

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC**

In the Matter of:  
Request for Review and Waiver )  
of the Decision of the )  
Universal Service Administrator by )  
)  
Virgin Islands Department of Education ) CC Docket No: 02-6  
BEN Number: 154494 )  
) File No. SLD- 927508  
Schools and Libraries Universal Service )  
Support Mechanism )  
)  
Wireline Competition Bureau )

**INTRODUCTION**

Section 54.719(c) of the Commission's rules provides that any party seeking a waiver of Commission rules must seek relief from the Commission.<sup>1</sup> The Virgin Islands Department of Education (VIDE) hereby appeals the current action taken by USAC regarding the District's Invoice Extension approval for Funding Year 2013.

**FACTS AND DISCUSSION**

On November 19, 2015, VIDE received the attached email notification verifying that 4 FRNs were approved for invoice extensions.<sup>2</sup> However, the approved invoice deadline date for one of the FRNs appears to be incorrect. When the invoice deadline was processed for FRN 2532400, the last date to invoice (LDI) was only extended to July 10, 2015, which is approximately 4 months before VIDE received

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<sup>1</sup> 47 C.F.R. § 54.719(c).

<sup>2</sup> See email dated November 19, 2015 from the Schools and Libraries Division approving invoice deadline extensions for 4 funding requests.

notification the extension was granted. Due to the LDI as set by the SLD, VIDE has been unable to submit a BEAR for this FRN.

The 3 other FRNs on this approval were all extended out into the 2016 calendar year. VIDE is assuming that the extension approval for FRN 2532400 was entered into the DRT incorrectly. On January 15, 2016, VIDE filed an appeal with USAC and requested a correction.<sup>3</sup> On April 8, 2016, USAC denied the appeal saying the request was denied as a second or subsequent extension.<sup>4</sup> Since VIDE was appealing from a successful invoice extension request, the USAC denial explanation is not entirely correct. VIDE filed and was granted an invoice extension. However, when the SLD processed the request and reset the LDI, it was not set out past the date on the email granting the extension. Even though VIDE was granted additional time, a BEAR could not be submitted and processed. VIDE tried to point this out to USAC, but was denied. At this time, VIDE respectfully requests that the FCC grant a waiver and require the SLD to reset the last date to invoice for this FRN so that a BEAR can be filed for discounts for services VIDE has received and paid for.

Respectfully,



Jeannine Bonelli  
Program Manager  
1834 Kongens Gade  
St. Thomas, VI 00802  
[jbbonelli@sttj.k12.vi](mailto:jbbonelli@sttj.k12.vi)

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<sup>3</sup> USAC appeal is attached as Exhibit B.

<sup>4</sup> USAC appeal denial is attached as Exhibit C.

# Exhibit A

**Verlyne Jolley**

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**To:** Sean Lock  
**Subject:** RE: Invoice Deadline Extension

> -----Original Message-----

> From: Bonelli, Jeannine [mailto:jbbonelli@sttj.k12.vi]  
> Sent: Wednesday, December 02, 2015 12:53 PM  
> To: Sean Lock <slock@fundsforlearning.com>  
> Subject: FW: Invoice Deadline Extension

>  
> Please see below.

> -----Original Message-----

> From: deadline@sl.universalservice.org  
> [mailto:deadline@sl.universalservice.org]  
> Sent: Thursday, November 19, 2015 12:04 PM  
> To: Stapleton, Clinton <clinton.stapleton@sttj.k12.vi>  
> Subject: Invoice Deadline Extension

>  
> This serves as acknowledgement and approval of your request for your  
> one- time 120 day invoice deadline extension for the following FRNs:

- >
- > 2370778
- > 2532400
- > 2703613
- > 2703639

>  
> Since this serves as approval, an invoice requesting payment must be  
> submitted so that it is postmarked no later than the date found on the  
> USAC website within the Search Tools in order for your request to be  
> considered as timely filed. If you are resubmitting a Form 472,  
> please remember that you should forward the form to the Service  
> Provider as soon as possible to ensure sufficient time to process your  
> request. The invoice should be submitted in accordance with the  
> instructions that are posted in the SLD Forms area of the SLD web site  
> at [www.sl.universalservice.org](http://www.sl.universalservice.org) or are available by contacting the SLD Client Service Bureau at 1-888-203-8100.

>  
> Thank you for your continued support of and participation in the  
> E-rate program.

>  
> Schools and Libraries Division  
> Universal Service Administrative Company

>  
> This e-mail has been generated programmatically. Please do not  
> respond to this e-mail.

>  
>

# Exhibit B

January 15, 2016

*via e-mail: [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org)*

Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

**LETTER OF APPEAL  
Invoice Extension**

<b>Applicant:</b>	Virgin Islands Department of Education
<b>Entity Number:</b>	154494
<b>Funding Year:</b>	2013
<b>Form 471 Application #:</b>	927508
<b>FRN Numbers:</b>	2532400
<b>USAC Decision:</b>	November 19, 2015

On behalf of the Virgin Islands Department of Education (“VIDE”), the undersigned hereby appeals the decision of the Universal Service Administrative Company (“USAC”) in the above-captioned matter.

**FACTS AND DISCUSSION**

On November 19, 2015, VIDE received the attached email notification verifying that 4 FRNs were approved for invoice extensions.<sup>1</sup> However, the approved invoice deadline date for one of the FRNs appears to be incorrect. When the invoice deadline was processed for FRN 2532400, the last date to invoice was only extended to 7/10/2015. This is still before the date VIDE was notified of an approval.

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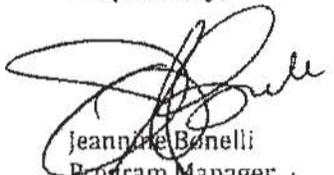
<sup>1</sup> See email dated November 19, 2015 from the Schools and Libraries Division approving invoice deadline extensions for 4 funding requests.

The 3 other FRNs on this approval were all extended out into the 2016 calendar year. VIDE is assuming that the extension approval for FRN 2532400 was entered into the DRT incorrectly.

**ADMINISTRATIVE ACTION REQUESTED**

At this time, VIDE respectfully requests that the invoice deadline be extended to reflect a date that would allow the applicant to file their Form 472, BEAR, reimbursement paperwork.

Respectfully,



Jeannette Bonelli  
Program Manager  
1834 Kongens Gade  
St. Thomas, VI 00802  
[jbbonelli@sttj.k12.vi](mailto:jbbonelli@sttj.k12.vi)

# Exhibit C



Administrator's Decision on Appeal – Funding Year 2013-2014

April 08, 2016

Jeannine Bonelli  
Virgin Islands Department Of Education  
1834 Kongens Gade  
St Thomas, VI 00802-6746

JEANNINE BONELLI  
PROGRAM MANAGER  
OFFICE OF INNOVATION AND  
TECHNOLOGY  
4/14/16 4:57pm

Re: Applicant Name: V.I. DEPARTMENT OF EDUCATION  
Billed Entity Number: 154494  
Form 471 Application Number: 927508  
Funding Request Number(s): 2532400  
Your Correspondence Dated: January 15, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2013 Administrator's Decision on Invoice Deadline Extension Request Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2532400  
Decision on Appeal: **Denied**  
Explanation:

- FCC rules stipulate that service providers or billed entities may request a one-time extension of the invoicing deadline for a Funding Request (FRN). USAC denied your request for Invoice Deadline Extension since this was the second or subsequent extension of invoicing deadline for FRN 2532400. Since USAC's decision was consistent with the FCC rules, your appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options

for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Clinton Stapleton, Ph.d.

RECEIVED  
JUL 14 2014  
SCHOOLS AND LIBRARIES DIVISION  
TECHNOLOGY  
7/14/14 4:57pm