Request for Review

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC20554

Re: Name: **Greek American Institute**

BEN: **10602**

Funding Year: **2018**

Application: **181040472**

RFCD: **10/30/2018**

December 30, 2018

Dear Sirs.

This is a letter of **APPEAL** regarding the above captioned RFCD regarding the following:

**FRN#: 1899078554- Itsavvy LLC-** “ Appeal denied failure to submit response in a timely manner”

The request for information came during the deferral period. Attached is the documentation that supports the modification of the request.

As such, the FRN should be funded as submitted. Failure to fund this project will incur extreme hardship for the applicant.

The FCC has ruled in:

Federal Communications Commission FCC 01-73

Before the

Federal Communications Commission

Washington, D.C. 20554

In the Matter of

Request for Review of a Decision of the

Universal Service Administrative Company by

Naperville Community Unit

School District 203

Naperville, Illinois

Federal-State Joint Board on Universal

Service

Changes to the Board of Directors of the

National Exchange Carriers Association, Inc.

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File No. SLD-203343

CC Docket No. 96-45

CC Docket No. 97-21

ORDER

Adopted: February 22, 2001 Released: February 27, 2001

II. DISCUSSION

9. **At the outset, we emphasize that our primary objective is to ensure that schools**

**and libraries benefit from the schools and libraries universal service support mechanism as**

**contemplated by the statute**. For purposes of considering this Request for Review, this means we must balance the need to minimize administrative costs, while expediting fair and efficient review of applications. With that objective in mind, we consider the circumstances surrounding SLD’s return of Naperville’s FCC Form 471 for failure to meet SLD’s minimum processing standards.

and in

**Before the**

**Federal Communications Commission**

**Washington, DC 20554**

In the Matter of )

)

Request for Review of the )

Decision of the )

Universal Service Administrator by )

)

Bishop Perry Middle School ) File Nos. SLD-487170, *et al*.

New Orleans, LA, *et al*. )

)

Schools and Libraries Universal Service ) CC Docket No. 02-6

Support Mechanism )

**order**

**Adopted: May 2, 2006 Released: May 19, 2006**

By the Commission: Commissioner Copps issuing a separate statement.

While the Bureau has enforced existing filing deadlines for the E-rate program,[[1]](#footnote-1) we find that good cause exists to waive the procedural deadline in these cases. We find that given that the violation at issue is

procedural, not **substantive**, we find that a complete rejection of each of these applications is not warranted, especially given that the error in these cases is not the fault of the applicants. **Notably, at this**

**time, there is no evidence of waste, fraud or abuse, misuse of funds or a failure to adhere to core program requirements revealed by the record in these matters**. **Furthermore, we find that denial of funding in these cases would inflict undue hardship on the applicants. In these cases, the applicants have demonstrated that rigid compliance with USAC’s application procedures does not further the purposes of section 254(h) or serve the public interest.[[2]](#footnote-2) We therefore grant these appeals and remand them to USAC for further processing consistent with this Order.**

We therefore submit that the FRN cited above shall be funded as submitted.

Sincerely,



Richard Bernstein

Consultant

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1. *See, e.g., North Dakota Order*, 17 FCC Rcd at 7389, para. 13; *Wilmington Public Schools Order*, 17 FCC Rcd at 12071, paras. 7-8; *South Barber Order*, 16 FCC Rcd at 18437-38, para. 7. [↑](#footnote-ref-1)
2. *See* 47 U.S.C. § 254(h). [↑](#footnote-ref-2)