



April 28, 2023

**SUBMITTED ELECTRONICALLY VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**Re: Ex Parte Filing**

Establishing Emergency Connectivity Fund to Close the Homework Gap, WC Docket No. 21-93

Dear Madam Secretary:

Pursuant to the Federal Communications Commission's ex parte rules, I hereby submit the following summary of the Schools, Health & Libraries Broadband Coalition's (SHLB) April 27, 2023 conversation with Chairwoman Rosenworcel's office to discuss the pace of approvals for applications submitted in the Emergency Connectivity Fund (ECF) program, the petition SHLB and the Consortium for School Networking (CoSN) filed requesting an extension of the ECF service delivery dates (ECF Extension Petition), and the Ex Parte summary of SHLB's prior meeting with the Wireline Competition Bureau (Ex Parte Summary).<sup>1</sup>

The following individuals participated in the call along with the undersigned: Elizabeth Cuttner and Ramesh Nagarajan in Chairwoman Rosenworcel's office; Gina Spade, Principal, Broadband Legal Strategies, LLC; Michael Flood, SVP and GM, Kajeet; and John Windhausen, Jr., Executive Director, SHLB.

Ms. Corra briefly discussed points SHLB made in the ECF Extension Petition and Ex Parte Summary, and suggested that the Bureau provide resources for USAC to target action on all pending ECF applications by June 30, 2023 to provide an opportunity for those applicants to provide a full twelve months of service to recipients, if requested. The participants also explained the rationale for allowing an extension for Round 1 and 2 applicants that received an approval on or after March 1, 2022. Specifically, even if an applicant received a Round 1 or 2 award on or after March 1, 2022, we suggest that delays (such as supply chain problems or those linked to renegotiating contracts, or ordering, receiving, distributing equipment/services) could result in

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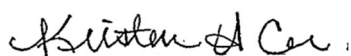
<sup>1</sup> See Request for Waiver by The Schools, Health & Libraries Broadband Coalition and The Consortium for School Networking, Establishing Emergency Connectivity Fund to Close the Homework Gap, WC Docket No. 21-93 (Apr. 5, 2023) <https://www.fcc.gov/ecfs/document/104051359207045/1>; see also Ex Parte Summary by The Schools, Health & Libraries Broadband Coalition, Establishing Emergency Connectivity Fund to Close the Homework Gap, WC Docket No. 21-93 (Apr. 21, 2023) <https://www.fcc.gov/ecfs/document/10422975301373/1>.

those applicants not being able to supply a full twelve months of service by the current June 2023 deadline. Ms. Spade provided an example of an Alaskan applicant that received a Round 1 funding commitment in April 2022 and was able to start service for many of its students and teachers only in September 2022.

Mr. Flood presented data generated from USAC's ECF Program Data Tool representing the current pace and trends of ECF awards, which was updated from that presented in the Ex Parte Summary to reflect recent application award information. This presentation is attached here as Appendix A. Based on the current trend of ECF approvals and denials, there is approximately \$848 million available to award and approximately \$811.7 million in total pending applications.

The participants reiterated that the Commission should extend the deadline to allow applicants that have received or will receive funding commitments to use all of the committed funding for two reasons: (1) it appears that there is enough funding remaining to cover all pending demand and (2) even if there was not enough funding, it is unlikely USAC could identify unused funding fast enough to turn around and distribute it to other applicants. Allowing applicants that have funding commitments or will receive them shortly to fully utilize the committed funding is the best way to fulfill Congressional intent regarding the use of the funding for remote learning (rather than opening a fourth application window, for example). Further, the extension will help to ease administrative burdens in the coming months when Round 1 and 2 applicants must begin submitting invoices, as the invoice deadline will automatically be extended if the service delivery deadline is extended. The participants acknowledged that some applicants may file appeals (which is not reflected in any current data) and that the WCB must consider those applicants pending approval for revised funding commitment decisions.

Sincerely,



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cc: Elizabeth Cuttner  
Ramesh Nagarajan  
Gina Spade  
Michael Flood  
John Windhausen, Jr.

**Appendix A**

(Updated) ECF Funding Summary

*See Attached Four (4) Pages*



## ECF Funding Summary

## By the Numbers... What's left to award

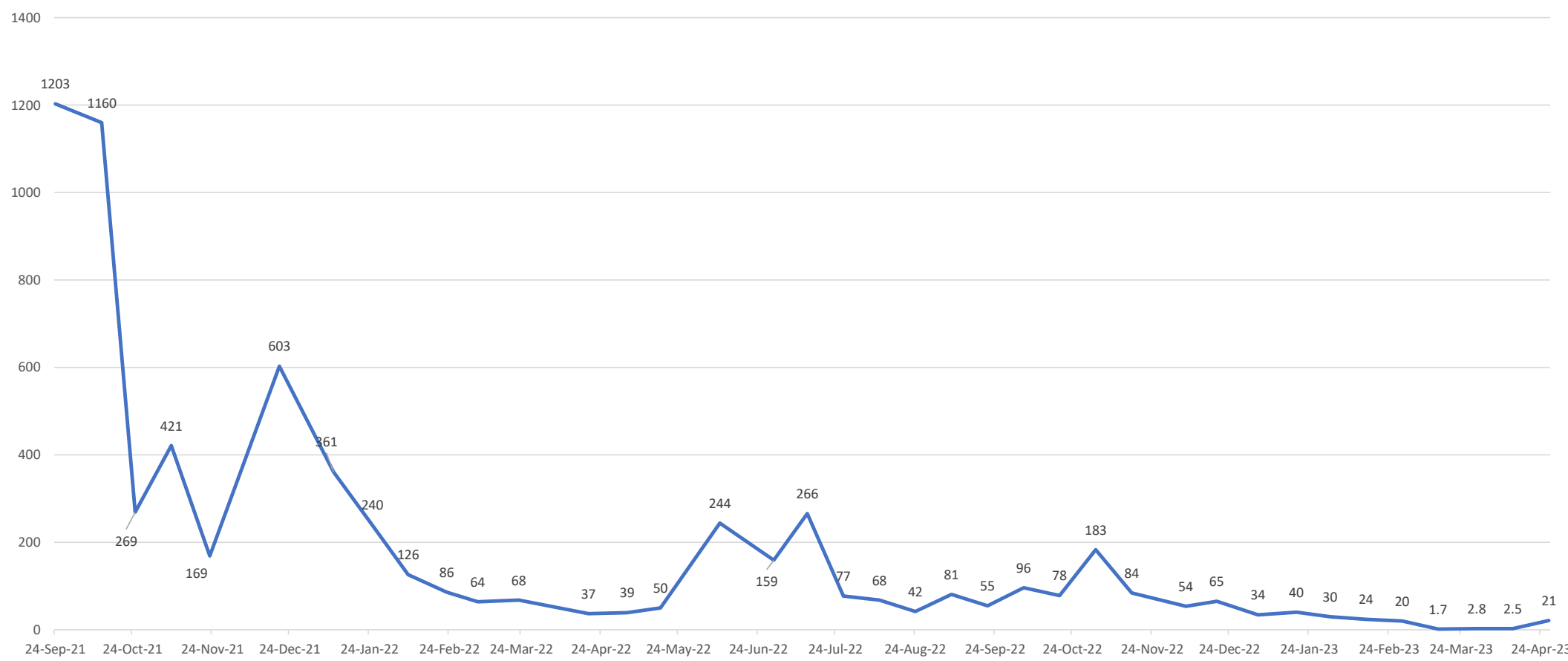


<b>Total Funding Available:</b>	<b>\$7,171M</b>	<i>(source: Legislation)</i>
<b>Total Funding Requested:</b>	<b>\$9,252M</b>	<i>(source: FCC PR for Round 1, 2, &amp; 3 application totals)</i>
<b>Total Funded:</b>	<b>\$6,323M</b>	<i>(source: FCC Open Data &amp; ECF Program Data Tool)</i>
<b>Total Pending:</b>	<b>\$811.7M</b>	<i>(source: FCC Open Data &amp; ECF Program Data Tool)</i>
<b>Available to Award:</b>	<b>\$848M</b>	<i>(source: Total Available – Total Remaining Funded)</i>
<b>Reality is most likely north of \$1B</b>		<i>(\$848M + additional cancellations)</i>

# By the Numbers... Pace of awards



### Commitments by Wave



## ECF Service Delivery Deadline

- \$32.7M pending from ECF 1 + ECF 2, with a Service Delivery Deadline of 6/30/2023 (~ 2 months)
- \$779M pending from ECF3, with a Service Delivery Deadline of 12/31/2023 (~ 8 months)
- SHLB + CoSN filed for an extension of Service Delivery Deadlines to allow funded applicants to utilize their full funding (up to 12 months of service)

## Pace of Approvals

- If the maximum allowable Service Delivery Deadline extension is to 6/30/2024, approvals need to conclude no later than 6/30/2023.
- Last 10 waves averaged **\$24M** each; Last 5 waves **\$10M** each
- To approve **\$812M** by **6/30/2023** with waves every 2 weeks, waves must average **~\$200M** (4 waves left)
  - *Alternatively, move to weekly waves of \$90M each for 9 more waves*

**Conclusion:** In order to comply with Congressional intent, the FCC must dramatically increase resources for the review and approval of outstanding applications.