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July 23, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Natek
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

RE: Request for Waiver
Administrator's Decision on Appeal – Funding year 2011-2012
CC Docket No. 02-6 and CC Docket 96-45

Appellant Name: Richard Senturia, Consultant for the Applicant
Appellant CRN: 16048902
Applicant: Hayti School District R-2, Hayti, MO
Applicant BEN: 137070
Applicant Form 471 #: 821211

The purpose of this document is to request the FCC to review the decision to deny funding for the Hayti School District due to late item 21 filing.

The initial decision from USAC was dated March 6, 2012, 2012. The reason given for the decision was:

This FRN is denied because the Item 21 Attachment was not received on or before the filing deadline. The Item 21 Attachment is an FCC Form 471 Window filing requirement. You failed to provide sufficient documentation demonstrating the Item 21 Attachment was submitted timely. FCC Forms 471 with Item 21 Attachments that met the FCC Form 471 Window requirements have funding priority over applications received after the filing deadline. Given that funding demand for FCC Forms 471 filed within the window exceeds the amount available for commitment, we cannot consider this FRN for funding.

An appeal was filed with USAC on July 6, 2012 (see attachment)

USAC denied the appeal on July, 17, 2012 (see attachment)

Explanation of Appeal

On March 24, 2011, an Item 21 attachment was filed for Application #8221211, FRN 2236287. The school district or its previous consultant did receive a request for further information for FRN's attached to Application # 821211. For some reason, either the request was not passed on from the district to the previous consultant or from the previous consultant to the district for follow up and timely submittal. We believe that denial of funding is not warranted given these errors in this case.

The economy of the Missouri "boot heel" region, the geographic location of the district, lags behind the economy of Missouri as a whole. The poverty rate for this area is the highest rate among the state's regions. Latest statistics indicate the median income for the region to be \$13,396 compared to \$45,229 statewide. The denial of funding will inflict a hardship on the district. In this case a waiver better serves the public interest than strict adherence to the general rules.

There is no evidence of any waste, fraud or abuse of funds in this case by the district.

Respectfully,

Richard Senturia
eRateProgram, LLC.
Consultant for Hayti School District R-2