

## Schools and Libraries

# NEWS BRIEF

October 18, 2013

**TIP OF THE WEEK:** If you received an email notifying you that your deadline for filing an FCC Form 486 is approaching, review the list of FY2013 FCC Forms 471 included in the email to determine which of your FRNs may need a certified FCC Form 486. Remember that the email was addressed not only to applicants that have not filed their forms, but also to those that have filed but not yet certified their forms.

### Commitments for Funding Years 2013, 2012, and 2011

**Funding Year 2013.** USAC will release Funding Year (FY) 2013 Wave 23 Funding Commitment Decision Letters (FCDLs) October 23. This wave includes commitments for approved Priority 1 (Telecommunications Services and Internet Access) requests at all discount levels. As of October 18, FY2013 commitments total over \$1.11 billion and encompass 26,408 of FY2013 applications.

**Funding Year 2012.** USAC will release FY2012 Wave 65 FCDLs October 24. This wave includes commitments for approved Priority 2 (Internal Connections and Basic Maintenance) requests at 90 percent and denials at 89 percent and below. As of October 18, FY2012 commitments total over \$2.77 billion. NOTE: Wave 64 – the FY2012 wave issued on October 17 – was incorrectly identified as Wave 63 in last week's SL News Brief.

**Funding Year 2011.** USAC will release FY2011 Wave 103 FCDLs October 25. This wave includes commitments for approved Priority requests at 88 percent and above and denials at 87 percent and below. As of October 18, FY2011 commitments total just under \$2.64 billion.

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.

### SPIN Change Reminders

A SPIN change is a change to the Service Provider Identification Number (SPIN) associated with a specific funding request. (We commonly refer to funding requests by Funding Request Number (FRN), a number assigned by the online system at the time data is entered for a specific FCC Form 471, Block 5.) A SPIN change can be either corrective or operational.

- A [corrective SPIN change](#) can occur when the SPIN associated with an FRN is not correct, generally when the applicant or USAC made a data entry error, a service provider has multiple SPINs and the wrong SPIN was entered, or a change occurred that was not initiated by the applicant (e.g., a merger or acquisition). Corrective SPIN changes can be requested pre- or post-commitment, that is, before or after USAC has issued an FCDL.
- An [operational SPIN change](#) is an actual change from one service provider to another – the result of a deliberate decision by the applicant to change the service provider supplying the services for an FRN. Operational SPIN changes can only be requested post-commitment.

Below are some factors to keep in mind when requesting a SPIN change.

#### Corrective SPIN changes

If you want to request a change of SPIN because of a data entry error, a merger or acquisition, a

bankruptcy, or similar issue that does not require changing the actual service provider, you should refer to the [Corrective SPIN Change](#) guidance document on the USAC website.

In your request to correct a SPIN, be sure to provide an explanation of the reason that the correction is needed (e.g., your service provider has many SPINs and you chose the wrong one, you transposed digits resulting in a valid but incorrect SPIN, your service provider was acquired by another service provider).

### Operational SPIN changes

Starting with FY2011, applicants requesting a change of service provider must comply with the FCC's Sixth Report and Order ([FCC 10-175](#)), which allows [operational SPIN changes](#) only under the following conditions:

- You have a legitimate reason to change service providers, such as breach of contract or the service provider is unable to perform, AND
- The newly selected service provider received the next highest point value in the original bid evaluation, assuming there was more than one bidder.

You must provide the following with your request:

- A statement of the reason(s) you want to change service providers, together with any supporting documentation you can provide. **Service provided by a new service provider at a lower cost is not an acceptable reason to change service providers.**
- A statement that the new service provider received the next highest point value in the original bid evaluation or a statement that you did not receive any other bids.

You must meet the following requirements for all operational SPIN changes regardless of funding year:

- **Your request must be allowed under your applicable state and local procurement rules.** Your request must contain a statement to that effect.
- **Your request must be allowable under the terms of any contract between you and your original service provider.** Again, your request must contain a statement to that effect.
- **You must inform your original service provider of your intent to change service providers.** You must include a statement that you have attempted to notify the original service provider.

For more information on requests to change service providers – including the options for submitting requests – you can refer to the [Operational SPIN Change](#) guidance document on the USAC website.

### SPIN changes due to transition delays

If an applicant is transitioning from one service provider to another over a funding year boundary and there is a delay before the new service provider can start providing service, the applicant can request that the FRN for the new funding year be split in order to continue service with the original service provider until the new service provider is able to provide service.

If this is the case, be sure to include in your request the dates of service and the costs associated with the services provided by each service provider. Note that the total amount of funding for both FRNs cannot exceed the amount approved for the original FRN on the FCC Form 471.

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