



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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TTY: 1-888-835-5322

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STREAMLINED RESOLUTION OF REQUESTS RELATED TO ACTIONS BY THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY

CC Docket No. 02-6
CC Docket No. 96-45
WC Docket No. 06-122

Pursuant to our procedure for resolving requests for review, requests for waiver, and petitions for reconsideration of decisions related to actions taken by the Universal Service Administrative Company (USAC) that are consistent with precedent (collectively, Requests), the Wireline Competition Bureau (Bureau) grants, dismisses, or denies the following Requests.¹ The deadline for filing petitions for reconsideration or applications for review concerning the disposition of any of these Requests is 30 days from release of this Public Notice.²

Schools and Libraries (E-rate)

CC Docket No. 02-6
CC Docket No. 96-45

Dismiss on Reconsideration³

Jupiter Christian School, MO, Application No. 1024261, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 28, 2016)

Kirkwood R7 School District, MO, Application No. 966657, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 28, 2016)

¹ See *Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45 and 02-6, WC Docket Nos. 02-60, 06-122, 08-71, 10-90, 11-42, and 14-58, Public Notice, 29 FCC Rcd 11094 (WCB 2014). Section 54.719(b) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC, after first seeking review at USAC, may seek review from the Commission. Section 54.719(c) of the Commission's rules provides that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. 47 CFR §§ 54.719(b)-(c). In this Public Notice, we have reclassified as Requests for Waiver those appeals seeking review of a USAC decision but, in reality, need a waiver of the Commission's rules for relief.

² See 47 CFR §§ 1.106(f), 1.115(d); see also 47 CFR § 1.4(b)(2) (setting forth the method for computing the amount of time within which persons or entities must act in response to deadlines established by the Commission).

³ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Allan Shivers Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 10356, 10357, para. 2 (WCB 2014) (dismissing petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding).

Our Lady of Mount Carmel – St. Benedicta School, MO, Application No. 1041008, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 28, 2016)

Archdiocese of Chicago (Frassati Catholic Academy, Queen of Peace High School, St. Edward School, St. Mary of the Woods School, St. Viator School, Trinity High School), IL, Application Nos. 1007117, 1007351, 1007390, 1017669, 1019318, 1020617, 1021469, Petition for Reconsideration, CC Docket Nos. 02-6 and 96-45 (filed July 28, 2015)

Granted⁴

*Compliance with State and Local Procurement Laws*⁵

Biblioteca Pública Aguas Buenas, PR, Application No. 743039, Request for Waiver and/or Review, CC Docket No. 02-6 (filed Feb. 19, 2014)

Biblioteca Pública Aguas Buenas, PR, Application No. 743213, Request for Waiver and/or Review, CC Docket No. 02-6 (filed Feb. 19, 2014)

*Eligible Telecommunications Providers*⁶

Geneva School District 304, IL, Application No. 884822, Request for Review, CC Docket No. 02-6 (filed May 15, 2014)

⁴ We remand these applications to USAC and direct USAC to complete its review of the applications, and issue a funding commitment or a denial based on a complete review and analysis, no later than 90 calendar days from the release date of this Public Notice. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications. We also waive sections 54.507(d) and 54.514(a) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. See 47 CFR § 54.507(d) (requiring non-recurring services to be implemented by September 30 following the close of the funding year); 47 CFR § 54.514(a) (codifying the invoice filing deadline).

⁵ See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Coahoma County School District*, CC Docket No. 02-6, Order, 26 FCC Rcd 11201, 11204-05, para 7 (WCB 2011) (granting appeal when the applicant did not violate the state or local procurement law that formed the basis of USAC's commitment adjustment). Here, the applicant could not have violated the state procurement law that formed the basis of USAC's commitment adjustment because that law did not apply to this procurement. P.R. LAWS ANN. tit. 21, § 4501 (2009) requires publication in a newspaper for purchases of \$100,000 or more for "materials, equipment, food, medicine, and other supplies of a like or similar nature." In these funding requests, the applicant sought E-rate support for telecommunications, Internet access, and basic maintenance of internal connections, none of which could qualify as "materials, equipment, food, medicine, and other supplies."

⁶ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Alpine Union School District, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 5796, 5797, para. 2 (WCB 2011) (finding that five carriers were eligible telecommunications providers even if they had not properly filed all of their required forms).

*Granting Additional Time to Respond to USAC's Request for Information*⁷

Virtual Educational Resources Network (Academia Regional Adventista del Este), PR, Application No. 1049757, Request for Review, CC Docket No. 02-6 (filed Apr. 22, 2016)

*Late-Filed FCC Form 471 Due to Actions Beyond Applicant's Control*⁸

Biblioteca Municipal Rebekah Colberg, PR, Application No. 994028, Request for Waiver, CC Docket No. 02-6 (filed May 5, 2014)

*Ministerial and/or Clerical Errors – FCC Form 471*⁹

Calloway County School District, KY, Application No. 1043883, Request for Waiver, CC Docket No. 02-6 (filed Mar. 28, 2016)

Greater Clarks Hill Regional Library System, GA, Application No. 1046697, Request for Waiver, CC Docket No. 02-6 (filed Mar. 3, 2016)¹⁰

Selah School District, WA, Application No. 1025067, Request for Waiver, CC Docket No. 02-6 (filed Mar. 29, 2016)

Uno Charter School Network, IL, Application No. 1034900, Request for Waiver, CC Docket No. 02-6 (filed Apr. 26, 2016)

⁷ See, e.g., *Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6035, 6036-37, paras. 4-5 (2007) (granting appeals where applicants demonstrate they submitted information within the USAC-specified time frame).

⁸ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Abbotsford School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 15299, 15300, para. 2 (WCB 2012) (granting waiver where the applicant filed within a reasonable period after the close of the filing window despite delays beyond its control).

⁹ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17319, 17319-20, para. 2 & nn.5, 11, 12 & 20 (WCB 2010) (permitting applicants to correct errors copying from referenced contract, mathematical errors, mischaracterization of a monthly charge as an annual charge, and designation of the wrong category of service on their FCC Form 471) (*Ann Arbor Public Schools Order*); *Requests for Review of Decisions of the Universal Service Administrator by Archer Public Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15518, 15520, para. 6 & n.19 (WCB 2008) (permitting correction where applicant interchanged the amounts of different items).

¹⁰ Consistent with precedent, we also find good cause exists to waive section 54.720(a) of the Commission's rules, which requires that petitioners file their appeals within 60 days of an adverse USAC decision. See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Assabet Valley Regional Vocational District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 1924, 1924, para. 1 & n.4 (WCB 2012) (waiving the filing deadline for petitioner that filed its appeal within a reasonable period of time after actual notice of a clerical error).

*Ministerial and/or Clerical Errors – Other FCC Forms*¹¹

Nettleton School District, MS, Application No. 991492, Request for Waiver, CC Docket No. 02-6 (filed Jan. 21, 2016)

*Service Category*¹²

Lincoln County School District, WV, Application No. 809485, Request for Review and/or Waiver, CC Docket No. 02-6 (filed May 9, 2012)

Partial Grant

*Eligible Services*¹³

Asbury Park School District, NJ, Application No. 461127, Request for Review, CC Docket No. 02-6 (filed Jan. 4, 2006)

Denied

*Invoice Deadline Extension Requests*¹⁴

Alma d'Arte Charter High School, NM, Application No. 748881, Request for Waiver, CC Docket No. 02-6 (filed Dec. 21, 2015)

Baltimore County School District, MD, Application No. 936724, Request for Waiver, CC Docket No. 02-6 (filed Mar. 8, 2016)

¹¹ See, e.g., *Ann Arbor Public Schools Order*, 25 FCC Rcd at 17321, para. 2 & n.26 (permitting applicants to correct the entry of the wrong identification number of an FCC form on a different FCC form). Consistent with precedent, we also find good cause exists to waive section 54.720(a) of the Commission's rules, which requires that petitioners file their appeals within 60 days of an adverse USAC decision. See *supra* note 10.

¹² See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Idaho Falls School District 91; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5512 (WCB 2010) (finding that although Idaho Falls' failed to pick Internet access instead of telecommunications service as the correct category of service for its request for wide area network service on its FCC Form 470, special circumstances justify a waiver of the competitive bidding requirements).

¹³ See, e.g., *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Report and Order and Further Notice of Proposed Rulemaking, 25 FCC Rcd 6562, 6573-74 (2009) (clarifying that web pages protected by a username and password are eligible for funding as part of web hosting services and that a school or library may restrict access to all or part of its website to certain users--e.g., school administrators, teachers, librarians and students); *Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8735, 8737-40, paras. 6, 9-10 (2007) (directing USAC to provide applicants with the opportunity to have their funding requests reassessed after they remove ineligible services from their E-rate applications).

¹⁴ See, e.g., *Requests for Waiver of Decisions of the Universal Service Administrator by Ada School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, DA 16-448 (WCB Apr. 25, 2016) 2016 WL 1628815 (denying waiver requests for invoice deadline extensions from petitioners failing to seek an extension before the invoice filing deadline and not showing extraordinary circumstances that would justify waiving the requirement that invoice extension requests be filed before the invoicing deadline).

Bay City Academy School District, MI, Application No. 987296, Request for Waiver, CC Docket No. 02-6 (filed Feb. 2, 2016)

Bellwood School District 88, IL, Application Nos. 984875, 989723, Request for Waiver, CC Docket No. 02-6 (filed Apr. 12, 2016)

Bonneville Joint School District 93, ID, Application No. 916771, Request for Waiver, CC Docket No. 02-6 (filed Jan. 7, 2016)

Bradford Central School District, NY, Application No. 991994, Request for Waiver, CC Docket No. 02-6 (filed Feb. 23, 2016)

Brentwood Union Elementary School District, CA, Application No. 902678, Request for Waver, CC Docket 02-6 (filed Feb. 18, 2016)

Buchanan County R-IV School District, MO, Application No. 949810, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2016)

Caribbean School, Inc., PR, Application No. 973962, Request for Waiver, CC Docket No. 02-6 (filed Mar. 28, 2016)

Carroll County School District, TN, Application No. 970760, Request for Waiver, CC Docket No. 02-6 (filed Apr. 18, 2016)

Clayton School District, NM, Application No. 983155, Request for Waiver, CC Docket No. 02-6 (filed Mar. 24, 2016)

Colleton County School District, SC, Application Nos. 578742, 686303, Request for Waiver, CC Docket No. 02-6 (Nov. 18, 2015)

Colusa County Office of Education, CA, Application No. 907084, Request for Waiver, CC Docket No. 02-6 (filed Nov. 30, 2015)

Cumberland School District, WI, Application No. 969025, Request for Waiver, CC Docket No. 02-6 (filed Feb. 26, 2016)

Dayton Public Library, IA, Application No. 991148, Request for Waiver, CC Docket No. 02-6 (filed Dec. 16, 2015)

Educational Service Center of Lake Erie West (Lucas County Supt of Schools), OH, Application No. 693162, Request for Waiver, CC Docket No. 02-6 (Nov. 23, 2015)

Elgin School District Unit 46, IL, Application Nos. 955619, 991332, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2016)

Erie 1 BOCES, NY, Application No. 949782, Request for Waiver, CC Docket No. 02-6 (filed Apr. 22, 2016)

Falls Church City School District, VA, Application No. 970574, Request for Waiver, CC Docket No. 02-6 (filed May 4, 2016)

Falls Church City School District, VA, Application No. 982457, Request for Waiver, CC Docket No. 02-6 (filed Mar. 31, 2016)

Fredericktown Local School District, OH, Application No. 823817, Request for Waiver, CC Docket No. 02-6 (Jan. 20, 2016)

Front Range Internet, Inc. (Weld County School District 6), CO, Application No. 949636, Request for Waiver, CC Docket No. 02-6 (Mar. 8, 2016)

Global Preparatory Academy, MI, Application No. 858277, Request for Waiver, CC Docket No. 02-6 (Jan. 11, 2016)

Goodhue County Education District #6051, IN, Application No. 944334, Request for Waiver, CC Docket No. 02-6 (filed Apr. 20, 2016)

Goodwill Education Initiatives, MN, Application No. 919958, Request for Waiver, CC Docket No. 02-6 (filed Feb. 1, 2016)

Happy Valley Elementary School District, CA, Application Nos. 906106, 917805, Request for Waiver, CC Docket No. 02-6 (Feb. 18, 2016)

Highlander Charter School, RI, Application No. 988582, Request for Waiver, CC Docket No. 02-6 (filed Feb. 26, 2016)

Itasca Community Library, IL, Application No. 961771, Request for Waiver, CC Docket No. 02-6 (filed Mar. 29, 2016)

Jamp Special Education Services, IL, Application No. 970416, Request for Waiver, CC Docket No. 02-6 (filed Mar. 29, 2016)

Jefferson City Public Library, TN, Application No. 990985, Request for Waiver, CC Docket No. 02-6 (filed Feb. 16, 2016)

Jefferson Joint School District #251, ID, Application No. 960958, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2016)

Jefferson-Madison Regional Library, VA, Application No. 976590, Request for Waiver, CC Docket No. 02-6 (filed May 9, 2016)

Las Animas School District, CO, Application No. 954720, Request for Waiver, CC Docket No. 02-6 (filed Mar. 28, 2016)

Loudonville Public Library, OH, Application Nos. 924907, 957252, Request for Waiver, CC Docket No. 02-6 (filed Feb. 11, 2016)

Ludington Area School District, MI, Application No. 986353, Request for Waiver, CC Docket No. 02-6 (filed Apr. 21, 2016)

Marsh Valley School District, ID, Application No. 969719, Request for Waiver, CC Docket No. 02-6 (filed Jan. 28, 2016)

Martin De Porres School for Exceptional Children, NY, Application No. 903349, Request for Waiver, CC Docket No. 02-6 (filed Feb. 17, 2016)

Mount Horeb Telephone Company (Mount Horeb Area School District), WI, Application No. 965929, Request for Waiver, CC Docket No. 02-6 (filed Feb. 16, 2016)

Mt. Pleasant Independent School District 140, TX, Application No. 948569, Request for Waiver, CC Docket No. 02-6 (filed Feb. 2, 2016)

Northern Plains Public Library, CO, Application No. 964808, Request for Waiver, CC Docket No. 02-6 (filed Jan. 7, 2016)

Norwin School District, PA, Application Nos. 971690, 972411, 984266, Request for Waiver, CC Docket No. 02-6 (filed May 3, 2016)

Okanogan School District, WA, Application No. 954341, Request for Waiver, CC Docket No. 02-6 (filed May 9, 2016)

Orangeville Community Unit School District #203, IL, Application No. 969374, Request for Waiver, CC Docket No. 02-6 (filed Apr. 15, 2016)

Panhandle Public Library Cooperative System, FL, Application Nos. 914809, 909153 (Funding Request Numbers (FRNs) 2500897, 2500927, 2500940, 2500958, 2500963, 2501046), 904693, 922090 (FRNs 2517369, 2517407), Request for Waiver, CC Docket No. 02-6 (filed Feb. 29, 2016)

Parma City Schools, OH, Application No. 534544, Request for Waiver, CC Docket No. 02-6 (filed Apr. 13, 2016)

Penasco Independent School District, NM, Application No. 973233, Request for Waiver, CC Docket No. 02-6 (filed Apr. 15, 2016)

Penta Career Center, OH, Application No. 962618, Request for Waiver, CC Docket No. 02-6 (filed Feb. 16, 2016)

Port Carbon Public Library, PA, Application No. 960208, Request for Waiver, CC Docket No. 02-6 (filed Mar. 1, 2016)

Preston School District #201, ID, Application No. 986870, Request for Waiver, CC Docket No. 02-6 (filed Feb. 26, 2016)

Providence Athenaeum Library, RI, Application No. 956060, Request for Waiver, CC Docket No. 02-6 (filed Mar. 30, 2016)

Public Preparatory Network, Inc. NY, Application No. 966560, Request for Waiver, CC Docket No. 02-6 (filed Mar. 9, 2016)

Quileute Tribal School, WA, Application No. 987900, Request for Waiver, CC Docket No. 02-6 (filed Nov. 2, 2015)

Rutland South Supervisory Union, VT, Application No. 989228, Request for Waiver, CC Docket No. 02-6 (filed Apr. 27, 2016)

Sandoval Community Unit School District 501, IL, Application No. 942089, Request for Waiver, CC Docket No. 02-6 (filed Nov. 13, 2015)

Sarah A. Reed Children's Center, PA, Application No. 957402, Request for Waiver, CC Docket No. 02-6 (filed Feb. 2, 2016 and Apr. 13, 2016)

School District Unit-46, IL, Application No. 955619, Request for Waiver, CC Docket No. 02-6 (filed Mar. 7, 2016)

Schools of the Sacred Heart, CA, Application No. 911674, Request for Waiver, CC Docket No. 02-6 (filed Mar. 24, 2016)

Scott County R-V School District, MO, Application No. 970891, Request for Waiver, CC Docket No. 02-6 (filed May 10, 2016)

Stanly County School District, NC, Application No. 794048, Request for Waiver, CC Docket No. 02-6 (filed Jan. 27, 2016)

St. Patrick of Heatherdowns School, OH, Application No. 976064, Request for Waiver, CC Docket No. 02-6 (filed Jan. 13, 2016)

Tse ii' Ahi Community School, NM, Application No. 812604, Request for Waiver, CC Docket No. 02-6 (filed Mar. 4, 2016)

Time Warner Cable Information Services (Milwaukee College Preparatory School), WI, Application No. 917266, Request for Waiver, CC Docket No. 02-6 (filed Jan. 5, 2016)

USD 505 Chetopa-St. Paul, KS, Application No. 974445, Request for Waiver, CC Docket No. 02-6 (filed Mar. 17, 2016)

Vermont Telephone Company, Inc. (Rutland South Supervisory Union 33), VT, Application No. 989228, Request for Waiver, CC Docket No. 02-6 (filed May 3, 2016)

Warren County School District, PA, Application No. 982020, Request for Waiver, CC Docket No. 02-6 (filed Mar. 23, 2016)

Warren County School District, PA, Application No. 982459, Request for Waiver, CC Docket No. 02-6 (filed Mar. 23, 2016)

Wellington Exempted Village School District, OH, Application No. 940561, Request for Waiver, CC Docket No. 02-6 (filed Jan. 19, 2016)

*Late-Filed Operational Service Provider Identification Number (SPIN) Change Request*¹⁵

¹⁵ *Request for Review of a Decision of the Universal Service Administrator by Warren Village School; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 237, 238, para. 2 (WCB (continued....))

Lincoln-Marti School, FL, Application No. 986507, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2016)

*Seeking E-rate Support for Services Not Covered by the Applicant's Competitive Bidding Process*¹⁶

Assumption High School/Davenport, IA, Application No. 972679, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Oct. 10, 2014)

*Unjustified Service Implementation Delay*¹⁷

Hitchcock Independent School District, TX, Application No. 839534, Request for Waiver, CC Docket No. 02-6 (filed Nov. 3, 2014)

*Untimely Filed Request for Review*¹⁸

Biblioteca Electronica De Anasco, PR, Application No. 1046740, Request for Review, CC Docket No. 02-6 (filed Apr. 28, 2016)

Detroit Leadership Academy, MI, Application No. 1022157, Request for Review, CC Docket No. 02-6 (filed Apr. 28, 2016)

Evansville Community School District, WI, Application No. 1013540, Request for Review, CC Docket No. 02-6 (filed Apr. 22, 2016)

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2011) (noting that all SPIN change requests must be postmarked or received no later than the last date to submit an invoice).

¹⁶ See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Albert Lea Area Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 24 FCC Rcd 4533, 4541-42, paras. 14-15 (WCB 2009) (finding that petitioners violated the Commission's competitive bidding rules by not including the type of service on the FCC Form 470 the applicant requested on its FCC Form 471).

¹⁷ See, e.g., *Request for Review/Waiver of the Decision of the Universal Service Administrator by Accelerated Charter et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 13652, 13653, para. 3 (WCB 2014) (denying late-filed extensions of the deadline for service implementation when applicants failed to demonstrate they were unable to complete implementation on time for reasons beyond the service providers' control and failed to make significant efforts to secure the necessary extensions in a timely manner).

¹⁸ See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (WCB 2010); *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Bound Brook School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 5823 (WCB 2014) (denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days, as required by the Commission's rules, and did not show special circumstances necessary for the Commission to waive the deadline).

Prologue School, IL, Application No. 768943, Request for Waiver, CC Docket No. 02-6 (filed May 2, 2016)

Total Network Solutions, LLC (Las Vegas West School District), NM, Application No. 867535, Request for Waiver, CC Docket No. 02-6 (filed May 10, 2016)

*Violation of the Competitive Bidding 28-Day Rule*¹⁹

Minneapolis School District 1, MN, Application No. 455463, Request for Review, CC Docket No. 02-6 (filed Mar. 11, 2009)²⁰

Contribution Methodology
WC Docket No. 06-122

Dismissed as Moot

*Request for Waiver of FCC Form 499-Q Deadline*²¹

Conexions, LLC dba Conexion Wireless, Request for Review and/or Waiver, WC Docket No. 06-122 (filed Feb. 21, 2013)

¹⁹ See, e.g., *Requests for Review &/or Waiver of Decisions of the Universal Service Administrator by Al-Ihsan Academy et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 16415, 16418, para. 9 (WCB 2011) (denying appeals where the applicant violated the 28-day rule by missing the deadline by more than three days, thereby preventing their requests for services to be competitively bid for a meaningful period of time).

²⁰ We also deny petitioner's appeal for two additional reasons. First, the petitioner's FCC Form 470 failed to indicate the existence of an RFP, and that RFP provided greater detail than the FCC Form 470 and was available to only certain service providers, thereby constricting the pool of potential bidders. See, e.g., *Request for Review of A Decision of the Universal Service Administrator by Spokane School District 81*, CC Docket No. 02-6, Order, 28 FCC Rcd 6023, 6024, para. 3 (WCB 2013) (denying appeal where applicant failed to indicate the existence of an RFP on its FCC Form 470, but issued an RFP to interested bidders). Second, petitioner's FCC Form 470 did not indicate it was seeking a multi-year contract or a contract with voluntary extensions, which was required under the Commission's competitive bidding rules at the time. See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Grand Rapids Public School*, CC Docket No. 02-6, Order, 23 FCC Rcd 15413, 15414, para. 3 (WCB 2008) (explaining that "[a]n applicant does not need to post a new FCC Form 470 each year when it has a multi-year contract . . . if the applicant indicated that it was seeking a contract with those terms when it originally filed the FCC Form 470").

²¹ See, e.g., *Universal Service Contribution Methodology, Requests for Waiver of Decisions of the Universal Service Administrator by Ambess Enterprise, Inc., et al.*, WC Docket No. 06-122, 25 FCC Rcd 3722 (WCB 2010) (dismissing several petitions for waiver of USAC decisions because subsequent USAC action has provided relief sought by petitioners); *Universal Service Contribution Methodology, Requests for Waiver of Decisions of the Universal Service Administrator by Achieve Telecom Network of Massachusetts, LLC, et al.*, WC Docket No. 06-122, 23 FCC Rcd 17903 (WCB 2008) (dismissing as moot ten requests for waiver of FCC Forms 499-Q because the true-up process had already reconciled petitioners' contribution obligations).

Dismissed without Prejudice

*Request for Waiver of 499-Q Revision Deadline*²²

PenTeleData, LP1, Petition for Waiver, WC Docket No. 06-122 (filed May 12, 2016)

Granted in Part

*Request for Waiver of FCC Form 499-A Revision Deadline*²³

AccessCom, Inc., Request for Review and/or Waiver, WC Docket No. 06-122 (filed Aug. 21, 2015)

Denied in Part

*Request for Waiver of Interest and Late Fees*²⁴

AccessCom, Inc., Request for Review and/or Waiver, WC Docket No. 06-122 (filed Aug. 21, 2015)

Denied

*Late 499-A Filing Fee Waiver Request*²⁵

²² See, e.g., *Universal Service Contribution Methodology, Request for Review of Decision of Universal Service Administrator and Request for Waiver by CML Communications LLC*, WC Docket No. 06-122, Order, 26 FCC Rcd 335 (WCB 2011); *Universal Service Contribution Methodology, Request for Review of Decision of Universal Service Administrator and Request for Waiver by Alternative Phone, Inc.*, WC Docket No. 06-122, Order, 26 FCC Rcd 6079 (WCB 2011); *Universal Service Contribution Methodology, Request for Review of Decision of Universal Service Administrator by Dorial Telecom LLC*, WC Docket No. 06-122, Order, 26 FCC Rcd 3799 (WCB 2011) (all finding requests procedurally defective for failure to comply with 47 C.F.R. § 54.721).

²³ See, e.g., *Universal Service Contribution Methodology, Request for Waiver by Experior Networks; Request for Review by Coaxial Cable Television Corporation of Decision of Universal Service Administrator*, WC Docket No. 06-122, Order, 30 FCC Rcd 4711 (WCB 2015) (granting requests to waive the FCC Form 499-A revision deadline to provide an opportunity for petitioners to correct errors that incorrectly placed them in non-*de minimis* status).

²⁴ See, e.g., *Universal Service Contribution Methodology, Request for Waiver by Experior Networks, Request for Waiver by Coaxial Cable Television Corporation*, WC Docket No. 06-122, Order, 30 FCC Rcd 4711 (WCB 2015) (denying waiver of late fees and interest associated with late-filed Forms 499-A, notwithstanding a waiver of the revision deadline).

²⁵ See, e.g., *Universal Service Contribution Methodology, Federal-State Joint Board on Universal Service, Requests for Review of Decisions of Universal Service Administrator by Airband Communications, Inc. et al.*, WC Docket No. 06-122, CC Docket No. 96-45, Order, 25 FCC Rcd 10861 (WCB 2010) (denying deadline waivers where claims of good cause amount to no more than simple negligence, errors by the petitioner, or circumstances squarely within the petitioner's control); *Universal Service Contribution Methodology, Requests for Waiver of Decisions of the Universal Service Administrator by ComScape Telecommunications of Raleigh-Durham, Inc. and Millennium Telecom, LLC*, WC Docket No. 06-122, Order, 25 FCC Rcd 7399 (WCB 2010) (denying waiver requests when negligence caused late filing fee); *Universal Service Contribution Methodology, Requests for Review of Decisions of the Universal Service Administrator by Achilles Networks, Inc., et al.*, WC Docket No. 06-122, Order, 25 FCC Rcd 4646, 4648-49, paras. 5, 8 (WCB 2010); *Federal-State Joint Board on Universal Service, Request for Review by National Network Communications, Inc.*, CC Docket No. 96-45, Order, 22 FCC Rcd 6783 (WCB 2007) (good cause

(continued....)

Eastlight L.C. dba Natel Petition for Waiver, WC Docket 06-122 (filed May 26, 2015 and Feb. 19, 2016)

For additional information concerning this Public Notice, please contact Sibó McNally in the Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-7400.

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not shown when filer claimed it did not have skilled personnel to interpret and correctly apply FCC 499 instructions).