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Universal Service Administrative Company

D. Scott Barash

Vice President and General Counsel

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November 27, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

RE: In the Matter of Federal-State Joint Board on Universal Service, Universal Service Support for Eligible Schools and Libraries, Year 3 Filing Window, CC Docket No. 96-45;

Administrator's Referral to Federal Communications Commission for Potential Waiver

Dear Ms. Roman Salas:

The Federal Communications Commission released an order (*In the Matter of Federal-State Joint Board on Universal Service, Universal Service Support for Eligible Schools and Libraries, Year 3 Filing Window, CC Docket No. 96-45, FCC 00-204, (rel. June 8, 2000)*) granting a waiver of the Year 3 filing window established by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) for Schools and Libraries Universal Service Support Mechanism applicants that failed to complete their FCC Form 471 applications for funding due to the failure of SLD's network server near the close of the Year 3 filing window.

The Commission's order established certain standards for applicants to receive this waiver. One set of FCC Form 471 applications for which a waiver was provided were those that had been started online before the server failure and were completed on the day after the filing window closed, January 20, 2000. On March 13, 2000, SLD provided a list to the Commission of 168 applications meeting that standard. The Commission waived the filing deadline for these applications and directed that they be treated in their entirety as if they were received within the filing window.

SLD has discovered two additional applications that met the standard previously articulated by the Commission. These FCC Forms 471 were started online before the server failure and were completed on January 20, 2000, but were not included on the list that SLD provided to the Commission on March 13, 2000. These are FCC Form 471 Application Number 160192 from Franklin Township Community School Corporation in Indianapolis, IN, and FCC Form 471 Application Number 160577 from Henry County

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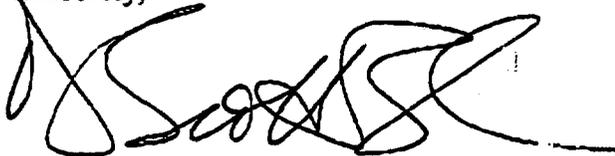
Schools in Napoleon, OH. These two FCC Form 471 applications request a total of approximately \$40,800 for priority 1 services (telecommunications services and Internet access). Both applications include requests for internal connections but at discount percentages below the 82% funding threshold for Year 3.

The Commission's action in FCC 00-20 would have provided waivers for these two applications had they appeared on the list SLD provided. SLD's failure to include them improperly prejudiced treatment of these applications. We have reexamined the database to see if there are any other applications that should have appeared on the list but did not and have found only these two.

USAC respectfully urges the Commission to consider granting a waiver of the Year 3 filing window for the two FCC Form 471 applications listed above.

We would be pleased to provide any additional information you may require and to answer any questions you may have about this matter.

Sincerely,



D. Scott Barash
Vice President and General Counsel

cc: Mark Seifert, Deputy Chief, Accounting Policy Division, Common Carrier Bureau, FCC
Rod Caldwell, Director of Business, Franklin Twp Comm School Corp
Ken Hawley, Superintendent, Henry County Schools