

Jefferson City School District Jefferson, GA	434189	2004	Request for Review
Jefferson School District Daly City, CA	489764	2005	Request for Waiver
Jemez Mountain School District Gallina, NM	480502	2005	Request for Waiver
Jemez Mountain School District Gallina, NM	481827	2005	Request for Waiver
Kent City Schools Kent, OH	231188	2001	Request for Review
Laporte School District 306 Laporte, MN	487654	2005	Request for Review
Las Vegas City Schools Las Vegas, NM	405536	2004	Request for Waiver
Leggett Valley Unified School District Leggett, CA	538735	2006	Request for Waiver
Loogootee Community School Corporation Loogootee, IN	454754, 455222	2005	Request for Review
Los Alamitos Unified School District Los Alamitos, CA	364589	2003	Request for Review
Madera Unified School District Madera, CA	230938	2001	Request for Review
Maine School Administrative District #36 Livermore Falls, ME	487135	2005	Request for Review
Malone Independent School District Malone, TX	458773	2005	Request for Review
McClure Community Library McClure, PA	488239	2005	Request for Waiver
Mel Blount Youth Home Vidalia, GA	378809	2003	Request for Review
Meriwether County School System Greenville, GA	488532, 488630, 488634, 488637, 488639	2005	Request for Review
Middleburg Community Library Middleburg, PA	487961	2005	Request for Waiver

Millennium Community School Columbus, OH	419137	2004	Request for Waiver
Minnesota Transition School Minneapolis, MN	383596	2003	Request for Waiver
Minnewaska Area Schools Glenwood, MN	FCC Form 470 Number 688010000570286	2006	Request for Waiver
Montfort & Allie B. Jones Memorial Library Bristow, OK	398439	2004	Request for Review
Mount Ayr Community School District Mount Ayr, IA	487717	2005	Request for Waiver
Mount Saint John School Deep River, CT	458882	2005	Request for Waiver
Mt. Carroll Township Public Library Mt. Carroll, IL	358693	2003	Request for Waiver
Nativity Mission School New York, NY	480269	2005	Request for Waiver
Nelson County Public Schools Lovingson, VA	433422	2004	Request for Waiver
North East Independent School District San Antonio, TX	472357, 472537, 454936, 446694	2005	Request for Review
North Panola School District Sardis, MS	484781, 485017, 482009, 483905	2005	Request for Review
Northwest Institute for Contemporary Learning, Inc. Chicago, IL	470821	2005	Request for Waiver
Oglala Lakota Technology Consortium Porcupine, SD	435405	2004	Request for Review
Our Lady of Refuge Brooklyn, NY	346749	2003	Request for Review
Our Lady of The Lake School Mandeville, LA	FCC Form 470 Number 607530000583035	2006	Request for Waiver
Perrysburg Exempt Village School District Perrysburg, OH	433571	2004	Request for Review and Waiver

Pierce City School District R6 Pierce City, MI	260567	2001	Request for Waiver
Pinon Dormitory Pinon, AZ	482087	2005	Request for Waiver
Queen of Apostles Catholic School Alexandria, VA	486686	2005	Request for Waiver
Richmond Public Library Richmond, VA	433700	2004	Request for Waiver
Rylander Memorial Library San Saba, TX	458867	2005	Request for Review
Saint John Grammar School Orange, NJ	384182	2003	Request for Review
Selinsgrove Community Library Selinsgrove, PA	487907	2005	Request for Waiver
Southeast Delco School District Folcroft, PA	421728, 421881	2004	Request for Review
Southeastern Libraries Cooperating Rochester, MN	251453	2001	Request for Review
St. Clement's Regional Catholic School Saratoga Springs, NY	386976	2004	Request for Review
St. Elizabeth Interparochial School Wyckoff, NJ	409287	2004	Request for Review
St. Francis of Assisi School Brooklyn, NY	FCC Form 470 Number 450810000564257	2006	Request for Waiver
St. Ignatius Academy New York, NY	484436	2005	Request for Waiver
St. Mary's School Leipsic, OH	488671	2005	Request for Waiver
SuperNet Consortium Whitehouse, TX	460573	2005	Request for Waiver
Tiverton School Department Tiverton, RI	487097	2005	Request for Waiver

Trinity Christian School Fayetteville, NC	432746	2004	Request for Review
Unadilla Community School Unadilla, NE	487072	2005	Request for Waiver
Wabash Valley Educational Center West Lafayette, IN	485945	2005	Request for Waiver
Wallington Public Schools Wallington, NJ	40909	2004	Request for Waiver
Walnut Community School District Walnut, IA	402680	2004	Request for Waiver
Washington Local School District Toledo, OH	434128	2004	Request for Review
Watson School District #56 Watson, OK	394230, 398535	2004	Request for Review
Westside Holistic Family Services Chicago, IL	470792	2005	Request for Waiver
Whitfield County School District Dalton, GA	387068	2004	Request for Review
Wilkinson County School District Irwinton, GA	415952, 416125, 423714, 430873, 431049, 431202	2004	Request for Waiver
Wilson Memorial Library Keota, IA	386222	2003	Request for Review

**Form 471 Filed Outside of Filing Window  
Petitions for Reconsideration**

Chawanakee Joint Elementary School District North Fork, CA	229391	2001	Application for Review
High Bridge Board of Education High Bridge, NJ	328078	2002	Petition for Reconsideration
Neches Independent School District Neches, TX	325411	2002	Petition for Reconsideration
Siskiyou County Library Yreka, CA	325514	2002	Petition for Reconsideration

List of Appellants included as  
Consortio de Escuelas y Bibliotecas  
de Puerto Rico  
San Juan, Puerto Rico

**Applicant:**<sup>66</sup>**SLD File No.:**

Academia Adventista de Florida	227675
Academia Adventista de Mucarabones	228865
Academia Adventista del Centro Ramon Rivera Perez	228164
Academia Adventista de Maunabo	228926
Academia Adventista del Naguabo	228944
Academia Adventista del Noreste	228190
Academia Adventista del Norte	228207
Academia Adventista del Oeste	228216
Academia Adventista del Suroeste	228253
Academia Adventista Metropolitana	228978, 260779
Academia Alexandra	228742
Academia Cayey	228908
Academia Cristiana Un Nuevo Amanecer	255896
Academia de Ensenanza Moderna, Inc.	232429
Academia Paraiso de Dorado	232305
Academia Pentecostal Bethel	228265
Academia Presbiteriana Reverendo Juan E. Mercado	231427
Academia Primaria	228886
Academia Regional Adventista Central	228996
Academia Regional Adventista del Este	229001
Academia Regional Adventista del Norte	229028
Academia Regional Adventista del Sur	229041

<sup>66</sup> Applicant names are listed as they appeared on the FCC Form 471 under appeal, and differ in some cases from the names as they appeared in the pleadings. In addition, two applicants appearing in the pleadings, Biblioteca Publica Aguas Buenas and Colegio Congregacion Mita, are not listed because there is no record of these parties having submitted an application in Funding Year 2001.

Academia Sabana Llana	228960
Academia Santa Rosa de Lima	228760
Academia Santo Tomas de Aquino Elemental	229432
Academia Santo Tomas de Aquino Superior	229409
Bella Vista Adventist Academy	228788
Biblioteca Electronica Bo, Esperanza	260586
Biblioteca Electronica Municipio Autonomo de Carolina	260589
Biblioteca Electronica Municipio de Area Aibonito	243702
Biblioteca Municipal Caguas	236507
Biblioteca Municipal de Bayamon, Dr Agustin Stahl	243770
Biblioteca Municipal de Bayamon, Pilar Barbosa	244366
Biblioteca Municipal de Boquillas	244127
Biblioteca Municipal de Catano, Alberto Davila Fuentes	243846
Biblioteca Municipal de Cortes	244139
Biblioteca Municipal de Guaynabo	243958
Biblioteca Municipal de Juncos, Jose M Gallardo	244067
Biblioteca Municipal de Montebello	244183
Biblioteca Municipal de Pugnado	244159
Biblioteca Municipal de Quebradillas	260161
Biblioteca Municipal Ernesto Cora Vega	243810
Biblioteca Municipal Las Piederas	243153
Biblioteca Municipal Manati Francisco Alvarez Marrero	236736
Biblioteca Municipal Mayaguez	233513
Biblioteca Pedro Albizu Campos	236517, 244880, 254526
Biblioteca Publica Adjuntas	234495
Biblioteca Publica Aguada	237665
Biblioteca Publica Anasco-Manuel Guzman	233108
Biblioteca Publica Arecibo	243713
Biblioteca Publica Barceloneta	233178
Biblioteca Publica Camuy	237339
Biblioteca Publica Camuy, Bo. Quebrada	236860
Biblioteca Publica Cayey	237615
Biblioteca Publica Celba	236715
Biblioteca Publica Ciales	237413
Biblioteca Publica Cidra	243862
Biblioteca Publica Coamo	237300
Biblioteca Publica Comeio	260354
Biblioteca Publica de Area Corozal	237386
Biblioteca Publica de Arroyo	243758
Biblioteca Publica de Culebra	237506
Biblioteca Publica de Luquillo	244455, 260451
Biblioteca Publica Fajardo	243897
Biblioteca Publica Guanica	243933
Biblioteca Publica Guayama	236689
Biblioteca Publica Guayanilla	234409
Biblioteca Publica Gurabo	237594
Biblioteca Publica Hatillo	237581
Biblioteca Publica Humacao	244008
Biblioteca Publica Jayuya	237466
Biblioteca Publica Lajas	237564
Biblioteca Publica Las Marias	244104

Biblioteca Publica Loiza	233070
Biblioteca Publica Maricao	233628
Biblioteca Publica Maricao-Indiana Alta	237436
Biblioteca Publica Maunabo, Rafael Rodriguez Gonzales	260104
Biblioteca Publica Municipal Computarizada de Naranjito	260232
Biblioteca Publica Penuelas	244332
Biblioteca Publica Rio Grande	236756
Biblioteca Publica Sabana Grande	237551
Biblioteca Publica Salinas	244170
Biblioteca Publica San Juan-Cantera Rosa Sanchez	236946
Biblioteca Publica San Juan-La Peria	244233, 260772
Biblioteca Publica San Lorenzo	236812
Biblioteca Publica Santa Isabel Pedro M Alomar	237746
Biblioteca Publica Toa Alta	244264
Biblioteca Publica Toa Baja	233246, 237587
Biblioteca Publica Utuado	244326
Biblioteca Publica Vieques	237716
Biblioteca Publica Villalba	236778
Biblioteca Publica Yabucoa	244349
Biblioteca Publica Yauco	237499
Biblioteca San Sebastian	244244
Colegio Bilingue Light Of The Children	228801
Colegio Catolico Notre Dame Elemental	214568, 229355
Colegio Catolico Notre Dame Secundario	229379
Colegio Cedi	232404
Colegio Emmanuel, Inc.	232226
Colegio Inmaculada Concepcion	229197
Colegio Nacional	232314
Colegio Nuestra Senora del Carmen	229214
Colegio Nuestra Senora del Rosario – Ciales	229122
Colegio Nuestra Senora del Rosario – Vega Baja	229226
Colegio Presbiteriano San Sebastian	230479
Colegio Sagrada Familia	229244
Colegio San Antonio	228813
Colegio San Felipe	229093
Colegio San Jose	229291
Colegio San Juan Bautista	223597, 229170
Colegio San Juan Bosco	224671, 229127, 29137
Colegio San Miguel Elemental	222815, 229075
Colegio San Miguel Secundario	222816, 229059
Colegio San Rafael	222317, 225416, 229329, 260627
Colegio San Vicente Ferrer	230419
Colegio Sana Rosa Superior	231235
Colegio Santa Rosa Elemental	230444
Colegion Congregación Mita	255793
Escuela Evangelica Unida de Fajardo	231480
Fajardo Community Private School	232444
Hogar Colegio La Milagrosa	229145
Liceo Aguadillano	228839
Piaget Bilingual Academy Of Manati	258270
Saint Patrick's Bilingual School	232457

**APPENDIX C**  
**Minimum Processing Standards Violations**

JAN 15 2013

FCC Mail Room

<b>Applicant</b>	<b>Application Number</b>	<b>Funding Year</b>	<b>Type of Appeal</b>
Alexander City Schools Alexander City, AL	440884	2005	Request for Review
Athens City Schools Athens, TN	476573	2005	Request for Review
Bay St. Louis-Waveland School District Bay St. Louis, MS	434001, 434002, 434003, 434008	2004	Request for Review
Biblioteca Electronica de Rio Hondo Comerio, PR	489565	2005	Request for Review
Bucksport School Department Bucksport, ME	471929	2005	Request for Review
Burnt Hills-Ballston Lake Central School District Scotia, NY	434258	2004	Request for Review
Calumet City School District No. 155 Calumet City, IL	442354	2005	Request for Review
City of Boston, Department of Neighborhood Development Boston, MA	330664	2002	Request for Review
Clovis Unified School District Clovis, CA	320217	2002	Request for Review
Colegio San Antonio Isabela, PR	434925	2004	Request for Review and Waiver
Colton School District #53 Colton, OR	434227	2004	Request for Review
Cooperative Educational Service Agency #12 Ashland, WI	481695	2005	Request for Review
Creighton School District Phoenix, AZ	471774	2005	Request for Review
Elsa Public Library Elsa, TX	472948	2005	Request for Review

Emery Unified School District Emeryville, CA	386068	2003	Request for Review
Fairfax County Public Schools Arlington, VA	NEC.471.03-13- 00.29600003	1999	Request for Review
Forsyth County Public Library Winston-Salem, NC	386053	2003	Request for Review
Franklin Lakes School District Franklin Lakes, NJ	438092	2003	Request for Review
French Camp Academy French Camp, MS	386007	2003	Request for Review
Henderson County Public Library Lexington, TN	489560	2005	Request for Review
Hood River County School District Hood River, Oregon	463073	2004	Request for Review
Incarnation School Queens Village, NY	484104	2005	Request for Review
Jackson District Library Jackson, MI	386004	2003	Request for Review
Lawrence County School District Monticello, MS	423967, 424237	2004	Request for Review
Leary Independent School District Hooks, TX	386045	2003	Request for Review
Leary School of Virginia Alexandria, VA	429541	2004	Request for Review
Mabton School District 120 Mabton, WA	330366, 331297	2002	Request for Review
Maine School Administrative District No.36 Livermore Falls, ME	434452	2004	Request for Review
Marshfield Public Schools Marshfield, MA	454206	2005	Request for Review
Maumee City School District Maumee, OH	433796	2004	Request for Review

McKittrick School District McKittrick, CA	457558	2005	Request for Review
Memphis City Schools Memphis, TN	386323	2003	Request for Review
Mililani-Mauka Elementary School Mililani, HI	435235	2004	Request for Review
Moencopi Day School Tuba City, AZ	388623	2004	Request for Review
Northampton Public Schools Northampton, MA	434124	2004	Request for Review
Radford City Schools Radford, VA	328239	2002	Request for Review
Rangeley Public Library Rangeley, ME	412504	2004	Request for Review
Richards Independent Schools Richards, Texas	466139, 466553	2005	Request for Review
Richford High School Richford, VT	478956	2005	Request for Review
Santa Cruz Catholic School Tucson, AZ	477761	2005	Request for Review
Sarah A. Reed Children's Center Erie, PA	478696	2005	Request for Review
Sevier County Library De Queen, AR	489555	2005	Request for Review
South Winneshiek Community School District Calmar, IA	434742	2004	Request for Review
St. Lawrence Catholic School Tampa, FL	364085	2003	Request for Review
St. Joseph the Carpenter School Cranford, New Jersey	293467	2002	Request for Review
St. Mary's Academy Champlain, NY	464088	2005	Request for Review

Suffolk Cooperative Library System, Bellport, NY	206068	1999	Request for Review
Sweetser Saco, Maine	472924	2005	Request for Review
Tennessee School Boards Association Nashville, TN	331527	2002	Request for Review
Teton County Library Jackson, WY	386021	2003	Request for Waiver
Toledo Academy of Learning Toledo, OH	472874	2005	Request for Review and Waiver
Unger Memorial Library Plainview, Texas	457480	2005	Request for Review
Upper Adams School District Biglerville, PA	384741	2003	Request for Review
Vidalia City School District Vidalia, GA	435029	2004	Request for Review
Vidalia City School District Vidalia, GA	462880	2005	Request for Review
Vidalia City Schools Vidalia, GA	435053	2004	Request for Review
Volusia County Schools DeLand, FL	264583	2001	Request for Review
West Genesee Central School District Syracuse, NY	146585	1999	Request for Review
West Sioux Community School District Hawarden, IA	435404	2004	Request for Review

**Minimum Processing Standards Violations  
Petition for Reconsideration**

City of Newport News Newport News, VA	NEC.471.12-16- 99.2700001	2000	Petition for Reconsideration
Des Moines Public Schools Des Moines, IA	267486	2001	Application for Review

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King and Queen County Public Schools King and Queen Courthouse, VA	NEC.471.01-19- 00.05000968	2000	Petition for Reconsideration
Paramus School District Paramus, NJ (filed by Thomas Communications & Technologies, LLC)	386049	2003	Application for Review

**SEPARATE STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS**

JAN 15 2013  
FCC Mail Room

Re: *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School New Orleans, LA, et al.; Schools and Libraries Universal Service Support Mechanism, Order (File Nos. SLD-487170, et al., CC Docket No. 02-6)*

E-Rate plays a decisive role in providing schools and libraries with the communications tools they need for our children and communities to compete and prosper in this digital age. Because access to E-Rate is so important, we need to be dead serious about rooting out abuses and punishing those few bad actors who would exploit the program. But that is not the case in the select appeals before the Commission today. Clearly, these cases are not about waste, fraud or abuse. These are about limited, and I believe, relatively minor ministerial errors. When a school inadvertently provides the right information on a slightly dated but virtually identical form, when technical problems prevent an applicant from interfacing with USAC's electronic filing system and when a third-party carrier prevents an application from arriving in a timely manner, flat-out funding denial is a harsh consequence. It can be especially harsh when, as was the case in one application here, a minor clerical error led to a denial of E-Rate funding for an entire state. In fact, it becomes hard to square denial for slight clerical errors like these with our duties under the statute to further the deployment of advanced services. For these reasons, I support today's decision.



**Pocatello  
Chubbuck  
School District 25**

**Maximizing Learning For All Students  
Through Rigor, Relevancy and Relationships**

***Whatever It Takes!***

April 4, 2012

Received & Inspected

JAN 15 2013

FCC Mail Room

To Whom It May Concern:

We would like to request a change of contact information for the following Form 471 for the 2011 Funding Year:

**Form 471 Application Number: 803033**

**Entity Number: 142574**

**Previous Contact Information:**

Robert Stevens

Pocatello School District 25

3115 Pole Line Rd

Pocatello, ID 83201-6119

Email: [stevenbo@d25.k12.id.us](mailto:stevenbo@d25.k12.id.us)

Phone: (208) 232-3563

**New Contact Information:**

Jeff Jolley

Pocatello School District 25

3115 Pole Line Rd

Pocatello, ID 83201-6119

Email: [jolleyje@sd25.us](mailto:jolleyje@sd25.us)

Phone: (208) 235-3295

Please let me know if any additional information is needed.

Thank you for your assistance,

Mary Vagner

Superintendent

PHONE # (208) 232-3563

FAX # (208) 235-3280

vagnerma@sd25.us



Received & Inspected

JAN 15 2013

FCC Mail Room

Schools and Libraries Division

**Revised Funding Commitment Decision Letter**  
Funding Year 2011: (07/01/2011 - 06/30/2012)

May 21, 2012

**Robert Stevens**  
POCATELLO SCHOOL DISTRICT 25  
3115 POLELINE RD  
POCATELLO, ID 83201-6119

**RE: Form 471 Application Number: 803033**  
**Billed Entity Number: 142574**  
**Applicant's Form Identifier: 2011-471**

This letter is your notification that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has completed its review of your request.

The Report that follows this Revised Funding Commitment Decision Letter (RFCDL) provides you with the dollar value and other details of the funding commitments made for the Form 471 identified above. This Report may have been updated to reflect the new total amount of discount for a funding request. A decision in this Revised Funding Commitment Decision Letter (RFCDL) supersedes a decision in the FCDL you may have received for the Funding Request Number(s) (FRN) in the Funding Commitment Report (Report) that follows this letter. An explanation of the items in the Report is in the "Guide to USAC Letter Reports" posted in the Reference Area of our website.

If FCC Form 486, Receipt of Service Confirmation Form, has not already been submitted, applicants should use THIS updated information when completing the Form 486.

We are also sending this information to the service provider(s) identified in the Report.

**NEXT STEPS**

- Work with your service provider(s) to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File and certify Form(s) 486 if not already submitted
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**IMPLEMENTATION TIMEFRAME**

Remember the deadlines for delivery and installation of non-recurring service. Non-recurring service for which funds are committed in this letter may be delivered and installed on or before September 30, 2013. Support for recurring services, however, is available only for services provided during the period July 01, 2011 through June 30, 2012.

Review any Contract Expiration Dates in the attached Report. Program rules allow contracts for non-recurring services to be extended in certain circumstances. If your contract will expire before non-recurring products/services are delivered or

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Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

installed, you must extend the contract and report the new contract expiration date using an FCC Form 500, Adjustment to Funding Commitment and Modification of Receipt of Service Confirmation Form, before invoicing USAC.

Keep the Form 486 deadline in mind. If some funding was approved on an ERN in your original FCDL, use the date of the original FCDL to determine your Form 486 deadline. If a new ERN was created for this Report or no funding was approved on an ERN in your original FCDL but funding has been approved in this letter, use the date in this RFCDL to determine your Form 486 deadline. Form 486 must be received or postmarked no later than 120 days after the Service Start Date reported in the Form 486, or 120 days after the date of the FCDL that approves funding, whichever is later, to receive discounts retroactively to the Service Start Date.

**TO APPEAL THIS DECISION:**

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, 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 and service provider names, if different than appellant
  - applicant BEN and Service Provider Identification Number (SPIN)
  - Form 471 Application Number 803033 as assigned by USAC
  - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
  - Funding Year 2011 Revised FCDL 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.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

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

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

For more information on submitting an appeal to USAC or to the FCC, please see the

"Appeals Procedure" posted on our website.

#### OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: POCATELLO SCHOOL DISTRICT 25  
BEN: 142574  
Funding Year: 2011

Form 471 Application Number: 803033  
Funding Request Number: 2176646  
Funding Status: Funded  
Category of Service: INTERNET ACCESS  
Form 470 Application Number: 404640000907802  
SPIN: 143016933  
Service Provider Name: Cable One, Inc.  
Contract Number: MTM  
Billing Account Number: 208-232-3563  
Service Start Date: 07/01/2011  
Contract Expiration Date: 06/30/2012  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$179,904.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$179,904.00  
Discount Percentage Approved by the SLD: 72%  
Funding Commitment Decision: \$129,530.88 - FRN approved as submitted

Received & Inspected

JAN 15 2013

FCC Mail Room

Revised FCDL Date: 05/21/2012  
Appeal Wave Number: A07  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2013

Consultant Name:  
Consultant Number (CRN):  
Consultant Employer:

Before the  
Federal Communications Commission  
Washington, DC 20554

Received & Indexed

JAN 15 2013

FCC Mail Room

In the Matter of )  
)  
Requests for Review and Waiver )  
of the Decision of the )  
Universal Service Administrator by )  
)  
Alaska Gateway School District )  
Tok, AK, *et al.* )  
)  
Schools and Libraries Universal Service )  
Support Mechanism )

File Nos. SLD-412028, *et al.*

CC Docket No. 02-6

ORDER

Adopted: September 14, 2006

Released: September 14, 2006

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this Order, we grant 128 appeals of decisions by the Universal Service Administrative Company (USAC) reducing or denying funding from the schools and libraries universal service support mechanism (also known as the E-rate program) on the grounds that they failed to timely submit an FCC Form 486.<sup>1</sup> As explained below, in each case we find that good cause exists to waive USAC's deadline for the FCC Form 486 filed with USAC and we remand the underlying applications associated with these appeals to USAC for further action consistent with this Order. To ensure that the underlying applications are resolved expeditiously, we direct USAC to complete its review of each application listed in the Appendix and issue an award or denial based upon a complete review and analysis no later than 90 days from the release of this Order. In addition, we direct USAC to develop targeted outreach procedures designed to better inform applicants of approaching FCC Form 486 filing deadlines and to provide applicants with a 15-day opportunity to file or amend the form.

2. As we recently noted, applicants seeking funding from the E-rate program contend that the application process is complicated and time-consuming.<sup>2</sup> As a result, a significant number of

<sup>1</sup>In this Order, we use the term "appeals" to generically refer to requests for review of decisions, or to waivers related to such decisions, issued by the Commission, the Wireline Competition Bureau, or USAC. A list of these petitions is attached in the Appendix and we will refer to all of these parties as Petitioners. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>2</sup>*Comprehensive Review of Universal Service Fund Management, Administration, and Oversight, Federal-State Joint Board on Universal Service, Schools and Libraries Universal Service Support Mechanism, Rural Health Care Support Mechanism, Lifeline and Linkup, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, WC Docket Nos. 05-195, 02-60, 03-109, CC Docket Nos. 96-45, 02-6, 97-21, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, 20 FCC Rcd 11308 (2005) (*Comprehensive Review NPRM*).

applications for E-rate support are denied because of applicant ministerial or clerical errors. We find that the actions we take here to provide relief 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.<sup>3</sup> In particular, we believe that by directing USAC to enhance certain application outreach procedures and granting this limited waiver of the deadline, we will provide for a more effective application processing system that ensures eligible schools and libraries will be able to realize the intended benefits of the program as we consider additional steps to reform and improve the E-rate program.<sup>4</sup> Requiring USAC to take these additional steps will not reduce or eliminate any application review procedures or program requirements that applicants must comply with to receive funding. Indeed, we retain our commitment to detecting and deterring potential instances of waste, fraud, and abuse by ensuring that USAC continues to scrutinize applications and takes steps to educate applicants in a manner that fosters program participation. We also emphasize that our actions taken in this Order should have minimal impact on the Universal Service Fund (USF or Fund) because the monies needed to fund these appeals have already been collected and held in reserve.<sup>5</sup>

## II. BACKGROUND

3. Under the E-rate program, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.<sup>6</sup> After an applicant for discounted services under the E-rate program has entered into agreements for eligible services with one or more service providers, it must file an FCC Form 471 with USAC.<sup>7</sup> The FCC Form 471 notifies USAC of the services that have been ordered and supplies an estimate of funds requested for eligible services.<sup>8</sup> USAC then issues a funding commitment decision letter indicating the funding, if any, for which the applicant is approved to receive. After the funding year begins and the applicant begins receiving services at the discounted rate, the applicant submits an FCC Form 486 to USAC. The FCC Form 486 indicates that the service has begun, specifies the service start date and demonstrates that the applicant has received approval of its technology plans.<sup>9</sup> The timely

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<sup>3</sup>47 U.S.C. § 254(h). The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, amended the Communications Act of 1934.

<sup>4</sup>*Comprehensive Review NPRM*, 20 FCC Rcd at 11324-25, paras. 37-40 (seeking comment on the application process and competitive bidding requirements for the schools and libraries program).

<sup>5</sup>We estimate that the appeals granted in this Order involve applications for approximately \$11.3 million in funding for Funding Years 2000-2005. We note that USAC has already reserved sufficient funds to address outstanding appeals. *See, e.g.*, Universal Service Administrative Company, Federal Universal Service Support Mechanisms Fund Size Projections for the Third Quarter 2006, dated May 2, 2006.

<sup>6</sup>*See* 47 C.F.R. §§ 54.501-54.503.

<sup>7</sup>*See* Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (December 1997) (Funding Year 1999 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (September 1999) (Funding Year 2000 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (October 2000) (Funding Year 2001 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (November 2001) (Funding Year 2002 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (October 2003) (Funding Year 2004 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (November 2004) (Funding Year 2005 FCC Form 471) (collectively, FCC Form 471).

<sup>8</sup>47 C.F.R. § 54.504(c).

<sup>9</sup>Instructions for Completing the Schools and Libraries Universal Service, Receipt of Service Confirmation Form (FCC Form 486), OMB 3060-0853 (April 2000) (2000 FCC Form 486 Instructions); Instructions for Completing the

submission of FCC Form 486 ensures that disbursements for discounts on eligible services are done in a prompt and efficient manner. Because the FCC Form 486 indicates the actual service start date, USAC will only issue disbursements to the service provider for discounts on eligible services after receipt of the form.<sup>10</sup>

4. The deadline for receipt of the FCC Form 486, which is established by USAC, has varied over the years. In Funding Year 2000, applicants with recurring services were required to submit the FCC Form 486 postmarked by December 14, 2001.<sup>11</sup> In Funding Year 2001, the FCC Form 486 was due October 28, 2001, unless the service start date began or a funding commitment decision letter was issued after October 28, 2001.<sup>12</sup> In that case, the FCC Form 486 was required to be postmarked no later than 120 days after the service start date or the date of the funding commitment decision letter, whichever was later, for applicants to receive discounts retroactively to the service start date.<sup>13</sup> If an applicant failed to meet this requirement, USAC adjusted the start date for discounted services to either the date that the FCC Form 486 was postmarked or, in cases where the funding commitment decision letter came after the October 28, 2001 deadline, to 120 days before the date that the FCC Form 486 was postmarked.<sup>14</sup> In Funding Year 2002 and subsequent funding years, the FCC Form 486 had to be postmarked no later than 120 days after the date service began or no later than 120 days after the date of the funding commitment decision letter, whichever was later, to receive discounts retroactively to the service start date.<sup>15</sup> For a late FCC Form 486, the start date for discounted services is reset to 120 days before the postmark date.<sup>16</sup> No

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Schools and Libraries Universal Service Receipt of Service Confirmation Form, OMB 3060-0853 (July 2001) (2001 FCC Form 486 Instructions); Instructions for Completing the Schools and Libraries Universal Service, Receipt of Service Confirmation Form (FCC Form 486), OMB 3060-0853 (September 2002) (2002 FCC Form 486 Instructions); Instructions for Completing the Schools and Libraries Universal Service, Receipt of Service Confirmation Form (FCC Form 486), OMB 3060-0853 (August 2003) at 2 (2003 FCC Form 486 Instructions) (collectively, FCC Form 486 Instructions).

<sup>10</sup>See, e.g., 2003 Form 486 Instructions at 2. See also *Federal-State Joint Board on Universal Service, Children's Internet Protection Act*, CC Docket No. 96-45, Order, 17 FCC Rcd 12443, 12444, para. 4 (2002) (*CIPA II Order*); 47 C.F.R. § 54.520.

<sup>11</sup>See November 2001 Announcements, Funding Year 3 Disbursement Closeout Process, available at <http://www.sl.universalservice.org/whatsnew/2001/112001.asp>.

<sup>12</sup>*Federal-State Joint Board on Universal Service, Children's Internet Protection Act*, CC Docket No. 96-45, Report and Order, 16 FCC Rcd 8182, 8188-89, 8191, paras. 10, 18 (2001) (*CIPA Order*); 47 C.F.R. § 54.520(g)(1) (2001); 2001 Form 486 Instructions. Under the Children's Internet Protection Act (CIPA) and the Neighborhood Children's Internet Protection Act (NCIPA), Congress imposed new conditions on schools with Internet access that request discounted services under the schools and libraries universal service support mechanism. 47 U.S.C. § 254(h)(5), 254(l). Schools seeking costs for Internet access or internal connections services must certify to these conditions on the FCC Form 486. For Funding Year 2001, Congress established a deadline of October 28, 2001, unless services began after that date or the funding commitment decision letter was sent after that date. 47 U.S.C. §§ 254(h)(5)(E), 254(h)(6)(E); *CIPA Order*, 16 FCC Rcd at 8188-89, 8191, paras. 10, 18. Because the October 28, 2001 deadline for that funding year is a statutory requirement, it cannot be waived.

<sup>13</sup>2001 Form 486 Instructions at 8-10.

<sup>14</sup>Form 2001 486 Instructions at 9-10. See, e.g., *Request for Review by East Carroll Parish School Board, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-232946, CC Docket Nos. 96-45 and 97-21, Order, 17 FCC Rcd 24591, 24594, para. 7 (Wireline Comp. Bur. 2002) (providing funding only for services provided on or after the FCC Form 486 filing date of October 30, 2001, instead of the funding year start date of July 1, 2001).

<sup>15</sup>*CIPA II Order*, 17 FCC Rcd at 12445, para. 5; 2003 Form 486 Instructions at 6.

<sup>16</sup>*Id.*

funding is provided for services rendered prior to the new start date and funding commitments are reduced for the relevant funding request.<sup>17</sup>

5. One hundred and twenty-eight Petitioners have requested a waiver of the deadlines or a review of USAC's decision to deny or reduce funding because of the Petitioners' late filings. The Commission may waive any provision of its rules on its own motion and for good cause shown.<sup>18</sup> A rule may be waived where the particular facts make strict compliance inconsistent with the public interest.<sup>19</sup> In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>20</sup> In sum, waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.<sup>21</sup>

### III. DISCUSSION

6. In this item, we grant 128 appeals of decisions reducing or denying requests for funding from the E-rate program and remand the underlying applications associated with these appeals to USAC for further action consistent with this Order.<sup>22</sup> Petitioners' requests for funding were denied or reduced because USAC found that the FCC Form 486 was filed late or the form may not have been filed.<sup>23</sup> These Petitioners, however, either claim that the filings were on time,<sup>24</sup> that the late filings were the result of immaterial clerical, ministerial or procedural errors,<sup>25</sup> or that the late filings were due to circumstances beyond their control.<sup>26</sup>

7. Based on the facts and the circumstances of these specific cases, we find that good cause exists to waive the deadline for filing the FCC Form 486 for Petitioners.<sup>27</sup> Under Bureau precedent,

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<sup>17</sup>*Id.*

<sup>18</sup>47 C.F.R. §1.3.

<sup>19</sup>*Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

<sup>20</sup>*WAIT Radio v. FCC*, 418 F.2d 1153, 1157, (D.C. Cir. 1969), *affirmed by WAIT Radio v. FCC*, 459 F.2d 1203 (D.C. Cir. 1972).

<sup>21</sup>*Northeast Cellular*, 897 F.2d at 1166.

<sup>22</sup>Eldora Public Library (Eldora) framed its request for review as an appeal of USAC's denial of its request for an extension of the invoice deadline (FCC Form 472). Our review of the record indicates that Eldora did not file its FCC Form 486. Eldora claims that it inadvertently failed to comply with program rules because of Eldora's small staff and the complexity of the E-rate program. On our own motion, we grant a waiver of Eldora's FCC Form 486 deadline.

<sup>23</sup>See Appendix.

<sup>24</sup>See, e.g., Request for Review by Fair Haven School District; Request for Review by Oldham County Public Library; Request for Review by Schuylkill Intermediate Unit No. 29; Request for Review by Bordentown Regional School District; Request for Review by Diocese of Gallup Catholic Schools.

<sup>25</sup>See, e.g., Request for Review by Quartzsite Elementary School District No. 4; Request for Review by Fort Plain Central School District; Request for Review by Good Shepard Center; Request for Review by Pueblo 60 School District; Request for Review by Lifeline Center for Child Development.

<sup>26</sup>See, e.g., Request for Review by Yukon Flats School District; Request for Review by School District U 46; Request for Review by North Wasco County School District No. 21; Request for Waiver by Bay County School District; Request for Review by Western Christian High School.

<sup>27</sup>Because we waive the FCC Form 486 deadline, applicants should receive funding from their actual service start date. We also direct USAC to waive any of its subsequent deadlines if related to the late-filed FCC Form 486, such as the FCC Form 472 deadline, if necessary for the processing of Petitioners' applications.

deadlines have been strictly enforced for the E-rate program, including those pertaining to the FCC Form 486.<sup>28</sup> As we recently noted in *Bishop Perry Middle School*, a departure from required filing deadlines may be warranted upon careful review of the Petitioner's case and when doing so will serve the public interest.<sup>29</sup> Generally, these applicants claim that staff mistakes or confusion, or circumstances beyond their control resulted in missing the FCC Form 486 deadline.<sup>30</sup> We note that the primary jobs of most of the people filling out these forms include school administrators, technology coordinators and teachers, as opposed to staff dedicated to pursuing federal grants, especially in small school districts. Even when a school official becomes adept at the application process, unforeseen events or emergencies may delay filings in the event there is no other person proficient enough to complete the forms.<sup>31</sup> Furthermore, some of the errors were caused by third parties or unforeseen events and therefore were not the fault of the applicants. Given that the applicants missed a USAC procedural deadline and did not violate a Commission rule, we find that the complete rejection of each of these applications is not warranted. Notably, at this time, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. Furthermore, we find that denial of funding in these cases would inflict undue hardship on the applicants. In these cases, the applicants have demonstrated that rigid compliance with USAC's application procedures does not further the purposes of section 254(h) or serve the public interest.<sup>32</sup> We therefore grant these appeals and remand them to USAC for further processing consistent with this Order.

8. We emphasize the limited nature of this decision. Because the FCC Form 486 contains the Children's Internet Protection Act (CIPA) certification, all applicants must file the form with USAC.<sup>33</sup> While we have waived the deadline for filing, we do not waive the requirement of the filing itself. Furthermore, we recognize that filing deadlines are necessary for the efficient administration of the schools and libraries E-rate program. Although we grant the subject appeals before us, our action here does not eliminate USAC's deadline for filing the FCC Form 486. We continue to require E-rate applicants to submit complete and accurate information to USAC as part of the application review process. However, as of the effective date of this Order, we require USAC to develop additional outreach and educational efforts to inform applicants of the application requirements in an attempt to reduce these types of filing errors. Specifically, USAC shall develop a targeted outreach program designed to identify schools and libraries that have not filed their FCC Form 486 120 days from the date of their funding commitment decision letter or service start date, whichever is later.<sup>34</sup> The purpose of this outreach effort

<sup>28</sup>See *Requests for Waiver by Lucia Mar Unified School District, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-249712, et al., CC Docket No. 02-6, Order, 19 FCC Rcd. 20364, para. 3 (Wireline Competition Bur. Rel. May 28, 2004); *Request for Review by East Carroll Parish School Board, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-232946, CC Docket Nos. 96-45 and 97-21, Order, 17 FCC Rcd 24591, 24594, para. 7 (Wireline Comp. Bur. 2002).

<sup>29</sup>*Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316, para. 9 (rel. May 19, 2006) (*Bishop Perry Middle School*).

<sup>30</sup>Some Petitioners claim that they postmarked the FCC Form 486 on time. Given that we are waiving USAC's deadline for these applicants who mistakenly or knowingly filed late, we give these Petitioners the benefit of the doubt and, to the extent necessary, waive the FCC Form 486 filing deadline for them as well.

<sup>31</sup>For example, Western Christian High School's sole Universal Service Fund official suffered a debilitating stroke and was unable to meet the Form 486 deadline. Request for Review by Western Christian High School at 1.

<sup>32</sup>See 47 U.S.C. § 254(h).

<sup>33</sup>Those applicants that filed their FCC Form 486 with their appeal to the Commission must also file the form with USAC, if they have not already done so.

<sup>34</sup>The service start date can be determined from Block 5 of the applicant's FCC Form 471.

will be to provide the applicant with an additional opportunity to file or amend its FCC Form 486. When an applicant has missed the deadline to file its FCC Form 486, applicants will have 15 calendar days from the date of receipt of notice in writing by USAC to file or amend its FCC Form 486.<sup>35</sup> Again, this direction will not limit or preclude any application review procedures of USAC; instead, this 15-day period will provide E-rate applicants with a limited additional opportunity to file or amend its FCC Form 486. The 15-day period is limited enough to ensure that funding decisions are not unreasonably delayed for E-rate applicants and should be sufficient time to correct truly unintentional ministerial and clerical errors.<sup>36</sup> The opportunity for applicants to file or amend their filings to cure minor errors will also improve the efficiency and effectiveness of the Fund. Because applicants who are eligible for funding will now receive funding where previously it was denied for minor errors, we will ensure that funding is distributed first to the applicants who are determined by our rules to be most in need of funding. As a result, universal service support will be received by schools in which it will have the greatest impact for the most students. Furthermore, the opportunity to file or amend the application will improve the efficiency of the schools and libraries program. If USAC helps applicants file timely and correct forms initially, USAC should be able to reduce the money it spends on administering the fund because fewer appeals will be filed protesting the denial of funding for these types of issues. Therefore, we believe this additional opportunity to file the FCC Form 486 will improve the administration of fund. In addition, we note that the Commission has initiated a proceeding to address whether particular deadlines should be modified.<sup>37</sup>

9. Finally, we are committed to guarding against waste, fraud, and abuse, and ensuring that funds disbursed through the E-rate program are used for appropriate purposes. Although we grant the appeals addressed here, this action in no way affects the authority of the Commission or USAC to conduct audits and investigations to determine compliance with the E-rate program rules and requirements. Because audits and investigations may provide information showing that a beneficiary or service provider failed to comply with the statute or Commission rules, such proceedings can reveal instances in which universal service funds were improperly disbursed or in a manner inconsistent with the statute or the Commission's rules. To the extent we find that funds were not used properly, we will require USAC to recover such funds through its normal processes. We emphasize that we retain the discretion to evaluate the uses of monies disbursed through the E-rate program and to determine on a case-by-case basis that waste, fraud, or abuse of program funds occurred and that recovery is warranted. We remain committed to ensuring the integrity of the program and will continue to aggressively pursue instances of waste, fraud, or abuse under our own procedures and in cooperation with law enforcement agencies.

#### IV. ORDERING CLAUSES

10. ACCORDINGLY, IT IS ORDERED that, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and pursuant to authority delegated in sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission's rules, 47

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<sup>35</sup>Such 15-day notice shall be 15 calendar days' notice, and shall commence on the date of receipt of such notice by applicant, or five (5) calendar days after such notice is postmarked as sent by USAC, whichever is sooner. Applicants will be presumed to have received notice five days after such notice is postmarked by USAC. USAC, however, shall continue to work beyond the 15 days with applicants attempting in good faith to file or amend their FCC Form 486.

<sup>36</sup>We note that applicants will retain the ability to appeal decisions denying funding requests on the grounds discussed herein.

<sup>37</sup>*Comprehensive Review NPRM*, 20 FCC Rcd at 11321, para. 29.

C.F.R. §§ 0.91, 0.291, 1.3 and 54.722(a), that the Requests for Review and/or Requests for Waiver filed by the Petitioners as listed in the Appendix ARE GRANTED.

11. IT IS FURTHER ORDERED that, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and pursuant to authority delegated in sections 0.91, 0.291, 1.3 and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, and 54.722(a), that the Requests for Review and/or Requests for Waiver filed by the Petitioners as listed in the Appendix ARE REMANDED to USAC for further consideration in accordance with the terms of this Order.

12. IT IS FURTHER ORDERED that, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and pursuant to authority delegated in sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, USAC SHALL COMPLETE its review of each remanded application listed in the Appendix and ISSUE an award or a denial based on a complete review and analysis no later than 90 calendar days from release of this Order.

13. IT IS FURTHER ORDERED that this Order and the rules adopted herein SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Thomas J. Navin  
Chief  
Wireline Competition Bureau