

consists of 8 schools and serves approximately 6,800 pupils. It is presently within the 50% discount band. Historically, Petitioner has participated in the E-rate Program, leveraging available discounts to help defray expenses for eligible telecommunications services in order to better serve its pupil population.

Petitioner certified and submitted FCC Form 471# 181042668 on April 26, 2018. The filing delay stemmed from numerous unforeseen and exceptional circumstances.

The Petitioner's IT Director bears authority for the Petitioner's E-rate filings. Notably, on March 13, this individual suffered a serious cycling accident, from which he suffered a concussion. The concussion caused memory and cognitive issues which subsided only recently. Consequently, the injury and the resultant recovery period impacted Petitioner's ability to complete its bid evaluations and timely file its FCC Form 471. Once the IT Director recovered sufficiently, he completed the necessary bid evaluations and notified the undersigned of the awards. The undersigned then drafted and completed the Form 471, linked the necessary contracts to the appropriate Funding Request Numbers, and certified FCC Form 471# 181042668 on April 26, 2018.

II. Request

In light of the above circumstances, Petitioner respectfully petitions the Commission to waive the Funding Year 2018 FCC Form 471 filing deadline to allow its Out-of-Window submission of Funding Year 2018 FCC Form 471# 181042668. Generally, the Commission's rules may be waived if good cause is shown. 47 C.F.R. §1.3. Waiver of the Commission's rules is appropriate if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. *See Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *accord Network IP, LLC v. FCC*, 548 F.3d 116, 127 (D.C. Cir. 2008).

In the instant matter, the Petitioner filed its Form 471 late because the individual responsible for collecting and evaluating bids, and preparing and certifying the Form 471, suffered a head injury approximately one week before the filing deadline. Memory and cognitive issues necessitated an appropriate recovery period. Notably, the Commission has previously granted waivers under like circumstances.¹

As such, the Petitioner respectfully requests that the Commission waive the Form 471 filing deadline in the instant matter and accept the Petitioner's Form 471# 181042668 for review.

¹ *See* Requests for Waiver and Review of Decisions of the Universal Service Administrator by All Saints Elementary School, et al., Schools and Libraries Universal Support Mechanism, File Nos. SLD-816848, et al., CC Docket 02-6, Order, 26 FCC Rcd 12845, 13108, para. 3 (2011); Request for Review of the Decision of the Universal Service Administrator by Academy of Math and Science, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-487009, et al., CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9259-60, para. 8 (2010); Requests for Waivers and Review of the 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, 15477-78, para. 8 (Wireline Comp. Bur. 2008).

If you have any questions in regard to this submission, please contact the undersigned.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'V. LaForgia', with a long horizontal flourish extending to the right.

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