February 26, 2018

Humboldt County Library – 144495 - appeal

Three Form 472 Notification Letters were received on February 14, 2018 and dated February 9, 2018.  See attached.  These Notification Letters state that zero dollars would be received.

Humboldt County Library has an issue with which we need your help for FY 2016 – 2017.  It appears that the library will not be able to receive funding on seven FRNs:  1699052415, 1699053008, 1699053060, 1699053183, 1699053225, 1699053230 and 1699053242.

On February 4, 2018 we wrote three Forms 472 on FRN requests.  Then we cancelled the three BEAR forms because we realized that there had been no Form 486 filed for FY 2016**.  We filed the Form 486 immediately, 89062, to get on record.**  As a consultancy, it is our regular and consistent habit to file a Form 486 after the FCDL has been filed.  The FCDL had been filed on January 9, 2017 in Wave 29.

The filing of this Form 486 for FY 2016 has fallen through the cracks.  We have processes in hand and additional Quality Control Checks to make timely filings so this late filing will not happen again.

In October 2017 we realized that we were not going to be able to make timely BEAR filings so we filed an Invoice Deadline Extension Request (IDER) request for the FRNs.  On November 17, 2017 we received approval for the IDER and gave no thought that the Form 486 had not been filed.

It was not until February 4, 2018 when we filed three BEAR forms that we realized our dilemma.

We request that USAC give us another chance to properly participate in the E-rate program.  Humboldt County Library has already expended the funds in question.  There clearly is no sign of waste, fraud or abuse of the program.  We missed a filing deadline. This denial represents an out-of-pocket loss to the district of $125,764.02.  The loss of $125,764.02 is a substantial loss for the library since our library is small and rural. We believe that a waiver of the Form 486 filing date and approval of our request is in keeping with the overall goals of the E-Rate program.

We assure USAC that we have been and remain strident in our efforts to understand and comply with all USAC and SLD guidelines.  This denial is the result of an error on our part, however it was an administrative, clerical oversight and we request USAC’s understanding of such.

We would appreciate having this decision re-evaluated and funded.

Thank you.