



## School District of Altoona

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September 21, 2018

Form 470      160012546  
Form 471      161007361  
FRN            1699010218

I am writing to request the FCC grant a waiver of the USAC Appeal Deadline so that Altoona Fiber Appeal - #86532 may be reconsidered. See also the timeline at the end of this appeal which provides further details.

Altoona Fiber Appeal - #86532 was filed on December 14, 2017 to appeal the Commitment Adjustment Decision (COMAD) Letter received 25 days prior, on November 20, 2017. On April 16, 2018 a Revised Funding Commitment Decision Letter (RFCDL) was received, denying Altoona Fiber Appeal - #86532. USAC stated the following reason for denying the appeal:

Our records show that your appeal was led more than 60 days after the date your decision letter was issued. Your appeal was filed on December 14, 2017. The FCC Form 472 (BEAR) Notification Letter was issued on March 22, 2017. 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.

*USAC's reason for denying the appeal was incorrect* because it was based upon the date of the BEAR Notification letter rather than the COMAD letter that was being appealed. I contacted USAC customer support and while USAC acknowledged that it made an error I was informed that the only course of action was to appeal the decision.

Altoona Fiber Appeal - #86532 Appeal - #94625 was filed on April 23, 2018 to appeal the Revised Funding Commitment Decision Letter (RFCDL) received 8 days prior, on April 16, 2018. On July 25, 2018 a Revised Funding Commitment Decision Letter (RFCDL) was received, denying Altoona Fiber Appeal - #86532 Appeal - #94625. USAC stated the following reason for denying the appeal:

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 04/23/2018. The Commitment Adjustment Letter was issued on 11/20/2017. 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 decision references the date of the COMAD letter (11/20/2017) that was the basis of the initial appeal that was filed within 25 days of its receipt -- Altoona Fiber Appeal - #86532. *Like the above, this is another USAC error.*

Again, this letter is to request a waiver of the FCC rule that requires appeals to be filed within 60 days of the date on the decision letter being appealed. But we want to make it very clear that this appeal to the FCC is being done on the advice of USAC's Client Service Bureau and is being done to correct errors USAC has made. If any additional information is needed in reaching a decision, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Mark Schepke". The signature is written in a cursive, slightly slanted style.

Mark Schepke  
Technology Coordinator  
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