

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of	)	
	)	
Request for Review of a Decision of the Universal	)	CC Docket No. 02-6
Service Administrator	)	

**REQUEST FOR REVIEW**

Pursuant to section and 54.719 of the Commission’s rules, Citizens Tel of Illinois, Inc. (“Citizens” or “Service Provider”)<sup>1</sup> hereby requests review of the Universal Service Administrative Company’s (“USAC”) refusal to consider Frontier’s timely-filed appeal and to deny over \$65,000 in funding to Citizen’s customer, Patoka Community Unit School District 100 (“Patoka” or “Applicant”). Specifically, this letter is an appeal of the Administrator’s Revised Funding Commitment Decision Letter (Attachment A) (the “RFCDL”), dated June 22, 2018. Contrary to the post commitment rationale in the RFCDL, Citizens and Patoka both timely filed appeals (Attachments B and C). Accordingly, Citizens requests that the Commission consider Frontier’s appeal directly, or, in the alternative, direct USAC reconsider the appeals and grant the relief stated therein – rescind the Commitment Adjustment Letter (“COMAD”), maintain the original funding commitment of \$66,371.40, and work with Applicant and Service Provider to the extent that any additional paperwork or documentation is needed.

---

<sup>1</sup> Citizens, the appellant and service provider here, is a wholly-owned subsidiary of Frontier Communications Corporation.

*A. Appeal Administrative Details*

The relevant administrative details of the appeal are as follows:

Appellant Name: Citizens Tel of Illinois Inc.  
Applicant Name and BEN: Patoka Comm. Unit. Sch. Dist. 100 (136776)  
Service Provider Name and SPIN: Citizens Tel of Illinois Inc. (143022698)  
471 # 161048783  
FRN # 1699111110  
Funding Year 2016

*B. Reason for Appeal*

Citizens respectfully believes that the post commitment rationale in the RFCDL misstates the dates that both Citizens and Patoka filed appeals, in addition to miscalculating the 60-day clock. In doing so, the RFCDL erroneously and arbitrarily and capriciously failed to consider Citizens' and Patoka's appeals.

According to the post commitment rationale in the RFCDL:

Our records show that your appeal was filed more than 60 days after the date your decision letter was issued. Your appeal was filed on 4/9/2018. The Commitment Adjustment Letter was issued on 2/6/2018. Federal Communications Commission (FCC) rules require appeals to be filed within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

This rationale, however, misstates both the date that the appeals of both Patoka and Citizens were filed and miscalculates the proper due date, which, indeed was April 9, 2018. The parties have multiple confirmations (Attachment C—Patoka email submission to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org); Attachment D – EPC Case #233298; and Attachment E – Email confirmation from [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org)) that appeals were timely filed April 6, well within the 60-day period and before the April 9, 2018 date cited in the Letter. Moreover, even if Monday, April 9, 2018, were in fact the date that the appeals were filed, the appeals would still

have been timely since the 60<sup>th</sup> day fell on a Saturday.<sup>2</sup> According to the plain text of the Commission's rules, if "the filing date falls on a holiday [or weekend], the document shall be filed on the next business day" – i.e., Monday, April 9, 2018.<sup>3</sup>

Thus, Citizens and Patoka – based both on the actual April 6<sup>th</sup> filing date and the actual April 9<sup>th</sup> due date – timely filed appeals, and the Commission and USAC must consider those appeals.

### *C. Conclusion*

Because Applicant and Service provider (1) timely filed appeals on April 6 based on all filing confirmations; (2) in any event, still timely filed appeals within the 60-day clock based on the letter's asserted April 9<sup>th</sup> filing date when correctly including weekend days in the calculation, Citizens respectfully requests that the Commission consider and grant the timely-filed appeals – or at a minimum require USAC to consider the timely-filed appeals – rescinding the COMAD and directing any further questions regarding special construction charges to Citizens and the Applicant.

Respectfully submitted,

FRONTIER COMMUNICATIONS

/s/ AJ Burton

AJ Burton  
Vice President, Federal Regulatory  
FRONTIER COMMUNICATIONS  
1800 M Street, NW, Suite 850S  
Washington, D.C. 20036  
[aj.burton@ftr.com](mailto:aj.burton@ftr.com)

August 10, 2018

---

<sup>2</sup> See, e.g., Date Calculator: Add to or Subtract From a Date (last accessed August 8, 2018), <https://www.timeanddate.com/date/dateadd.html>

<sup>3</sup> See 47 C.F.R. § 1.4(j); see also *id.* § 54.720.

## **CERTIFICATE OF SERVICE**

This is to certify that on this 20th day of August, a true and correct copy of the foregoing Request for Review was sent via email to: Schools and Libraries Division, Universal Service Administrative Company, [Appeals@sl.universalservice.org](mailto:Appeals@sl.universalservice.org)

/s/ AJ Burton