

## **FCC Waiver Request**

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### **Contact**

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### **Docket No.**

02-6

### **Rule violation (From USAC)**

"The deadline for submitting an invoice extension request is 120 days after the last date of service or 120 days after the date of the FCC Form 486 Notification Letter, whichever is later. If an invoice deadline extension request is not timely filed, you must first file a waiver request with the FCC and the FCC must grant your waiver request before USAC can extend the invoice deadline".

### **Problem Identification**

Blackboard/Edline ("Edline") and Seattle Public Schools ("SPS") have been involved in litigation surrounding the contract between them. The dispute is over the services provided by Edline and the school district's obligation to pay for those services. Edline's compliance under the Americans with Disabilities Act ("ADA") and related contractual obligation was a catalyst for the problem between the vendor and the school district. Several invoices were not paid during the pendency of the litigation. The parties are working to resolve the dispute.

### **Relief Sought**

SPS is requesting a waiver of the 120 day 486 notification rule as it was violated during this litigation. If a waiver is granted, SPS intends to then take the appropriate steps to appeal (USAC) the anticipated decision to deny funding based on the 120 day rule.

### **Comment**

The FCC Waiver guidelines clearly state SPS is required to provide documentation of USAC's decision but as SPS is not allowed to proceed with the 486 as the last day of service was June 30, 2015, Seattle Schools has no such documentation as of this time.

**Attachments**

E-Rate 2014-2015

Form 470 190290000811836

Form 471 937114

FRN 2574479

Date of Service July 1, 2014 thru June 30, 2015

**Supporting Documents**

1. Establishing 470 (7 pages)
2. FCC Form 471 (12 pages)
3. Invoices from Edline to SPS (20)