

Appeal/Waiver Request

Regarding CC Docket # 02-6

Applicant Name:

ST JAMES SCHOOL

Entity Number: 45746

Funding Year: 2015-16

CONTACT INFORMATION

Contact Person: Paul McLaurin

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APPLICANT INFORMATION

Applicant 471 Main Contact Name: Paul McLaurin

Applicant Name: **ST JAMES SCHOOL**

BEN: **45746**

**This is a request for a Waiver/Appeal of the USAC designation for
ST JAMES SCHOOL**

Waiver/Appeal Request Detail:

471 Out of Window Certification - Funding Year 2015-16

Date Submitted: Apr 18, 2015

Date Certified: Apr 18, 2015

Form 471 Information: 1051619

Funding Request Number(s): 2872902

TOTAL Dollar Amount for FRN reimbursement: \$6,313.90

FCDL Date -N/A

**Out-of-Window letter Date- Not received. Postmaster returned to sender due to
unknown USPS/USAC coding issue**

Service Provider Name: Creative Image Technologies

Service Provider Identification Number: 143044023

USAC Designation/ reason for appeal:

'1051619 St James C2 2015 Certified - Out of Window'

Rationale for this Request:

During the 2015-16 “eRate filling window”, I was tasked with implementing the new Category two measures and filing a complete C2 471 for the School. The school worked feverishly to supply me with this information in time for the effective completion of the Form 471.

Process that Lead To the Error

I file for over 200 individual schools, and noticed during the new C2 implementation that man service providers were not unaware of all new requirements for filing, or how to provide data for item 21 formats necessary to upload to the USAC system. As a result I was left with unformatted data on contracts, that were in fact both eRate eligible - and with signed agreements the 2015 471 filing window.

As a result, these particular Form 471s were not certified on time, however they were both filed and certified within the extended certification window of 5-26-2015.

Circumstances to Consider –

- Form 471 1051419 was certified on Apr 18, 2015
- Past FCC eRate rulings approving waivers of this nature
- The school acted appropriately and in good faith, signing contract within SLD dates for this FRN request. The new C2 funding guidelines simply required the school to take additional measures to confirm eligibilities, and to upload this data in a USAC acceptable format

Past FCC Ruling

FCC

DA 12-1469

September 14, 2012

The Order and Order on Reconsideration reviewed 39 requests from petitioners seeking review of decisions made by USAC under the eRate program. These petitioners were seeking waivers on the Form 471 filing window deadline.

The requests were granted for those schools within 14 days after the filing window deadline.

Justification was sited on past FCC Rules specifically File Nos. SLD-487009, et al., CC Docket No. 02-6, Order, 25 FCC Rcd 9256 (2010) (Academy of Math and Science Order) (finding special circumstances exist to justify granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days after the FCC Form 471 filing window deadline or filed their Form 471 on time, but failed to timely file their certifications); Also, the following order or docket #: CC Docket NO. 02-6, Order, 26 FCC red 354.

This request is made on behalf of the Billed Entity for a Waiver/appeal to be granted. By granting this Waiver/Appeal, USAC could be directed to review ST JAMES SCHOOL 's application for funding during the Funding Year 2015.

Your favorable consideration in this matter is greatly appreciated.
Please feel free to contact me at any time should you have questions.

Paul McLaurin
Consultant
866-858-4227