

Seeking a Waiver of FCC Rules

Timeline:

On February 13, 2015, I mailed my original Form 470 for both of my building entities: 16082230 and 136587.

On February 23, 2015, I received my Form 470 Receipt Notification Letter for one building but not the other building. I waited for 2 days to see if the letter would come in the mail. It did not, I called the USAC and they had to send me the letter in email. They could not explain why I never received it in the physical mail. It was also dated February 23, 2015.

On February 25, 2015, I sent a clerical correction for Line 5(c) which was clearly defined in the RNL as a correctable field for both of my entities: 16082230 and 136587.

On February 27, 2015, I received PIN numbers for both of my entities.

On March 5, 2015, my first entity's correction (16082230) was denied by the USAC. I sent an appeal letter to them and received confirmation that they had received it on March 5, 2015. Since the clerical error was for both of my entities, I included both building entity numbers in this one appeal. See letter attached.

On March 10, 2015, I received the email denying the second entity's clerical correction (136587). Since I had identified both entity numbers in the March 5 appeal letter, I did not specifically appeal this denial on March 10, 2015.

I did not hear from the USAC until Friday, March 27, 2015. See attached. I received two separate emails from USAC and they clearly stated,

"To make the requested change, you must submit a new Form 470. Please be aware that the required 28-day competitive bidding waiting period starts once the new Form 470 is posted. Therefore, **Friday, March 27, 2015 11:59 PM** is the last day you can file a new Form 470 and allow for the 28-day competitive bidding period, selection of a service provider and submission of your FCC Form 471 within the Form 471 filing window. It is strongly recommended that you file your new Form 470 on-line at <http://www.sl.universalservice.org/menu.asp>."

I immediately filed two new Form 470s on March 27, 2015 for both of my entities and received confirmation that they had been certified.

On Monday, March 30, 2015, I received 2 more emails from USAC. See attached. These emails stated the exact same language as the March 27, 2015 emails with one major difference, the

date that I was allowed to file a new Form 470 had been changed from Friday, March 27, 2015 11:59 PM to **March 19, 2015 11:59 PM**. This requirement was physically impossible for me to accomplish since the email was sent on the March 30th and the requirement for a new Form 470 was on March 19th.

I called and was advised by the USAC to wait my required 28 days, and then to file an appeal to the FCC for a waiver of FCC Rules.

I waited the required 28 days and went ahead and filed my Form 471 on Friday, April 24, 2015 for both entities: 16082230 and 136587.

I am asking for a waiver of the FCC Rules so that my Form 471 is not out-of-the-window for filing. I did not cause this delay. I acted as quickly as possible to rectify a clerical error. An error which it was clearly indicated by the RNL, I could correct. Yet, they denied it.

To make matters worse, the multiple conversations that I had with the front line staff of the USAC, agreed with me, that I should be able to make this clerical correction. I was told that I must go through the appeals process. One person did suggest that I re-file the Form 470 but later changed his mind during our conversation that I should wait for the appeal's process.

The appeal process took longer than necessary – a delay which I could do nothing about – yet ultimately the answer was very simple, I needed to redo Form 470 for both entities. Had I been given this information in a timely fashion, I would not have been out of the window for filing Form 471.

Sending an email on March 30th indicating that you should have done something on March 19th is completely unprofessional. As a first time applicant, I found the process overwhelming, the forms almost incomprehensible as to what information was necessary, and I can't tell you the hours I have spent trying to complete this process.

I am asking you for a waiver of the FCC Rules so that my Form 471s are not out-of-the filing window.

Thank you,



Donna Schaal
Library Director
Argenta-Oreana Public Library District