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May 5th, 2015

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REQUEST FOR WAIVER
Funding Year 2015 FCC Form 471 Filing Deadline

FCC Mail Room

CC Docket No. 02-6

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

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Appellant Name:	Richard Senturia, consultant for applicant
Applicant:	Trinity Catholic School
FCC Registration Number:	0020318424
Billed Entity Number:	35273
Form 471 Application Number:	1051851

To whom it may concern,

We request on behalf of our client, Trinity Catholic School a one-time waiver from the FCC for the 2015 Form 471 Filing Deadline. This request to waive the 2015 Form 471 and Item 21 deadline is within 14 days of the close of the window. The application and Item 21 have been completed and certified online.

The new Form 471 filing procedure for Funding Year 2015 impacted our ability to complete and certify this filing in a timely manner. There were many processing, technological and design issues that substantially increased the hours to complete the FCC Form 471. During the filing period we experienced platform instability and system limitations in terms of processing information, which resulted in loss of data. The architecture and design of the program lead to data entry that required corrective measures. These issues, in tandem with USAC guidance provided in instructions and USAC announcements and actual system performance contributed to our missing the Form 471 deadline.

USAC's position on applications that are filed outside of the FCC Form 471 application window is documented in ORDER DA 07-1180

In this Order, we grant Requests for Waiver filed by 44 applicants seeking waiver of the FCC Form 471 filing window deadline for Funding Years 2004, 2005, 2006, or 2007ⁱ under the schools and libraries universal service support mechanism (also known as the E-rate program).ⁱⁱ Upon review of these requests, we find that the issue raised here was recently addressed by the Commission in the *Bishop Perry Order*.ⁱⁱⁱ

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Additional evidence supporting this stance in FCC 14-127, which reads:

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The Commission grants waivers of the FCC Form 471 filing deadline only in very limited circumstances. For example, in the *Academy of Math and Science Order*, the Commission found that waivers would be granted when applicants: (1) filed their FCC Form 471 applications within 14 days after the FCC Form 471 filing window deadline; (2) filed their FCC Form 471 applications late because of an illness of the E-rate staff person or the death of a member of his or her family; (3) filed their FCC Form 471 applications late due to delays caused by circumstances beyond their control; or (4) filed their FCC Form 471 applications on time or within 14 days of the filing window deadline but failed to file their FCC Forms 470 or 471 certifications on time.^{iv}

We made every effort to file Form 471 in a timely manner. This waiver would enable the School to proceed with Form 471 and apply for a funding request in the amount of \$38,104.00. Please do not allow circumstances beyond our control to prevent Trinity Catholic School from moving forward with Form 471 and applying for essential funding.

Respectfully,

Candice Lewis for Richard Senturia
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ⁱ Funding Year 2004 started July 2, 2004 and ended on June 30, 2006. Funding Year 2005 started on July 1, 2005 and ended on June 30, 2006. Funding Year 2006 started on July 1, 2006 and will end on June 30, 2007. Funding Year 2007 will start on July 1, 2007 and end on June 30, 2008.

ⁱⁱ A list of these pleadings is attached as an Appendix. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c). Although Adair County R-1 School District, Alabama Institute for Deaf and Blind, Cloudcroft Municipal Schools, Endinburg Consolidated Independent School District, Portsmouth School Department, Providence Independent School District, Sacred Heart High School, Springfield School District, Stafford Municipal School District, The Logan School, and Underwood Community School District did not explicitly request a waiver of the FCC Form 471 filing window deadline, we will treat their Requests for Review as Requests for Waiver because the Administrator denied their FCC Forms 471 or denied their appeals on the grounds that their FCC Forms 471 were filed late.

ⁱⁱⁱ See *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, LA, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316 (2006) (*Bishop Perry Order*) (waiving the Commission's rules to, *inter alia*, allow applicants' to timely file their FCC Forms 471).

^{iv} *Request for Review of the Decision of the Universal Service Administrator by Academy of Math and Science, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487009, et al., CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9258, para. 4 (2010) (*Academy of Math and Science Order*).