

# JCS JENNINGS COUNTY SCHOOL CORPORATION

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34 W. Main St, North Vernon, Indiana 47265

Dr. Terry Sargent, Superintendent  
Phone: (812) 346-4483  
Fax: (812) 352-8194

November 27, 2012

## REQUEST FOR REVIEW

### **CC Docket No. 96-45 and CC Docket No. 02-6** **E-Rate Appeal Filed Electronically via the FCC ECFS System**

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

**RE:** Request for Review of the Administrator's Decision on Appeal 486 Application  
FRN 2174994 and 2179347.

Re: Applicant: Jennings County Schools  
BEN: 130575  
Form 471 Application Number: 801794  
Form 486 Application Number: 924672  
FRN: 2174994 and 2179347  
Funding Year: 2011  
Services: Telecommunications  
Service Providers: Frontier North SPIN 143004791, Qwest Communications Company,  
LLC SPIN 143001157

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#### To Whom It May Concern:

This is an appeal of the denial of the Administrator's Decision on Appeal – Funding Year 2011 – 2012 dated November 21, 2012 in connection with FRN 2174994 and 2179347 on FCC Form 471 Application Number 801794 and FCC Form 486 Application Number 924672. A copy of the Administrator's Decision of Appeal is attached hereto as Exhibit A.

#### Text Being Requested for Review:

"USAC has determined that your FCC Form 486 (Application Number: 924672) was not filed within 120 days calculated from January 24, 2012, the date of the Funding Commitment Decision letter (FCDL) or July 01, 2011, the Service Start Date (SSD) indicated on the FCC Form 486, whichever date is later. On May 30, 2012, USAC mailed an "Urgent Reminder" letter providing you additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was certified on September 25, 2012, which is after the new deadline. Consequently, the SSD has been revised to reflect May 28, 2012 (120 days before Form 486 postmark date)."

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Appeal Review Request:

USAC based the denial on not filing the FCC Form 486 within the 120 days and referenced the Alaska Gateway Order DA 06-1871 para. 8. The FCC has a long history of waiving its rules for

“good cause” in this case Jennings County Schools had a change of personnel responsible for E-rate filing in late 2011. The FCDL for 471 application #801794 was issued 1/24/2012. The newly hired person did not start his employment until after the FCDL was issued and did not realize it was his responsibility to file within the 120 day rule requirement for the 486. We do not dispute that an “Urgent Reminder” was sent unfortunately the newly hired person did not receive the letter.

Attached documents which support The Request for Review

Exhibit A - Copy of Administrator's Decision of Appeal – Funding Year 2011 - 2012, Dated November 21, 2012

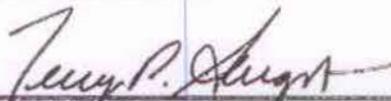
**REQUEST FOR WAIVER OF FCC RULES**

The School Corporation believes special circumstances warrant a deviation from the FCC general rules, and such deviation would better serve the public interest than strict adherence to the general rules. In addition, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. We believe that good cause exists to waive USAC's deadline for the FCC Form 486 filed with USAC. We also believe granting this request will promote the statutory requirements of section 254(h) of the Communications Act of 1934, as amended (the “Act”), by helping to ensure that eligible schools and libraries obtain access to discounted telecommunications and information services. We request the SSD for FCC Form 486 Number 924672 be established as July 1, 2011 not May 28, 2012.

Thank you for your time and consideration. You are hereby authorized to contact our E-Rate Contact, Charlie Hobbs, if you have any questions concerning this appeal or require additional information. His contact information is as follows:

Charlie Hobbs  
AdTec, Inc  
P.O. Box 97  
Centerville, IN 47330  
Telephone: 765-855-1612  
Fax: 765-855-1615  
[chobbs@admtec.com](mailto:chobbs@admtec.com)

Authorized Signature:



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Dr. Terry P. Sargent, Superintendent, Jennings County Schools