

Appeal of a Decision by the Schools and Libraries Division

Fredericksburg City Public Schools
817 Princes Anne Street
Fredericksburg, VA 22401

Form 471 Number: 445803
Funding Request Number: 1228524
Billed Entity Number: 126439
Fund Year 2005

Contact: Greg Weisiger
14504 Bent Creek Court
Midlothian, VA 23112
(804) 302-4406
erate1@aol.com

Fredericksburg City Public Schools (Fredericksburg) hereby appeals the denial of an Invoice Deadline Extension Request dated June 30, 2008. We ask the Administrator to reconsider its initial decision and extend the deadline for invoice submission for the above referenced Funding Request Number.

Background

In correspondence dated January 27, 2008 Fredericksburg, through its consultant, filed a request to extend the invoice deadline for this funding commitment. Services under this funding request were rendered and paid in full by Fredericksburg. Fredericksburg had previously filed an Invoice Deadline Extension Request which was granted, extending the last date to invoice to March 22, 2007. Due to personnel job duty adjustments at Fredericksburg, an invoice was not submitted by the extended invoice deadline. Fredericksburg has no record of receiving notification granting the invoice deadline extension from the Administrator. It appears the only notification of the invoice deadline extension was via the FRN Extension Table on the Administrator's Web site.

Discussion

The Federal Communications Commission has granted numerous appeals from E-Rate applicants when a procedural deadline was missed due to personnel turnover, job duty adjustments or simple confusion over complex E-Rate policies or procedures.¹ Specifically, the Arkansas Department of Information Systems decision waived the filing deadline for filing the Form 472, or BEAR Form.

¹ Bishop Perry, FCC 06-54; Alaska Gateway, DA 06-1871; Academy of Excellence, FCC 07-60; and State of Arkansas Department of Information Systems, DA 08-1418.

The Decision, for the first time in the E-Rate program, included the Form 472 in the group of correctable procedural errors covered under Bishop Perry, Alaska Gateway and other global decisions.

Fredericksburg did not violate a Commission rule by missing the invoice deadline but an Administrator procedural deadline. In this case, like applicants in Bishop Perry, Alaska Gateway, and Arkansas, shifting job duties and confusion over rules resulted in the missed deadline.

Conclusion

Under the State of Arkansas Decision, issued June 13, 2008 the Administrator is authorized the same latitude for granting deadline extensions that previous decisions allowed for missed certification deadlines or Form 486 deadlines. This extension request was initiated prior to the Arkansas decision and therefore falls squarely under the Arkansas Decision umbrella.

Respectfully submitted this 26th day of August, 2008,

Greg Weisiger
On Behalf of Fredericksburg City Schools

CC: Verizon Virginia, Inc.
