



December 19, 2014

Request for Waiver CC Docket No. 02-6

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

To Whom It May Concern:

We are filing a Request for Waiver on behalf of the Madison School District #38 for Funding Year 2011.

Billed Entity: Madison School District #38

Billed Entity Number (BEN): 142903

Form 471 Application Number: 789799

FRN: 2162209

Administrator's Decision on Appeal Date: October 23, 2014

Appeal Request filed by:

Nicely Done Consulting, LLC
Ernest N. Nicely
3820 W Happy Valley Road
Glendale, Arizona 85310

Reason for Denial of Appeal to USAC:

"Current guidelines and procedures require Invoice Deadline Extension requests be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension. The invoice receipt deadline is 120 days after the end of the service delivery date or 120 days after the date of the Form 486 Notification Letter, whichever is later. USAC denied your request for Invoice Deadline Extension because the request was not filed in a timely manner. Since USAC's decision was consistent with Invoice Deadline Extension guidelines, your appeal is denied."

Basis of Appeal:

We are appealing this decision based on the application of CURRENT guidelines to an FRN from Funding Year 2011. The requirement to file an extension request before the invoicing deadline is a guideline codified in the FCC Report and Order issued on July 23, 2014:

238. We also codify USAC's existing invoice filing deadline to allow applicants to request and automatically receive a single one-time 120-day extension of the invoicing deadline. - The invoice deadline extension rule will be effective beginning in funding year 2014.

Prior to this Report and Order, invoice extension requests were not required before the invoice deadline, as indicated by the 2012 Fall Applicant Training:

Requests SHOULD be received or postmarked no later than 120 days after the last day to invoice.

By contrast, reference the language used during the same training regarding service delivery extension requests:

Requests MUST BE received or postmarked on or before the last date to receive service.

Background:

- The original invoicing deadline for FRN 2162209 was 01/28/2014.
- The service provider (Logicalis) realized on or about 08/11/2014 that they had inadvertently failed to fully invoice the district.
- A request to extend the invoicing deadline was filed on 08/24/2014 under Case # 22-668454.
- The request was denied by USAC on 09/19/2014.
- An appeal to reconsider was submitted to USAC on 10/02/2014 under Case # 22-677844.
- The appeal was denied by USAC on 10/23/2014.

Corrective Measure:

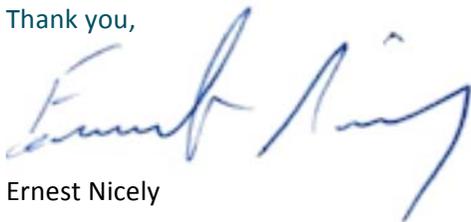
The applicant is asking that USAC apply the guidelines in force during the Funding Year of this FRN, 2011, and grant an extension to the Invoice Deadline. This will allow the Service Provider to submit a final SPI to close out the project. Without this consideration the District will be responsible to pay the remaining invoice in full.

Supporting Documentation:

Administrator's Decision on Invoice Deadline Extension Request dated 09/19/2014

Administrator's Decision on Appeal to the USAC dated 10/23/2014

Thank you,



Ernest Nicely
Project Manager
ej@nicelydoneconsulting.com
Nicely Done Consulting, LLC

Administrator's Decision on Invoice Deadline Extension Request

September 19th, 2014

Ernie Nicely, Jr.
Nicely Done Consulting
3820 W. Happy Valley Rd
Suite 141 #497
Glendale, AZ 85310

RE: Madison School District # 38

FCC Form 471 Application Number: 789799
Funding Request Number(s): 2162209

Your Correspondence Dated: August 24th, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your invoice deadline extension request for the FRN(s) indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one FRN, please note that for each FRN for which an invoice deadline extension request was submitted, a separate letter may be sent.

Decision on Request: **Denied**

Explanation: Current guidelines and procedures require Invoice Deadline Extension requests to be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). The extension request was not filed in a timely manner, so it is denied.

TO APPEAL THIS DECISION

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - appellant name
 - applicant and service provider names, if different than appellant
 - applicant BEN and service provider SPIN
 - **<insert application or form number>** as assigned by USAC
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
 - **<insert name of the letter and funding year - both are located at the top of the letter>** AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the "Schools and Libraries" section of the USAC website.

Schools and Libraries Division
Universal Service Administrative Company

cc: Tammy Brown, Logicalis Inc



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

October 23, 2014

Ernest Nicely
Nicely Done Consulting, LLC
3820 W. Happy Valley Rd
Suite 141, Box 497
Glendale, AZ 85310

Re: Applicant Name: MADISON SCHOOL DISTRICT # 38
Billed Entity Number: 142903
Form 471 Application Number: 789799
Funding Request Number(s): 2162209
Your Correspondence Dated: October 02, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Administrator's Decision on Invoice Deadline Extension Request Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2162209
Decision on Appeal: **Denied**
Explanation:

- Current invoice deadline guidelines and procedures require that Invoice Deadline Extension requests be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension. The invoice receipt deadline is 120 days after the end of the service delivery date or 120 days after the date of the Form 486 Notification Letter, whichever is later. USAC denied your request for Invoice Deadline Extension because the request was not filed in a timely manner. Since USAC's decision was consistent with Invoice Deadline Extension guidelines, your appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter.

Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Jay Mann