



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON SECURE AND TRUSTED COMMUNICATIONS NETWORKS REIMBURSEMENT PROGRAM APPLICATION FILINGS AND PROCESS

WC Docket No. 18-89

Comments Due: June 23, 2021

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment on the proposed application filing process for the \$1.9 billion Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program). The Bureau also seeks comment on proposed information fields to be collected on forms eligible providers of advanced communications services will be required to submit to request funding allocations and disbursements from the Reimbursement Program. These proposals provide interested parties with an opportunity to improve the application filing process and information collected for the Reimbursement Program and provide valuable insight into the Bureau's implementation as providers prepare to participate in the upcoming Reimbursement Program.

I. BACKGROUND

The Secure and Trusted Communications Networks Act of 2019 (Secure Networks Act), as amended, directs the Commission to establish the Reimbursement Program for the reimbursement of costs incurred by eligible providers of advanced communications services to replace covered communications equipment or services.¹ The Commission adopted the *Second Report and Order* on December 10, 2020, establishing a framework for the Reimbursement Program.² On December 27, 2020, the President signed into law the Consolidated Appropriations Act, 2021, appropriating \$1.9 billion to "carry out" the Reimbursement Program.³

In the *Second Report and Order*, among other measures, the Commission structured the Reimbursement Program to reimburse eligible providers of advanced communications services for costs reasonably incurred in removing, replacing, and disposing of covered communications equipment and

¹ Pub. L. 116-124, 133 Stat. 158 (2020), *codified at* 47 U.S.C. § 1601 *et seq.* (Secure Networks Act), amended by, Consolidated Appropriations Act, 2021 (CAA), Pub. L. 116-260, Division N-Additional Coronavirus Response and Relief, Title IX-Broadband Internet Access Service, §§ 901, 906, 134 Stat. 1182 (2020).

² See *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Second Report and Order, 35 FCC Rcd 14284 (2020) (*Second Report and Order*); 86 Fed. Reg. 2904 (Jan. 13, 2021).

³ See CAA §§ 901, 906. The funding appropriated by Congress is not only for reimbursing program recipients but will also cover the expenses incurred by the Commission to implement and operate, that is, "carry out," the Reimbursement Program. The CAA also amended the Secure Networks Act. On February 17, 2021, the Commission proposed to amend its rules consistent with the CAA amendments. See *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Third Further Notice of Proposed Rulemaking, FCC 21-26 (Feb. 22, 2021) (*Third Further Notice*).

services.⁴ The Commission, consistent with the Secure Networks Act, required Reimbursement Program participants to submit estimated costs to receive funding allocations.⁵ Then, upon a showing of actual expenses incurred, recipients would obtain funding disbursements on a rolling basis.⁶

The Commission directed the Bureau to “create one or more forms to be used by entities to claim reimbursement from the Reimbursement Program, to report on their use of money disbursed and the status of their construction efforts, and for any other Reimbursement Program-related purposes.”⁷ The Commission also directed the Bureau to “establish the timing and calculate the amount of the allocations to eligible entities from the Reimbursement Program, develop a final Catalog of Eligible Expenses with the assistance of a contractor, and to make other determinations regarding eligible costs and the reimbursement process.”⁸ Further, the Commission directed the Bureau to “adopt the necessary policies and procedures relating to allocations, draw downs, payments, obligations, and expenditures of money from the Reimbursement Program to protect against waste, fraud, and abuse and to protect Reimbursement Program funds in the event of bankruptcy of a support recipient.”⁹

On March 25, 2021, we sought comment on a preliminary Catalog of Eligible Expenses and Estimated Costs (Catalog) identifying a range of cost estimates that may be eligible for reimbursement under the Reimbursement Program.¹⁰ On April 28, 2021, the Bureau announced the selection of Ernst & Young LLP as the Fund Administrator for the Reimbursement Program.¹¹ The Fund Administrator will assist the Commission with the administration of the Reimbursement Program for the removal, replacement, and disposal of communications equipment and services posing a national security risk from the networks of providers of advanced communications service.¹²

II. FCC FORM 5640 - APPLICATION REQUEST FOR FUNDING ALLOCATION AND REIMBURSEMENT CLAIM REQUESTS

In this section, we describe the proposed approach to process and review application requests for funding allocations submitted by applicants and reimbursement claim requests submitted by participants. We propose to issue Reimbursement Program funding allocations to eligible providers based on the estimated costs identified in their application for the removal, replacement, and disposal of eligible covered communications equipment and services.¹³ We also propose to periodically release public notices announcing grants of funding allocations. As provided by the Commission’s rules, once an allocation is granted recipients can then request and receive funding disbursements by filing a Reimbursement Claim Request showing actual expenses incurred.¹⁴ Further, per the Commission’s rules,

⁴ *Second Report and Order*, 35 FCC Rcd at 14330-14368, paras. 106-208; see 47 CFR § 1.50004.

⁵ *Second Report and Order*, 35 FCC Rcd at 14343, para. 140; see Secure Networks Act § 4(d)(2)(B)(i).

⁶ *Second Report and Order*, 35 FCC Rcd at 14331, para. 108.

⁷ *Id.* at 14358, para. 180.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Wireline Competition Bureau Seeks Comment on a Report and Preliminary Cost Catalog and Replacement List to Help Providers Participate in the Supply Chain Reimbursement Program*, WC Docket No. 18-89, Public Notice, DA 21-355 (WCB Mar. 25, 2021).

¹¹ *Wireline Competition Bureau Announces Selection of the Secure and Trusted Communications Networks Reimbursement Program Fund Administrator*, WC Docket No. 18-89, Public Notice, DA 21-490 (WCB Apr. 28, 2021).

¹² *Id.*; see *Second Report and Order*, 35 FCC Rcd at 14358, para. 181 (Commission authorization for the Bureau to engage contractors to assist in the reimbursement process and the administration of the Reimbursement Program).

¹³ 47 CFR § 1.50004.

¹⁴ *Id.* § 1.50004(g).

Reimbursement Program recipients must file an initial Reimbursement Claim Request within one year after the grant of a funding allocation.¹⁵ Recipients also have one year from the first disbursement of funds to complete the permanent removal, replacement, and disposal of covered communications equipment or services.¹⁶ While there are additional filings associated with the Reimbursement Program, for example, status updates, spending reports, extension requests, and a final certification of project completion, this Public Notice focuses on the Application Request for Funding Allocation and the Reimbursement Claim Request. After reviewing the comments received in response to this Public Notice, we will release a final public notice announcing the filing requirements and the information to be reported in these filings.

Application Request for Funding Allocation. The Bureau is developing an online portal through which applicants and recipients would electronically submit all filings related to the Reimbursement Program, including the Application Request for Funding Allocation. The Bureau also proposes to utilize a version of the previously developed Reimbursement Fund Administration System (RFAS) to process requests and coordinate interactions between program participants, the Fund Administrator, and the Bureau. Attached as Appendix A are the information fields the Bureau proposes to collect from providers seeking a funding allocation from the Reimbursement Program through an Application Request for Funding Allocation.¹⁷ We seek comment on these information fields and ask whether any of this information should not be required. Are there additional information fields applicants should be required to provide?

As required by the Secure Networks Act and the Commission's rules, the Application Request for Funding Allocation requires applicants to submit an initial estimate of costs reasonably incurred for the permanent removal, replacement, and disposal of covered communications equipment or services.¹⁸ While we prefer that applicants submit estimates based on detailed engineering analysis and vendor quotes, applicants may, per the Commission's rules, rely upon the predetermined estimated costs identified in the final Catalog made available by the Bureau.¹⁹ The Bureau plans to subsequently announce the adoption of the final Catalog in a forthcoming public notice. The final Catalog will contain a list of many, but not necessarily all, of the relevant expenses.

For purposes of reviewing initial estimated costs, we propose to base our evaluation on the average between the minimum and maximum costs listed in the cost estimate range for a particular itemized expense listed in the Catalog,²⁰ rather than allowing applicants to choose any amount within the cost estimate range. We believe allowing applicants to select a cost within the range would inevitably lead to the selection of the maximum amount in the range and could result in a substantial overestimation of costs upon which allocations are based, to the detriment of the Reimbursement Program and other participants. By using the average cost estimate, we can mitigate this concern as well as reduce the administrative burden on applicants. However, if an applicant finds a Catalog cost estimate average does not fully account for its costs or a cost category is not identified in the Catalog, the applicant, in accordance with the Commission's rules, can instead provide its own individualized cost estimate.²¹ Applicants providing individualized cost estimates would be required to submit additional supporting documentation (e.g., vendor quotes) and certify the cost estimate is made in good faith, as required by the

¹⁵ *Id.* § 1.50004(g)(1).

¹⁶ *Id.* § 1.50004(h).

¹⁷ *See id.* § 1.50004(c).

¹⁸ *See* 47 U.S.C. § 1603(d)(2)(B); 47 CFR § 1.50004(c)(1)(i).

¹⁹ *See* 47 CFR § 1.50004(c)(1)(i); *Second Report and Order*, 35 FCC Rcd at 14339, para. 128.

²⁰ *See* 47 CFR § 1.50004(c)(1)(i), (iv).

²¹ *Id.*

Commission's rules.²² Our proposed approach to use the average cost estimate from the Catalog balances the Commission's goals of protecting against waste, fraud, and abuse while facilitating the production of estimates of costs reasonably incurred by applicants.²³ We seek comment on these proposals.

We further propose requiring applicants to identify in their application for each location site: (1) where covered communications equipment or services are located (e.g., address, longitude and latitude, etc.) and documentation supporting the acquisition/existence of such covered equipment or services; and (2) the itemized cost estimates, taken from the Catalog where applicable, that are associated with the removal, replacement, and disposal of covered equipment or services at each site. We also propose allowing applicants to report in their applications non-site specific cost estimates, that is, network-wide costs that apply to several site locations such as disposal costs or software upgrades. To facilitate application preparation and ease the filing burden on applicants, we will evaluate the use of batch uploads to allow applicants to provide and generate site-specific information in the application. We seek comment on these proposals.

Applicants are required to provide certifications pursuant to section 4(d)(4) of the Secure Networks Act and section 1.50004(c) of the Commission's rules, and a plan and specific timeline for the removal, replacement, and disposal of the covered communications equipment or services.²⁴ Applicants are also required by the Commission's rules to certify in good faith that: "(A) it will reasonably incur the estimated costs claimed as eligible for reimbursement; (B) it will use all money received from the Reimbursement Program only for expenses eligible for reimbursement; (C) it will comply with all policies and procedures relating to allocations, draw downs, payments, obligations, and expenditures of money from the Reimbursement Program; (D) it will maintain detailed records, including receipts, of all costs eligible for reimbursement actually incurred for a period of 10 years; and (E) it will file all required documentation for its expenses."²⁵

We propose to require applicants to obtain or utilize an FCC Registration Number (FRN) issued by the Commission Registration System (CORES) to access the online filing portal to file a Reimbursement Program application.²⁶ An FRN is an identifying number that is assigned to entities doing business with the Commission.²⁷ We also propose to require applicants to register with the System for Award Management (SAM) and provide the SAM Commercial and Government Entity (CAGE) Code in their applications.²⁸ SAM is a government-wide application that collects, validates, stores, and disseminates business information about the federal government's contracting partners in support of federal awards, grants, and electronic payment processes.²⁹ Registration in the SAM provides the Commission with an authoritative source for information necessary to provide funding to applicants and to ensure accurate reporting pursuant to the Digital Accountability and Transparency (DATA) Act.³⁰ We

²² See *id.* § 1.50004(c)(i), (v).

²³ See *Second Report and Order*, 35 FCC Rcd at 14358, para. 180.

²⁴ 47 U.S.C. § 1603(d)(2)(B), (d)(4); 47 CFR § 1.50004(a)(3), (c)(1)(iii).

²⁵ 47 CFR § 1.50004(c)(1)(v).

²⁶ Applicants can register with CORES here: <https://apps.fcc.gov/cores/userLogin.do>.

²⁷ See 47 CFR § 1.8001.

²⁸ Applicants can register with the SAM here: <https://www.sam.gov/SAM/>. SAM registration requires additional information including: Data Universal Numbering System (DUNS) number, Taxpayer Identification Number (TIN) or Employment Identification Number (EIN), and bank routing and account number for Electronic Funds Transfer (EFT). The CAGE code is a five-character identifier, which is used by entities doing business with the Federal government to provide banking and other related information.

²⁹ See SAM Non-Federal User Guide, https://sam.gov/SAM/SAM_Guide/SAM_Non_Federal_User_Guide/SAM_Non_Fed_User_Guide.html (SAM Non-Federal User Guide).

³⁰ See DATA Act, Pub. L. 113-101, 128 Stat. 1146 (2014); see 31 U.S.C. § 6101 *et seq.*

also propose to require applicants to provide in their application a Data Universal Numbering System (DUNS) number or where applicable, the DUNS+4 number, which provides banking information to assist the Commission in the electronic payment of funds to program recipients.³¹ We seek comment on these proposals.

Filing Window. Per section 1.50004(b) of the Commission’s rules, the Bureau “shall announce the opening of an initial application filing window for eligible providers seeking to participate in the Reimbursement Program.”³² The Bureau is required to “treat all eligible providers filing an application within any filing window as if their applications were simultaneously received” and “[f]unding requests submitted outside of a filing window will not be accepted.”³³ Thus, applications submitted after the filing window closes are considered untimely and will not be accepted.³⁴ Once the filing window opens, we propose to allow applicants consisting of multiple subsidiaries or affiliates to choose to file at either the holding company-level or by individual subsidiary or affiliate. While the filing window remains open, applicants will be able to initiate, save, submit, and make changes to submitted applications until the filing window closes. We seek comment on these proposals.

Reviewing Applications. Consistent with the Secure Networks Act, the Commission’s rules require the Bureau to approve or deny “applications to receive a funding allocation . . . within 90 days after the close of the applicable filing window.”³⁵ We propose that during this 90-day period, the Fund Administrator will review each application to assess whether the application is complete, the applicant is eligible for the Reimbursement Program,³⁶ and the reasonableness of the cost estimates provided by the applicant.³⁷ We propose requiring the Fund Administrator to identify potentially duplicate and otherwise erroneously filed applications and to advise the Bureau on its findings. After considering the Fund Administrator’s initial findings, we propose having the Bureau next issue a public notice announcing those applications initially found eligible and accepted for filing, and those deemed materially deficient. Initial findings that an application is eligible and accepted for filing would provide no guarantee that the applicant will ultimately be determined eligible by the Bureau or will receive a funding allocation or disbursement. Pursuant to the Commission’s rules, applicants that submitted applications initially deemed materially deficient would then have 15 days to cure their defects before their application is denied.³⁸ We propose beginning the 15-day cure period the day after the Bureau releases a public notice announcing applications as acceptable for filing.³⁹ We seek comment on these proposals.

We also propose having the Fund Administrator evaluate the gross cost estimate demand contained in all applications found acceptable for filing to assist the Bureau in determining whether estimated demand exceeds available funding. If estimated demand exceeds available funding, the Commission directed the Bureau to prioritize funding and application processing in accordance with the

³¹ SAM Non-Federal User Guide § 4.3.1.6.1 (“If your entity has more than one bank account that needs to be listed on the registration, you will need to create DUNS+4. The DUNS+4 should be created if the registered entity only has one physical location but more than one bank account. The DUNS+4 is a user generated four-digit number.”).

³² 47 CFR § 1.50004(b).

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.* § 1.50004(d); 47 U.S.C. § 1603(d)(3)(A)(i).

³⁶ *See* 47 CFR § 1.50004(a).

³⁷ *See id.* § 1.50004(d).

³⁸ *See id.* § 1.50004(d)(1).

³⁹ We propose to separately notify each applicant that their application is not considered acceptable for filing and that they have a 15-day opportunity to cure the identified deficiency (or deficiencies).

Commission's rules.⁴⁰ We anticipate that the Fund Administrator's initial application evaluation will *not* involve an in-depth review of the reported cost estimates in order to more quickly determine the gross demand figure. We comment on this approach.

Per the Commission's rules, the 90-day application review period commences after the close of the applicable filing window.⁴¹ We will also have the Fund Administrator advise the Bureau on whether, based on the number of applications filed during the filing window, to extend the 90-day deadline for granting or denying applications, and seek comment on this approach.⁴²

Funding Allocation. The Bureau proposes to periodically release public notices announcing recipients selected for funding allocations and the amount of their funding allocation. We propose treating this public notice as official Bureau approval of a Reimbursement Program application.⁴³ We also propose to notify recipients directly of their funding allocations by email. We seek comment on these proposals.

As directed by the Commission in the *Second Report and Order*, "the funding amount allocated represents the maximum amount eligible for draw down by an eligible provider unless a subsequent funding allocation is made."⁴⁴ Accordingly, once the Bureau makes a funding allocation determination, the Bureau will not adjust the funding allocation amount even if there is a change in the participant's plans or if actual costs exceed estimated costs. To the extent a participant requires additional funding in excess of its allocated amount, the participant would need to file a new application if an additional filing window is announced.

Reimbursement Claim Request. In this section, we outline our proposed approach to process recipients' requests for reimbursement. Following the approval and issuance of a funding allocation, a recipient may, as provided by the Commission's rules, file a Reimbursement Claim Request for the draw down disbursement of funds from the recipient's funding allocation.⁴⁵ Pursuant to the Commission's rules, a recipient must file an initial Reimbursement Claim Request within one year following the approval by the Bureau of a funding allocation.⁴⁶ The Bureau proposes to collect the information reflected in Appendix B from recipients filing a Reimbursement Claim Request.⁴⁷ We seek comment on the information fields included in the proposed Reimbursement Claim Request. Is this sufficient information for applicants to provide? Are there additional information fields we should include?

Pursuant to the Commission's rules, the recipient must show in the Reimbursement Claim Request "actual expenses reasonably incurred for the removal, replacement, and disposal of covered communications equipment or service."⁴⁸ Consistent with the *Second Report and Order*, we propose requiring recipients' Reimbursement Claim Requests to include supporting documentation including

⁴⁰ See 47 CFR § 1.50004(f). *But see Third Further Notice* at 6-7, paras. 20-25 (seeking comment on changes to prioritization scheme). In evaluating gross cost estimate demand versus available funding, the Fund Administrator must first account for expenses incurred by the Commission to implement and operate the Reimbursement Program which are provided for by the \$1.9 billion congressional appropriation, e.g., expenses related to the hiring of a Fund Administrator, to first determine how much funding is available for allocation.

⁴¹ 47 CFR § 1.50004(d). For applications with a material defect that are given a 15-day period to cure, the 90-day "deadline shall be extended through the end of the cure period." *Id.* § 1.50004(d)(1).

⁴² See 47 U.S.C. § 1603(d)(3)(a); 47 CFR § 1.50004(d).

⁴³ 47 CFR § 1.50004(g)(1).

⁴⁴ See *Second Report and Order*, 35 FCC Rcd at 14347, para. 152.

⁴⁵ 47 CFR § 1.50004(g).

⁴⁶ *Id.* § 1.50004(g)(1).

⁴⁷ See *id.* § 1.50004(g); Appx. B.

⁴⁸ 47 CFR § 1.50004(g).

invoices and other cost documentation to obtain reimbursement funds from their allocation.⁴⁹ We propose allowing recipients to submit multiple Reimbursement Claim Requests as they incur expenses throughout the reimbursement period.⁵⁰ The Commission directed the Bureau to “review reimbursement claims to ensure that disbursements are made only for costs reasonably incurred.”⁵¹ We propose having the Bureau, with the assistance of the Fund Administrator, review and grant or deny Reimbursement Claim Requests for actual costs reasonably incurred and seek comment on this approach.

We propose to have the online filing system carry forward the itemized initial cost estimates identified by the applicant in its Application Request for Funding Allocation, and that recipients be required to link actual costs incurred and the supporting invoice documentation to these itemized initial cost estimates. Recipients will be required to submit invoices through the online portal as attachments to a recipient’s Reimbursement Claim Request. With each invoice uploaded, we propose requiring the recipient to provide specific details related to the invoice (vendor name, date issued, description of contents, etc.) to assist reviewers in linking invoices to specific itemized cost estimates. Also, while not required at the funding allocation stage for those relying on the Catalog, we propose requiring recipients seeking disbursements to provide vendor and supplier quotes with the Reimbursement Claim Request. The Fund Administrator will review the quote and the associated invoice to evaluate the reasonableness of the reimbursement claim. We anticipate that this will ensure Reimbursement Program funding is spent as intended and avoid reimbursement for duplicative costs. We seek comment on these proposals.

Pursuant to the Commission’s rules, recipients are required to file all Reimbursement Claim Requests no later than 120 days following the expiration of the one-year removal, replacement, and disposal term.⁵² Prior to the expiration of the 120-day deadline, recipients are permitted to request and will receive an automatic 120-day extension. Further, as required by the Commission’s rules, after the expiration of the deadline, any allocated but unclaimed funds will revert automatically to the Reimbursement Program for reallocation to other participants pursuant to a future filing window.⁵³ If a petition for an extension of the removal, replacement, and disposal term is pending when the term expires, then we propose staying the automatic reversion of the unallocated funds until we act on the extension request. We seek comment on this approach.

Amendments, Modifications, and Administrative Updates. Because a provider’s circumstances and plans may change over the course of the program, we propose to allow participants to amend, modify, and/or file administrative updates.⁵⁴ We propose to subject amendment and modification requests to review by the Fund Administrator and action by the Bureau. We propose to deny, as a general matter, amendment requests to an Application Request for Funding Allocation that would result in an increase to the total cost estimate. Denying amendment requests that would increase the total cost estimate would ensure that fluctuating cost estimates during the funding allocation review process do not negatively impact our ability to assess overall demand versus available funding. We seek comment on these proposals.

⁴⁹ See *Second Report and Order*, 35 FCC Rcd at 14353, para. 165 (“Following the allocation of funds to eligible providers and after eligible providers incur actual costs, they will need to file reimbursement claims along with any required supporting invoices and other cost documentation, as directed by the Wireline Competition Bureau, to obtain reimbursement funds from their allocation.”).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² 47 CFR § 1.50004(g)(1)-(2).

⁵³ *Id.*

⁵⁴ Amendments may be filed up until action is taken by the Bureau on the underlying filing. At that point, changes to a granted filing are accomplished through the filing of a modification application.

Following the grant of an Application Request for Funding Allocation, we propose to allow recipients to submit modification filings to change itemized expenses and locations identified on their filings. While such modifications may in fact change the cost of the project, as directed by the Commission in the *Second Report and Order*, we will not alter the funding allocation issued.⁵⁵ We also propose allowing participants to file administrative updates for routine, non-material changes to filings such as changes to the applicant's contact information (e.g., address, phone number, and contact name). We propose enabling the online filing system to automatically grant administrative updates once filed. We seek comment on these proposals.

Notification of Changes in Ownership. Because the Reimbursement Program will be administered over multiple years, we propose adapting the online filing system to account for the possibility that changes in ownership due to mergers and acquisitions may change the identity of a recipient for which an allocation was issued and for which disbursement claims are needed and seek comment on this approach. We *do not* propose requiring a prior approval process for such ownership changes for purposes of the Reimbursement Program.⁵⁶ Instead, we will institute a streamlined process whereby, post-consummation, a notification would be filed by the recipient of record, that is signed by both parties to the transaction, and that includes an attachment explaining the ownership changes. The Bureau, with the assistance of the Fund Administrator, could then determine how best to reflect these changes in the filing system to avoid problems associated with determining what allocation remains unclaimed and how to handle transactions involving the acquisition of discreet network components. We seek comment on these proposals.

Public Search Portal and Confidentiality. Consistent with our rules, we will make publicly available, through an online search portal, general and summary information submitted by Reimbursement Program participants.⁵⁷ As contemplated by the *Second Report and Order*, however, we will consider presumptively confidential all detailed accounting information about the covered communications equipment or services removed, replaced, and disposed, and the replacement equipment or services purchased, rented, leased, or otherwise obtained using Reimbursement Program funds, and we plan to withhold such disaggregated information from routine public inspection.⁵⁸ We also will treat as presumptively confidential and withhold from public inspection information such as "location of the equipment and services; removal or replacement plans that include sensitive information; the specific type of equipment and service; and any other provider specific information."⁵⁹ The Commission found that "this information would likely qualify as trade secrets under the [Freedom of Information Act]."⁶⁰

We likewise propose to treat as presumptively confidential and withhold from public inspection vendor price quotes submitted with the Application Request for Funding Allocation and invoices submitted with the Reimbursement Claim Requests, including itemized information on expenses actually incurred. We also propose to treat as presumptively confidential and withhold from public inspection the specific timeline for the permanent removal, replacement, and disposal of covered communications

⁵⁵ See *Second Report and Order*, 35 FCC Rcd at 14347, para. 152.

⁵⁶ This would not eliminate or exempt parties from needing to obtain the necessary approvals otherwise required prior to consummating the transaction. See, e.g., 47 U.S.C. § 310(d) (requiring Commission approval for the assignment or transfer of a station license).

⁵⁷ As a condition of receiving funding, recipients "must provide consent to allow vendors or contractors used by the recipient in connection with the Reimbursement Program to release confidential information to the auditor, reviewer, or other representative." 47 CFR § 1.50004(o).

⁵⁸ *Second Report and Order*, 35 FCC Rcd at 14360, para. 189; see 5 U.S.C. § 552(b); 47 CFR § 0.457(d)(2).

⁵⁹ See *Second Report and Order*, 35 FCC Rcd at 14369-70, para. 214 & n.610; see 47 CFR § 1.50004(a)(3)(i)(A) (requiring applicants to certify as of the date of application submission that the provider has developed a plan for the permanent removal, replacement, and disposal of covered communications equipment or services).

⁶⁰ *Second Report and Order*, 35 FCC Rcd at 14369-70, para. 214, n.610 (citing 5 U.S.C. § 552(b)(4)).

equipment and services.⁶¹ We propose allowing filers to upload attachments to the online portal and categorize whether the attachment is confidential or public. We propose to withhold from routine public inspection, subject to the Commission's rules, attachments designated as "confidential."⁶² We seek comment on these proposals.

In addition to the approach proposed above, we seek comment on the extent to which the Bureau should treat additional information fields on the Application Request for Funding Allocation in Appendix A and the Reimbursement Claim Request in Appendix B as presumptively confidential and not subject to public disclosure. If so, we invite parties to specify which information fields should be deemed presumptively confidential and the legal basis for the presumption.

Treasury Offset. The U.S. Department of the Treasury (Treasury) has a number of collection tools, including the Treasury Offset Program (TOP), whereby it collects delinquent debts owed to federal agencies and states by individuals and entities, by offsetting those debts against federal monies owed to the debtors.⁶³ Reimbursement Program participants owing past-due debt to a federal agency or a state may have all or part of their disbursement payments offset by Treasury to satisfy such debt. Prior to referral of its debt to Treasury, an entity is notified of the debt owed, including repayment instructions.⁶⁴ If the referred debt of a Reimbursement Program participant remains outstanding at the time of a disbursement payment from the Reimbursement Program to that participant, the participant will be notified by Treasury that some or all of its payment has been offset to satisfy an outstanding federal or state debt. Program participants that owe past due federal or state debts that have been referred to Treasury are encouraged to resolve such debts prior to submitting their Application Request for Funding Allocation.⁶⁵ The Bureau lacks discretion to deviate from the requirements of the TOP.

Red Light Rule. We propose to waive the Commission's "red light" rule with respect to applications filed in the Reimbursement Program and seek comment on this approach.⁶⁶ As part of the collection and disbursement rules associated with the Debt Collection Improvement Act of 1996,⁶⁷ the Commission may withhold action on applications and requests made by any entity found to be delinquent in its debt to the Commission until full payment or resolution of such debt.⁶⁸ This is commonly referred to as the Commission's "red light" rule. Given the importance of removing communications equipment

⁶¹ See 47 CFR § 1.50004(a)(3)(i)(A) (requiring applicants to certify as of the date of application submission that the provider has developed a specific timeline for the permanent removal, replacement, and disposal of covered communications equipment or services); *id.* § 1.50005(c)(1)(iv) (requests for funding allocation must include a specific timeline for the permanent removal, replacement, and disposal of covered communications equipment and services).

⁶² See 47 CFR § 0.459 (procedures for requesting that materials or information submitted to the Commission be withheld from public inspection); *id.* § 0.457 (listing records that are not routinely available for public inspection pursuant to 5 U.S.C. § 552(b)).

⁶³ See 31 U.S.C. § 3716 *et seq.*; U.S. Department of the Treasury, Treasury Offset Program, <https://fiscal.treasury.gov/top/> (last visited Apr. 22, 2021).

⁶⁴ See 31 U.S.C. § 3716(a)(1)-(4).

⁶⁵ See U.S. Department of the Treasury, TOP Frequently Asked Questions, <https://fiscal.treasury.gov/top/faqs-for-the-public.html> (last visited Apr. 22, 2021).

⁶⁶ 47 CFR § 1.1910; *see, e.g., The Office of Managing Director and Wireline Competition Bureau Suspend the Red Light Rule for the COVID-19 Telehealth Program*, WC Docket No. 20-89, Public Notice, 35 FCC Rcd 3685 (WCB/OMD 2020) (suspending red light rule for COVID-19 Telehealth Program).

⁶⁷ Debt Collection Improvement Act of 1996, Pub. L. No. 104-134, 110 Stat. 1321, 1358 (1996); *Amendment of Parts 0 and 1 of the Commission's Rules/Implementation of the Debt Collection Improvement Act of 1996 and Adoption of Rules Governing Applications or Requests for Benefits by Delinquent Debtors*, Report and Order, 19 FCC Rcd 6540 (2004).

⁶⁸ 47 CFR § 1.1910(b)(2).

and service that poses a national security risk from our Nation's networks as soon as possible, we find extremely unusual circumstances exist to justify waiving the red light rule to allow Reimbursement Program recipients to receive funding allocations and disbursements notwithstanding an outstanding delinquency with the Commission. Any waiver would not affect the Commission's right or obligation to collect any debt owed by an applicant by any other means available to the Commission, including by referral to the Treasury for collection.

Do Not Pay. Before releasing any Reimbursement Program funds to participants, we propose having the Bureau and/or Fund Administrator, in coordination with the Commission's Office of Managing Director (OMD), conduct a thorough review of the federal Do Not Pay system database to verify an applicant's eligibility for payments and awards.⁶⁹ Pursuant to the Payment Integrity Information Act of 2019 (PIIA), the Commission is required to review applicable federal databases to determine eligibility for federal funds to prevent improper payments.⁷⁰ The Treasury's Bureau of the Fiscal Service administers the Do Not Pay system database. If an applicant is prohibited from receiving payment of federal funds pursuant to the Do Not Pay system, the Bureau and/or Fund Administrator will withhold funding allocations and disbursements from the Reimbursement Program. We propose having the Bureau and/or Fund Administrator offer the participant an opportunity to cure any Do Not Pay issues if the recipient can produce evidence that its listing in the Do Not Pay system should be removed. However, we propose requiring the participant to be responsible for working with the relevant agency to correct its information before a Reimbursement Program payment will be issued by Treasury.⁷¹

Paperwork Reduction Act. This Public Notice is separate and apart from our ongoing efforts to obtain the approval of the Office of Management and Budget (OMB) for the new information collection requirements contained in the *Second Report and Order*. That process provides the public with additional opportunities to comment on the new information collection requirements, including the collections discussed herein.⁷²

III. INSTRUCTIONS FOR FILING COMMENTS

Pursuant to sections 1.415 and 1.419 of the Commission's rules,⁷³ interested parties may file comments on or before the dates indicated on the first page of this document. Comments must reference **WC Docket No. 18-89** and must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the Commission's Electronic Comment Filing System (ECFS): www.fcc.gov/ecfs.⁷⁴
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

⁶⁹ U.S. Bureau of the Fiscal Service, *Do Not Pay*, <https://fiscal.treasury.gov/DNP/> (last visited Apr. 27, 2021).

⁷⁰ Payment Integrity Information Act (PIIA), Pub. L. No. 116-117, 134 Stat. 113 (2019); see 31 U.S.C. §§ 3301, 3351 *et seq.*

⁷¹ U.S. Bureau of the Fiscal Service, *Privacy Program*, <https://fiscal.treasury.gov/dnp/privacy-program.html#data-correction-process> (last visited Apr. 27, 2021).

⁷² See Paperwork Reduction Act of 1995, 44 U.S.C. §§3501-3520; *Media Bureau Seeks Comment on Draft TV Broadcaster Relocation Fund Reimbursement Form*, GN Docket No. 12-268, Public Notice, 29 FCC Rcd 11451 (MB 2014).

⁷³ 47 CFR §§ 1.415, 1.419.

⁷⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- U.S. Postal Service First-Class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings at its headquarters. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.⁷⁵

People with Disabilities. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), we ask that requests for accommodations be made as soon as possible in order to allow the agency to satisfy such requests whenever possible. Send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

Ex Parte Rules. The proceeding this Order initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁷⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For additional information on this matter, please email supplychain@fcc.gov.

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⁷⁵ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020).

⁷⁶ 47 CFR § 1.1200 *et seq.*

APPENDIX A

Supply Chain Reimbursement Program
Form 5640: Application Request for Funding Allocation, Section 1.50004(c)
Information Submitted Using Online Portal

Note: This is a representative description of the information to be collected via the online portal and is not intended to be a visual representation of what each applicant will see, the order in which they will see information, or the exact wording or directions used to collect the information.

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------------|---|
| 1 | Applicant's FCC Registration Number (FRN). | ID & contact information | A 10-digit number that is assigned by the Commission Registration System (CORES) to a business or individual registering with the FCC, https://apps.fcc.gov/cores/userLogin.do . This unique FRN is used to identify the registrant's business dealings with the FCC. |
| 2 | Applicant's Legal Name and "doing business" as name. | ID & contact information | This is the name of the Applicant submitting this request. This information will be auto-generated by system based on the FRN submitted. |
| 3 | Applicant's Contact Information: <ul style="list-style-type: none"> • Street Name; • City; • State; • Zip Code; • Phone #; • Email. | ID & contact information | This information on the Applicant will be auto-generated based on the FRN submitted. |
| 4 | Applicant's System Award Management (SAM) registration number (i.e., the Commercial and Government Entity (CAGE) Code). | ID & contact information | The CAGE code is a five-character identifier, which is used by entities doing business with the Federal government to provide banking and other related information. SAM is a government-wide portal that consolidates the capabilities of multiple systems and information sources used by the Federal government in conducting the acquisition and financial assistance (which includes grants and cooperative agreements) processes, https://www.sam.gov/SAM/ . |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|--------------------------|--|
| 5 | Data Universal Numbering System (DUNS) Number | ID & contact information | A Data Universal Numbering System (DUNS) Number is a unique nine-digit number assigned by Dun & Bradstreet that is used to identify organizations, https://www.dnb.com/duns-number.html . Applicant will need to provide the DUNS number associated with the SAM CAGE coder identified in response to Item 4. |
| 6 | DUNS+4 | ID & contact information | A DUNS+4 is the DUNS number plus a 4-character suffix. It is created by the SAM registrant to establish additional Electronic Funds Transfer (EFT) accounts for a given DUNS number registration. (DUNS+4 has no affiliation with Dun & Bradstreet), SAM Non-Federal User Guide, https://sam.gov/SAM/SAM_Guide/SAM_Non_Federal_User_Guide/SAM_Non_Fed_User_Guide.html . |
| 7 | Real Party in Interest's FCC Registration Number (FRN) | ID & contact information | If a party other than the Applicant is the real party in interest (e.g., a parent or other controlling entity), enter that party's 10-digit FCC Registration Number (FRN). The FRN is assigned by CORES to a business or individual registering with the FCC. This unique FRN is used to identify the registrant's business dealings with the FCC. This information helps the FCC identify the controlling party and affiliated applicants. |
| 8 | Real Party in Interest's Name | ID & contact information | If a party other than the Applicant is the real party in interest (e.g., a parent or other controlling entity), enter that party's name in this item. If there is more than one real party in interest, attach an exhibit detailing all parties in interest. The name will be auto-generated based on the FRN submitted for Real Party in Interest. |
| 9 | Contact Representative (Same As Applicant). | ID & contact information | This can be selected to auto-populate the Contact Information if the Contact is the same as the Applicant. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|--------------------------|---|
| 10 | Contact Representative (If Different than Applicant). | ID & contact information | These items identify the contact representative, if different from the Applicant. This is usually the headquarters offices of a large company, the law firm or other representative of the Applicant, or the person or company that prepared or submitted the application on behalf of the Applicant. If there is a question about the application, an FCC representative will communicate with the Applicant's contact representative. |
| 11 | Contact Representative's Address and Contact Information: <ul style="list-style-type: none"> • Street Name; • City; • State; • Zip Code; • Phone #; • Email. | ID & contact information | This information on the Applicant will be auto-generated based on the FRN submitted. |
| 12 | Please identify the primary U.S. state, District of Columbia, or U.S. territory in which network improvements will occur. | ID & contact information | This is the U.S. State, District of Columbia, or U.S. territory in which you expect a majority of your request for allocation will be utilized. This information is used to assist the FCC in reporting funding allocation information to Congress as required by applicable statutes. |

| | | | |
|-----------|---|-------------------------------------|--|
| <p>13</p> | <p>Identify the Applicant type from the following options (select up to 3): A - State Government; B - County Government; C - City or Township Government; D - Special District Government; E - Regional Organization; F - U.S. Territory or Possession; G - Independent School District; H - Public/State Controlled Institution of Higher Education; I - Indian/Native American Tribal Government (Federally - Recognized); J - Indian/Native American Tribal Government (Other than Federally-Recognized); K - Indian/Native American Tribal Designated Organization; L - Public/Indian Housing Authority; M - Nonprofit with section 501(c)(3) IRS Status (Other than an Institution of Higher Education); N - Nonprofit without section 501(c)(3) IRS Status (Other than an Institution of Higher Education); O - Private Institution of Higher Education; P – Individual; Q - For-Profit Organization (Other than Small Business); R - Small Business;</p> | <p>ID & contact information</p> | <p>This information is used to assist the FCC in reporting funding allocation information to Congress as required by applicable statutes. If Applicant selects “Other,” Applicant will be able to utilize an information field to elaborate on the Applicant’s description that was not adequately captured by the listed options.</p> |
|-----------|---|-------------------------------------|--|

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------------|--|
| | <p>S - Hispanic-serving Institution; T - Historically Black College or University (HBCU); U - Tribally Controlled College or University (TCCU); V - Alaska Native and Native Hawaiian Serving Institutions; W - Non-domestic (non-U.S.) Entity; X – Other.</p> | | |
| 14 | Is the Applicant a commercial broadband provider? | ID & contact information | Information will help the FCC identify applicant type and track and analyze funding allocations. The FCC can also use this information to assist with the prioritization of funding among different categories of applicants should funding demand exceed funding available. |
| 15 | Is the Applicant an Eligible Telecommunications Carrier (ETC)? | ID & contact information | Eligible telecommunications carriers (ETCs) as defined in 47 CFR § 54.201 receiving universal service fund support. Information will help the FCC identify applicant type and track and analyze funding allocations. |
| 16 | If Applicant is an ETC, then identify your ETC Status (ILEC/Non-ILEC). | ID & contact information | Information used to identify if the filer as an ETC. ILEC refers to the term Incumbent Local Exchange Carrier. |
| 17 | If Applicant is an ETC, please enter the Service Provider Identification Number (SPIN) (also known as a 498 ID). | ID & contact information | A Service Provider Identification Number (SPIN) (or 498 ID) is a unique nine-digit number assigned to service providers that conduct business with the Universal Service Administrative Company (USAC). A SPIN is assigned when an FCC Form 498 is filed with USAC. |
| 18 | If Applicant is an ETC, then identify the Study Area Code(s), where you are designated as an ETC. | ID & contact information | Information used to identify geographic areas where filer is designated as an ETC. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------------|---|
| 19 | Applicant's FCC Form 499 Filer ID Number (if applicable). | ID & contact information | An FCC Form 499 Filer ID Number is a 6-digit identifier assigned to telecommunications providers that report quarterly and annual revenue to the FCC. This information is used to cross-check filer information with other FCC records. |
| 20 | Is Applicant subject to the Commission's Part 32 - Uniform System of Accounts for Telecommunications Companies regulations, 47 CFR §§ 32.01 et seq.? (Yes/No) | ID & funding analysis | Question aimed at identifying Applicants that may raise duplicate recovery concerns. The Commission's Part 32 – Uniform System of Accounts for Telecommunications Companies applies to “every incumbent local exchange carrier, as defined in section 251(h) of the Communications Act, and any other carrier that the Commission designates by order. This part refers to such carriers as ‘companies’ or ‘Class B companies.’ Incumbent local exchange carriers’ successor or assign companies, as defined in section 251(h)(1)(B)(ii) of the Communications Act, that are found to be non-dominant by the Commission, will not be subject to this Uniform System of Accounts.” 47 CFR § 32.11. |
| 21 | Is the Applicant a health care provider? (Yes/No) | ID & contact information | Information will help the FCC identify applicant type and track and analyze funding allocations. |
| 22 | Is the Applicant a school? (Yes/No) | ID & contact information | Information will help the FCC identify applicant type and track and analyze funding allocations. |
| 23 | Is the Applicant a library? (Yes/No) | ID & contact information | Information will help the FCC identify applicant type and track and analyze funding allocations. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|---------------------|---|
| 24 | Is Applicant a provider of advanced communications service with 10 million or fewer customers? (Yes/No) | Program Eligibility | <p>The term “advanced communications service” means high-speed, switched, broadband telecommunications capability that enables users to originate and receive high-quality voice, data, graphics, and video telecommunications using any technology with connection speeds of at least 200 kbps in either direction.” 47 CFR § 1.50001(a). For additional information on the meaning of a provider of advanced communications please refer to the <i>Second Report and Order</i>, WC Docket No. 18-89, 35 FCC Rcd 14284, paras. 110-116 (2020). “Customers” is interpreted to include customers of the Applicant and customers of any affiliate taking advanced communications service from the provider and its affiliates as of the date the application is filed. <i>Id.</i> at paras. 114-115.</p> <p>Note: If Applicant answers “yes” and there is no record of the applicant filing the Form 477 “Local Telephone Competition and Broadband Reporting” to report broadband deployment in the most recent reporting period, then Applicant will need to provide additional information supporting attestation.</p> |
| 25 | Is Applicant a provider of advanced communications service with 2 million or fewer customers? (Yes/No) | Program Eligibility | <p>Information will assist the FCC in determining whether applicant is eligible for prioritization in funding per statutory scheme. “Customers” includes customers of the Applicant and customers of any affiliate taking advanced communications service from the provider and its affiliates as of the date the application is filed. <i>Second Report and Order</i>, WC Docket No. 18-89, 35 FCC Rcd 14284, paras. 114-115.</p> |
| 26 | Have you previously purchased, leased or otherwise obtained communications equipment or services that is included on the Covered List developed per 47 CFR § 1.50002 and is eligible for reimbursement support? (Yes/No) | Program Eligibility | <p>Information needed to determine whether applicant is eligible to participate in the Reimbursement Program. By statute, program is limited to the permanent removal, replacement, and disposal of certain communications equipment or service deemed “covered” and that was obtained by the eligible provider of advanced communications service by a certain date.</p> |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|---------------------|--|
| 27 | Location ID | Allocation Analysis | A number auto-generated by system, starting with 00001, that uniquely identifies the location that is subject to the removal, replacement, and disposal of covered communications equipment and service. |
| 28 | Location Name | Allocation Analysis | Name commonly used by Applicant to refer to site location. |
| 29 | Latitude of Location | Allocation Analysis | Latitude of the location to which service the provider has made service available. |
| 30 | Longitude of Location | Allocation Analysis | Longitude of the location to which service the provider has made service available. |
| 31 | Location Address – Number & Street | Allocation Analysis | Number and street address of the location. |
| 32 | Location Address-City | Allocation Analysis | City associated with the street address of the location. |
| 33 | Location Address-State | Allocation Analysis | 2 letter postal abbreviation of the state associated with the street address of the location. |
| 34 | Location Address-Zip Code | Allocation Analysis | 5-digit ZIP code associated with the street address of the location. |
| 35 | Location Address-No Postal Address Available | Allocation Analysis | In those cases where postal address is not available, alternate address information. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|---------------------|--|
| 36 | What type of site location among the options: cell site, mobile switching center, central office, network operations center, headquarters, or other? (If "other," briefly describe in an information field). | Allocation Analysis | Information assists in identifying the type of site location to help the FCC determine the type of costs most likely incurred at the location for the removal, replacement, and disposal of equipment and services on the Covered List. |
| 37 | For each cost estimate, identify if the cost is associated with a single site, multiple sites, customer premise equipment (CPE) locations, or across all sites (select one). | Allocation Analysis | Reimbursement Program is designed to provide eligible applicants with support available for draw down based on cost estimates for the removal, replacement, and disposal of covered communications equipment or service. This information will assist with the FCC's cost estimate assessment and award of a funding allocation. Applicant will need to provide detailed information by site Location ID on (1) the covered equipment or services being replaced, removed, and disposed; (2) the replacement equipment and services; and (3) costs related to the overall removal, replacement, and disposal process. |
| 38 | Identify the Location ID (Item 27) associated with the cost estimate. | Allocation Analysis | This information will help the FCC link up cost estimates to the location that is subject to the removal, replacement, and disposal of covered communications equipment and service. |
| 39 | For each cost estimate, indicate whether cost is related to the following categories: Access layer, Distribution layer, Core layer, Software, and/or Services (select all that apply). | Allocation Analysis | This information will assist with the FCC's cost estimate assessment and award of a funding allocation. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|---------------------|---|
| 40 | Indicate whether cost estimate associated with the removal, replacement, and disposal of covered communications equipment and service based on Catalog of Eligible Expenses and Estimated Costs (Catalog) for pre-determined cost estimate (Yes/No). | Allocation Analysis | Applicants can reference the Catalog of Eligible Expenses and Estimated Costs (Catalog) prepared by the Wireline Competition Bureau for pre-determined average cost estimates for typically anticipated categories of costs associated with the removal, replacement, and disposal of covered communications equipment and service. Applicants that submit their own cost estimates must submit supporting documentation and certify that the estimate is made in good faith. |
| 41 | If cost estimate is based on Catalog, identify cost by selecting the Catalog cost estimate for the communications equipment or service. | Allocation Analysis | This will auto-populate with the average cost of the item selected in the Catalog. |
| 42 | For individualized cost estimates not based on Catalog, provide a cost estimate reasonably incurred for the permanent removal, replacement, and disposal of covered communications equipment or service. | Allocation Analysis | If an applicant finds a Catalog cost estimate average does not fully account for its costs or a cost category is not identified in the Catalog, the applicant can instead provide its own individualized cost estimate. Applicants providing individualized cost estimates must submit additional supporting documentation (e.g., quotes issued by vendor). |
| 43 | If individualized cost estimate exceeds Catalog estimate, provide additional cost justification. | Allocation Analysis | Applicants providing individualized cost estimates must submit additional supporting documentation (e.g., quotes issued by vendor). |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|---------------------|---|
| 44 | <p>Are you removing, replacing, and disposing of covered communications equipment or service, through the establishment of a new or different existing site location? (Yes/No).</p> | Allocation Analysis | <p>It is possible that providers may need to build new site locations to replace an existing site location or may consolidate operations at another existing site location. Accordingly, this information is needed to account for this contingency while also helping the FCC to ensure that the cost is reasonably necessary for the removal, replacement, and disposal of covered communications equipment or service.</p> <p>With each uniquely identified site location by Applicant, there will be a check box to indicate whether the removal, replacement, and disposal will require the establishment of a new site location or the migration of operations to another existing site location.</p> <p>If a new (not previously identified in application) site location, Applicant will be required to provide additional information about the new site location (latitude/longitude, address, etc.).</p> <p>If an existing (previously identified in application) site location, then Applicant will identify the location using the previously designated unique Location ID.</p> |
| 45 | <p>For Covered Equipment or Service that is being removed, replaced, or disposed identify:</p> <ul style="list-style-type: none"> • Location ID; • Make; • Model; • Type; • Description of Equipment/Service Capabilities; • Number of units at site; • Date obtained; • Whether Equipment/Service is functional. | Allocation Analysis | <p>Provide make, model, description of equipment type, description of equipment capabilities, location ID of existing equipment, number of units of existing equipment at site, and whether equipment is functional. This information will help the FCC link cost estimates to the location that is subject to the removal, replacement, and disposal of covered communications equipment and service. Applicant will need to provide supporting documentation demonstrating acquisition and/or possession of covered equipment, e.g., pictures of equipment at site, purchase orders, etc. (see Item 47)</p> |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|---------------------|---|
| 46 | For Replacement Equipment, identify: <ul style="list-style-type: none"> • Location ID; • Make; • Model; • Type; • Description of Equipment/Service Capabilities; • Number of units at site. | Allocation Analysis | Provide make, model, description of equipment type, description of equipment capabilities, location ID of new equipment replacing existing equipment, number of units of new equipment at site. This information will help the FCC link cost estimates to the location that is subject to the removal, replacement, and disposal of covered communications equipment and service. |
| 47 | Supporting Documentation. | Allocation Analysis | Provide supporting documentation of Covered Equipment that is being replaced such as photo of the equipment or a purchase order. |
| 48 | Provide a specific timeline for the permanent removal, replacement, and disposal of the covered communications equipment or service. | Allocation Analysis | Timeline required by statute. Applicant will need to upload timeline detailing all relevant steps in the removal, replacement, and disposal process. Applicant will separately complete field in system identifying anticipated completion date for completing the process. Applicants will be able to submit confidential and public/redacted versions of their timeline. |
| 49 | Provide description of Applicant's plan for the permanent removal, replacement and disposal of covered communications equipment or service. | Allocation Analysis | Applicant will need to upload attachment describing all relevant steps in its plan for the permanent removal, replacement, and disposal of covered communications equipment and service. Applicants will be able to submit confidential and public/redacted versions of their plan. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|---------------------|--|
| 50 | Does the proposed replacement of covered equipment and service involve reasonable costs incurred for the replacement of older mobile wireless networks with fourth generation LTE equipment or services that are 5G ready? (Yes/No) | Allocation Analysis | Applicant will need to provide a description of the services and equipment if "Yes." |
| 51 | Does the proposed replacement of covered equipment and services involve Open RAN (O-RAN) or virtualized network solutions? (Yes/No) | Allocation Analysis | Applicant will need to provide a description of the services and equipment if "Yes." |
| 52 | Is the equipment or service replacing the covered equipment compatible with or does it include standardized open and interoperable interfaces in the Radio Access Network or Core Network? (Yes/No) | Allocation Analysis | Information collected to help analyze technology trends. |
| 53 | If the answer to Item 52 is "Yes," is this equipment or service compliant with O-RAN Alliance standards? (Yes/No) | Allocation Analysis | Information collected to help analyze technology trends. |
| 54 | If the answer to Item 52 is "No," can it be upgraded to be O-RAN Alliance standards, and is there a commitment to do so? (Yes/No) | Allocation Analysis | Information collected to help analyze technology trends. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|---------------------|--|
| 55 | Do you expect major service disruptions to subscribers in the process of removing and replacing covered equipment and services? (Yes/No) | Allocation Analysis | Applicant will need to provide a description of the services and equipment if "Yes." |
| 56 | Applicant must certify in (via electronic signature of authorized representative) the following that as of the date of submission of this application following that Applicant has developed a specific plan and timeline for the permanent removal, replacement, and disposal of covered communications equipment or service. | Program Compliance | Certifications required by statute. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|---------------------------|--|
| 57 | <p>Applicant must certify in (via electronic signature of authorized representative) the following that beginning on the date of the approval of the application, the Applicant: (1) will not purchase, rent, lease or otherwise obtain covered communications equipment or service, using reimbursement funds (including funds derived from private sources) and (2) in developing risk management practices, will consult and consider the standards, guidelines, and best practices set forth in the cybersecurity framework developed by the National Institute of Standards and Technology.</p> | <p>Program Compliance</p> | <p>Certifications required by statute.</p> |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------|--|
| 58 | Applicant must certify in good faith (via electronic signature of authorized representative) the following: (1) Applicant will reasonably incur the estimated costs claimed as eligible for reimbursement; (2) Applicant will use all money received from the Reimbursement Program only for expenses eligible for reimbursement; (3) Applicant will comply with all policies and procedures relating to allocations, draw downs, payments, obligations, and expenditures of money from the Reimbursement Program; (4) Applicant will maintain detailed records, including receipts, of all costs eligible for reimbursement actually incurred for a period of 10 years; and (5) Applicant will file all required documentation for its expenses. | Program Compliance | Certifications necessary to protect Reimbursement Program against waste, fraud, and abuse. |
| 59 | Applicant certifies that all information provided in this filing is true and correct to the best of Applicant's knowledge. | Program Compliance | Certification necessary to ensure accuracy of information provided. |
| 60 | Certifying Official Name | Program Compliance | Name of certifying official. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|--------------------|-----------------------------------|----------------------|---|
| 61 | Certifying Official Title | Program Compliance | Job title of certifying official. |
| 62 | Certifying Official Phone Number | Program Compliance | Phone number of the certifying official. |
| 63 | Certifying Official Email Address | Program Compliance | Email address of the certifying official. |
| 64 | Date Signed | Program Compliance | The date on which the filing is certified will be auto-generated. |

APPENDIX B

Supply Chain Reimbursement Program
Form 5640: Reimbursement Claim Request, Section 1.50004(g)
Information Submitted Using Online Portal

Note: This is a representative description of the information to be collected via the online portal and is not intended to be a visual representation of what each applicant will see, the order in which they will see information, or the exact wording or directions used to collect the information.

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------------|---|
| 1 | Applicant's FCC Registration Number (FRN) | ID & contact information | An FRN is a 10-digit number that is assigned by the Commission Registration System (CORES) to a business or individual registering with the FCC. This unique FRN is used to identify the registrant's business dealings with the FCC. This information will be auto-generated from the information provided in the Application Request for Funding Allocation. |
| 2 | Applicant's Legal Name and "doing business" as name. | ID & contact information | This is the name of the Applicant submitting this request. This information will be auto-generated from the information provided in the Application Request for Funding Allocation. |
| 3 | Applicant's Address and Contact Information: <ul style="list-style-type: none"> • Street Name; • City; • State; • Zip Code; • Phone #; • Email. | ID & contact information | This information will be auto-generated from the information provided in the Application Request for Funding Allocation. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------------|--|
| 4 | Contact Representative's Address and Contact Information: <ul style="list-style-type: none"> • Street Name; • City; • State; • Zip Code; • Phone #; • Email. | ID & contact information | <p>These items identify the contact representative, if different from the Applicant. This is usually the headquarters offices of a large company, the law firm or other representative of the Applicant, or the person or company that prepared or submitted the application on behalf of the Applicant. If there is a question about the application, an FCC representative will communicate with the Applicant's contact representative.</p> <p>This information will be auto-generated from the information provided in the Application Request for Funding Allocation but filer will have the opportunity to change information to designate a different contact for the filing.</p> |
| 5 | For each invoice submitted for reimbursement, provide the following information: <ul style="list-style-type: none"> • Description of invoice to be reimbursed • Vendor Name; • Vendor Employer Identification Number (EIN) or Tax Identification Number (TIN); • Invoice Number; • Invoice date. | Program Compliance | The applicant must answer these questions for each invoice that is seeking reimbursement on the same reimbursement request. Information will help the FCC evaluate accuracy and reasonableness of reimbursement request. |
| 6 | Does the invoice contain non-reimbursable costs? (Yes/No) | Program Compliance | The applicant must answer these questions for each invoice that is seeking reimbursement on the same reimbursement request. Information will help the FCC evaluate accuracy and reasonableness of reimbursement request. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|--------------------|--|
| 7 | Provide supporting documentation demonstrating cost actually incurred for which you are seeking reimbursement. | Program Compliance | Information will help FCC evaluate accuracy and reasonableness of reimbursement request. If invoice relates to quote issued by vendor that has not been previously submitted and reviewed by Fund Administrator, then filer will need to attach copy of associated quote from vendor. |
| 8 | Reimbursement Request Amount. | Program Compliance | Recipients must show actual expenses on invoice reasonably incurred for the removal, replacement, and disposal of covered communications equipment or service. Information will help FCC evaluate accuracy and reasonableness of reimbursement request. |
| 9 | Description of Equipment or Services for which Participant Requesting Reimbursement. | Program Compliance | Information will help FCC evaluate accuracy and reasonableness of reimbursement request. |
| 10 | Identify whether the invoice contains ineligible costs for upgraded equipment. | Program Compliance | Information will help FCC evaluate accuracy and reasonableness of reimbursement request. |
| 11 | Identify whether the cost is associated with a single site, multiple sites, or across all sites. | Program Compliance | Information will help FCC evaluate accuracy and reasonableness of reimbursement request. |
| 12 | Identify locations associated with cost. | Program Compliance | Information will help FCC track where money is spent and help to evaluate money spent by location. For single or multiple sites, filer will need to identify sites by Location ID, i.e., site(s) previously identified by filer in system through Application Request for Funding Allocation or subsequently filed Modification application. |
| 13 | Identify percentage of cost allocated to location. | Program Compliance | Information required if multiple sites identified and will help FCC evaluate accuracy and reasonableness of reimbursement request and track funding disbursements. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|--|--------------------|---|
| 14 | Identify Cost Estimate to which this cost is related. | Program Compliance | Information will help FCC evaluate accuracy and reasonableness of the reimbursement request. Filer will need to select a Cost Estimate as previously identified by filer in an earlier filed Application Request for Funding Allocation or subsequently filed Modification application. |
| 15 | If cost incurred for which reimbursement sought (combined with other expenses incurred) significantly exceeds original cost estimate, provide explanation explaining reason for deviation. | Program Compliance | Information will help FCC evaluate accuracy of cost estimates for future cost estimation. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|-------------|---|--------------------|--|
| 16 | Applicant must certify in good faith (via electronic signature of authorized representative) the following: (1) Applicant will reasonably incur the estimated costs claimed as eligible for reimbursement; (2) Applicant will use all money received from the Reimbursement Program only for expenses eligible for reimbursement; (3) Applicant will comply with all policies and procedures relating to allocations, draw downs, payments, obligations, and expenditures of money from the Reimbursement Program; (4) Applicant will maintain detailed records, including receipts, of all costs eligible for reimbursement actually incurred for a period of 10 years; and (5) Applicant will file all required documentation for its expenses. | Program Compliance | Certifications necessary to protect Reimbursement Program against waste, fraud, and abuse. |
| 17 | Applicant certifies that all information provided in this filing is true and correct to the best of Applicant's knowledge. | Program Compliance | Certification necessary to ensure accuracy of information provided. |
| 18 | Certifying Official Name | Program Compliance | Name of certifying official. |

| Item Number | Field(s) Description | Category Type | Purpose/Instructions |
|--------------------|-----------------------------------|----------------------|---|
| 19 | Certifying Official Title | Program Compliance | Job title of certifying official. |
| 20 | Certifying Official Phone Number | Program Compliance | Phone number of the certifying official. |
| 21 | Certifying Official Email Address | Program Compliance | Email address of the certifying official. |
| 22 | Date Signed | Program Compliance | The date on which the filing is certified will be auto-generated. |