

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Petition for Waiver of Commission Rules)	CC Docket No. 02-6
by)	
)	
Monroe Township Public Library)	File No. FCC Form 471 Application
)	Number 181042420
Schools and Libraries Universal Service)	
Support Mechanism)	
)	

To: Federal Communications Commission

**MONROE TOWNSHIP PUBLIC LIBRARY
PETITION FOR WAIVER**

Pursuant to Section 54.719(c) of the Federal Communications Commission's ("FCC") rules,¹ Monroe Township Public Library ("MTPL")² hereby requests that the Commission waive the FCC Form 471 ("Form 471") filing window deadline in Section 54.507(c) of the its rules.³

The Commission has routinely waived its rules for applicants filing their Forms 471 after the USAC-established deadline. In the *Acorn Public Library District Order*, for example, the Commission granted waivers to applicants that filed their Forms 471 late but within 14 days after the filing window deadline.⁴ The Commission found that such a violation was procedural rather than substantive in nature, and therefore, a complete rejection of the applications was not warranted. The Commission noted that applications filed within 14 days were filed close enough to the deadline so as not to impair the administration of the E-rate program. The Commission also found that, in the absence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements, rigid adherence to filing procedures would not serve the public interest. According to the Commission, good cause existed to grant the requested waivers.

More recently, in the *Academy of Math and Science Order*, the Commission reiterated that the filing of the Form 471 late but within two weeks after the deadline constituted a special circumstance justifying a waiver.⁵

¹ See 47 C.F.R. § 54.719(c).

² Billed Entity Number 123311.

³ See 47 C.F.R. § 54.507 (Requiring the Administrator to implement a filing period and to determine dates on which the filing period shall begin and conclude).

⁴ *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Acorn Public Library District, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-637819, *et al.*, CC Docket No. 02-6, Order, 23 FCC Rcd 15474 (Wireline Comp. Bur. 2008).

⁵ *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 9256 (2010).

Consistent with this precedent, the Commission should grant the instant petition for waiver. MTPL underwent staff changes and its designated E-rate contact retired just before to the funding year 2018 filing window deadline. Consequently, it was unable to file and certify the Form 471 at issue by March 22, 2018.

Although MTPL admittedly missed the deadline, it did successfully file the application at issue on April 5, 2018, less than two weeks after the original deadline.⁶

For the foregoing reasons, MTPL respectfully requests that the Commission waive Section 54.507(c) of its rules and direct USAC to process the application.

Respectfully submitted,

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April 5, 2018

⁶ FCC Form 471 Application Number 181042420.