

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	
)	
Petition for Reconsideration by)	471 Application Numbers
)	181042633 (FRN 1899083377) (2018)
Guttenberg School District of Guttenberg,)	181042634 (FRN 1899083376) (2018)
New Jersey)	

PETITION FOR RECONSIDERATION

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Administrator
GUTTENBERG SCHOOL DISTRICT
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August 29, 2018

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SUMMARY

In this Petition for Reconsideration, the Guttenberg School District seeks reconsideration of the Bureau's Denial of its Request for Waiver of the FY2018 FCC Form 471 filing window deadline. The Bureau should reconsider and grant Guttenberg's Request for Waiver, because the School District has clearly demonstrated that the facts surrounding the late-filed FCC Form 471 specifically fall within the second enunciated special circumstance exception, namely, illness or death of E-rate staff or death in family, as set forth in the Bureau's *Acorn Public Library Order*.

Guttenberg's Technology Director was solely responsible for the filing of the FCC Form 471 applications, which sought funding for Internet and Managed Internal Broadband Services. These services were covered under a contract awarded in FY2015 pursuant to a competitive bid process conducted based upon the School District's FY2015 FCC Form 470. During this time period, the Technology Director became unexpectedly ill and subsequently and unexpectedly resigned several days after the 471 filing window deadline. As soon as the School District discovered that the FY2018 Form 471 Applications had not been filed, it immediately engaged a Consultant, who filed the 471 Applications within 30 days of the filing window deadline.

Both the Commission and the Bureau have on multiple occasions recognized and granted late-filed FCC Form 471 Waivers for similar special circumstances. In addition, the factors here are in alignment with the progeny of Commission Orders following the *Bishop Perry Order* and *Acorn Public Library Order* allowing procedural errors and speak in favor of granting a waiver for these funding requests.

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PETITION FOR RECONSIDERATION

Guttenberg School District (“Guttenberg” or “School District”) through its undersigned counsel and pursuant to Section 1.106 of the Rules of the Federal Communications Commission (“Commission”), respectfully submits this Petition for Reconsideration (“Petition”) of the Public Notice of the Wireline Competition Bureau (“Bureau”) released on July 31, 2018¹, which denied Guttenberg’s Request for a Waiver of its late-filed Form 471 Applications due to an unexpected and serious illness.² The Form 471 Applications were filed within 30 days of the close of the Funding Year (“FY”) 2018 FCC Form 471 filing window.

The Bureau erred in summarily dismissing Guttenberg’s Request for Waiver. While asserting that the denial was “consistent with precedent,”³ the Bureau’s denial in fact departed from a substantial body of precedent, under which the Commission has approved numerous previous requests for waiver of the Form 471 filing window based on similar special

¹ *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice, DA 18-786 (WCB rel. July 31, 2018) (“*Public Notice*”).

² 47 C.F.R. § 54.507(c).

³ *Public Notice* at 1.

circumstances. In light of this established precedent for granting such out-of-window FCC Form 471 waivers, and because of the substantial and well-recognized public interest benefits of E-rate support, particularly for small school districts with limited resources, Guttenberg requests that the Bureau reconsider and grant its request for waiver.⁴

I. BACKGROUND

Guttenberg is a small school district of approximately 1000 K-8th grade students. Most of the students qualify for free or reduced price lunch, and the District is eligible for a 90% discount. English is the second language for nearly 60% of the students. The School District has been an active participant in the E-rate program since FY 2014, when it was able to upgrade to a fiber-based Internet access service and migrate to a managed WiFi service. Given the limited financial resources available to the School District, these services would have been unattainable and unaffordable without E-rate support.

In previous years, Guttenberg has relied upon a consultant to assist with its E-rate filings. However, in FY 2018, Guttenberg decided to file on its own behalf and made the School District's Technology Director solely responsible for the filing the FCC Form 471.⁵ Guttenberg did not file a Form 470 in FY 2018 because it was under a multi-year contract that was bid and awarded under the FY 2015 Form 470 competitive bid process.

In February 2018, the Technology Director notified the District that he was experiencing some medical issues, but that it would not affect his job responsibilities.⁶ The Technology

⁴ Pursuant to delegated authority, the Bureau has authority to act on petitions for reconsideration. 47.C.F.R. § 1.106(a)(1).

⁵ See Guttenberg Request for Waiver, dated May 31, 2018, attached hereto as Exhibit A; Guttenberg Supplemental Request for Waiver (including Revised Affidavit of Jolene Mantineo, Assistant Superintendent and Business Administrator for Guttenberg Board of Education, dated July 12, 2018 ("Revised Affidavit"), attached hereto as Exhibit B.

⁶ Revised Affidavit, ¶ 3, at Exh. B.

Director also indicated to the School District that he was aware of the need to file the E-Rate Form 471 application and the associated deadline, and that he was working on it.⁷ However, the tides turned and, as a result of continued deterioration in his medical condition, the Technology Director repeatedly did not report to work. Although the School District administrators did not discover the extent of his absence until much later, he was eventually absent 9 out of 17 service school days.

During the critical filing window period, the School District continued to have no reason to believe that the Technology Director would not complete his responsibilities in filing the Form 471 E-Rate applications.⁸ Beyond what an employee voluntarily communicates, further or deeper inquiry by the School District's into the employee's medical condition and work status necessary to understand the true extent of the issue is delicate and difficult, given personnel and privacy issues.⁹ Time passed and his condition and his ability to perform remained unclear until March 27, 2018, when the District received his letter of immediate resignation via e-mail,¹⁰ apparently due to a decline in his medical condition that was unforeseen by the School District.

Neither in his resignation letter or otherwise did the Technology Director inform the Assistant Superintendent or other District personnel that he had not filed the FCC Form 471 by the March 22, 2018 deadline.¹¹ His sudden departure left a void in the School District, which

⁷ *Id.* at ¶ 4, at Exh. B.

⁸ *Id.* at ¶ 5, at Exh. B.

⁹ *Id.* at ¶ 6, at Exh. B.

¹⁰ *Id.* at ¶ 7, at Exh. B. It was not until the School District received a call from the Commission after filing its appeal with the Commission for a waiver and requesting that the waiver be revised that the School District determined that the last full day of work recorded for the Technology Director was March 6, 2017. During the month of March, the School District was consistently led to believe that the Technology Director was fulfilling his obligations and would soon return full time to his position.

¹¹ *Id.* at ¶ 8, at Exh. B.

required some time to determine the status of areas that had been under his responsibility ,and understand what items needed immediate attention. Given the sensitivity of his medical condition, communication was difficult.¹²

On April 11, 2018, immediately upon learning that the Technology Director had not filed the required Form 471, the School District hired an E-Rate consultant to assist it with the filing.¹³ On April 20, 2018, the Consultant filed FY2018 FCC Form 471s for Category 1 and Category 2 services under a multi-year contract that the School District awarded on April 15, 2015 to Time Warner.¹⁴ The FY 2018 Form 471 Applications were thus filed 29 days after the close of the Form 471 filing window. For that reason, USAC placed the two Form 471 Applications in “out of window status.”

On May 31, 2018, the Consultant, on behalf of the School District, filed a FCC Form 471 Deadline Waiver Request with the Bureau, citing the sudden illness and unexpected departure of the Technology Director, and his failure to inform the School District that he had not filed the Form 471 for the School District.¹⁵ In that Request for Waiver, Guttenberg relied upon the FCC’s *A Special Place Order*, wherein the Bureau granted a waiver, because the applicant filed within 30 days of the close of the filing window despite an unexpected serious illness or death of the person responsible for submitting the form.¹⁶ Shortly after the filing of the initial Request for

¹² *Id.* at ¶ 9, at Exh. B.

¹³ *Id.* at ¶ 10, at Exh. B.

¹⁴ *Id.* at ¶ 11, at Exh. B; *see* Exh. A (FY 2018 FCC Form 471s).

¹⁵ Guttenberg School District FCC Request for Waiver, at Exh. A.

¹⁶ *Requests for Waiver and Review of Decisions of the Universal Service Administrator by A Special Place; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 5827, 5828, para. 1 (WCB 2014).

Waiver, the Bureau reached out to the Consultant by phone and requested additional information in the Affidavit. A revised Affidavit was filed on July 12, 2018, supplementing the record.¹⁷

On July 31, 2018, the Bureau issued the *Public Notice* summarily denying the School District's Waiver Request.¹⁸ While the *Public Notice* stated that the denial was "consistent with precedent," it relied upon a previous Order in which the Bureau in fact *granted* similar waiver requests, including "three waiver requests where the petitioners were delayed by an unexpected illness or death of a family member and still filed within 30 days of the filing window deadline."¹⁹

II. ARGUMENT

Guttenberg respectfully requests that the Commission reconsider its decision to deny this Waiver Request. This is not a case where the School District ignored, disregarded, or otherwise shirked its responsibility to comply with the E-rate filing requirements. Rather, its filing was late because the individual on whom it relied to make the filing fell ill, was unable to meet the requirement in a timely manner, and failed to disclose the noncompliance before his abrupt resignation. Immediately upon learning of the issue, the School District acted promptly to engage an outside consultant, completing the filing in fewer than 30 days after the deadline passed, and only nine days after the error was first discovered.

¹⁷ Guttenberg School District Revised Request for Waiver, at Exh. B.

¹⁸ *Public Notice*, at 5.

¹⁹ *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, FCC 10-122, 25 FCC Rcd 9256, para. 8 (2010) ("*Academy of Math and Science Order*").

The Commission has often waived its rules for such ministerial, clerical, and procedural errors and may do so on a motion for good cause.²⁰ A rule may be waived where the particular facts make strict compliance inconsistent with the public interest.²¹ In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.²² In sum, waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.²³

Ample precedent exists for a waiver in this case, in which the Commission has found similar (and less compelling) facts to constitute special circumstances justifying a waiver. Furthermore, given the small size, limited resources, and financial challenges of the School District and its local community, together with the vital role of E-rate in creating and enhancing educational opportunities, a waiver would clearly serve the public interest. As the Bureau has repeatedly done in the past, it should grant a waiver here, and direct USAC to process the Guttenberg FY 2018 Form 471, as if it had been filed within the filing window.

²⁰ 47 C.F.R. § 1.3.

²¹ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (“*Northeast Cellular*”).

²² *WAIT Radio v. FCC*, 418 F.2d 1153, 1157, (D.C. Cir. 1969), *affirmed by WAIT Radio v. FCC*, 459 F.2d 1203 (D.C. Cir. 1972), *cert. denied*, 409 U.S. 1027 (1972).

²³ *Northeast Cellular*, 897 F.2d at 1166.

A. Guttenberg Meets the Commission's Special Circumstances Test

Consistent with the Commission's *Bishop Perry Order*²⁴ and *Academy for Academic Excellence Order*,²⁵ the Commission in the *Acorn Public Library Order* established four special circumstances and permissible reasons justifying the grant of all 78 late-filed FCC Form 471 waiver requests at issue in that case.²⁶ The four categories are (1) FCC Forms 471 Filed Within 14 Days of Filing Window Deadline, (2) Illness or Death of E-rate Staff or Death in Family, (3) Circumstances Beyond Applicant's Control, and (4) FCC Forms 471 Timely Filed Without Certification.²⁷ Further, in the *Acorn Public Library Order*, the Commission found that "especially in small districts, it is in the public interest to grant a reasonable amount of extra time to applicants when the E-rate staff person is temporarily unavailable due to a serious illness We also find that it would be an undue hardship to expect small applicants to train multiple staff members to handle E-rate filings in anticipation of unexpected absences due to illness and death, unless such absences should have been foreseeable."²⁸ The Commission went on to find that

²⁴ *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487170, *et al.*, CC Docket No. 02-6, Order, 21 FCC Rcd 5316 (2006) (*Bishop Perry Order*) (granting waivers of the FCC Form 471 filing window deadline).

²⁵ *Request for Review of the Decision of the Universal Service Administrator by Academy for Academic Excellence, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-539076, 539722, *et al.*, CC Docket No. 02-6, Order, 22 FCC Rcd 4747 (Wireline Comp. Bur. 2007) (*Academy for Academic Excellence Order*) (granting waivers of the FCC Form 471 filing window deadline similar to those granted in the *Bishop Perry Order*).

²⁶ *Requests for Waiver and Review of the Decisions of the Universal Service Administrator by Acorn Public Library, 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, 15478, para. 7 (Wireline Comp. Bur. 2008) (*Acorn Public Library Order*) (finding special circumstances exist to justify granting waiver requests where petitioners filed their FCC Forms 471 late due to circumstances beyond their control).

²⁷ *Id.* at ¶¶ 5-8.

²⁸ *Id.* at ¶ 8.

these types of special circumstances warranted a waiver of the FCC Form 471 filing window, because the violation at issue was procedural, not substantive.²⁹

Guttenberg's request for waiver falls squarely within the third special circumstance, namely that (1) the employee responsible for the filing of the Form 471 fell unexpectedly ill, (2) he was unclear as to the serious nature of his illness, which led to staff confusion as to his temporary unavailability, despite the fact that he had led his employer to believe that he would be handling the matter, and (3) during this critical time, he was unclear as to the extent the impact on his work, and the timing of his return to full health.

The Anne Klein School, which is the only K-8th school within the Guttenberg School district, is very small, with less than 1,500 students and 80 faculty. It is well within the range of schools the Bureau had in mind for which it found "an undue hardship to expect small applicants to train multiple staff members to handle E-rate filings in anticipation of unexpected absences due to illness and death."³⁰ Having placed the Form 471 under the responsibility of its most qualified employee, the Technology Director, Guttenberg reasonably believed that he would complete the task or, knowing its importance, seek additional assistance. Guttenberg could not have anticipated so many unexpected absences, culminating in a letter of resignation delivered nearly a week after the deadline had already been missed.

With 20/20 hindsight, there are always other solutions. But the unexpected illness of Guttenberg's employee during this critical time in his life was difficult to navigate for a myriad of reasons, and medical privacy laws, employment laws, and human resources policies, as well as the simple fact that the Technology Director was often absent, limited the School Districts's visibility into the circumstances as they were unfolding. As soon as the School District was able to

²⁹ *Id.* at ¶ 9.

³⁰ *Id.* at ¶ 7.

ascertain what was left undone in the wake of the Technology Director's unexpected absences and resignation, it engaged a consultant to complete the filing, which was certified before the 30th day following the close of the filing window.³¹

B. The Commission Has Granted Waivers for Late-Filed 471s for Reasons Similar or Lesser Than Those Put Forward by Guttenberg

The Bureau's decision to deny Guttenberg's waiver request is not supported by the great weight of Commission precedent, not even the *Academy of Math and Science Order* cited in the *Public Notice*. To the contrary, that Order and many others support a grant of this waiver as a result of illness.

The Bureau's reliance in the *Public Notice* on the Commission's *Academy of Math and Science Order* is misplaced. While it is true that the *Academy of Math and Science Order* denied 158 requests for a waiver of the Form 471 filing deadline for failure of the petitioners to establish the necessary "special circumstances," the Commission explicitly found in that case that those Petitioners "did not miss the deadline due to circumstances beyond their control, or did not file their FCC Forms 471 within a reasonable period of time following the death or serious illness of the person responsible for filing the E-rate application or the death of a family member of the E-rate staff person."³²

³¹ See *Academy of Math and Science Order* at ¶¶ 8-9 (2010) (finding special circumstances exist to justify granting waiver requests filed within 30 days despite medical issues and that applications were filed close enough to the deadline so as not to impair the administration of the program); see also *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Abbotsford School District, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 2-6, Order, 27 FCC Rcd 15299, 15300, ¶ 2 (WCB 2012) (granting waiver where the applicant filed within a reasonable period after the close of the filing window despite delays).

³² *Academy of Math and Science Order* at ¶ 13.

Far more relevant to the Guttenberg School District’s Waiver Request, the *Academy of Math and Science Order* also **granted** three waiver requests where the petitioners were delayed by an unexpected illness or death of a family member and still filed within 30 days of the filing window deadline,” precisely the circumstances presented here.³³ The *Academy of Math and Science Order* cited the *Bishop Perry Order* in correctly recognizing that “the primary jobs of most of the people filling out these forms include school administrators, technology coordinators, and teachers, and the majority of their time is not dedicated to pursuing federal support, especially in small school districts. Even when a school official has learned how to correctly navigate the E-rate application process, unexpected events may cause unanticipated delays. For example, the unexpected serious illness or death of a family member for the staff member assigned responsibility for E-rate applications can effectively halt the application process. Furthermore, for the certifications that were filed late in these cases, we find that rigid adherence to filing procedures does not further the purposes of section 254(h) of the Act or serve the public interest. [citations omitted].”³⁴ Likewise, the Bureau in the *A Special Place Order* granted waiver requests similar to the one at issue here where the applicants “filed within 30 days of the close of the filing window, despite an unexpected serious illness”³⁵

In fact, many of the waiver requests granted in these Commission Orders even had a similar or lesser showing of special circumstances than that of the Guttenberg School District. For example, under the *A Special Place Order*, the Bureau granted waivers due to illness, because the person responsible for the Form 471 filing was dealing with his son, who was

³³ *Id.* at ¶ 9.

³⁴ *Id.*

³⁵ *A Special Place Order* at ¶ 2.

diagnosed with a brain tumor³⁶ or for as little as a single sentence stating that a family emergency kept the person responsible for filing out of the office at the close of the filing window.³⁷ While this is precisely the basis for granting such a waiver, the Bureau never required additional information or an affidavit from the school employee or school district with respect to dates and timing,

Although not exhaustive, the research of the underlying waiver requests clearly demonstrates that the Bureau has granted waivers for the type of special circumstances due to illness, including those with far less supporting detail than that offered by Guttenberg.³⁸ As a result, the *Public Notice* does not properly reflect the weight of Commission precedent concerning such waivers, nor does it reflect any consistent or uniform standard of review for such waivers. Instead, the *Public Notice* relies on one past Order, while ignoring the Commission's most on-point holding in that Order and disregarding a substantial body of more recent and applicable precedent. Indeed, only the month before it denied Guttenberg's request, the Bureau granted other waiver requests from similarly situated Applicants.³⁹ As such, the Bureau has failed to respect

³⁶ Kewannee Community School District Appeal (undated), attached hereto as Exhibit C.

³⁷ Laboratory School of Communications & Languages, attached hereto as Exh. C; *see also* City of Santa Monica Request for Waiver Under the *Academy of Excellence Order*, dated June 11, 2009 (stating that an unexpected illness in December 2008 and January 2009 prevented the E-rate Manager from timely filing the Form 470 and Form 471); and LeMars Community School (undated) (stating that several family illnesses from September through November resulting in completing forgetting to file for E-rate), attached hereto as Exh. C.

³⁸ *See e.g.*, Latah County Library Request for Waiver, dated April 25, 2018 (stating that the illness and subsequent hospitalization of a Mother resulted in missing the deadline by 28 days); Action Pathways, Inc. Request for Waiver, dated April 10, 2018 (stating that the designated point person for filing was on family medical leave from 2/14/18-4/9/18 and this was an oversight in filing 17 days after the window close); and Bradford Area Christian Academy, dated April 12, 2018 (stating that the person responsible for the filing was navigating the death of his father-in-law), attached hereto at Exh. C.

³⁹ *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice, DA 18-561 (WCB May 31, 2018).

Commission-level precedent in the *Academy of Math and Science Order*, and broken away from its own substantial body of precedent, without explanation for its change in approach.

In a Statement by Commissioner O'Reilly appended to the recent Commission *Pribilof School District Order*, Commissioner O'Reilly stated that USAC's Funding Commitment Decision Letters "should contain a clear statement of each basis for the decision, including citations to any relevant statutory provision or Commission rule, order, or policy. These simple steps could provide even greater clarity and certainty for participants and would improve transparency and accountability for the programs overall. Applicants and the American people deserve no less."⁴⁰ This same standard should apply equally to Guttenberg and other E-rate applicants in their requests for waivers and appeals.

C. A Waiver Is In the Public Interest

The public interest benefits of E-rate are well recognized by Congress, the Commission, and throughout the greater educational community. As the Commission has stated:

High-speed broadband, to and within schools, connects students to cutting-edge learning tools in the areas of science, technology, engineering and math (STEM) education, necessary for preparing them to compete in the global economy. High-speed broadband also creates opportunities for customized learning, by giving our students and their teachers access to interactive content, and to assessments and analytics that provide students, their teachers, and their parents real-time information about student performance while allowing for seamless engagement between home and school. Finally, high-speed broadband expands the reach of our schools and creates opportunities for collaborative distance learning, providing all students access to expert instruction, no matter how small the school they attend or how far they live from experts in their field of study.⁴¹

⁴⁰ *Application for Review of a Decision of the Wireline Competition Bureau by Pribilof School District, St. Paul Island, Alaska*, CC Docket No. 02-6, Order, FCC 18-118 (rel. Aug. 8, 2018), Statement of Comm'r O'Reilly.

⁴¹ *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, FCC 14-99, 29 FCC Rcd 8870, ¶ 2 (2014).

For that reason, it is the Commission’s overarching E-rate policy goal “to ensure our nation’s schools and libraries have affordable access to high-speed broadband.”⁴²

As a small school district of fewer than 1,500 students, Guttenberg’s limited resources are further constrained by the financial straits of its student community, as well as its high proportion of ESL and free- or reduced-price lunch students. New Jersey classifies its public school districts according to “District Factor Groups,” determined based on criteria such as the educational level, occupational status, and unemployment rate of adults in the district, the percent of individuals in poverty, the median family income. Guttenberg is classified in group “B,” the second-lowest,⁴³ yet not low enough to qualify for supplemental aid from the state under the state Supreme Court’s decisions in *Abbott v. Burke*.⁴⁴ As a result, the Assistant Superintendent has stated that denial of this funding for FY2018 would create a significant burden on the School District, which is much in need of E-Rate funding.⁴⁵

These factors, along with compliance with core requirements; zero evidence of waste, fraud, and abuse; and alignment with the Commission’s goals to “promote the statutory requirements of section 254(h) of the Communications Act of 1934, as amended (the Act), by helping to ensure that eligible schools and libraries actually obtain access to discounted telecommunications and information services,⁴⁶ are in alignment with the progeny of

⁴² *Id.* at ¶ 4.

⁴³ See New Jersey Department of Education, “District Factor Groups (DFG) for School Districts,” available at: <https://www.nj.gov/education/finance/rda/dfg.shtml>.

⁴⁴ *Abbott v. Burke*, 710 A.2d 450 (N.J. 1998) (upholding “remedial [funding] measures that must be implemented in order to ensure that public school children from the poorest urban communities receive the educational entitlements that the [state] Constitution guarantees them”).

⁴⁵ Revised Affidavit, ¶ 12, at Exh. B.

⁴⁶ 47 U.S.C. § 254(h).

Commission Orders following the *Bishop Perry Order* and *Acorn Public Library Order* allowing procedural errors⁴⁷ and speak in favor of granting a waiver for these funding requests.

III. CONCLUSION

For the foregoing reasons, Guttenberg respectfully requests that the Bureau reconsider its denial of Guttenberg's request for a waiver of the filing deadline for the FCC Form 471 and direct USAC to process the Guttenberg Form 471 Applications as if they had been timely filed before the close of the FY 2018 Form 471 filing window.

Respectfully submitted,



Jolene Mantineo
Assistant Superintendent/Business
Administrator
GUTTENBERG SCHOOL DISTRICT
301 69th Street
Guttenberg, NJ 07093-2411

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Counsel for Guttenberg School District

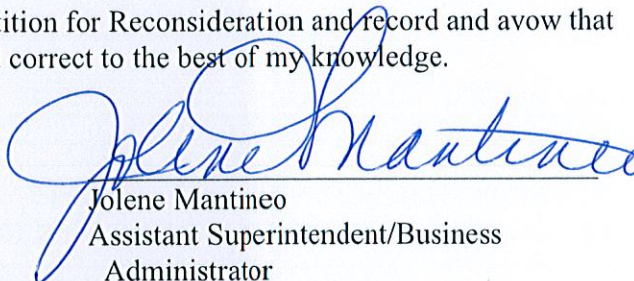
August 29, 2018

⁴⁷ *Bishop Perry* at ¶ 9.

AFFIDAVIT OF JOLENE MANTINEO

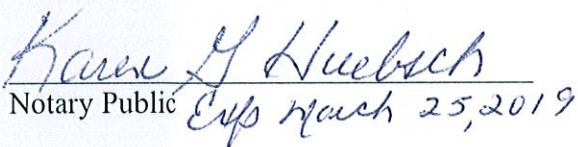
I, Jolene Mantineo, swear :

1. That I am Assistant Superintendent/Business Administrator for Guttenberg Board of Education and part of my responsibilities have included oversight of E-Rate administration.
2. That I have read the foregoing Petition for Reconsideration and record and avow that the information therein is true and correct to the best of my knowledge.



Jolene Mantineo
Assistant Superintendent/Business
Administrator
Guttenberg School District
301 69th Street
Guttenberg, NJ 07093-2411
BEN # 122769

Subscribed and sworn to before me this 29 day of August, 2018



Notary Public *Exp March 25, 2019*

Exhibit A

Guttenberg School District FCC Request for Waiver

2018

EdTechnologyFunds, Inc,
Beverly Sutherland

May 31, 2018

Waiver Request

Federal Communication Commission

445 12th Street SW

Washington, DC 20554

CC Docket No. 02-6

To whom it may concern:

Guttenberg School District is respectfully requesting a waiver to the deadline for Funding Year 2018 471 Application Submission.

Entity & BEN	Guttenberg School District (BEN 122769)
Contact Mailing Address Phone Number Email	Beverly Sutherland 2400 N Lincoln Ave, Altadena, CA 91001 (626) 296-6284 bsutherland@edtechnologyfunds.com
Application Number	Form 471- Application # 181042633 and 181042634
Reason for Waiver Request	Funding Year 2018 – Form 471 Submitted Out of Window
Funding Request No.	1899083377, 1899083376
CC Docket No. 02-6	

Waiver Request Explanation:

Guttenberg School District 471 Applications were filed late due to an unforeseen medical issue of person responsible for submitting the forms. Per the attached affidavit, this person departed unexpectedly and did not inform the District's management that the E-rate applications had not been filed. The Districts Form 471 applications were submitted and certified online on April 20, 2018.

Supporting Documentation:

These documents are provided in support of the 471 deadline waiver request for FY2018:

Guttenberg Erate Affidavit 2018.pdf – Affidavit of illness and sudden departure of person responsible for E-rate applications.

Guttenberg LOA.pdf – Letter of Agency for EdTechnologyFunds to act on behalf of District.

Relief Sought through this Waiver Request:

It is Commission policy to waive the deadline in cases where the application is late filed due to Unexpected Serious Illness or Death¹. The assistance that Guttenberg School District receives from the E-Rate Program is vital to the District's operations and community outreach. Hence, I respectfully request that Guttenberg USD is granted a waiver to the FY2018 471 deadline for applications listed above.

Sincerely,



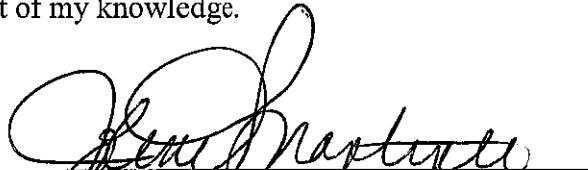
Beverly Sutherland
President – EdTechnologyFunds, Inc. (a division of The Sutherland Consulting Group)

¹ *Requests for Waiver and Review of Decisions of the Universal Service Administrator by A Special Place; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 5827, 5828, para. 1 (WCB 2014) (granting a waiver because applicant filed within 30 days of the close of the filing window despite an unexpected serious illness or death of the person responsible for submitting the form or a close family member of that person).

AFFIDAVIT OF

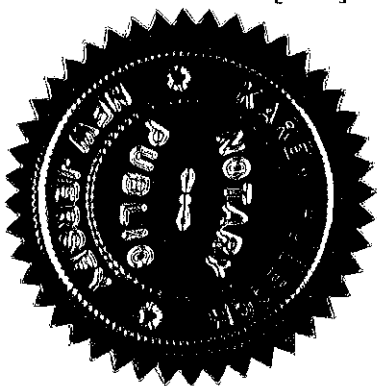
I, Jolene Mantineo, swear to the following statements:


1. That I am Assistant Superintendent/Business Administrator for Guttenberg Board of Education and part of my responsibilities have included oversight of E-Rate administration.
2. That our Technology Director, David Buonocore , had direct responsibility for the filing of the FY 2018 FCC Form 471.
3. That our Technology Director had a serious medical issue and suddenly left the Guttenberg School District (School District) as a result of the unforeseen medical condition and did not inform the School District that he had not filed the FCC Form 471 by the deadline.
4. Immediately upon knowing this information, on April 11, 2018, we hired an E-Rate consultant, EdTechnologyFunds, Inc., to assist us with the filing.
5. On April 20, 2018, the Consultant filed the attached FY2018 FCC Form 471s for Category 1 and Category 2 services under a multi-year contract that the School District awarded on April 15, 2015 to Time Warner.
6. Denial of this funding for FY2018 would create a significant burden on the School District, which is much in need of E-Rate funding.
7. That I have read the foregoing appeal and record and avow that the information therein is true and correct to the best of my knowledge.


Jolene Mantineo
Assistant Superintendent/Business
Administrator
Guttenberg School District
301 69th Street
Guttenberg, NJ 07093-2411
BEN # 122769

Subscribed and sworn to before me this 31st day of May, 2018

[Seal]




Notary Public
Exp March 25, 2019



Description of Services Ordered and Certification Form 471

FCC Form 471

Application Information

Nickname	FY18_Guttenberg_C1	Application Number	181042633
Funding Year	2018	Category of Service	Category 1

Billed Entity

GUTTENBERG SCHOOL DISTRICT
301 69TH ST GUTTENBERG NJ 07093 - 2411
201-861-3100

Contact Information

Cindy Perez
626-296-6220
cperez@edtechnologyfunds.com

Billed Entity Number	122769
FCC Registration Number	0013419452
Applicant Type	School District

Holiday/Summer Contact Information	Beverly Sutherland 626-296-6284 bsutherland@edtechnologyfunds.com
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Consulting Firms

Name	Consultant Registration Number	City	State	Zip Code	Phone Number	Email
Sutherland Consulting Group, Inc. DBA EdTechnologyFunds, Inc.	16060507	Altadena	CA	91001	626-296-6284	bsutherland@edtechnologyfunds.com

Entity Information

School District Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	School District Attributes	Endowment
122769	GUTTENBERG SCHOOL DISTRICT	Urban				Public School District	None

Related Entity Information

Related Child School Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
17008271	Anna L. Klein School	Urban				None	Public School	None

Related Child School Entity - Discount Rate Calculation Details

BEN	Name	Urban/ Rural	Number of Students	Students Count Based on Estimate	CEP Percentage
17008271	Anna L. Klein School	Urban	975	N/A	

Discount Rate

School District Enrollment	School District NSLP Count	School District NSLP Percentage	School District Urban/ Rural Status	Category One Discount Rate	Category Two Discount Rate	Voice Discount Rate
975	756	78.0%	Urban	90%	85%	10%

Funding Request for FRN #1899083377

Funding Request Nickname: Internet Access

Service Type: Data Transmission and/or Internet Access

What is the FRN number from the previous year ? 1799083375

Agreement Information - Contract

Contract Number	5605857	Account Number	8150270010062511
User-entered Establishing FCC Form 470#	381280001328761	Service Provider	Time Warner Cable Business LLC (SPN: 143048275)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	No
Award Date	April 15, 2015	Based on a multiple award schedule?	No
How many bids were received for this contract?	4	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	May 05, 2019

Document Name	Document Description
Time Warner Cable_Signed Contract.pdf	Managed WIFI

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative Internet Access for one site

Line Item # 1899083377.001

Product and Service Details

Purpose	Internet access service that includes a connection from any applicant site directly to the Internet Service Provider		
Function	Fiber		
Type of Connection	Ethernet		
Bandwidth Speed			
Upload Speed	1.0 Gbps	Download Speed	1.0 Gbps

Connection Information

Does this include firewall services?	No	Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)?	No
Is this a direct connection to a single school, library or a NIF for Internet access?	Yes		

Cost Calculation for FRN Line Item # 1899083377.001

Monthly Cost		One-Time Cost	
Monthly Recurring Unit Cost	\$5,645.00	One-time Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00	One-time Ineligible Unit Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$5,645.00	One-time Eligible Unit Cost	= \$0.00
Monthly Quantity	x 1	One-time Quantity	x 0
Total Monthly Eligible Recurring Costs	= \$5,645.00	Total Eligible One-time Costs	= \$0.00
Months of Service	x 11	Summary	
Total Eligible Recurring Costs	= \$62,095.00	Total Eligible Recurring Costs	\$62,095.00
		Total Eligible One-time Costs	+ \$0.00
		Pre-Discout Extended Eligible Line Item Cost	= \$62,095.00

Recipients of Services

BEN	Name
17008271	Anna L. Klein School

FRN Calculation for FRN #1899083377

Monthly Charges	
Total Monthly Recurring Charges	\$5,645.00
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$5,645.00
Total Number of Months of Service	x 11
Total Eligible Pre-Discount Recurring Charges	= \$62,095.00

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$62,095.00
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$62,095.00
Discount Rate	90%
Funding Commitment Request	= \$55,885.50

Connectivity Questions

District/System-wide Internet Access Questions

Does your school district currently aggregate Internet access for the entire district(as opposed to buying Yes Internet access on a building-by-building basis)?

Download Speed	1.00	Download Speed Units	Gbps
Upload Speed	1.00	Upload Speed Units	Gbps

Per Entity Basis Questions

Entity Name GUTTENBERG SCHOOL DISTRICT Entity Number 122769

BEN	Entity Name	Download	Units	Upload	Units	Connection	Wifi Sufficient	Barriers to Robust Network
17008271	Anna L. Klein School	1.00	Gbps	1.00	Gbps	Fiber	Mostly	Equipment too costly

Certifications

I certify that the entities listed in this application are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.

I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

Total Funding Summary

Below is a summary of the total line item costs on this FCC Form 471:

Summary	
Total funding year pre-discount eligible amount on this FCC Form 471	\$62,095.00
Total funding commitment request amount on this FCC Form 471	\$55,885.50
Total applicant non-discount share of the eligible amount	\$6,209.50
Total budgeted amount allocated to resources not eligible for E-rate support	\$10,000.00
Total amount necessary for the applicant to pay the non-discount share of eligible and any ineligible amounts	\$16,209.50
Are you receiving any of the funds directly from a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year?	No
Has a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds needed to pay your non-discounted share?	No

I certify an FCC Form 470 was posted and that any related RFP was made available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology goals.

I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500 and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, as prohibited by the Commission's rules at 47 C.F.R. § 54.503(d), other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts or other legally binding agreements covering all of the services listed on this FCC Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to USAC.

I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

I certify that if any of the Funding Requests on this FCC Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504.

Notice

Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to submit an application for such discounts by filing this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the application requirements for universal service discounts contained in 47 C.F.R. § 54.504. Schools and libraries must file this form themselves or as part of a consortium. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving your application for universal service discounts is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application for universal service discounts may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public. If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized. If you do not provide the information we request on the form, the FCC or the Universal Service Administrator may delay processing of your application for universal service discounts or may return your application without action. The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq. Public reporting burden for this collection of information is estimated to average 4.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

Authorized Person

Title:	E-Rate Consultant	Name:	Cindy Perez
Phone:	626-296-6220	Email:	cperez@edtechnologyfunds.com
Address:	2400 N. Lincoln Avenue Altadena CA 91001	Employer:	Cindy Perez

Certified Timestamp

20-Apr-2018 15:12:12 EDT



Description of Services Ordered and Certification Form 471

FCC Form 471

Application Information

Nickname	FY18_Guttenberg_C2	Application Number	181042634
Funding Year	2018	Category of Service	Category 2

Billed Entity

GUTTENBERG SCHOOL DISTRICT
301 69TH ST GUTTENBERG NJ 07093 - 2411
201-861-3100

Contact Information

Cindy Perez
626-296-6220
cperez@edtechnologyfunds.com

Billed Entity Number	122769
FCC Registration Number	0013419452
Applicant Type	School District

Holiday/Summer Contact Information	Beverly Sutherland 626-296-6284 bsutherland@edtechnologyfunds.com
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Consulting Firms

Name	Consultant Registration Number	City	State	Zip Code	Phone Number	Email
Sutherland Consulting Group, Inc. DBA EdTechnologyFunds, Inc.	16060507	Altadena	CA	91001	626-296-6284	bsutherland@edtechnologyfunds.com

Entity Information

School District Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	School District Attributes	Endowment
122769	GUTTENBERG SCHOOL DISTRICT	Urban				Public School District	None

Related Entity Information

Related Child School Entity - Details

BEN	Name	Urban/Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
17008271	Anna L. Klein School	Urban				None	Public School	None

Related Child School Entity - Discount Rate Calculation Details

BEN	Name	Urban/ Rural	Number of Students	Students Count Based on Estimate	CEP Percentage
17008271	Anna L. Klein School	Urban	975	N/A	

Discount Rate

School District Enrollment	School District NSLP Count	School District NSLP Percentage	School District Urban/ Rural Status	Category One Discount Rate	Category Two Discount Rate	Voice Discount Rate
975	756	78.0%	Urban	90%	85%	10%

[Funding Request for FRN #1899083376](#)

Funding Request Nickname: MIBS

Service Type: Managed Internal Broadband Services

What is the FRN number from the previous year ? 1799089131

Agreement Information - Contract

Contract Number	5605857	Account Number	8150270010062511
User-entered Establishing FCC Form 470#	381280001328761	Service Provider	Time Warner Cable Business LLC (SPN: 143048275)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	No
Award Date	April 15, 2015	Based on a multiple award schedule?	No
How many bids were received for this contract?	4	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	May 27, 2019

Document Name	Document Description
Time Warner Cable_Signed Contract.pdf	Managed WIFI

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative MIBS for one site

Line Item # 1899083376.001

Product and Service Details

Type of Managed Service Agreement Managed and leased from a third party service provider

Cost Calculation for FRN Line Item # 1899083376.001

Monthly Cost	
Monthly Recurring Cost	\$3,002.00
Monthly Recurring Ineligible Costs	- \$0.00
Monthly Recurring Eligible Costs	= \$3,002.00
Months of Service	x 11
Total Eligible Recurring Costs	= \$33,022.00

One-Time Cost	
One-time Cost	\$0.00
One-time Ineligible Costs	- \$0.00
One-time Eligible Cost	= \$0.00
Summary	
Total Eligible Recurring Costs	\$33,022.00
One-time Eligible Costs	+ \$0.00
Pre-Discout Extended Eligible Line Item Cost	= \$33,022.00

Recipients of Services

BEN	Name	Amount
17008271	Anna L. Klein School	\$33,022.00

FRN Calculation for FRN #1899083376

Monthly Charges	
Total Monthly Recurring Charges	\$3,002.00
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$3,002.00
Total Number of Months of Service	x 11
Total Eligible Pre-Discount Recurring Charges	= \$33,022.00

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$33,022.00
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$33,022.00
Discount Rate	85%
Funding Commitment Request	= \$28,068.70

Connectivity Questions

District/System-wide Internet Access Questions

Does your school district currently aggregate Internet access for the entire district(as opposed to buying Yes Internet access on a building-by-building basis)?

Download Speed	1.00	Download Speed Units	Gbps
Upload Speed	1.00	Upload Speed Units	Gbps

Per Entity Basis Questions

Entity Name GUTTENBERG SCHOOL DISTRICT Entity Number 122769

BEN	Entity Name	Download	Units	Upload	Units	Connection	Wifi Sufficient	Barriers to Robust Network
17008271	Anna L. Klein School	1.00	Gbps	1.00	Gbps	Fiber	Mostly	Equipment too costly

Certifications

I certify that the entities listed in this application are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.

I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

Total Funding Summary

Below is a summary of the total line item costs on this FCC Form 471:

Summary	
Total funding year pre-discount eligible amount on this FCC Form 471	\$33,022.00
Total funding commitment request amount on this FCC Form 471	\$28,068.70
Total applicant non-discount share of the eligible amount	\$4,953.30
Total budgeted amount allocated to resources not eligible for E-rate support	\$10,000.00
Total amount necessary for the applicant to pay the non-discount share of eligible and any ineligible amounts	\$14,953.30
Are you receiving any of the funds directly from a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year?	No
Has a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds needed to pay your non-discounted share?	No

I certify an FCC Form 470 was posted and that any related RFP was made available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology goals.

I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500 and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, as prohibited by the Commission's rules at 47 C.F.R. § 54.503(d), other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts or other legally binding agreements covering all of the services listed on this FCC Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to USAC.

I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

I certify that if any of the Funding Requests on this FCC Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504.

Notice

Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to submit an application for such discounts by filing this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the application requirements for universal service discounts contained in 47 C.F.R. § 54.504. Schools and libraries must file this form themselves or as part of a consortium. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving your application for universal service discounts is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application for universal service discounts may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public. If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized. If you do not provide the information we request on the form, the FCC or the Universal Service Administrator may delay processing of your application for universal service discounts or may return your application without action. The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq. Public reporting burden for this collection of information is estimated to average 4.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

Authorized Person

Title:	E-Rate Consultant	Name:	Cindy Perez
Phone:	626-296-6220	Email:	cperez@edtechnologyfunds.com
Address:	2400 N. Lincoln Avenue Altadena CA 91001	Employer:	Cindy Perez

Certified Timestamp

20-Apr-2018 14:49:55 EDT

Exhibit B

Guttenberg School District FCC Revised Request for Waiver

2018

EdTechnologyFunds, Inc,
Beverly Sutherland

July 12, 2018

Waiver Request

Federal Communication Commission

445 12th Street SW

Washington, DC 20554

CC Docket No. 02-6

To whom it may concern:

Attached is a revised affidavit (**Affidavit of JMantineo (Guttenberg SD) (revised).pdf**) that provides more details on the FCC Waiver Request submitted on 5-31-18 (Confirmation #20180531297909010) for Guttenberg School District as requested from a FCC reviewer.

Per the original request, Guttenberg is respectfully requesting a waiver to the deadline for Funding Year 2018 471 Application Submission per details previously submitted below.

Entity & BEN	Guttenberg School District (BEN 122769)
Contact Mailing Address Phone Number Email	Beverly Sutherland 2400 N Lincoln Ave, Altadena, CA 91001 (626) 296-6284 bsutherland@edtechnologyfunds.com
Application Number	Form 471- Application # 181042633 and 181042634
Reason for Waiver Request	Funding Year 2018 – Form 471 Submitted Out of Window
Funding Request No.	1899083377, 1899083376
CC Docket No. 02-6	

Waiver Request Explanation:

Guttenberg School District 471 Applications were filed late due to an unforeseen medical issue of person responsible for submitting the forms. Per the attached affidavit, this person departed unexpectedly and did not inform the District's management that the E-rate applications had not been filed. The Districts Form 471 applications were submitted and certified online on April 20, 2018.

Supporting Documentation:

These documents are provided in support of the 471 deadline waiver request for FY2018:

Guttenberg Erate Affidavit 2018.pdf – Affidavit of illness and sudden departure of person responsible for E-rate applications.

Guttenberg LOA.pdf – Letter of Agency for EdTechnologyFunds to act on behalf of District.

Relief Sought through this Waiver Request:

It is Commission policy to waive the deadline in cases where the application is late filed due to Unexpected Serious Illness or Death¹. The assistance that Guttenberg School District receives from the E-Rate Program is vital to the District's operations and community outreach. Hence, I respectfully request that Guttenberg USD is granted a waiver to the FY2018 471 deadline for applications listed above.

Sincerely,



Beverly Sutherland

President – EdTechnologyFunds, Inc. (a division of The Sutherland Consulting Group)

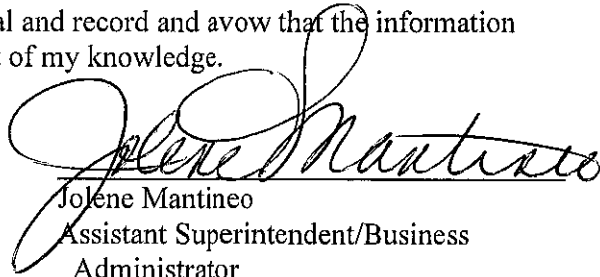
¹ *Requests for Waiver and Review of Decisions of the Universal Service Administrator by A Special Place; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 5827, 5828, para. 1 (WCB 2014) (granting a waiver because applicant filed within 30 days of the close of the filing window despite an unexpected serious illness or death of the person responsible for submitting the form or a close family member of that person).

AFFIDAVIT OF

I, Jolene Mantineo, swear to the following statements:

1. That I am Assistant Superintendent/Business Administrator for Guttenberg Board of Education (District) and part of my responsibilities have included oversight of E-Rate administration.
2. That our Technology Director, David Buonocore , had direct responsibility for the filing of the FY 2018 FCC Form 471.
3. In February 2018, the District was notified that Mr. Buonocore was experiencing some medical issues, but was told it would not affect his job responsibilities.
4. In February 2018, Mr. Buonocore told the District that he was aware of the E-rate application and that he was working on it.
5. As a result of his sudden medical condition, he repeatedly did not report to work and did not report his absence to the District. He was absent 9 out of 17 service school days. During this time, we had no reason to believe that Mr. Buonocore would not complete his responsibilities in filing the E-Rate application.
6. Further or deeper inquiry by the District was difficult given personnel and privacy issues.
7. Our records indicate that Mr. Buonocore's last full day at work was on March 6, 2018. Time passed and uncertainty of his condition and his ability to perform remained unclear until on March 27, 2018, when the District received a letter of resignation via e-mail.
8. Our Technology Director suddenly left the District due to an apparent decline in his medical condition unforeseen from our first notice by him in February and did not inform me or other District personnel that he had not filed the FCC Form 471 by the deadline.
9. His sudden departure left a void in the District, which required some time to understand what items needed immediate attention. Given the sensitivity of the issue, because it related to medical condition, communication was difficult.
10. Immediately upon learning that Mr. Buonocore had not filed the District's Form 471, on April 11, 2018, we hired an E-Rate consultant, EdTechnologyFunds, Inc., to assist us with the filing.
11. On April 20, 2018, the Consultant filed the attached FY2018 FCC Form 471s for Category 1 and Category 2 services under a multi-year contract that the School District awarded on April 15, 2015 to Time Warner.
12. Denial of this funding for FY2018 would create a significant burden on the School District, which is much in need of E-Rate funding.

13. That I have read the foregoing appeal and record and avow that the information therein is true and correct to the best of my knowledge.



Jolene Mantineo
Assistant Superintendent/Business
Administrator
Guttenberg School District
301 69th Street
Guttenberg, NJ 07093-2411
BEN # 122769

Subscribed and sworn to before me this 12th day of July, 2018

[Seal]

KEVIN JIMENEZ
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01JI6194633
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES NOV. 3, 2020



Notary Public

Exhibit C

Examples of Other Applicants' Requests for Waivers

WAIVER REQUEST - WAIVE DEADLINE FOR FCC FORM 471 APPLICATION FILING WINDOW.

Billed Entity: Kewanee Community Unit School District #229, 210 Lyle Street, Kewanee, IL 61443-2951

Entity Number: 136086

Funding Year: 2014

FCC Registration Number: 0009520537

Contact: Mike Perva, IT Director 309/853-3328 X1921

Email: mperva@kcud229.org

Fax: 309/854-0210

The Kewanee Community Unit School District #229 is requesting a one-time waiver from the FCC for the 2014 Form 471 deadline. This waiver would enable the Kewanee Community Unit School District #229 to proceed with Form 471 and apply for a funding request of \$141,475.08 for our 7 School buildings within our district.

Explanation:

The Kewanee Community Unit School District #229 is a small Illinois school District with a high poverty rate and 86% of our students are currently enrolled in the Free and reduced Food Program.

Within the District, there is only one person to handle the E-rate program and that task falls on to myself as the technology Director. In the past, I have been able to complete all forms in a timely manner.

While I was gathering information required for the 471 filing, my youngest son had a seizure and was admitted to a hospital in Chicago. The doctors determined that he had a tumor on his brain that needed to be removed without delay. After successful removal, the tumor was diagnosed as cancerous and my son needed follow up care that was provided by myself. This was in addition to the time that I spent while the doctors were attempting to determine the cause of his seizure

Thus, I was not available to gather my information to complete the 471 in a timely manner. The district does not have a backup E-rate person to complete what I had started. This will be corrected as another staff member will be trained and will be allowed access to E-rate forms and documents.

We are asking for your consideration in granting this waiver which will aid us in the materials and Services we provide.

In dealing with current economic times, our School District depends heavily on the receipt of USF monies. Please do not allow this unintentional error to be a burden to the City of Kewanee taxpayers and possibly affect the services we provide to our students. Thank You.

Mike Perva, IT Director, Kewanee Community Unit School District #229

The Laboratory School of Communications & Languages



Administrative Office: 5901 Woodbine Avenue, Philadelphia, PA 19131 Phone: 215-452-5580 : Fax 215-452-5588

April 2, 2014

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

Received & Inspected

APR 21 2014

FCC Mail Room

Re: Request for Waiver
Form 471 Filing Deadline for Funding Year 2014

Contact: Jason Entezari
5901 Woodbine Avenue
Philadelphia, PA 19131
Phone: 610-879-1800, Ext. 311
Fax: 215-452-5588
Email: jentezari@labcharter.com

Billed Entity Number: 208405
Form 471 Application Number: 992430
C Docket No. 02-6
CC Docket No. 96-45

Dear Ms. Dortch:

We are writing to respectfully request the FCC to grant a waiver of the Funding Year 2014 Form 471 deadline so that our Form 471 E Rate application will be considered as having been filed within the "window." We likewise request that the certification of our Form 470 application (501330001229824) be accepted as "in window."

The Laboratory Charter School of Communication and Languages has undergone major reorganization that has affected our business operations and the way we prepare our E Rate applications. This caused some delay in assembling the information. A family emergency of Mr. Entezari's kept him out of the office at the end of the filing "window," hence we missed the deadline.

E Rate funding is extremely important to the school. We would receive over \$21,000 from this application, which constitutes almost one-fourth of our technology budget. We have always tried to be conscientious in meeting deadlines, and we make this request in good faith. Thank you in advance for your consideration.

No. of Copies rec'd
List ABCDE

0

Sincerely,

A handwritten signature in black ink, consisting of a large loop followed by several smaller, connected loops and a final flourish.

Julie Bunt, CEO



City of
Santa Monica®

Information Systems
1685 Main Street, Room 110
Santa Monica, CA 90401

Received & Inspected

JUN 19 2009

FCC Mail Room

June 11, 2009

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

Subject: Request/Petition for Waiver - CC Docket No. 02-6

Dear Ms. Dortch:

The City of Santa Monica (Entity Number 16020048) missed the filing deadline for Form 471 (Application Number 700284) and would like to request/petition a waiver to waive the FCC deadline.

I am the E-rate Program Manager for the City of Santa Monica. Due to an unexpected illness in late December 2008 and early January 2009, I was out of the office for a few weeks going through therapy. As a result, I missed the filing deadline for Form 470 (Application Number 942880000728355). The late submittal of Form 470 caused Form 471 to be late as well because we cannot submit Form 471 until after the filing window date was closed.

With our current state of our economy, many programs at the public libraries have been eliminated or reduced. As a result, any additional funding or savings will greatly help in minimizing the impact to public programs at the libraries, especially the lifelong learning and reading programs for children.

While I continue to battle my illness, I would hate for it to hinder our children's programs in the community. So your consideration in waiving the FCC's filing deadline, due to an unexpected illness, to allow us to move forward with the application process is greatly appreciated.

If you have any questions or concerns, please do not hesitate to contact me on my direct line at (310) 434-2611 or by email at phil.tong@smgov.net.

Sincerely,

Phil Tong
Sr. Administrative Analyst

No. of Copies rec'd 0
List ABCDE

Enclosure: USAC Form 471 Notification Letter Dated June 5, 2009



**FUNDING YEAR 2009 FORM 471
POSTMARKED OUTSIDE OF WINDOW**

June 5, 2009

PHIL TONG
CITY OF SANTA MONICA
1685 MAIN STREET, ROOM 110
SANTA MONICA, CA 90401

Re: Applicant's Form Identifier: SMPL2009
Form 471 Application Number: 700284

Dear PHIL TONG:

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application was postmarked on 03/04/2009, which is AFTER the Funding Year 2009-2010 filing window closed at 11:59 p.m. EST on Thursday, February 12, 2009.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the USAC website at www.usac.org/sl once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future Funding Years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or service provider name,
 - BEN,
 - Application number 700284 as assigned by USAC,
 - "Funding Year 2009 Form 471 Postmarked Outside of Window Letter,"AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973)599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 South Jefferson Road
P.O. Box 902
Whippany, NJ 07981

You have the option of filing an appeal with USAC or with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Consider Request for Waivers:

CC Docket No. 02-6

Dear FCC:

I am in the process to appeal for a request for waivers. I have appealed to the USAC and received a letter dated June 18th from the USAC stating that I would need to appeal to the FCC because they are not permitted to consider the waiver. Below you will find my reason for the appeal that I sent to the USAC.

Appellant Name: Bruce Ludwig – LeMars Community School

Applicant-LeMars Community School

Bill Entity Number: 132268

Application Number: 700343

“Funding Year 2009 Form 471 Postmarked Outside of Window Letter”

I am writing to appeal the decision to hold our application pending the final review of those applications that were filed within the filing window.

Please reconsider LeMars Community Schools application. September of 2008 our family went through a long, hard time dealing with the death of my wifes mother. She was battling Parkinson disease and past away late September. Two weeks later my mother was diagnosed with throat cancer. We spend several times driving back and forth to North Dakota to be with her during her treatment. To top it off my father was diagnosed with Prostate cancer in the middle of November and again we spend time traveling to be with them.

Because of everything that has happened through the months of September through December I completed forgot to file papers for Erate for our school district. If you need any paper work, death certificate, or medical clearance from the my parents doctors I would be happy to provide them.

Thank you for your consideration and I hope I have provided all the information needed for our application to be processed.

Sincerely

Bruce Ludwig

LeMars Community Schools

LeMars, IA 51031

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Petition for Waiver of)	
FCC Form 471 Filing Deadline)	
)	
Latah County Library District)	CC Docket No. 02-6
BEN 142771)	
)	
Schools and Libraries Universal Service)	
Support Mechanism)	

**Petition for Waiver of
FCC Form 471 Filing Deadline for Funding Year 2018
RE: FCC Form 471 BEN 142771**

I. INTRODUCTION AND SUMMARY

The Latah County Library District is located in rural north central Idaho. The Latah County Library District has public libraries in all 7 rural communities throughout the county and has been a small but successful participant of the E-Rate program for over 10 years.

The Latah County Library District submitted and certified their Funding Year 2018 FCC Forms 471, 181042631 and 181042632, in the "Apply Online" portal of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company's ("USAC") website, on 4/19/2018, 28 days after the FCC Form 471 filing deadline of 3/22/2018.

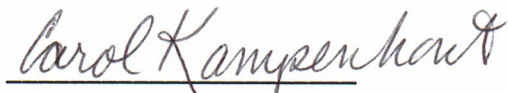
As the Business Manager of the Latah County Library District, I work E-Rate into my already busy work schedule, and am the sole staff member performing E-Rate duties. The week before the filing deadline, my 89 year old widowed mother, who lives in another state, became

increasingly ill, had a stroke and was hospitalized. I flew to Michigan and stayed with her in her skilled care room and helped provide 24/7 care for 10 days. After returning to work I sadly realized that I had forgotten to file the 471s by the filing deadline.

II. Request

The Latah County Library District respectfully petitions the Commission to request a waiver of the Funding Year 2018 FCC Form 471 filing deadline on behalf of the Latah County Library District to allow the Out of Window submission of their E-Rate Funding Year 2018 FCC Forms 471 181042631 and 181042632, due to the extenuating family medical emergency.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carol Kampenhout". The signature is written in dark ink and is positioned above a horizontal line.

Carol Kampenhout
Business Manager
110 South Jefferson St.
Moscow, ID 83843
(208) 882-3926 x122
carolk@latahlibrary.org

Dated: April 25, 2018



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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Action Pathways, Inc)	CC Docket No. 02-6
In the Schools and Libraries Program)	

REQUEST FOR WAIVER OF 471 APPLICATION AND ITEM 21 DEADLINE

Action Pathways, Inc (Head Start), BEN 16055701

FCCRN: 0020243093

470: 160038655

471: 181042503 (Year 3 of a 3-year contract)

FRN 1899083184 – WAN -17 Head Start Locations in Fayetteville NC

Action Pathways, Inc., a Head Start organization in Fayetteville, North Carolina, serving the population of hundreds of military families at Fort Bragg, home of the 82nd Airborne Division, and Pope Air Force Base, respectfully requests a waiver of the 2018-19 Form 471 application and Item 21 deadline. In accordance with longstanding Commission precedent granting deadline waivers for extraordinary events such as death, deployment or illness of key applicant personnel specifically in the Academy

of Academic Excellence decision,¹ we ask the Commission to grant this waiver request.

Our designated point person for filing applications this year was on family medical leave from 2/14/18-4/9/18 and was unable to perform E-Rate duties during the filing window. Medical documentation can be provided to the Commission on a confidential basis if requested.

When we discovered this oversight we contacted our State E-rate Coordinator, Jeannene Hurley, who assisted staff with submission the application - a continuation of an existing WAN contract from the previous two years. The application was submitted as soon as possible after discovery and was submitted less than three days after the two-week grace period the Commission has historically grants waivers for. We are filing this request today because we are confident that the Commission understands the complex nature of E-rate, especially when there is no direct advocate for Head Start organizations in the Schools and Libraries mechanism.

Based on our circumstances and Commission precedent, we ask that the Commission waive the March 22, 2018 Form 471 filing deadline in this case and restore badly needed funding for Action Pathways.

Respectfully submitted this 10th day of April, 2018.

Karen Walker

¹ Acorn Public Library, DA 08-2376, Rel. October 30, 2008; Bishop Perry, FCC 06-54, Rel. May 19,2006; Academy of Academic Excellence, DA 07-1180, Rel. March 9,2007; Greenfield Public School District, DA 06-487, Rel. February 28, 2006 (Deployment).

**Bradford Area
Christian Academy**



25 Chambers St
Bradford, PA 16701

T: 814.368.6800
office@bacaacademy.com

www.bacaacademy.com

4/12/2017

To Whom it May Concern:

During the time of the deadline for the form FCC 471, I was navigating the death of my father-in-law and missed the deadline. I was requesting a waiver for our internet services due to my lapse. I apologize for the inconvenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua Haney', is written over a light blue horizontal line.

Joshua Haney
Administrator/Principal