

November 10, 2010

FCC Announces Application Deadline for Wireless Pilot Program

On November 8, 2010, the Commission announced that all applications for the E-Rate Deployed Ubiquitously (“EDU”) program must be submitted on or before December 17, 2010. The EDU program, announced in the Commission’s Sixth Report and Order, is a pilot program intended “to investigate the merits and challenges of wireless off-premises connectivity services for mobile learning devices, and to help the Commission determine whether and how those services should ultimately be eligible for E-rate support.” The Commission authorized \$10 million to fund the pilot program in 2011. This money will be used to fund a small number of off-premise wireless connectivity projects that have already been planned or are currently active. Support under the EDU 2011 pilot program will be provided only for connectivity services, and not for devices.

The application process for EDU has two steps. First, applicants submit information about their programs, as outlined in the Sixth Report and Order, electronically or by mail. To be eligible, applicants must have implemented or be in the process of implementing a program to provide off-premise connectivity to students or library patrons through the use of portable wireless devices. All applications submitted as part of the EDU2011 pilot program must refer to WC Docket No. 10-222. A complete list of requirements for EDU applications can be found in the Sixth Report and Order, paragraph 48, available on the FCC’s website at http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db1108/FCC-10-175A1.pdf.

After submitting their EDU pilot program applications, applicants must apply for E-Rate funding for their programs. Because most applicants will already be under contract to receive connectivity for their programs, the Commission has waived the competitive bidding requirements for the pilot program. The Wireline Competition Bureau (Bureau) will select the successful applications for the program and will subsequently notify applicants and USAC. After the one-year trial period, participants must submit (1) a report to the Bureau with a detailed description of any data collected as a result of the program and (2) a narrative describing lessons learned from the program.

If you have any questions, please contact [Mark Palchick](#), [Sarah Miller](#), or one of our other Womble Carlyle [Telecommunications](#) professionals.

Womble Carlyle client alerts are intended to provide general information about significant legal developments and should not be construed as legal advice regarding any specific facts and circumstances, nor should they be construed as advertisements for legal services.

IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this communication (or in any attachment).