

March 17, 2016

Federal Communications Commission
Office of the secretary
445 12th Street, SW
Room TW-A325
Washington DC 20554

Appeal – CC Docket 96-45 and 02-6

USAC Appeal Decision Date: March 2, 2016
Form 471 Number: 974445
FRN Number: 2653431
Funding Year: 2014
Billed Entity Name: USD 505 Chetopa-St. Paul
BEN: 137935
Service Provider: **Craw-Kan Telephone Cooperative, Inc.**
SPIN Number: 143002304

Contact Information:

Name: **Terri Ross
clerk**
Address: 430 Elm Street
Chetopa, KS 67336
Phone: 620-236-7244
Fax: 620-236-4271
e-mail: tross@usd505.org

Funding Commitment Decision Letter: The Funding Commitment Decision Letter is dated May 15, 2014. A Form 486 had been filed on August 7, 2014. The Service Start Date is July 1, 2014.

Requested Action: We request that USAC reconsider our application and grant approval to a Service Start Date of 07/01/2014 after reviewing the following statements.

Our basis for this appeal:

We understand that we filed the Invoice Deadline Extension Request after the FY 2014 BEAR deadline of October 28, 2015. There are extenuating circumstances as to why this happened.

First of all, the Invoice Deadline Extension Request was not filed until December 7, 2015 when the district reached out to BTU Consultants for their advice on how to proceed after we received a denial letter, which was dated November 30, 2015, that our BEAR payments were not paid because the vendor did not certify the charges before the deadline of October 28, 2015. It was at this time that the consultant advised us that we had missed the invoicing deadline for FY 2014 but encouraged us to file an Invoice Deadline Extension Request to get on record, which we did.

After being denied an invoice deadline extension request in an e-mail dated January 18, 2016, we filed an appeal with USAC that day. USAC denied the appeal in a letter dated March 2, 2016. After once again consulting with BTU Consultants on how to proceed, we are filing this waiver for an invoice extension.

Here is a recounting of the staffing problems that the district has recently experienced that led to this dire issue.

We are a small district. I do many jobs with e-rate being just one of those jobs. We had a secretary quit at the time that the invoices were due. I had to cover a portion of her duties as well as my already full schedule and had multiple projects running as well as starting the school year, of which I had to take control. I submitted the BEAR form on October 9, 2015 but I didn't think to check and make sure the vendor had certified before the deadline. The vendor has certified it but they did it in November, 2015.

Summary:

The district understands that the deadlines for the Invoice Deadline Extension Request is a new rule but asks for some leniency due to the above staffing issues and the vendor's failure to certify the BEAR form. In a small district like ours, these erate dollars represent a significant help for the district to be able to provide better internet access. We request that a waiver be granted in order to avoid undue hardship for an eligible institution that would prevent us from receiving funding that we really need. We have already paid the vendor for the services, therefore, we are out the money and not the vendor who failed to file the BEAR form. In the future, I will know to check up on the vendors to make sure they are doing their part in the e-rate process.

Thank you.

Sincerely,

(filed electronically via SLD website)

Terri Ross

clerk

USD 505 Chetopa-St. Paul

Phone: 620-236-7244

Email: tross@usd505.org

Attachment below:

1. SLD appeal filed January 18, 2016
2. USAC denial response to the SLD appeal