current one. If the applicant did not indicate the intention to enter into a contract with voluntary extensions (Item 7b on the Form 470) and then signed such a contract, the applicant would have to file a new Form 470 for the upcoming funding year and conduct a new competitive bidding process. For information on contracts with voluntary extensions, refer to the [Contract Guidance](#) document on the USAC website.

Tips for funding commitments that include non-recurring services

To make this process easier, consider the following:

- If possible, set your contract to expire on September 30 rather than June 30 if the contract contains non-recurring services. This does not violate program rules and obviates the need to file a Form 500 if the work will be completed by the original deadline.
- Communicate regularly with your service provider, especially if there may be delays. Knowing early that a problem exists gives you more time to plan for the best solution.
- An approved service delivery deadline extension does not automatically extend a contract or change the contract expiration date on file with USAC. Similarly, a Form 500 does not act as a service delivery extension request or extend the service delivery deadline.
- Act promptly if you need to extend a contract or request a deadline extension. USAC receives a higher volume of requests when deadlines approach and it may take longer for USAC to process your request if you wait until the last minute.
- Remember that USAC cannot act on a service delivery extension request filed after the last date to receive service.

Protecting Children in the 21st Century Act

Last Friday, August 21st, FCC Chairman Julius Genachowski circulated an item related to the E-rate program to the other commissioners. The E-rate item is a Notice of Proposed Rulemaking (NPRM) seeking comment on updating the program to comply with last year's Protecting Children in the 21st Century Act. The Protecting Children in the 21st Century Act added requirements to those already mandated for certain E-rate recipients by the Children's Internet Protection Act (CIPA). The NPRM must now be voted on by the other four commissioners before it will be released by the Commission.

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