

December 7, 2010

## FCC Seeks Comment on Petition to Clarify Requirements of New E-Rate Forms

The Commission has requested comments on a petition for clarification regarding New FCC Forms 470 and 471 (the “revised Forms”). Funds for Learning, a company that advises applicants and service providers with regard to E-Rate requirements, has requested clarification regarding the definition of the word “consultant” as it is used in the revised Forms. The revised Forms require applicants to identify the consultants that assisted with their applications. Currently, the term is defined as “any non-employee of the entity applying for funding that assists in filling out the application materials for a fee.” A “non-employee” is any person employed by the entity on a contract or short-term basis who does not receive a W-2 application from the entity. Funds for Learning asked the Commission to clarify whether “consultant” status was to be determined by compensation, frequency of assistance and/or amount of time spent giving advice during a phase of the application. Funds for Learning also urged the Commission to make information disclosed on the Forms regarding consultant involvement confidential. Comments in this proceeding are due by December 23, 2010, with reply comments due January 7, 2011. All pleadings should reference CC Docket No. 02-6.

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

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