

**FCC Appeal**

**Attn:** FCC Waiver

**Docket No:** Schools and Libraries Program: CC Docket No. 02-6

**Re:** Request to update last day to invoice

**Funding Year:** 2015

**FCC Form 471 Application Number:** 996376

**Funding Request Number:** 2832554

**Billed Entity Number:** 120371

**Applicant Name:** Billerica Public Schools, 365 Boston Road, Billerica, MA 01821

E-RATE ONLINE is submitting an appeal of FCC Public Notice DA 17-928, released September 29, 2017. In accordance with Sections 54.719 through 54.721 of the Commission's Rules, Billerica Public Schools, through its consultant E-RATE ONLINE, requests an FCC Waiver of the FY2015 invoicing window deadline regarding FRN 2832554. A one-time invoice deadline extension request was appropriately faxed to USAC on October 21, 2016 on behalf of Billerica Public Schools, seven days prior to the funding year 2015 invoicing deadline of October 28, 2016. See attached supporting documentation "Extension Request". A Ministerial & Clerical (M&C) error was committed on this request and the extension was summarily denied.

Due to this denial, an FCC appeal was submitted on April 11, 2017 to request an invoice deadline extension. On DA No. 17-385, released April 28, 2017 the FCC granted the appeal for Billerica's FRN 2832554. An invoice could still not be submitted due to the last date to invoice not being updated by USAC. Per a Customer Service Case submitted to USAC on June 8, 2017 (Case #182282), USAC indicated that it has 90 days to issue a funding commitment or denial based on the FCC's determination and will notify the applicant accordingly.

Another Customer Service Case (Case #187224) was submitted on July 18, 2017 due to the approaching close of USAC's 90-day review window. In USAC's response, they indicated that they had already approved the invoice deadline extension based on the FCC's findings and the extension was until July 16, 2017, retroactive to USAC's approval on May 19, 2017. According to USAC, a letter was mailed on May 19, 2017 however E-RATE ONLINE never received this letter and was not notified of this letter or USAC's approval based on the Customer Service Case #187224. Had E-RATE ONLINE received this letter, Customer Service Case #182282 (dated June 8, 2017) would not have been necessary.

Based on USAC's initial response to Customer Service Case #187224, there was "an internal case note" on Customer Service Case #182282 indicated that the last date to invoice was July 16, 2017. There is nothing indicative of this on Case #187224, most likely due to the "internal" portion of the case note. Again, E-RATE ONLINE was not notified of the deadline being modified and USAC did not properly follow their own procedures. Per this letter, the applicant is granted "30 days from the date of this letter to submit an invoice". 30 days from the date of the letter was June 16, 2017. This is earlier than the final date but after the initial Case requesting guidance. Again, USAC should have indicated in their response that what the deadline was based on USAC's approval. It appears that USAC later updated the invoice deadline (possibly on June 16, 2017 based on the 30-day timeline) but did not notify the applicant save for the "internal case note" that does not go to the applicant.

If the extension request was approved, USAC should have indicated as such in their response rather than responding they still had time to review the FCC's findings. At the time of Case #187224's submission, the Funding Request's invoice deadline was still October 28, 2016.

This waiver request is to grant an additional deadline extension since USAC did not properly inform the applicant of the approval of the original Administrator's Decision on FCC Remand nor did they properly adjust

the invoice deadline based on their letter dated May 19, 2017.

This original invoice deadline extension request was made in good faith. No waste, fraud or abuse has occurred. We request this be reviewed further so the actual issue at hand can be revised.

Regards,

Amanda Miguel

**Contact Information:**

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**Attachments:**

FCC Appeal, April 11, 2017  
FCC Approval Public Notice, April 28, 2017  
USAC Case # 187224  
USAC Case # 182282