ACP Wind Down

1.12.24

Amy Huffman, Policy Director
digitalinclusion.org | @netinclusion

CC BY-NC-SA 4.0
Attribution-NonCommercial-ShareAlike 4.0 International
Today’s Agenda

1. ACP State of Play
2. The FCC’s ACP Wind-Down Report & Order
3. Discussion
ACP Extension Act

- Appropriates $7B to extend ACP
- **Draft Bill Language**
- House Version: **H.R.6929**
  - Sponsors: Reps. Yvette D. Clarke (D-NY-09), Brian Fitzpatrick (R-PA-01), Michael Lawler (R-NY-17), Marcus Molinaro (R-NY-19) and Anthony D'Esposito (R-NY-4).
- Senate Version: **S.3565**
  - Sponsors: Sens. Peter Welch (D-VT), J.D. Vance (R-OH), Jacky Rosen (D-NV), Kevin Cramer (R-ND)
What You Can Do

Advocacy

● Reach out to your member(s) of Congress:
  ○ Ask to co-sponsor bill
  ○ Ask to Support the bill/ACP in general
● Highlight the bill on social media
● Share the bill/info w/ your networks
● Continue collecting & sharing stories of why ACP matters (share w/ us & your community)
Advocacy Resources

- Press Release
- Social Media Toolkit
- Final Endorsement List
- What They Are Saying (aka Supportive Statements)
- ACLU’s Contact Congress Letter
- NDIA’s Advocacy Page
ACP Wind-Down Order
Key Takeaways

What do I need to know?

- The last fully funded month of the program is projected to be April 2024
- The last day to enroll in the program will be February 7, 2024
- ACP Outreach Grantees will cease enrollment activities on that date
- The last fully funded month will be announced in late February, which will trigger further provider notifications to ACP households
What will we discuss today?

- Enrollment freeze
- Notifications from the FCC, USAC, and providers
- Opt-in requirements to roll over service
- ACP Outreach Grantees
- High-Cost Area Benefit
Enrollment Freeze

The last day to enroll will be February 7, 2024 at 11:59pm EST

- Enrollment in the ACP program will freeze on February 8, 2024
FCC Notifications

- 60 days prior to the end of the last fully funded month, FCC will announce the last fully funded month of ACP
  - Example: Current forecast of last fully funded month is April 2024. If this estimate holds, we would expect an FCC announcement on March 1, 2024
Provider Notifications

- Providers required to notify customers 3 times in writing
  - **Notice #1**: January 25, 2024 (2 weeks from order publication date)
  - **Notice #2**: Fifteen days after FCC announces last fully funded month of ACP (~est mid-March)
  - **Notice #3**: Issued during the customer’s last bill or last billing cycle with ACP benefit
Provider Notifications Cont.

Required Information

- **Notification #1**: Possibility of ACP’s end and potential impact on their bill
- **Notifications #2 and #3**:
  - ACP is ending and date of last bill ACP will be applied
  - Bill amount without ACP discount OR statement that customer will be subjected to undiscounted rates per terms conditions
  - Ability to change their service and/or to opt out of continuing their service at the end of the ACP
Provider Notifications Cont.

Optional Information

- Provider’s low-cost or low-income plans
- Phone number and/or website link to this information
Provider Notifications Cont.

**Method of Communication**

- In writing and accessible to persons with disabilities
- No other specific wording or format
- Consistent with user preferences (e.g., email, text, paper mail)
- Providers are also encouraged to run awareness campaigns about the end of the program
FCC and USAC Communications

- Update all websites (FCC/USAC/GetInternet.gov) and communication materials to raise awareness of ACP wind down
- USAC will directly notify ACP Households multiple times
Opt-In Requirements

Providers do need an additional opt-in to continue service if:

- The consumer had **not** already been an active customer prior to applying the ACP benefit to their plan
- The consumer is **not** paying any amount for their internet service (i.e., the ACP discount fully covers their bill)
Opt-in Requirements

Providers do not need additional opt-in to continue service if:

1. Household acknowledgment of review of disclosures when they enrolled in EBB or ACP

AND
Opt-in Requirements

Providers do not need additional opt-in to continue service if:

2. Demonstrated willingness and ability to pay by:
   a. Have informed their provider, either orally or in writing, that the provider may continue providing broadband service after end of ACP, or
   b. The consumer had already been an active customer prior to applying the ACP benefit to their plan, or
   c. The consumer currently pays a fee for their ACP-supported broadband service (i.e., the ACP discount does not fully cover their bill)
ACP Outreach Grantees

What We Know

● Grantees will cease grant-funded enrollment activities when FCC freezes enrollment on Feb 7, 2024
● FCC will issue additional communication and instruction on winding down grant-funded activities to grantees
Implications

Federal Programs

- High-Cost Area Benefit offer is shut down
  *Possible reevaluation pending further funding.*
- BEAD-funded networks will be impacted
- Capital Project Funded networks will be impacted
- DEA plans will be impacted
February 7: Final Day for ACP Enrollment
Late February: Announcement of last fully funded month
April 1: All provider claims from before freeze due
January 25: Deadline for first provider notice
February 8: FCC Freezes ACP Enrollment
March: Second provider notice deadline
April: Anticipated final month of full ACP benefit
May: Possible partial ACP benefit available