



## YAVAPAI COUNTY EDUCATION SERVICE AGENCY

*The "First Choice" for Responsive Educational Services*

**E-Rate Services**  
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### *Appeal for Service Start Date*

January 5, 2015

The Federal Communications Commission  
Marlene H. Dortch  
Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Ms. Dortch:

USAC denied our appeal in a letter dated November 21, 2014. **We strongly believe that the extenuating circumstances surrounding the tragedy of the Yarnell Hill Fire, and the impact of the loss of life, property, businesses, and population on the school and community demand one more look at the our appeal.**

<b>Appellant name:</b>	<b>YARNELL SCHOOL DISTRICT #52</b>
<b>BEN:</b>	<b>143019</b>
<b>FY:</b>	<b>2013</b>
<b>471 #:</b>	<b>886773</b>
<b>FRNs:</b>	<b>2413122</b>

**Decision to be appealed:** 120 Day 486 Service Start Date Deadline

#### **Basis of appeal:**

The Yarnell School District respectfully requests that the 486 Service Start Date be reset to July 1, 2013 for the listed FRN. FRN 2413122 was originally filed for Telecomm services through CenturyLink.

On June 29<sup>th</sup>, 2013 the Yarnell Hill Fire was started by lightning. The next day, while fighting this devastating fire, 19 local firefighters lost their lives. The fire burned hundreds of homes and businesses. The school building itself was only saved due to the bravery of other firefighters who ringed the building with their fire trucks beating back the flames that surrounded the school house on all sides.

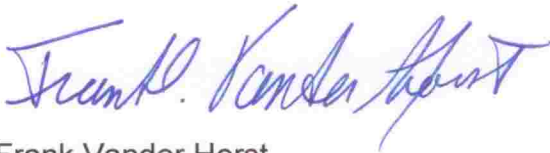
Due to the devastating loss of life and property, school officials were not allowed to re-enter their school building until 5 days before school started. Once they returned they found out they had lost one half of their students due to families having to move as either their house no longer existed, or their job no longer existed, or in some cases both. E-Rate had been handled internally by Yarnell up to that point, and after the devastating fire, and its tragic results, the filing of Form 486 was not top of mind.

We became their consultant in the last few weeks and we filed the forms as soon as we were made aware of the issue, requesting a Service Start Date of July 1, 2013.

The FCC has routinely instructed that applicants should be allowed such corrections to 486 Service Start Dates. On December 16, 2010 and January 12, 2012, the FCC ruled in DA10-2352 and DA12-28 respectively, in similar appeals that "applicants missed a USAC procedural deadline and did not violate a Commission rule" and similar appeals were thus upheld. We believe the spirit of the ruling favors the review of the 486 Service Start dates for the above listed FRN.

**We respectfully request that the 486 Deadline be entered as submitted - 7/1/2013 - and funds restored for the entirety of the funding year.**

Thank you,



Frank Vander Horst  
Consultant  
Enclosure: Letter of Agency

cc: Fred Garnett, Yarnell School District