PUBLIC NOTICE

Federal Communications Commission
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DA 16-334
Released: March 30, 2016

STREAMLINED RESOLUTION OF REQUESTS RELATED TO ACTIONS BY THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY

CC Docket No. 02-6
WC Docket No. 06-122
WC Docket No. 13-184

Pursuant to our procedure for resolving requests for review, requests for waiver, and petitions for reconsideration of decisions related to actions taken by the Universal Service Administrative Company (USAC) that are consistent with precedent (collectively, Requests), the Wireline Competition Bureau (Bureau) grants, dismisses, or denies the following Requests.[1] The deadline for filing petitions for reconsideration or applications for review concerning the disposition of any of these Requests is 30 days from release of this Public Notice.[2]

Schools and Libraries (E-rate)
CC Docket No. 02-6
WC Docket No. 13-184

Dismiss to File Appeal with USAC[3]

DCI Technology Solutions (Newark School District), NJ, Application No. 833025, Request for Review, CC Docket No. 02-6 (filed Nov. 5, 2015)

Dynalink Communications (MOSDOS SATMAR), NY, Application No. 889907, Request for Waiver, CC Docket No. 02-6 (filed Feb. 24, 2016)

Marshall County Memorial Library, TN, Application No. 1006789, Request for Review, CC Docket No. 02-6 (filed Feb. 11, 2016)

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[1] *See Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45 and 02-6, WC Docket Nos. 02-60, 06-122, 08-71, 10-90, 11-42, and 14-58, Public Notice, 29 FCC Rcd 11094 (WCB 2014). Section 54.719(b) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC, after first seeking review at USAC, may seek review from the Commission. Section 54.719(c) of the Commission's rules provides that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. 47 CFR §§ 54.719(b)-(c).

[2] *See* 47 CFR §§ 1.106(f), 1.115(d); *see also* 47 CFR § 1.4(b)(2) (setting forth the method for computing the amount of time within which persons or entities must act in response to deadlines established by the Commission).

[3] *See, e.g.*, *Request for Review of a Decision of the Universal Service Administrator by La Canada Unified School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 30 FCC Rcd 4729, 4729, para. 2 (WCB 2015) (dismissing an appeal that properly belongs before USAC pursuant to Commission rules).

St. Mary Mother of Jesus School, NY, Application No. 803722, Request for Waiver, CC Docket No. 02-6 (filed Nov. 2, 2015)

Dismiss for Failure to Comply with the Commission's Basic Filing Requirements[4]

Rebecca Diaz, PR, No Application Number Given, Request for Review, CC Docket No. 02-6 (filed Feb. 22, 2016)

Rebecca Diaz, PR, No Application Number Given, Request for Waiver, CC Docket No. 02-6 (filed Mar. 3, 2016)

Salt Creek School District 48, IL, No Application Number Given, CC Docket No. 02-6 (filed Feb. 25, 2016)

Dismiss on Reconsideration[5]

LEAP Academy University Charter School, Inc., NJ, Application No. 251684, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 20, 2012)[6]

Sacred Heart School, NY, Application Nos. 988062, 988234, Petition for Reconsideration, CC Docket No. 02-6 (filed Jan. 12, 2016)

St. Joseph High School, VI, Application No. 170343, Petition for Reconsideration, CC Docket No. 02-6 (filed Mar. 23, 2012)

St. Mary's Catholic School, VI, Application No. 170197, Petition for Reconsideration, CC Docket No. 02-6 (filed Mar. 23, 2012)

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[4] 47 CFR § 54.721 (setting forth general filing requirements for requests for review of decisions issued by the Administrator, including the requirement that the request for review include supporting documentation); *see also Wireline Competition Bureau Reminds Parties of Requirements for Request for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45, 02-6, WC Docket Nos. 02-60, 06-122, 10-90, 11-42, 13-184, 14-58, Public Notice, 29 FCC Rcd 13874 (WCB 2014) (reminding parties submitting appeals to the Bureau of the general filing requirements contained in the Commission's rules which, along with a proper caption and reference to the applicable docket number, require (1) a statement setting forth the party's interest in the matter presented for review; (2) a full statement of relevant, material facts with supporting affidavits and documentation; (3) the question presented for review, with reference, where appropriate, to the relevant Commission rule, order or statutory provision; and (4) a statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought); *Universal Service Contribution Methodology; Request for Review by Alternative Phone, Inc. and Request for Waiver*, WC Docket No. 06-122, Order, 26 FCC Rcd 6079 (WCB 2011) (dismissing without prejudice a request for review that failed to meet the requirements of section 54.721 of the Commission's rules).

[5] *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Allan Shivers Library et al.; Schools and Libraries Universal Service Support Mechanism,* CC Docket No. 02-6, Order, 29 FCC Rcd 10356, 10357, para. 2 (WCB 2014) (*Allan Shivers Library Order*) (dismissing petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding).

[6] Although this filing is styled as an appeal, under 47 CFR 1.106, it should be treated as a Petition for Reconsideration because it requests reconsideration of an action taken by the Bureau.

St. Patrick Elementary School, VI, Application No. 170405, Petition for Reconsideration, CC Docket No. 02-6 (filed Mar. 23, 2012)

South Brown County Unified School District 430, KS, Application No. 1018216, Petition for Reconsideration, CC Docket No. 02-6 (filed Feb. 22, 2016)

Dismiss on Reconsideration – Untimely[7]

St. Elizabeth School, IL, Application No. 188132, Petition for Reconsideration, CC Docket No. 02-6 (filed Aug. 10, 2012)

Granted[8]

Granted on Reconsideration – Late-Filed FCC Form 471 Due to Actions Beyond Its Control[9]

Madison County School District, KY, Application No. 822447, Petition for Reconsideration, CC Docket No. 02-6 (filed June 18, 2012)

Granting Additional Time to Respond to USAC's Request for Information[10]

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[7] *See, e.g., Petitions for Reconsideration by Rockwood School District and Yakutat School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket 02-6, Order, 26 FCC Rcd 13004 (WCB 2011) (dismissing two petitions for reconsideration because they were filed more than 30 days after the Bureau's decisions). Although self-identified as an appeal, we treat St. Elizabeth's appeal as a petition for reconsideration because it seeks review of a decision already made by the Bureau. *See* 47 CFR 1.106. We also note that the time for filing an appeal of an adverse decision is 60 days, and USAC's demand payment letter does not restart the 60-day appeal filing period. *See, e.g., Requests for Waiver and/or Review of Decisions of the Universal Service Administrator by Baltimore County Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 9043, 9043-44, para. 1 (2012) (the appeal filing deadline is based on the initial adverse decision date and not the date of subsequent actions taken by USAC).

[8] We remand these applications to USAC and direct USAC to complete its review of the applications, and issue a funding commitment or a denial based on a complete review and analysis, no later than 90 calendar days from the release date of this Public Notice. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications. We also waive sections 54.507(d) and 54.514(a) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. *See* 47 CFR § 54.507(d) (requiring non-recurring services to be implemented by September 30 following the close of the funding year); 47 CFR § 54.514(a) (codifying the invoice filing deadline).

[9] *See, e.g., Petition for Reconsideration by Fall River Public School District; School and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, 28 FCC Rcd 14650, 14652, para. 4 (WCB 2013) (waiving the Commission's rules where evidence on reconsideration does not support the previous determination); *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Abbotsford School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 15299, 15300, para. 2 (WCB 2012) (granting waiver where the applicant filed within a reasonable period after the close of the filing window despite delays beyond its control).

[10] *See, e.g., Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6035, 6036-37, paras. 4-5 (2007) (granting appeals where applicants demonstrate they submitted information within the USAC-specified time frame).

Hanover Park Regional, NJ, Application No. 1000899, Request for Review, CC Docket No. 02-6 (filed Mar. 9, 2016)

Invoice Deadline Extension Requests Less Than 12 Months Late[11]

Dougherty County School System, GA, Application No. 811570, Request for Review, CC Docket No. 02-6 (filed Dec. 9, 2015)

Late-Filed FCC Form 471 Applications Filed within 14 days of the Close of the Window[12]

Centralia School District 401, WA, Application Nos. 1008214, 1008194, 1008204, Request for Waiver, CC Docket 02-6 (filed Dec. 7, 2015)

Late Filed FCC Form 471 Certifications[13]

Congregation Yeshiva Kinyan Torah, NY, Application No. 1048345, Request for Waiver, CC Docket 02-6 (filed Nov. 12, 2015)

Ministerial and/or Clerical Errors – FCC Form 471[14]

Burns Flat-Dill City District 10, OK, Application No. 1048829, Request for Review, CC Docket No. 02-6 (filed Mar. 2, 2016)

Vantage J V S D, OH, Application No. 1024232, Request for Waiver and Review, CC Docket

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[11] *See, e.g.*, *Requests for Review of the Decisions of the Universal Service Administrator by Canon-McMillan School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15555, 15558, para. 6 (WCB 2008) (granting relief to petitioners demonstrating good faith in complying with the invoicing deadline); *Modernizing the E-rate Program for Schools and Libraries,* WC Docket No. 13-184, Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8967, para. 242 (2014) (directing the Bureau and USAC to consider whether late invoice requests from funding years prior to 2014 were made in good faith and within a reasonable period of time after the services were provided, or whether other extraordinary circumstances exist that support an extension).

[12] *See, e.g.*, *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9259, para. 8 (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).

[13] *See, e.g., Allan Shivers Library Order*, 29 FCC Rcd at 10357, para. 1 & n.7 (granting waivers for applications filed within 14 days of the close of the filing window, except for the related certification).

[14] *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17319, 17320, para. 2 & nn.9 & 11 (WCB 2010) (permitting applicants to correct an inaccurately entered date and a mathematical error). Consistent with precedent, we also find good cause exists to waive sections 54.720(a) and (b) of the Commission's rules, which require that petitioners file their appeals within 60 days of an adverse USAC decision. *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Assabet Valley Regional Vocational District, Schools and Libraries Universal Service Support Mechanism,* CC Docket No. 02-6, Order, 27 FCC Rcd 1924, 1924, para. 1 & n.4 (WCB 2012) (*Assabet Valley Regional Vocational District Order*) (waiving the filing deadline for petitioner that filed its appeal within a reasonable period of time after actual notice of a clerical error).

No. 02-6 (filed Jan. 5, 2016)

Signed Contract Requirement[15]

Southwest Dubois County School Corporation, IN, Application No. 1040316, Request for Review, CC Docket No. 02-6 (Nov. 20, 2015)

Violation of the Competitive Bidding 28-Day Rule[16]

Platte Valley School District R. E. 7, CO, Application No. 752953, FRN 2041247, Request for Review and/or Waiver, CC Docket No. 02-6 (June 11, 2012)[17]

Platte Valley School District R. E. 7, CO, Application No. 752953, FRN 2041261, Request for Review and/or Waiver, CC Docket No. 02-6 (June 11, 2012)[18]

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[15] *See, e.g., Requests for Review and/or Waiver of the Decisions of the Universal Service Administrator by Amphitheater Unified School District 10 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 7536, 7536-37, para. 2 (WCB 2013) (granting waivers of the signed contract requirement in instances where applicants demonstrated they had legally binding agreements in place prior to filing their FCC Form 471 applications); *Requests for Waiver of the Decision of the Universal Service Administrator by Adams County School District 14 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6019, 6022-23, paras. 8-9 (2007) (granting a waiver of the Commission's signed contract rules for applicants with some sort of agreement in place but signing the actual contract with their service providers shortly after submitting their FCC Form 471).

[16] *See, e.g., Application for Review of the Decision of the Universal Service Administrator by Aberdeen School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8757 (2007) (granting waivers of violations of the 28-day rule when the applicants missed the deadline by only one to three days, thereby allowing their requests for services to be competitively bid for a meaningful period of time, and there was no evidence of waste, fraud or abuse).

[17] We also find that good cause exists to waive the Commission's signed contract requirement, because the record demonstrates that there was a legally binding agreement in place at the time the petitioner filed its FCC Form 471. *See supra* note 15.

[18] We also find that good cause exists to waive two other Commission rules. First, we waive the Commission's signed contract requirement, because the record demonstrates that there was a legally binding agreement in place at the time the petitioner filed its FCC Form 471. *See supra* note 15. We also waive the requirement that price be the primary factor in petitioner's vendor selection process because the petitioner selected the lowest costing provider. *See infra* note 19. Finally, we find that the petitioner's FCC Form 470 provided sufficient information in its request for Internet Access to enable service providers to formulate a responsive bid, which included Firewall Services and Support. *See, e.g., Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District*, CC Docket No. 02-6, Order, 18 FCC Rcd 26407, 26410, para. 7 (2003) (*Ysleta Independent School District Order*) (requiring FCC Forms 470 "to describe the services that the schools and libraries seek to purchase in sufficient detail to enable potential providers to formulate bids").

Waiver of Price as Primary Factor Requirement: Applicant Selected Lowest-price Solution[19]

Terra Bella Union Elementary School District, CA, Application No. 926927, Request for Waiver, CC Docket No. 02-6 (filed Dec. 31, 2014)[20]

Partially Granted

Allowing Deduction of Ineligible Costs[21]

Fauquier County Public Schools, VA, Application No. 824477, Request for Review or Waiver, CC Docket No. 02-6 (filed Feb. 11, 2013)

Venture Technologies (Holy Names Catholic School), TN, Application No. 859956. Request for Review, CC Docket No. 02-6 (filed Aug. 6, 2013)

Yaak School District #24, MT, Application No. 414325, Request for Review, CC Docket No. 02-6 (filed Feb. 28, 2005)

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[19] *See, e.g., Requests for Review of Decisions of the Universal Service Administrator by Allendale County School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 6109, 6115-17, paras. 10-12 (WCB 2011) (waiving the requirement that an applicant be able to demonstrate that it used price as the primary factor in vendor selection when the applicant selected the lowest priced option and there was no evidence of waste, fraud or abuse).

[20] Consistent with precedent, we also find good cause exists to waive section 54.720(a) of the Commission's rules, which requires that petitioners file their appeals within 60 days of an adverse USAC decision, for Terra Bella Union Elementary School District. *See, e.g., Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by ABC Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, 11019, para. 2 (WCB 2011) (granting waivers of filing deadline for appeals because petitioners submitted their appeals to the Commission within a reasonable period of time after receiving actual notice of USAC's adverse decision).

[21] *See, e.g.*, *Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8735, 8737-40, paras. 6, 9-10 (2007); *Requests for Review of Decisions of the Universal Service Administrator by Business Technologies, Inc. et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17033 (WCB 2010) (directing USAC to provide applicants with the opportunity to have their funding requests reassessed after they removed ineligible services from their E-rate applications). For these appeals, we direct USAC, with the help of the affected applicants, to review the funding requests or invoices at issue, remove the ineligible costs, and process the eligible portion of the funding requests or eligible portion of an invoice. For example, regarding Yaak School District #24, we direct USAC to remove the costs of an ineligible satellite dish for the funding request but determine eligibility for the remaining portion of the request and process accordingly. For Venture Technologies, the USAC reviewer missed that the applicant included installation services in its Item 21, but also would not have known that "Venture Fixed Fee Services" are installation services or what portion of these services were dedicated to installation of eligible equipment.

Eligible Services[22]

Allegheny Intermediate Unit, PA, Application No. 515150, Request for Review, CC Docket Nos. 96-45 and 02-06 (filed Jan. 24, 2007)

Denied

Discount Calculation[23]

Stetson School, Application No. 978111, Request for Review, CC Docket No. 02-6 (filed Aug. 25, 2014)

Duplicative Services[24]

Minneapolis College Preparatory School, MN, Application No. 989953, Request for Review, CC Docket No. 02-6 (filed Oct. 22, 2015)

Missoula County Public Schools, MT, Application No. 847849, Request for Review, WC Docket No. 13-184 (filed Apr. 20, 2015)

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[22] *Request for Review of the Decision of the Universal Service Administrator by Sprint Nextel (Anaheim City School District)*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 5720, 5721-22, para. 3 (WCB 2012) (*Anaheim City School District Order*) (determining that wireless Internet access designed for portable devices were eligible in funding year 2006, and directing USAC to reduce petitioner's request by any amount associated with the off-campus use of the wireless Internet services, and by the value of all ineligible equipment, including the costs of the Evolution Data Optimized (EVDO) connection cards). *See also Requests for Waiver and Review of Decisions of the Universal Service Administrator by Aberdeen School District 5 et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 2080 (WCB 2012) (finding that USAC erred in its eligibility determination regarding the services petitioners sought for funding). The record shows that Allegheny Intermediate Unit received 200 air cards with its cellular Internet access service. Consistent with precedent, we direct the applicant and USAC to work together to reduce the value of the air card equipment from the funding request in addition to any costs that can be attributed to off-campus use. *See Anaheim City School District Order*, 27 FCC Rcd at 5721, para. 3.

[23] *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Enterprise City Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 2372, 2372, para. 1 (WCB 2012) (finding that the applicants did not provide sufficient documentation to support their requested discount rate).

[24] *See Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, 9209-11, paras. 22-24 (2003) (denying, as unreasonable and not cost effective, requests for E-rate support for services that provide the same functionality for the same population in the same location during the same period of time (duplicative services)).

FCC Form 470 with Inadequate Specificity and No Indication of Request for Proposal (RFP) on Services Being Sought[25]

Robinson School, PR, Application No. 989586, Request for Review, CC Docket No. 02-6 (filed Sept. 18, 2015)

Improper Service Provider Involvement in FCC Form 470[26]

LEAP Academy University Charter School, Inc., NJ, Application No. 251684, Request for Review, CC Docket No. 02-6 (filed Nov. 28, 2006)

Invoice Deadline Extension Requests Less Than 12 Months Late[27]

To'Hajiilee-He Community School, NM, Application No. 820017, Request for Review, CC Docket No. 02-6 (filed Feb. 8, 2016)

Request for Additional Funding Above Funding Cap[28]

Gallup-McKinley County School District, NM, Application No. 529927, Request for Review, CC Docket No. 02-6 (filed July 19, 2007).

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[25] *See, e.g., Ysleta Independent School District Order*, 18 FCC Rcd at 26410, para. 7 (noting that the requirement for a bona fide request for services means that "applicants must submit a list of specified services for which they anticipate they are likely to seek discounts consistent with their technology plans, in order to provide potential bidders with sufficient information on the FCC Form 470, or on an RFP cited in the FCC Form 470, to enable bidders to reasonably determine the needs of the applicant"); *Request for Review of the Decision of the Universal Service Administrator by Washington Unified School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 13746, 13748, paras. 3-5 (WCB 2013) (finding that an applicant violated the Commission's competitive bidding requirements by failing to include sufficient information on its FCC Form 470 to enable prospective service providers to identify and formulate bids).

[26] *See, e.g., Requests for Waiver and Review of Decision of the Universal Service Administrator by Networks and More! Inc. et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 2564, 2565, para. 2 (WCB 2012) (denying the appeal of LEAP Academy's service provider that was subject to the same commitment adjustment at issue in this appeal after the Commission found that the service provider assisted LEAP Academy with the preparation of its FCC Form 470).

[27] *See, e.g.*, *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Hancock County Library System et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 30 FCC Rcd 4723, 4726-27, para. 10 (WCB 2015) (denying requests for invoice deadline extensions from funding years prior to 2014 less than 12 months late that failed to provide a "reasonable basis" for a substantial delay).

[28] *See, e.g., Request for Review of a Decision of the Universal Service Administrative Company by Houston Independent School District; Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.,* CC Docket Nos. 96-45, 97-21, Order, 17 FCC Rcd 15151, 15154-55, paras. 10-11 (WCB 2002) (denying an appeal requesting support for internal connections when the E-rate funding cap did not provide for funding at the petitioner's discount level, even though there were some unused funds reserved for future years).

Late-Filed FCC Form 471 Applications[29]

Buffalo Academy of Science Charter School, NY, Application No. 1052811, Request for Waiver, CC Docket 02-6 (filed Dec. 1, 2015)

Immaculate Conception School, NJ, Application No. 1054292, Request for Waiver, CC Docket 02-6 (filed Nov. 19, 2015)

Marshfield School District, WI, Application No. 1052975, Request for Waiver, CC Docket 02-6 (filed Nov. 25, 2015)

St. Peter School, RI, Application No. 1052235, Request for Waiver, CC Docket 02-6 (filed Oct. 19, 2015)

Training and Research Foundation, CA, Application No. 1053031, Request for Waiver, CC Docket 02-6 (filed Dec. 11, 2015)

Ministerial and/or Clerical Errors – FCC Form 471[30]

Trion City School District, GA, Application No. 1008282, Request for Review and Waiver, CC Docket No. 02-6 (filed Dec. 4, 2015)

West Philadelphia Achievement Charter Elementary, PA, Application No. 1034007, Request for Review and Waiver, CC Docket No. 02-6 (filed Dec. 9, 2015)

Untimely Filed Request for Review[31]

Abington Heights School District, PA, Application No. 987720, Request for Review, CC Docket No. 02-6 (filed Mar. 3, 2016)

Jupiter Christian School, FL, Application No. 1024261, Request for Review, CC Docket No. 02-6 (filed Feb. 25, 2016)

Kirkwood School District R7, MO, Application No. 966657, Request for Review, CC Docket No. 02-6 (filed Feb. 25, 2016)

Long Island Lutheran Day School at St. Paul's, NY, Application No. 1021581, Request for Review, CC Docket No. 02-6 (filed Feb. 25, 2016)

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[29] *See, e.g., Academy of Math and Science Order*, 25 FCC Rcd at 9259, para. 8 (denying waivers of the FCC Form 471 filing window deadline where petitioners failed to present special circumstances justifying waiver of our rules).

[30] *See, e.g.*, *Assabet Valley Regional Vocational District Order*, 27 FCC Rcd at 1925, para. 1 (finding petitioners had not demonstrated good cause to justify waivers permitting changes to the applicants' E-rate applications).

[31] *See, e.g.*, *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (WCB 2010); *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Bound Brook School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 5823 (WCB 2014) (denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days, as required by the Commission's rules, and did not show special circumstances necessary for the Commission to waive the deadline).

Our Lady of Mount Carmel – St. Benedicta School, NY, Application No. 1041008, Request for Review, CC Docket No. 02-6 (filed Feb. 25, 2016)

Pitt County Schools, NC, Application No. 362785, Request for Review and Waiver, CC Docket No. 02-6 (filed Aug. 2, 2006)

Prosser School District #116, WA, Application No. 978669, Request for Waiver, CC Docket No. 02-6 (filed Feb. 23, 2016)

Contribution Methodology
WC Docket No. 06-122

Denied

Untimely Filed FCC Forms 499-A and Q Worksheets[32]

QWK.net Hosting, LLC, Request for Review, WC Docket 06-122 (filed Mar. 7, 2016)

For additional information concerning this Public Notice, please contact Sibo McNally in the Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-7400.

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[32] *See Universal Service Contribution Methodology; Request for Waiver by BelWave Communications,* WC Docket No. 06-122, Order, 27 FCC Rcd 11176 (WCB 2012) (denying a request for waiver of late filing fees where the company claimed it was unaware of its obligation to file an FCC Form 499-A for the years at issue); *Universal Service Contribution Methodology; Request for Waiver by Mercury Wireless,* WC Docket No. 06-122, Order, 27 FCC Rcd 11178 (WCB 2012) (denying a request for waiver where the company claimed to be unaware of its obligation to file an FCC Form 499-A for the years at issue); *Requests for Review of a Decision of the Universal Service Administrator by Achilles Networks, Inc. et al*, WC Docket No. 06-122, Order, 25 FCC Rcd 4646 (WCB 2012) (denying requests for reversal of late fees associated with the untimely filing of the FCC Forms 499-A and 499-Q); *Universal Service Contribution Methodology; Petition for Waiver of Universal Service Fund Rules by Outfitter Satellite, Inc.,* WC Docket No. 06-122, Order, 28 FCC Rcd 13358 (WCB 2013) (denying a request for waiver based on a claim of financial hardship); *Universal Service Contribution Methodology, Request for Waiver by Baltimore Washington Telephone Company,* WC Docket No. 06-122, Order, 27 FCC Rcd 12994 (WCB 2012) (denying request for waiver and reversal of late fees despite claim that the late fees were excessive and punitive relative to the size and revenues of the company). *See also* 47 CFR § 54.713(a) ("A contributor that fails to file a Telecommunications Reporting Worksheet and subsequently is billed by the Administrator shall pay the amount for which it is billed."), (c) ("If a universal service fund contributor is more than 30 days delinquent in filing a Telecommunications Reporting Worksheet Form 499-A or 499-Q, the Administrator shall assess an administrative remedial collection charge equal to the greater of $100 or an amount computed using the rate of the U.S. prime rate (in effect on the date the applicable Worksheet is due) plus 3.5 percent, of the amount due per the Administrator's calculations."); *Comprehensive Review of the Universal Service Fund Management, Administration, and Oversight et al*., WC Docket Nos. 05-195, 02-60, 03-109 and CC Docket Nos. 96-45, 02-6, 97-21, Report and Order, 22 FCC Rcd 16372, 16379-80, para. 14 (2007) ("[I]f a contributor is more than 30 days delinquent in filing an FCC Form 499-A or 499-Q… [t]he sanction will be the greater of $100 per month or the amount derived from a rate of interest equal to the U.S. prime rate plus 3.5 percent assessed on the amount due…."); 47 CFR § 54.708 (filing obligations of *de minimis* interconnected Voice over Internet Protocol providers).