

## LAKE COUNTY EDUCATION SERVICE DISTRICT

357 North L Street  
Lakeview, OR 97630  
Jack Thompson, Superintendent

Phone: 541.947.3371 / 800.997.2361  
Fax: 541.947.3373



April 5, 2019

CC Docket No. 02-6

Lake County ESD  
Sara Sarensen  
BEN: 145063  
Form 471 #191041807

Request for Waiver of Deadline  
Form 471 Filing Outside of Window

To whom it may concern,

This letter is to request a waiver of deadline for a late filing of a Form 471. The window for filing the Form 471 closed on March 27, 2019. Our Form 471 191041807 was filed and certified on April 5, 2019, just nine days after the close of the window. Several unavoidable factors contributed to our inability to file on time.

The Form 471 that was filed late is requesting special construction costs for a large fiber installation between the towns of Lakeview and Adel and Plush. This project was already applied for and funded through the Erate program two years ago (FRN 1799036540). Because of the scope of the project (45+ miles of installation), we were granted a one year extension by USAC, making the new deadline for the project June 30, 2019.

Many obstacles have arisen over the last two years, including denial of a request to use utility poles to hang fiber on, weather/wildfires last summer, staff turnover, and permitting to cross state and federal lands. My vendor has shown resilience in overcoming these obstacles and a desire to complete the project; however, in March, 2019, we became aware of the likelihood that our project may not be fully completed by the end of June, so I filed Form 471 191030250 requesting support for the second segment of the project in the upcoming funding year. (A Form 470 had already been filed at the beginning of January in case of any additional problems along the way.) At the time, my vendor was certain that they would have the first segment done by June 30, 2019.

On April 2, 2019, I received a phone call from my vendor regarding a conversation they had with the Bureau of Land Management (BLM). Apparently, the first segment of the installation crosses land that is home to federally protected sage grouse and my vendor will now likely have to undergo an environmental impact study, which will not be completed for several months.

As of April 2, 2019, we are fairly certain neither segment of the project will be complete by June 30, 2019 and a new Form 471 was filed as quickly as possible after new information was gathered and guidance from my State Erate Coordinator, Jamie Campos, was sought.

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It should be mentioned that we requested an additional one year extension on the original FRN from two years ago to make the new deadline for the project June 30, 2020, but we were denied by USAC. My vendor and I are actively gathering information to submit to the FCC to request a waiver of the deadline extension rule stating that only one one-year extension for special construction of lit fiber will be approved. We believe our circumstances are abnormal, extreme, and warrant a waiver. This request will be filed within a few weeks.

It is my hope that this request for a waiver of late filing of the Form 471 will be granted in light of the facts listed above showing that this project has experienced abnormal circumstances and that there was no lack of diligence in regard to maintaining USAC timelines, but rather, we received actionable information after the window closed.

Thank you for your consideration,

Sara Sarensen  
Business Manager  
Lake County ESD  
[ssarensen@lakeesd.k12.or.us](mailto:ssarensen@lakeesd.k12.or.us)  
(541) 947-3371

