

April 10, 2019

**SUBMITTED VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

**RE: CC Docket No. 02-6; Request for Waiver**

On behalf of the Connections Academy Consortium (BEN 16038461), the Consortium's representative, Pearson Online & Blended Learning, hereby respectfully requests a waiver of the Funding Year 2019 471 filing window for FCC Form 471 #191040948.

The Federal Communications Commission has established precedent in multiple orders (Acorn Public Library District Order<sup>1</sup>, Academy of Math and Science Order<sup>2</sup>, Anderson Elementary School Order<sup>3</sup>) that applicants that filed their 471 applications within 14 days of the 471 filing deadline have filed their applications close enough to the filing window that their applications should be considered timely submitted. In the Academy of Math and Science Order, the Commission found that applicants that filed their applications within 14 days of the deadline for filing had satisfied the Commission's requirement to show special circumstances.<sup>4</sup> The Commission found that applications that were filed within 14 days were filed close enough to the deadline so as not to impair the administration of the program.<sup>5</sup> The Commission also noted that there was no evidence of waste, fraud and abuse.<sup>6</sup>

The Connections Academy Consortium filed its 471 application on April 5, 2019, which was within 14 days of the filing window deadline of March 27, 2019. See attached FCC Form

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<sup>1</sup> Acorn Public Library District, DA 08-2376 (2008) ¶ 5 (establishing that submission of a 471 application within 14 days is a procedural and not substantive violation. "Therefore...because the FCC Form 471 was filed within 14 days after the filing window deadline, we find it in the public interest to waive the FCC Form 471 deadline.").

<sup>2</sup> Academy of Math & Science, FCC 10-122 (2010) ¶¶ 8-9.

<sup>3</sup> Anderson Elementary School Order, DA 12-796 (2012) ¶ 2 ("We grant the 40 waiver requests...because those petitioners' applications...were filed shortly after the filing window closed.").

<sup>4</sup> Academy of Math & Science, FCC 10-122 (2010) ¶¶ 8-9.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

471 #191040948 confirmation of filing. The Consortium believes it has followed the rest of the Commission's program rules in submitting this application.

We therefore respectfully ask that the Commission waive the requirement that the application be filed by filing deadline for the application listed above and direct the Schools and Libraries Division of the Universal Service Administrative Company to process this application as "submitted within the window."

Respectfully,

A handwritten signature in black ink, appearing to read 'Brian Leap', with a stylized flourish at the end.

Brian Leap  
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Pearson Online & Blended Learning  
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Enclosure – Form 471 Certification Confirmation

[SAVE DRAFT](#)

# Certification Confirmation

## CONNECTIONS ACADEMY (BEN: 16038461) - CA 2019 - Form # 191040948

Last Saved: 4/5/2019 9:13 AM EDT

Basic Information

Entity Information

Funding Requests

Certifications

### You have successfully filed FCC Form 471 #191040948 for FY 2019

#### Certification Date

4/5/2019 9:13 AM EDT

Your application is being filed after the close of FY 2019 filing window. Therefore, your application will not be considered for funding.

#### TO REQUEST A WAIVER OF THE FILING WINDOW DEADLINE:

The window filing requirement is contained in the Federal Communication Commission (FCC) rules for the E-rate program. USAC cannot consider requests for waivers of FCC rules. If you missed the FCC Form 471 filing window deadline and wish to request a waiver, you may file a waiver request with the FCC. When you file a waiver request, you should list "CC Docket No. 02-6" on the first page of your waiver request. We strongly recommend that you review the information provided on the USAC website about filing waiver requests.

#### Authorized Person

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Charlotte, NC 28211**Phone** 704-366-8990**Email** brian@erate4schools.com[Please click here to access your certified FCC Form 471 PDF](#)

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