



USAC

FCC Releases Limited Waiver of ACP Non-Usage Rules for Small Broadband Service Providers

June 28, 2022

On June 14, the Federal Communications Commission (FCC) [released a waiver](#) to give small broadband service providers that serve Tribal ACP customers additional time (until September 15, 2022) to implement the necessary changes to track subscriber usage on a rolling thirty-day basis. For purposes of this waiver, small broadband provider means a broadband provider with 100,000 or fewer broadband connections. The limited duration waiver extends to these small broadband providers' Tribal and non-Tribal subscribers.

This limited waiver grants an extension for the covered small broadband service providers until September 15, 2022 to track subscriber usage for ACP subscribers who receive a fully covered service plan (including ACP/Lifeline subscribers who receive both benefits on the same service).

If small broadband providers would like to leverage this waiver, they must notify USAC by July 14, 2022. The provider will need to send an email to ACProgram@usac.org outlining their intent to use the waiver. Service providers should use the subject line "ACP Non-Usage Rule – Request to Use Waiver" in the email, and must include the relevant company name(s) and Service Provider Identification Number(s) (SPINs).

The FCC also retroactively waived the Lifeline requirement back to January 1, 2022 to track usage on a rolling thirty-day basis, if small broadband service providers provide both ACP and Lifeline service on a fully covered service plan. **The retroactive waiver of the Lifeline rule does NOT apply to service providers who, prior to the launch of the ACP, offered free-to-the-end-user-service (or a fully covered service plan) through Lifeline.** These providers should already have systems in place to comply with the Lifeline non-usage rules.

If a covered small service provider intends to rely on this waiver they must:

- Only claim support for their ACP subscribers (including ACP/Lifeline subscribers) receiving a fully covered service plan who have used their service during a given service month (which corresponds to calendar month)
- Send 15-day cure notices within one business day of the snapshot date to their ACP subscribers who receive free-to-the-end-user-service and did not use their ACP service during the service month covered by the snapshot
- De-enroll subscribers who fail to timely cure their non-usage

For ACP-only subscribers, small service providers should begin tracking usage on a rolling thirty-day basis starting on September 15, 2022. For ACP/Lifeline subscribers who receive both the ACP and Lifeline benefit on the same free-to-the-end-user service, the same rolling 30-day period must be used to track usage for that service for both programs.

Need Help? Contact Us!

For questions about the Affordable Connectivity Program, service providers can visit [USAC.org](https://www.usac.org) and consumers should visit [AffordableConnectivity.gov](https://www.AffordableConnectivity.gov). For general program support, service providers should email ACProgram@usac.org and consumers should email ACPSupport@usac.org. Both providers and consumers may also call ACP Support Center at (877) 384-2575 for assistance.

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