

Reconsideration of Appeal for Waiver of Program Rules on Invoice Deadline Extension Request

Contact Information:

2 March 2018

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This is an electronic appeal to the FCC via ECFS concerning:

471: 1004117
BEN: 16068096
FCC RN: 0011996535
FRN: 2846984
Service Provider SPIN: 143000677

This submission serves as an Appeal to waive program rules for a Last Date to Invoice (“LDI”) extension that was issued 7/6/2017 on behalf of Woodbourne Schools, BEN 16068096, for the Verizon Wireless FRN 2846984 on Form 471 Application 1004117.

The appeal to extend the LDI was denied and as a result we are asking the FCC to reconsider waiving program rules with respect to this situation so that the extension to file may be approved. To further explain/clarify the timeline of events:

January, 2016: Funding of \$3,885.55 for the ‘first half’ of the FY, being July to Dec was issued via BEAR and the funds were received by the applicant.

Subsequently the service provider, for unknown reasons, applied SPI credits as follows:

- March, 2016: \$5,835.65 (minus \$450 equipment credit) so \$5385.65
- April, 2016: \$670.93
- May, 2016: \$670.60
- June, 2016: \$734.29
- July, 2016: \$821.05 (minus \$99.98 equipment credit)so \$721.07

February, 2017: The last date to invoice (“LDI”) was 02/27/2017.

March, 2017: The service provider reversed the SPI credits. Obviously this is after the LDI. In reconciling the events it was discovered that the applicant had not received their expected reimbursement. The adjustment came 9 months after the last SPI credits were issued and after the LDI.

Note: A second BEAR was not filed due to the issuance of SPI credits – The applicant saw no need to duplicate reimbursement requests.

The service provider states there is nothing they can do until an extension is granted. An extension was filed, and denied, appealed to USAC and denied, appealed to the FCC and denied and we are now seeking reconsideration.

The applicant is ready to file the 'second half' of the year's BEAR for \$3873.64, but cannot.

It is understood that the Commission may waive its rules for "good cause shown." The Commission may exercise its discretion to waive a rule where (a) the particular facts make strict compliance inconsistent with the public interest, (b) special circumstances warrant a deviation from the general rule, and (c) such deviation will serve the public interest. In making these determinations, the Commission may consider evidence of hardship, equity, and more effective implementation of overall policy on an individual basis.

The school works with an extremely strict budget to serve disadvantaged and underprivileged children. 100% of the kids are eligible for free and reduced lunch. Granting this appeal is absolutely in the spirit of demonstrating good cause and is in our public's best interest. Yes, as demonstrated, there were special circumstances.

The applicant: The Woodbourne School provides therapeutic educational services to boys residing in the Woodbourne Residential Treatment Center and to students from the community who need a more specialized and intensive school program in order to be successful. Accreditation and licensing:

- Accredited by The Joint Commission (TJC)
- Licensed by the Department of Health and Mental Hygiene (DHMH)
- Approved for full-day special education, partial-day education, and regular education by the Maryland State Department of Education (MDSE)
- Woodbourne's Treatment Foster Care is licensed by the Maryland Department of Human Resources (DHR)

Please help the students at the Woodbourne School. Denying this appeal will eliminate valuable resources needed in helping these students become successful member of our society. The issue of timing is at the heart of the matter and we ask that program rules be waived so that the applicant may be reimbursed in accordance with expectations. These circumstances are outside of the applicant's control. Please contact us if further clarity is needed.

Thank you,

A handwritten signature in black ink, appearing to read "Dan Kettwich". The signature is fluid and cursive, with a large, stylized 'D' and 'K'.

Dan Kettwich on behalf of The Woodbourne Schools