Before the

Federal Communications Commission

Washington, DC 20554

In the Matter of )

)

Petition for Waiver of )

FCC Form 472 Filing Deadline )

)

Utah Education & Telehealth Network ) CC Docket No. 02-6

(UETN, BEN 150246) )

)

)

Schools and Libraries Universal Service )

Support Mechanism )

**Petition for Waiver of**

**FCC Form 472 Filing Deadline for Funding Year 2018**

1. **INTRODUCTION AND SUMMARY**

The Utah Education and Telehealth Network (UETN) is a state education network consortium applicant in the Commission’s Universal Service Schools and Libraries program (E-Rate). We are writing to request a waiver of the 2018 E-Rate Form 472 BEAR invoicing deadline for a single Fund Year 2018 Form 472 BEAR form. Due to tragic and unfortunate events within UETN’s Accounting department, beginning in December 2018, UETN’s dedicated Form 472 BEAR preparer and filer was performing her work duties plus the work of two of her colleagues, and her boss. Heartbreakingly, in December 2018, our Accounting Invoicing colleague passed away suddenly. This terrible loss was followed by another UETN accounting colleague who was struck by illness which caused her to be bedridden. And if it seemed that things couldn’t get worse, our Accounting Manager was also stricken ill and had to undergo surgery and a long recovery. Additionally, we lost two other UETN accounting staff during this same period due to job turnover. During this stressful period, the job duties, posting, hiring, and training of additional account staff (three total) fell primarily to UETN’s dedicated Form 472 BEAR filer.

Our dedicated UETN BEAR filer performed heroically in single-handedly keeping the workflow of the department going, despite the stress of the situation, and the punishing workload. Last week, on October 29, 2019 during a routine check, we realized that we had missed filing one UETN Fund Year 2018 Form 472 BEAR form, while twenty-two others were timely filed. This missed Form 472 BEAR invoice was set aside initially because of unresolved billing issues that our BEAR filer was trying to resolve. (Our colleague that had passed away had been working to resolve this long and drawn out vendor billing issue.)

Upon discovery of the missed 2018 Form 472 BEAR invoice on October 29, 2019, we immediately submitted a request for an extension of the invoicing deadline for the seven underlying FRNs. The request was denied.[[1]](#footnote-1) Additionally we prepared and submitted the Form 472 BEAR Invoice Number 3032410 on October 29, 2019. On November 4, 2019 we received a Schools and Libraries BEAR Program Remittance Statement indicating that SLD BEAR Invoice Number 3032410, was “zero” funded.[[2]](#footnote-2)

UETN, a large state education network E-Rate consortia lead, procures, contracts and files for all E-Rate Category 1 broadband and Internet services for Utah schools and libraries, including public, private, charter, and tribal entities. Each year, UETN successfully prepares and submits Form 472 BEAR Invoice Forms for approximately 200 E-Rate funding requests on behalf of our statewide consortia members. We appeal to the Commission, on the grounds of hardship, to grant this petition for a waiver of the 2018 Form 472 BEAR Invoicing deadline for E-Rate Funding Requests (FRNs): 1899048393, 1899020426, 1899048376, 1899048337, 1899015130, 1899048357, and 1899015124. The loss of funding for SLD BEAR Invoice Number 3032410, would be a significant financial loss and hardship to UETN, a state entity, and to the schools and libraries, statewide, for whom we file and serve.

1. **Request**

The Utah Education and Telehealth Network (UETN) respectfully petitions the Commission to grant a waiver of the Funding Year 2018 FCC Form 472 filing deadline on behalf of the Utah Education and Telehealth Network (UETN), to allow the resubmission of E-Rate Funding Year 2018 E-Rate Funding Requests (FRNs) 1899048393, 1899020426, 1899048376, 1899048337, 1899015130, 1899048357, and 1899015124, due to very difficult circumstances beyond our control.

Respectfully submitted,

Melinda Talbot

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Dated: November 8, 2019

1. USAC’s E-rate Productivity Center Invoice Deadline Extension Request 10591 – 150246 Utah Education and Telehealth Network (October 29, 2019), attached hereto as Exhibit A (referred to herein as the “Deadline Denial”). [↑](#footnote-ref-1)
2. Administrator’s BEAR Remittance Statement 443000136, Zero funded BEAR, attached hereto as Exhibit B (referred herein as the “BEAR Denial.”). [↑](#footnote-ref-2)