

April 11, 2013

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

Submitted via ECFS
2 PAGES TOTAL

CC Docket No. 02-6

Request for Waiver

On behalf of five clients listed below, CRW Consulting hereby requests a waiver of the Funding Year 2013 471 filing window.

The Federal Communications Commission has established precedent in multiple orders (*Acorn Public Library District Order*¹, *Academy of Math and Science Order*², *Anderson Elementary School Order*³) that applicants who met the 28 day mandatory competitive bidding window, and still filed their 471 applications within 14 days of the 471 filing deadline should be considered as properly submitted.

In each case, the below listed appellants waited the mandatory 28-day competitive bidding period, and each of the 471 applications listed below were filed within a 14 day period after the close of the filing window on March 14th, 2013.

We ask that the Commission waive the filing deadline for the 5 applications listed below and direct the Schools and Libraries Division of the Universal Service Administrative Company to process these applications as “submitted within the window.”

Respectfully,

/s/

¹ *Acorn Public Library District Order, DA 08-2376, Adopted 10/30/2008, para. 5*: Establishing that submission of a 471 application within 14 days is a procedural and not substantive violation. “Because the violation at issue is procedural, not substantive, we find that complete rejection of each of these applications is not warranted. Therefore...because the FCC Form 471 was filed within 14 days after the filing window deadline, we find it in the public interest to waive the FCC Form 471 deadline.”

² *Academy of Math & Science Order, FCC 10-122, Adopted 6/7/2010, para. 9*: “...we find that these applications were filed close enough to the deadline so as not to impair the administration of the program.”

³ *Anderson Elementary School Order, DA 12-796, Adopted 5/22/2012, para. 2*: “We grant the 40 waiver requests...because those petitioners applications...were filed shortly after the filing window closed.”

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Appellant Name	Billed Entity Number	470 #	470 Filing Date	28 Day Waiting Period Met?	471 #	471 Certification Date	Within 14 Days of 471 Filing Deadline?
Sturgeon School District R 5	137370	668340001131830	2/21/2013	YES	932518	3/27/2013	YES
Humble ISD	141252	878730001132106	2/25/2013	YES	932572	3/28/2013	YES
Neosho School District R5	137295	664670001048318	10/5/2012	YES	932964	3/27/2013	YES
Cedar Hill Ind Sch District	140488	699820001052546	10/23/12	YES	932985	3/27/2013	YES
Lexington ISD	141794	117020001080699	12/17/12	YES	932200	3/21/2013	YES