To: Letter of Appeal and Waiver of the FCC’s rules

Proceeding Number CC Docket No. 02-6

Fr: USD 447, Cherryvale

618 East 4th Street

Cherryvale, KS 67335

Denise Grasso, Erate consultant

**Letter of Appeal and Request for Waiver of FCC Rules re: Funding Commitment Decision Letter for FY2016**

This letter is an appeal of the “Revised Funding Commitment Decision Letter” for FY2016 Form 471 161040328 for the USD 447, Cherryvale, KS school district, BEN 137933. USD 447 is an eligible applicant, being a public school district serving students in the Cherryvale, Kansas region. The contact person for this appeal is Denise Grasso, the Erate consultant for USD 447, who can be reached via email at denise.grasso@greenbush.org or by phone at (620) 249-8630.

The reason for this appeal is that the BEAR Forms were not filed timely for the application 161040328. The filing of the BEAR Forms were not filed due to the resignation of school district personnel who was in charge of the Erate program. During the transition period between the former employee and new employee, the deadline for filing the BEAR Forms and subsequently the deadline for filing a deadline extension request were not adhered to. Once this error/omission was discovered by the Superintendent (who is also a new administrator) for USD 447, an appeal was filed. Because of the timeliness (or lack thereof) of the request for an invoice deadline extension request, the appeal was denied by the Schools and Libraries. We are asking for reconsideration of that decision since the district did go through a personnel change at the time all of the forms were due and the incoming employee was unaware of the Erate responsibilities conducted by the outgoing employee.

**Appeal Discussion**

* All forms and paperwork for USD 447 has always been filed in a timely manner.
* While we acknowledge that the BEAR Forms (Form 472) and the invoice deadline extension request did not meet the specified deadline/timeline, we also know that due to the turn over in personnel, the information was not translated to the new employee.
* We are asking that in this instance, you grant a waiver of the FCC rules.

Sincerely,

Denise Grasso, Erate consultant for USD 383, Manhattan, Kansas

Southeast Kansas Education Service Center