

Appeal/Waiver Request

Regarding CC Docket # 02-6

Applicant Name:
WESTMINSTER ACADEMY
Entity Number: 37094
Funding Year: 2015-16

CONTACT INFORMATION

Contact Person: Paul McLaurin
Contact Information:
Email: paulm@ctierate.com
Phone: 866-858-4227
Fax: 866-858-1115
Address: PO BOX 1325
Nokomis, FL 34274

APPLICANT INFORMATION

Applicant 471 Main Contact Name: Paul McLaurin
Applicant Name: WESTMINSTER ACADEMY
BEN: 37094

**This is a request for a Waiver/Appeal of the USAC designation for
WESTMINSTER ACADEMY**

Waiver/Appeal Request Detail:

471 Out of Window Certification Letter 6-29-2015 - Funding Year 2015-16

Date Submitted: Apr 18, 2015

Date Certified: Apr 18, 2015

Form 471 Information: 1016222

FCDL Date -N/A

Funding Request Number(s): 2862925

Service Provider Name: AT&T Corp.

Service Provider Identification Number: 143001192

Total Post Discount Request: \$477.60

Contract award date: 03/25/2014

Funding Request Number(s): 2862970

Service Provider Name: Verizon Wireless (Cellco Partnership)

Service Provider Identification Number: 143000677

Total Post Discount Request: \$1,248.00

Funding Request Number(s): 2863551
Service Provider Name: Comcast Business Communications.
Service Provider Identification Number: 143003990
Total Post Discount Request: \$6,000.00

Funding Request Number(s): 2863624
Service Provider Name: Windstream Communications, LLC
Service Provider Identification Number: 143030766
Total Post Discount Request: \$1,862.40

USAC Designation/ reason for appeal:
'1016222 WMNSTRACAD15 Certified - Out of Window'

Rationale for this Request:

During the 2015-16 eRate filing window, I was tasked with implementing the new eRate changes for the school, this meant confirming the changes with the school and walking through the new rules and eligibilities, and compiling the item 21 data in a fillable format prior to the 471 submission. 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 2015 filing window implementation that many service providers were not aware of all new requirements for filing, eligibilities, or how to provide data for item 21 forms 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/contracts eligible the 2015 471 filing window.

As a result, these particular Form 471s were not filed and certified on time. However they were **both filed and certified by Apr 18, 2015, both within 14 days the funding window close and within the extended certification window of 5-26-2015,**

Circumstances to Consider –

- **Form 471 1051419 was certified on Apr 18, 2015, within 14 days the funding window close.**
- **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 2015 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 cited 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 WESTMINSTER ACADEMYs 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