**THIS IS A WAIVER REQUEST FOR DENIED INVOICE EXTENSION REQUESTS (CC Docket No. 02-60)**

**Federal Communications Commission**

**Attn: Letter of Appeal**

**445 12th Street SW**

**Washington, DC 20554**

Service Provider Filing the FCC Waiver: Charter Fiberlink CC VIII, LLC (143033155)

SPIN: 143033155

Service Provider Primary Contact Information:

David Ventimiglia

13545 Barrett Parkway Dr.

Suite 200

Ballwin, MO, 63021

FRN: 15829721, 15837421, 15837511, 15837711, 15837731, 15832131, 15829601, 15829861, & 15826201

Applicant:

                HCP #: Multiple

                Name:  Aspirus Clinic

                Address: Multiple

                Contact Name: Laurie Mancheski

                Telephone: 608-268-2565

                E-mail: Laurie@usfnow.com

FCC Form 463 Invoice Number: 1000024163, 1000024164, 1000024170, 1000024172, 1000024173, 1000024176, 1000024178, 1000024180, & 1000024183

USAC Decision in Question:

Invoice Deadline Extension Request Denials received on 4/13/18.

Reason for the Waiver Request:

The customer has done everything as required per program guidelines and should be able to receive all approved funding for the above FRNs. In order to do so, we ask that a waiver is granted to allow for an invoice extension for the FRNs to eliminate the unjust financial impact to the applicant given they were approved for FY2015 funding. We have provided all required documentation which supports the statements below. We seek full payment of $46,111.13 on the requested FRN and an invoice extension so we are able to zero out the balances owed for FY2015.

Despite having provided USAC with thorough explanations to support our invoice extension requests (see attachement 1), our requests have been denied (see attachment 3), however, no prior invoice extensions have been granted. We have followed the appeal process as instructed by USAC in order to have their invoice deadline decision overturned. We understand that under the FCC rules, an invoice extension needs to be requested by the last date to invoice deadline, however this was not indicated when we inquired with USAC for next steps to be able to invoice. We have followed up with USAC on a monthly and bi weekly basis asking for an update on our appeal status for a period of 15 months only to be told,”They are working the appeal queue and expect a decision during sometime in first quarter of 2018. See attachment supporting USAC’s delay in processing appeals (see attachement 2).

Due to USAC backlog of Funding Commitment Approvals, lack of transparency, and personnel changes, Charter Communications was unable to approve the invoice by the Last Date to Invoice. Due to the mismanagement of the USAC RHC HCF program, there was a mass approval of Funding Commitment Letters that were approved. With the influx of approvals and the lack of last date to invoice information it is impossible to prioritize the Form 463s that were filed following the Funding Commitment letters received. At the time of the FY2015 commitment approvals the FCL was not available on the USAC portal to see the Last Date to Invoice. To date, there is still no Last Date to Invoice readily available on the USAC portal even though many healthcare providers have various end dates outside of the standard funding year end date of June 30th. We must open each individual Form 462 file to see when the invoice deadline is effective FY2016 which is post this issue.

Please do not hesitate to reach out regarding any question you have in reference to this request.

Attachments:

* Attachment 1: Appeal Invoice 1000024170 Request.msg (Appeal Invoice Request email sent to USAC on 1.10.17 per USAC guidance)
* Attachment 2: Email Correspondence Requesting Updates.msg (12 months of email correspondence from Charter Communications requesting updates on all open appeal statuses from USAC)
* Attachment 3: 4.13.18 Invoice Deadline Extension Request Dismissals.msg (Invoice Deadline Extension Request Denial from USAC on 4/13/18 despite following USAC guidance)