

VPS Consulting Memo

FCC Provides Guidance Regarding Transition to the Affordable Connectivity Program

TRANSITION TO BE EFFECTIVE DECEMBER 31, 2021.

Overview

On December 8, 2021, the Federal Communications Commission (FCC) issued Order [DA 21-1524](#) regarding the Emergency Broadband Benefit (EBB) transition to the Affordable Connectivity Program (ACP). The Order waived some provisions in sections of the Consolidated Appropriations Act rules regarding the EBB and further clarified information regarding the transition to the ACP while the public rulemaking is ongoing. Key information referenced in the Order is listed below.

Enrollment Date	Benefit
EBB Enrollment Freeze	December 30, 2021 at 6:00 PM EST
Start of ACP Enrollment	December 31, 2021

FCC Guidance regarding Transition from EBB to ACP	
Existing Service Provider Impacts	
Guidance	Updated Information
Transition of EBB Providers to ACP	EBB participating providers will automatically transition to the ACP on December 31, 2021, during an interim period until final rulemaking is completed. <i>*No additional paperwork will be required at this time.</i>
All Service Offerings for Existing EBB Subscribers	Start Date: December 31, 2021 EBB Providers may apply EBB credit to all service offerings starting on this date.
EBB Enrollment Freeze	EBB End Date: December 30, 2021, at 6:00 PM EST <i>*All Subscribers enrolled in NLAD by this time will be eligible for EBB up to \$50 until March 1, 2022.</i>
Start of ACP Enrollment	ACP Enrollment Opening: December 31, 2021 <i>*All subscribers enrolled on or after this day will be eligible for \$30 ACP benefit.</i>

60 Day Qualification Period	End Date: March 1, 2022 (must be an NLAD EBB Enrolled subscriber)
Consumer Notice to Existing EBB Subscribers	<p>USAC is to provide notice to consumers. EBB Service Providers are also expected to notify subscribers as soon as practical with the following information:</p> <ol style="list-style-type: none"> 1. Program Name Change (EBB to ACP) 2. ACP effective date of December 31, 2021 3. EBB current subscribers continue subsidy for 60 days 4. Beginning (December 31, 2021) and end date (March 1, 2022) of transition period 5. ACP Subsidy amounts available after 60-day transition period 6. May switch service offerings at any time 7. Will receive additional information if additional steps are required <p>May be communicated via any written communications used in ordinary business practices, such as bill messages.</p>

Existing EBB Subscriber Impacts	
Guidance	Updated Information
Benefit amount/60 Day Qualification Period	Existing EBB Subscribers on December 30, 2021, receive their benefit for 60 days. End Date: March 1, 2022 (must be an NLAD EBB Enrolled subscriber)
Transfer Providers	During 60-day period, subscribers can transfer to a provider they choose.
Subscriber Access for EBB program applications	EBB Enrollment applications available through December 30, 2021 ACP preliminary online and paper applications available starting December 31, 2021
Treatment of Pending Applications	All EBB applications must be approved and enrolled in NLAD by December 30, 2021, at 6:00 PM EST. Afterwards, all pending applications will be considered for the ACP program.
Reverification Process	<p>Subscribers enrolled with legacy eligibility criteria will be required to reverify their eligibility during 60-day period to continue to receive benefit.</p> <p>Eligibility Criteria:</p> <ol style="list-style-type: none"> 1. Substantial loss of income since February 29, 2020 2. Service Provider's COVID-19 program <p>Initial notice to subscribers is anticipated in mid-January 2022.</p> <p>USAC will conduct reverification with subscribers which will include a 30-day notice. Failure of subscriber to respond to USAC and qualify by another method will result in USAC de-enrolling the subscriber. USAC will provide notice to service providers.</p> <p>If service provider utilized an alternative verification method, the service provider will be responsible for reverification.</p>

Note: Information included is from DA-21-1524. This information may change as rulemaking continues.

How can a provider join the EBB program now in preparation for the ACP?

ETCs – make an election to USAC

- Providers with an existing ETC designation can make an election to USAC for themselves and their affiliates
 - EBB provider applications will end on December 20, 2021
 - ACP Provider applications will begin on December 27, 2021

Non-ETCs -- Prepare and submit an FCC application

- Providers without an existing ETC designation must seek either automatic or expedited approval from the FCC prior to submitting the election notice to USAC.
 - After approval is received from the FCC, a provider is qualified to perform a USAC election to participate in the program.

Key Information that may be needed to apply (depending on ETC Status) to the FCC or submit a USAC election:

- SAM.gov Registration Completed
- CORES ID (FCC Registration)
- SPIN (Service Provider ID)
- Study Area Code (SAC)
- DUNS #
- Employer Identification # (EIN)
- Tax Identification # (TIN)
- Statement providing broadband service
- States to Provide EBB In
- Service Authority in States
- Customer Eligibility Process to be Utilized
- Plan to Fight Waste, Fraud and Abuse
- Services to be Offered
- FCC Form 477 from December 2020
- ZIP Code(s) Where Service will be Offered
- Connected Devices to be Offered

Additional Information

For additional information on the EBB or ACP Programs and to seek assistance, please contact any of these members of the Vantage Point Solutions Consulting Team:

Tammie Herrlein at (605) 990-1861, Tammie.Herrlein@vantagepnt.com

Dereck DeVries at (605) 995-1762, Dereck.Devries@vantagepnt.com

Steve Gatto at (830) 895-7226, Steve.Gatto@vantagepnt.com

Or contact your Customer Relations representative.