

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Appeal for denial of 2007 funding by USAC) CC Docket No. 02-6
Schools and Libraries Division to the Edgar)
School District (BEN 133211), Edgar WI)

**—APPEAL—
REQUEST FOR REVIEW AND WAIVER OF DECISIONS
OF THE UNIVERSAL SERVICE ADMINISTRATOR**

Appellant:

Edgar School District (BEN 133211)
Mark Lacke, District Administrator
203 E. Birch St.
Edgar, WI 54426
715-352-2351, fax 715-352-3198
markl@edgar.k12.wi.us

RE: Appeal for denial of 2007 funding for the following three funding requests:

FRNs: 1628277
Form 470: 102850000622221
Form 471: 586687
Category of service: Telecommunications
Service provider: Verizon Select Services, Inc., Spin# 143004038

FRNs: 1628276
Form 470: 102850000622221
Form 471: 586687
Category of service: Telecommunications
Service provider: Verizon North, Inc., Spin# 143004791

FRN: 1628275
Form 470: 168330000622219
Form 471: 586686

Category of service: Internet Access
Service provider: WiscNet, Spin#143004351

To Whom It May Concern:

The Edgar School District is appealing the denial of 2007 funding for the above referenced funding requests. The denial was in a funding commitment letter we received dated June 30, 2007.

Reason for Denial: Form 471 Filed Outside of Filing Window

Form 471 was filed late as a result of a family medical crisis in the months of December and January. The person responsible for filing form 470 was dealing with a parent with Alzheimer's who had a minor stroke in December, and then a more major stroke on January 8, 2007. As a result he needed to have someone with him while in the hospital, and then needed to be placed in an assisted living facility. Placement was finally made on January 22nd. This resulted in the Form 470's being filed a few days late, and then Edgar Schools had to wait for the 28 days prior to filing the Form 471's.

We believe our appeal request to waive 47 C.F.R. § 54.507(c) related to the Form 471 deadline set by the Administrator has merit based on the facts as described above and the FCC's decisions reached in the Bishop Perry appeal, released May 19, 2006. In the Bishop-Perry appeals the Commission specifically cited several reasons for why it granted numerous appeals for the same reasons that justify our appeal. For example, paragraph 7 refers to various schools that successfully appealed their late filing of Form 471. And paragraph 13 refers to applicant delays in the filing Form 471 because of staff that had made a mistake or because there was "a family emergency." Certainly the unfortunate illness of Ms. Kuhnmuench's father was a family emergency and was not in any fashion within her control or the district's control. Also, paragraph 14 in the Bishop-Perry decision refers to late filings because the "only official who knows the process being

unavailable to complete the application on time." We are a small school district with very limited staff. In our situation the only person who understands the whole E-rate application process was, and still is, Carolyn Kuhnmuench. We hope you will see that the reason we filed our 471 late was totally out of our control and that you will grant our request to waive the Commission's rules in this area and direct USAC to proceed with review of our three above funding requests.

One final note: All Wisconsin school districts have been under state imposed budget restrictions for the past ten years. Denial of our appeal will further exacerbate our already difficult fiscal environment.

Thank you for your consideration of this matter. Please contact me if you have any questions.

Sincerely,

Mark Lacke
District Administrator
Edgar School District