

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Request for Review of a Decision of the) Administrator Correspondence Dated
Universal Service Administration Corp. for) June 5, 2013
Stanley Community Public School District)
)
)
Schools and Libraries Universal Service) CC Docket No. 02-6
Support Mechanism)

Request for Review or Waiver

In accordance with sections 54.719 through 54.721 of the Commission's rules, Stanley Community Public School District, Stanley, North Dakota (Stanley) requests Federal Communications Commission (Commission) review of a decision of the Schools and Libraries Division of the Universal Service Administrative Company (Administrator).

Form 471 Application Number: 821926
FRN: 2238566
Billed Entity Number: 134669
FCC Registration Number: 0011908290

Background

Stanley applied for E-Rate discounted funding for Telecommunications service and Internet Access to serve the needs of Stanley students and teachers. Stanley was funded for discounts in a Funding Commitment Decision Letter (FCDL) dated April 11, 2012. At that time Stanley had just finished their E-Rate applications for the 2013 fund year. Their FY 2011 Form 486 Notification letter was inadvertently mixed in with documents from the following year. A Form 486 was ultimately filed in May 2013, more than 120 days past the date of the FCDL. The Administrator subtracted 120 days from the postmark date of the Form 486 and reset the Service

Start Date for all FRN to January 10, 2013 effectively reducing Stanley's 2012 funding commitments by two thirds.

Discussion

When the Funding Commitment for the FRN here under appeal was issued, the E-Rate fund year was more than half done and Stanley's E-Rate personnel, as noted above, were concentrating on preparing E-Rate applications for the 2012-2013 fund year.

The Commission has granted waivers for the Form 486 deadline for numerous applicants¹ based on precedent in the Alaska Gateway Decision.² The Commission found good cause to waive the Form 486 procedural deadline, noting that the missed deadline does not involve violation of an FCC rule or regulation.

Stanley respectfully requests that the FCC waive the filing deadline for the Form 486, reset the start date for this FRN to July 1, 2011 and restore full funding for this FRN. This appeal is timely filed with the Commission within 60 days of the Administrators notification letter

Respectfully submitted,

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Leslie Saar, The Law Office of Leslie A. Saar, Esq.

Attorney for Stanley

(804) 281-7823

¹ Request for Review of Decision of the Universal Service Administrator by Bastrop Independent School District DA 12-2049, File Nos. SLD-745019, et al., CC Docket No. 02-6 (Order released December 26, 2012)

² Request for Review of Decision of the Universal Service Administrator by the Alaska Gateway School District, DA 06-1871, File Nos. SLD-412028, et al., CC Docket No. 02-6 (Order released September 14, 2006)