



January 26, 2016

## **REQUEST FOR WAIVER OF INVOICE DEADLINE**

**CC Docket No. 02-6**

**E-Rate Appeal Filed Electronically via the FCC ECFS System**

**Marlene H. Dortch, Secretary**

Federal Communications Commission

Office of the Secretary

445 12<sup>th</sup> Street SW

Washington, DC 20554

**RE:** Request for Waiver of Invoice Deadline Extension, SPIN Change Deadline, and review of the Administrator's Decision on SPIN Change Request for 471 Application: 919958

FRN: 2510116

Re: Applicant: Goodwill Education Initiatives  
BEN: 16039532  
Form 471 Application Number: 919958  
FRN: 2510116  
Funding Year: 2013  
Services: Telecommunications Service  
Service Providers: Indiana Telephone Company  
SPIN: 143034836

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To Whom It May Concern:

The Goodwill Education Initiatives (GEI) sought E-Rate funding for telephone service, digital transmission service and internet access for 4 schools in funding year 2013-2014 under FRN 2510116. These services were vital for the daily operations of the school, the public safety of the students and the daily educational use adopted by the school for teacher directed lessons and student learning based on the internet curriculum. Unfortunately the service provider originally designated to provide this service was unable to perform the service and so GEI sought service from the providers deemed to be the next most cost effective through the Form 470 competitive bidding process. While working with the new providers to establish service, GEI also began the paperwork to update the E-Rate funding request with the SPIN of the new providers. This process began with a request for an invoice deadline extension. It is at this point that the paperwork submitted to USAC has failed in its function and we seek assistance from the FCC as follows.

This is a request for:

1. a waiver of the Invoice Deadline and SPIN Change Deadline, and
2. an appeal of the denial of the Administrator's Decision on SPIN Change Request for FY2013 471 Application: 919958, FRN: 2510116.

### Invoice Deadline Waiver Request

An invoice deadline extension request for FRN 2510116 was made on October 21, 2014, prior to the original Invoice Deadline, using the "Submit a Question" function on the USAC website. A copy of this request is attached as Exhibit A - "Invoice Deadline Extension-ITC". The FCC requires that requests for waivers of the invoicing deadline demonstrate that the applicant made "significant efforts" to notify USAC of their need for an extension. We believe that filing the attached request for extension prior to the invoicing deadline is a "significant effort".

Unfortunately that effort was to no effect as we have not received any notification indicating that this Invoice Deadline Extension was approved or denied, either via email or postal service correspondence. Given this lack of response, we respectfully appeal to the FCC to waive the invoice deadline for FRN 2510116.

### Appeal of Denial of SPIN Change Request

While waiting for a ruling on the invoice deadline extension we proceeded with other administrative issues involving FRN 2510116; specifically requesting a SPIN Change from the original service provider who was unable to provide the contracted service to the next most cost effective service providers. A copy of the "SPIN Change Request" is attached hereto as Exhibit B. This SPIN Change request was denied:

#### Text Being Requested for Review:

**"Decision: Denied**

#### **Explanation:**

Your SPIN Change request was dated after the established deadline for the receipt of SPIN Change requests. SPIN changes must be postmarked no later than the last date to submit an invoice for the applicable FRN(s). Since your SPIN Change request was dated after the invoice deadline date of 03/12/2015 for FRN 2510116, your request is denied."

USAC dismissed the SPIN change request simply because the invoice deadline had not yet been extended. The Denial letter was received January 25, 2016. A copy of the Administrators Decision of Appeal is attached hereto as Exhibit C.

### Requested Relief Sought from the FCC:

It has become clear that to continue to wait for approval of the invoice deadline extension for FRN 2510116 is not in the best interests of GEI or the students that we serve. Continued delays in the processing of the reimbursements for FRN 2510116 are a hardship for our programs and are adversely affecting our students. We request that the FCC step in at this point and waive the invoice deadline for the FRN and then direct USAC to reconsider their decision on the SPIN change in light of the deadline waiver. We believe that approval of the requested actions would better serve the public interest than strict adherence to the general rules; there is no waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. We believe that the denial of this request for waiver and its related SPIN Change inflicts undue hardship on the applicant.

### Attached documents which support The Request for Review

Exhibit A – Copy of "Invoice Deadline Extension-ITC"

Exhibit B – Copy of "SPIN Change Request"

Exhibit C – Copy of Administrator's Decision on SPIN Change Request - FY2014 - Dated January 25, 2016

Thank you for your time and consideration. You are hereby authorized to contact our E-Rate Contact, Charity Hawkins, if you have any questions concerning this appeal or require additional information. Her contact information is as follows:

Charity Hawkins  
AdTec, Inc  
P.O. Box 97  
Centerville, IN 47330  
Telephone: 765-855-1612  
Fax: 765-855-1615  
charity@adtecerate.com

Authorized Signature:

A handwritten signature in black ink that reads "Scott Bess". The signature is written in a cursive style with a large, stylized "S" and "B".

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Dr. Scott Bess, Chief Operating Officer, Goodwill Education Initiatives