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Federal Communications Commission
Office of the Secretary
445 12th Street SW
Room TW-A325
Washington, DC 20554

RE: Request for Waiver of Form 470/471 Deadlines
CC Docket No. 02-6
Billed Entity Number 125813
Form 471 Application Number 770323
Funding Request Number 2084561

Dear Sir or Madam:

On July 22, 2010, I mailed a letter requesting a waiver from form filing deadlines as part of the USAC ERate program. As of today, I have heard nothing in response to that request.

I have enclosed the original letter along with supporting documentation for your review. I ask, with all due respect, that you please consider this request and rule in favor of our organization who finds itself facing troubled economic times.

The paradox of our institution is that at a time when the State government and local governments are cutting our funding out of necessity; we are witnessing ever increasing demand for our services. We are the only public institution where those out of work can come to apply online for social services or employment.

Our ERate funding for the fiscal year 2010-2011, for which we have already incurred expenses, is desperately needed as we struggle to keep open our doors to our community.

I may be reached at 717-239-2130 should you have any questions regarding this request.

Regards,

Cynthia Farley
Director of Finance, Accounting, HR, & Facilities

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LANCASTER
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250 Years of Lifelong Learning

125 North Duke Street
Lancaster, PA 17602

July 22, 2010

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

RE: Request for Waiver of Form 470/471 Deadlines
CC Docket No. 02-6
Billed Entity Number 125813
Form 471 Application Number 770323
Funding Request Number 2084561

Dear Secretary Dortch,

I am writing to request a waiver of the Forms 470/471 Deadline for the Funding Year 2010-2011. USAC informed us in their 6/7/10 Notice that our Form 471 Application was postmarked outside of Window (copy of notice enclosed). On June 16, 2010, I submitted an appeal to that decision (copy of appeal enclosed) and received the Administrator's Decision on Appeal dated July 15, 2010 (copy enclosed) indicating that USAC does not have the authority to consider requests for waivers. They recommended filing the request with the FCC.

The circumstances that lead up to the late filing were as follows:

On 12/14/09, I logged into the USAC website to determine if I needed to do anything regarding the Lancaster Public Library ERate application for the next funding year. At that time, I opened the "latest news" link and found a post dated 12/3/09 (copy enclosed) that was titled FY 2010 Application Filing Window Dates Established. I assumed that was referring to the initial application (Form 470). Beneath the heading was the following information: The FY2010 application filing window opened at noon EST on Thursday, December 3, 2009 and will close at 11:59PM EST on Thursday, February 11, 2010. The filing window will be open for 71 days. Applicants should note that FY2010 Forms 470 can be filed now.

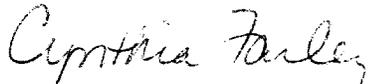
I interpreted that post to indicate that the filing window mentioned was in reference to the Form 470. Under the impression I had until 2/11/10 to file, I placed the task on my calendar to tend to at a later date. When the deadline drew near, I got an email suggesting the deadline had been extended by a few extra days due to the back-to-back snow storms faced by East Coast states. So, I filed on the last day of the extension.

It was not until I received 470 Receipt Notification Letter dated 5/25/10 (copy enclosed) that I realized that all of the aforementioned notices were in reference to the Form 471 filing rather than the 470 filing. Obviously, at that point, I was automatically forced to file the 471 out of window since I had to wait the 28 days from 470 to 471 filing.

With all due respect, my hope is that you will honor this request to waive the deadlines on our 470 and subsequent 471 and allow USAC to accept and process our application for funding which we so desperately need. I believe that the communication put out by USAC was misleading which led to my misinterpretation of the deadlines. In addition, our staff which had been drastically cut in response to drastic State funding reductions was all hands on deck dealing with the five feet of snow that had been dumped on us within one week leaving me little time to spend preparing our ERate application and documentation.

As the ERate contact for our Library, I may be reached by mail at the above address, by email at cfarley@lanaster.lib.pa.us, or by phone at 717-239-2130.

Regards,



Cynthia Farley, Director of Finance and Accounting
Lancaster Public Library

Enclosures: 5

12/03/2009

FY2010 Application Filing Window Dates Established.

The FY2010 application filing window opened at noon EST on Thursday, December 3, 2009 and will close at 11:59 p.m. EST on Thursday, February 11, 2010. The filing window will be open for 71 days.

Applicants should note that FY2010 Forms 470 can be filed now.

Traditionally, a high percentage of Forms 471 arrive at USAC during the final week that the window is open. We urge you to file early so that:

- You have an opportunity to review your work and make corrections if necessary.
- You can re-file your form if an error you made cannot be corrected.
- USAC has your information and can start reviewing your application.

We also urge you to file online:

- The system notifies you of possible errors and allows you to correct them.
- The system does your calculations for you.
- You can review your information online before you submit it.
- Your information is submitted to us quickly and correctly.



**FUNDING YEAR 2010 FORM 471
POSTMARKED OUTSIDE OF WINDOW**

June 7, 2010

CYNTHIA FARLEY
LANCASTER PUBLIC LIBRARY
125 N DUKE ST
LANCASTER, PA 17602-2815

**Re: Applicant's Form Identifier: LPL4712010
Form 471 Application Number: 770323**

Dear CYNTHIA FARLEY:

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application was postmarked on 03/29/2010, which is AFTER the Funding Year 2010-2011 filing window closed at 11:59 p.m. EST on Friday, February 19, 2010.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the USAC website at www.usac.org/sl once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future Funding Years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or service provider name,
 - BEN,
 - Application number 770323 as assigned by USAC,
 - "Funding Year 2010 Form 471 Postmarked Outside of Window Letter,"AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

USAC

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

TIME SENSITIVE MATERIAL

00136
CYNTHIA FARLEY
LANCASTER PUBLIC LIBRARY
125 N DUKE ST
LANCASTER, PA 17602-2815



LANCASTER PUBLIC LIBRARY

June 16, 2010

Duke Street
125 North Duke Street
Lancaster, PA 17602
(717) 394-2651

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

Leola Branch
46 Hillcrest Avenue
Leola, PA 17540
(717) 656-7920

Dear Sir or Madam:

This letter is to appeal the decision letter regarding our funding year 2010 Form 471.

Appellant Name: Cynthia Farley, Lancaster Public Library

Mountville Branch
2 College Avenue
Mountville, PA 17554
(717) 285-3231

Applicant/Svc Provider: Lancaster Public Library/Level 3 Communications (SPIN 143021460)

BEN: 125813

www.lancaster.lib.pa.us

Application Number: 770323

Funding Year 2010 Form 471 Postmarked Outside of Window Letter (copy attached)

Appealing the following text: ...Your Form 471 application was postmarked on 3/26/2010, which is AFTER the Funding Year 2010-2011 filing window closed at 11:59 p.m. EST on Friday, February 19, 2010. Program rules require us to hold your application pending final review of those applications that were filed within the filing window...

The request is that the "holding of our application" until final review of "in window applications" be reconsidered because of the following information:

^{12/14/09 CF}
On ~~2/10/2010~~, I logged into the USAC website to determine if I needed to do anything with our ERate application. At that time, I opened the "latest news" link and found a post dated 12/3/2009 (copy enclosed) that was titled FY2010 Application Filing Window Dates Established. Beneath that heading was the following information: The FY2010 application filing window opened at noon EST on Thursday, December 3, 2009 and will close at 11:59PM EST on Thursday, February 11, 2010. The filing window will be open for 71 days. Applicants should note that FY2010 Forms 470 can be filed now.

When February 11 drew near, due to severe weather, that closing was extended through February 19, 2010.

My concern is that with that last line inserted, it appeared to me that this "open" period was referring to the 470; so, I had it marked on my calendar to be sure to file the 470 by the February 11. Come February 11, having experienced nearly 5 feet of snow over a one week period, I was forced to take advantage of the extension; so, my 470 was filed electronically on 2/18/2010.

It was not until the Form 470 Receipt Notification Letter dated 5/25/10 that I realized it was the 471; not the 470 that was originally due in February, 2010. Thus, it was impossible for me to file the 471 without it being "out of window".



LANCASTER
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June 16, 2010

With all due respect, I am hopeful that someone at USAC can see that the 12/3/2009 News Update was poorly written and misleading. In light of that concern, I am hopeful that you will reconsider my Form 471 and move it from a "hold" status into the "review" pipeline so that my organization does not suffer the potential loss of the Erate assistance of which we are in desperate need.

Duke Street
125 North Duke Street
Lancaster, PA 17602
(717) 394-2651

Sincerely,

Leola Branch
46 Hillcrest Avenue
Leola, PA 17540
(717) 656-7920

Cynthia Farley
Director, Finance and Accounting
717-239-2130
cfarley@lanaster.lib.pa.us

Mountville Branch
2 College Avenue
Mountville, PA 17554
(717) 285-3231

Enc. (2)

www.lancaster.lib.pa.us