

Before the
Federal Communications Commission
Washington, DC 20554



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| In the Matter of |) | |
| |) | |
| Petition for Reconsideration |) | |
| |) | |
| Request for Review of the |) | |
| Decision of the |) | |
| Universal Service Administrator by |) | |
| |) | |
| Kimball School District No. 7-2 |) | File No. SLD-236447 |
| Kimball, South Dakota |) | |
| |) | |
| Federal-State Joint Board on |) | CC Docket No. 96-45 ✓ |
| Universal Service |) | |
| |) | |
| Changes to the Board of Directors of the |) | CC Docket No. 97-21 |
| National Exchange Carrier Association, Inc. |) | |

ORDER ON RECONSIDERATION

Adopted: September 19, 2002

Released: September 20, 2002

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Before the Telecommunications Access Policy Division is a Petition for Reconsideration filed by Kimball School District No. 7-2 (Kimball), Kimball, South Dakota.¹ Kimball seeks reconsideration of a decision affirming the denial of a request for discounts by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).² Kimball asserts that the denial of funding was due to an error in preparing the application by the Dakota State University Business and Education Institute (BEI), the party that Kimball had chosen to handle the preparation and filing process.³ Kimball argues that it should be allowed to correct its application because, otherwise, the Commission would be punishing Kimball for the mistakes of BEI.⁴ However, Kimball concedes that it chose BEI to prepare and

¹ Letter from George Wieland, Kimball School District No. 7-2, to Federal Communications Commission, filed July 8, 2002 (Petition for Reconsideration).

² *Id.* Parties may seek reconsideration from a final action of the Commission or its designated authority pursuant to 47 C.F.R. § 1.106.

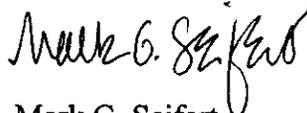
³ *Id.* at 1.

⁴ *Id.* at 1-2.

file the application, and it is well established that an applicant bears the ultimate responsibility for any errors in an application made by those to whom it has delegated responsibility for the preparation of the application.⁵ We therefore deny the Petition for Reconsideration.

2. Accordingly, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.106, and 54.722(a), that the Petition for Reconsideration filed on July 8, 2002 by the Kimball School District 7-2, Kimball, South Dakota, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

⁵ See *Request for Review by West Oso Independent School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File Nos. SLD-268040, 267787, CC Dockets No. 96-45 and 97-21, Order, DA 02-1983 (Wireline Comp. Bur. August 9, 2002); *Request for Review by Dermott Special School District, Hoven School District No. 53-2, Mastics-Moriches-Shirley Community Library, Mounds Public Schools, Reading-Muhlenberg Area Vocational-Technical School, Versailles Exempted Village Schools, Westbrook School Department, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File Nos. SLD-252777, SLD-261808, SLD-277850, SLD-265880, SLD-257325, SLD-270374, SLD-220712, CC Docket Nos. 96-45 and 97-21, Order, DA 02-643 (Com. Car. Bur. rel. March 19, 2001).