

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

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| <b><u>IN THE MATTER OF</u></b>         | : | <b>Form 471 Application No: 527677</b>        |
| <b><u>GLENDALE SCHOOL DISTRICT</u></b> | : | <b>Funding Year: 2006</b>                     |
| <b>1466 BEAVER VALLEY ROAD</b>         | : | <b>Applicant's Form Identifier: GSD06471A</b> |
| <b>FLINTON, PA 16640-8900</b>          | : | <b>Billed Entity No.:125595</b>               |
|  | : | <b>FCC Registration Number: 0011866423</b>    |
|  | : | <b>SPIN:143023276</b>                         |
|  | : | <b>Service Provider Name: Last Mile, Inc.</b> |
|  | : | <b>CC Docket 02-6</b>                         |

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**REQUEST FOR WAIVER/WAIVER REQUEST OF 60 DAY DEADLINE FOR FILING  
APPEAL PURSUANT TO 47 C.F.R. §54.720**

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AND NOW COMES, Glendale School District, by and through its counsel of record, Aimee L. Willett, Esquire, and ANDREWS & BEARD Law Offices, filing this Request for Waiver of Appeal Period relative the Schools and Libraries Division of Universal Services Administrative Company's Notification of Commitment Adjustment Letter dated April 2, 2012, identified above and in support thereof, aver as follows:

1. Glendale School District, is an educational entity, comprised of an elementary and secondary building, as defined by 47 C.F.R. §54.500.
2. Former Superintendent of Glendale School District, Dennis Bruno, submitted various Form 471s for several funding years seeking discounts for the School District.
3. The Administrator who submitted the at-issue form, as well as all other forms relating to E-Rate Benefits from 2001 to 2008, Dennis Bruno, is no longer employed by Glendale School District.
4. Further, by decision rendered March 15, 2012, Mr. Bruno has been barred by the Federal Communications Commission from participating in the schools and libraries universal

service support mechanism (E-Rate Program) for three years from either the date of his receipt of the Notice of Debarment, or of its publication in the Federal Register, whichever is earlier in time (Debarment Date). (Exhibit "A" March 15, 2012 Notice of Debarment).

5. On April 2, 2012, the Schools and Libraries Division of Universal Services Administrative Company issued a Notification of Commitment Adjustment Letter to Glendale School District relative to a Form 471 submitted on behalf of the School District by Dennis Bruno.

6. In addition to the Commitment Adjustment Letter, the District has been working with USAC on an ongoing an investigation into the District's E-rate practices and procedures from 2001-2008, under Mr. Bruno's control and an ongoing criminal investigation into certain practices and procedures in effect under Mr. Bruno's tenure as superintendent.

7. According to the April 2, 2012 letter:

*After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that the service provider information appeared on the cited Form 470. The FCC Form 470 contains specific service provider information. Under Item 13b, it states, 'We intend to continue the multiyear contract with Sting Communication for internet access.' Sting Communication is Last Miles, Inc and the applicant did request IA from this service provider un a multi-year contract. FCC rules require applicants to submit a FCC Form 470 to initiate the competitive bidding process and to conduct a fair and open process. If the applicant has posted a FCC Form 470 that contains information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this FCC Form 470 to be tainted. All Funding requests that relate to this Form 470 are required to be denied because the FCC Form 470 is tainted. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any disbursed funds. USAC has determined that both the applicant and the service provider are responsible for this rule violation; if any funds were disbursed, USAC will seek recovery of the improperly disbursed funds from both the applicant and the service provider.*

8. According to the Commitment Adjustment Report explained above, the School District either has to pay \$81,000 back to USAC within 30 days of a Demand Payment Letter, believed to be forthcoming, or alternatively file an appeal within 60 days of the Commitment Adjustment Letter of April 2, 2012. (Exhibit "B" Notification of Commitment Adjustment Letter and corresponding Commitment Adjustment Report is attached hereto).

9. The School District is seeking a waiver of the 60 day appeal period for purposes of researching/investigating the allegations raised in the April 2, 2012, letter from SLD-USAC and the history of the District's participation in the E-Rate program, including contracts that may have been entered into and services received by the District.

10. Specifically, the School District is seeking a 60 day extension of the filing deadline to ascertain whether the School District has a legitimate basis to appeal the Notification of Commitment Adjustment issued by SLS-USAC seeking repayment of \$81,000, and if so, to prepare the appeal and submit it to this Honorable Commission.

11. Since the at-issue funding year, 2006, the School District has undergone substantial changes in leadership, naming a new Superintendent in the Spring of 2009 and a new E-Rate vendor in 2009, who are unfamiliar with the procedures and practices used by the former Superintendent and E-Rate vendor.

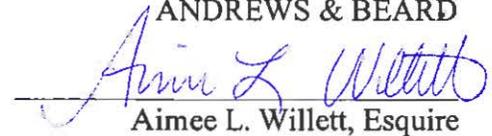
12. The current leadership and vendor are also unfamiliar with the services received by and billed for the District during the at-issue funding year, and funding years leading up to the at-issue funding year.

13. Additional time is needed to gather and review all documentation relevant to rendering a decision as to the merits of an appeal.

WHEREFORE, this undersigned counsel respectfully requests this Honorable Commission enter an Order waiving the 60 day deadline for filing an appeal pursuant to 47 C.F.R. §54.720, granting an additional 60 days to research and review documentation for purposes of considering the merits of filing an appeal.

Respectfully submitted:

ANDREWS & BEARD



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