



Raleigh County Public Library

March 23, 2018

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554
Submitted Electronically

RE: In the Matter of Request for Review of a Decision of the Universal Service Administrator and Request for Petition for Waiver CC Docket No. 02-6:

To Whom It May Concern:

Contact Information: Caroline Kirk
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Beckley, WV 25801
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Email: caroline.kirk@raleigh.lib.wv.us

Raleigh County Public Library respectfully requests that the Federal Communications Commission ("FCC"), review a decision of the Administrator of the Universal Service Administration Company denying Raleigh County Public Library funding for Funding Request Number ("FRN") 1699065626. Raleigh County Public Library further requests that, if necessary, it be granted a waiver of the filing deadline for FCC Form 486. This Request for Review and/or Waiver is made possible due to the FCC Order on October 20, 2016.

Application Information

Billed Entity Number: 126707
FCC Form 471 Application Number: 161031651
Funding Request Number Appealed: 1699065626
Administrator's Decision on Appeal dated: March 12, 2018

Statement in Support Of Request For Review And Waiver

Raleigh County Public Library BEN 126707, successfully filed and certified FCC Form 471 161031651, FRN 1699065626 for funding year 2016 on 04/25/2016. We never received notification, paper or email, for the Funding Commitment Decision Letter. It was later found listed on E-rate Productivity Center ("EPC") dated for December, 2016 (attachment 2). the only notification we received regarding this FRN was an email reminder for FCC Form 486 Urgent Reminder on March 13, 2017. On that date, we logged into EPC, and assumed we filed FCC Form 486. Due to clerical error, we do not have printed confirmation of this. An FCC Form 472 Billed Entity Applicant Reimbursement ("BEAR") was created for this FRN on 08/28/2017.

We received notice on 09/12/2017 that \$0 was approved for disbursement. After logging into EPC, and searching for associated forms with the FRN, we discovered that the FCC Form 486 we assumed filed in March, 2017, never was. We immediately filed FCC form 486 Number 66938 on 09/12/2017 (attachment 3). On November 15, 2017 we received notification that our funding commitment was now \$542.11. The initial BEAR created in August stated a discount amount of \$2332.15. We realized that the 120 day violation is the reason for reduction in funded amount. We filed Appeal number 84232 with Universal Service Administrative Company ("USAC") on November 15, 2017. On March 12, 2018 the appeal was denied and a Revised Funding Commitment Decision Letter was issued (attachment 4).

Throughout the application process, Raleigh County Public Library demonstrated compliance with E-rate program rules and regulations. It followed all core E-rate program requirements and committed no fraud, abuse, or waste of E-rate funds. During the last two fiscal years, Raleigh County Public Library has lost a large amount of its tax-based funding. To lose E-rate funding due to a clerical oversight will not serve in the best interest of the public. We are a small agency and do not retain an E-rate consultant. For the past ten years or more, Raleigh County Public Library has participated in the E-rate program and has been diligent in filing required forms without delay. It is put upon staff who have many other duties, with little or no training in EPC, to follow guidelines. The changes caused by switching to EPC for all form filing and notifications would explain clerical oversights. Raleigh County Public Library filed an appeal to USAC for the late filing of FCC form 486 within 120 days after the last day to receive services and demonstrated good cause justifying the late submission of the FCC Form 486.

Conclusion

For the above-stated reasons and to better serve the public interest and the interests of the patrons of Raleigh County Public Library, we respectfully request that the Commission:

1. Grant its Request for Review;
2. Remand FRN 1699065626 to USAC for further processing of Form 472 for the initially committed amount;
- 3 If necessary, grant a waiver of the filing deadline for FCC form 486.

Respectfully submitted,

A handwritten signature in cursive script that reads "Caroline Kirk".

Caroline Kirk,

Financial Manager