

BLUE RIDGE SCHOOL DISTRICT
5058 School Rd
New Milford, PA 18834
Phone 570-465-3141 • Fax 570-465-3148
E-mail stewartm@brsd.org

March 5, 2015

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554
VIA FCC ELECTRONIC COMMENT FILING SYSTEM

Re **CC Docket No. 02-6**
Petition for Waiver
FCC Form 471 No. 975318
Applicant: Blue Ridge School District, BEN 126043

Dear Ms. Dortch,

With this letter Blue Ridge School District ("BRSD") requests a waiver of the FCC Form 471 filing window deadline for Funding Year 2014 under the schools and libraries universal service support mechanism (E-Rate). Although the Form 471 was filed within the application window, the Item 21 Attachments were either filed late or not yet filed. If the Fund Administrator does not currently have a copy of the Item 21 Attachments or if the Commission wishes to see copies, BRSD is very pleased to provide this documentation now.

Background

BRSD is dedicated to providing an excellent, current, and applicable education built on mutual respect and a commitment to graduating students who are college, career or trade ready.

We serve about 1,000 students, and we very much depend on E-Rate funds. This funding enables us to put in place the communications services and technology that are an indispensable part of effective educational program.

We do our best to comply with the rules of the E-Rate program, but in this case we may have fallen short on filing our Item 21 Attachments on a timely basis.

Analysis

BRSD filed its FCC Form 471 within the filing window; the only issue is whether the Commission's rules should be waived with respect to the timeliness of the Item 21 Attachment filing.

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In *Anderson Elementary School*¹, the Wireline Competitions Bureau (“Bureau”) found that when a funding application is submitted on time but for the required certification or the Item 21 Attachments, to the extent necessary the filing window requirement should be waived. This precedent has been maintained in several subsequent Commission Orders, and we have found not even one case where a petitioner in this situation was denied the requested waiver.

We also note that although a rule change² will take effect on March 6 which will set a time limit on when waiver petitions can be submitted, that amendment is not yet in effect.

Finally, we note that denial of our funding request would impose severe hardship upon BRSD, and the effect of such denial would be a profound adverse impact upon the educational services we provide for our students. The consequences of a denial of funding would not further the purposes of section 254(h) of the Telecommunications Act of 1996 or serve the public interest.

Request for Waiver

For the reasons stated in this letter, BRSD respectfully requests that the Federal Communications Commission grant a waiver of the FCC Form 471 filing window deadline for BRSD’s Funding Year 2014 E-Rate funding application.

BLUE RIDGE SCHOOL DISTRICT

Mike Stewart
Network Administrator

¹ See *Anderson Elementary School Order*, 27 FCC Rcd 5319

² Amendment to 47 CFR §54.720(a) published in the *Federal Register* at 80 FR 5991 on 2/4/2015