



9666 Olive Street Blvd., Suite 215  
St. Louis, MO 63132  
(314) 282-3676 (o)  
(314) 395-5882 (f)  
[www.erateprogram.com](http://www.erateprogram.com)

April 8, 2013

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

Appellant Name: Richard Senturia, Consultant for the Applicant  
Appellant CRN: 16070892  
Applicant: Hayti School District R 2  
BEN: 137070  
Form 471 #: 684471  
FRN #: 1871727, 1871733, 1871736, 1871739

Re: **Request for Review**

USAC Administrator Denials for Invoice Deadline Extension Requests dated 08/29/12 and Later  
CC Docket No. 02-6

Dear Mrs. Dortch:

Hayti School District R 2 is appealing USAC's denial of invoice deadline extension requests and subsequent appeals for FRNs 1871727, 1871733, 1871736 and 1871739 in letters dated August 29, 2012 and later, having the following explanation:

**Our records show that your appeal was postmarked more than 60 days after the date your Administrator's Decision on Invoice Deadline Extension Request Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Services Administrative Company (USAC) to consider your appeal.**

We filed our original request on 07/17/12. Because we had no record of ever receiving a USAC Decision regarding our original request, we filed a second request on 04/02/13. On 04/08/13 we received a USAC letter dated 04/04/13 with above reference explanation referencing the 08/29/12 USAC Decision Letter. It appears that our second Invoice Deadline Extension Request was treated as an appeal.

We learned of the USAC Decision Letter dated 08/29/12 via the USAC Decision Letter dated 04/04/13 and a subsequent follow up phone conversation with the USAC Client Services Bureau (Case #22-490520) on 04/08/13. Additionally, we learned via this phone conversation that the applicant's former consultant had received an invoice deadline extension and had failed to file invoices within the time frame.

In our requests we explained to USAC that this small rural Missouri school district with limited administrative staff and subsequent E-Rate knowledge, retained the services of, and relied upon, a former consultant to assist it in following E-Rate rules, regulations, policies, procedures, guidelines and deadlines. In collaboration with the applicant, the consultant appeared to have made good faith effort to

Ms. Marlene H. Dortch, Secretary  
Page 2  
April 8, 2013

follow all program rules, regulations, policies, procedures, guidelines and deadlines. The former consultant, however, failed to file timely Billed Entity Applicant Reimbursement (BEAR) forms.

As evidenced on its web-site, USAC's administrative procedures allow for the approval of invoice deadline extensions. The list of "conditions" on USAC's website is not an exhaustive list of the scenarios that support an extension.

The applicant complied with all other E-Rate program rules for the funding year and has already received services.

We respectfully request approval of our invoice deadline extension requests to allow Hayti School District R 2 to recover funds committed to it that it has already paid for these services.

Granting this deadline extension request serves the public interest.

Granting this deadline extension request does not promote waste, fraud or abuse.

For the Applicant,

Richard Senturia, CEO  
eRateProgram, LLC.