

GALLUP-MCKINLEY COUNTY PUBLIC SCHOOLS

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"GROWING STUDENTS TO BE PRODUCTIVE CITIZENS IN A MULTI-CULTURAL SOCIETY"

Before the Federal Communications Commission Washington, D.C.

In the Matter of

Schools and Libraries
Universal Service Support Mechanism

Application for Review
By Gallup-McKinley County
Public Schools

CC Docket No. 02-6

Application No. 248147

PETITION FOR RECONSIDERATION BY GALLUP-MCKINLEY COUNTY PUBLIC SCHOOLS

Pursuant to section 1.106 of the Commission's rules,¹ the Gallup-McKinley County Public Schools (Applicant or Gallup) respectfully requests that the Commission review a decision of the Wireline Competition Bureau (Bureau) to deny Applicant's appeal of a USAC decision to seek recovery of \$35,596.06 in Funding Year 2001 disbursements. In DA 17-712, released July 31, 2017, the Wireline Competition Bureau denied the district's appeal that was filed on May 20, 2011.

The basis for the denial was:

"To be able to grant the changes it requests, Gallup-McKinley County Public Schools should have appealed either of the following USAC decisions within 60 days of the issuance of the decision in question: 1) the February 23, 2005 USAC Administrator's Decision on Appeal reducing the funding from \$1,537,125.00 to \$1,136,072.10 (a reduction of \$401,052.90 in E-rate funding) to reflect the removal of illegible services

¹ 47 C.F.R. § 1.106.

from the funding request; or 2) the December 30, 2005 Supplemental Form 471 Application Approval Letter reducing the funding \$96,697.80 to reflect a service substitution. We also find no special circumstances to merit a waiver.”

The denial of this appeal resulted in USAC issuing a Demand Payment Letter- FINAL REQUEST on August 8, 2017². The issuance of this letter has resulted in the district being placed in a “Red Light” status, which could lead to funding delays for the district. The district also received a “Notice of Withholding of Action” letter indicating that its 2017 funding requests are at jeopardy³. The district is filing this Petition for Reconsideration in order to place the recovery process on hold while the district completes the process of filing a more formal Petition for Reconsideration. The district believes USAC should have restarted the recovery process at the beginning as opposed to instantly placing the district on Red Light through the issuance of a Demand Payment Letter-FINAL REQUEST.

Pursuant to FCC rules the district has 30-days to file a Petition for Reconsideration, so the District’s final Petition must be submitted by August 30, 2017. The district will either supplement this Petition or submit a new Petition for Reconsideration on or before August 30, 2017. While the district exercises its right to a full 30-day period to submit a complete Petition for Reconsideration we ask that all recovery efforts be placed on hold until August 31, 2017.

Sincerely,



Mike Hyatt,
Superintendent
Gallup-McKinley County Schools

² See Attachment A- Demand Payment Letter- FINAL REQUEST

³ See Attachment B- Notice of Withholding of Action Letter.