

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Requests for Waiver or Review of)	
Decisions of the)	
Universal Service Administrator by)	
)	
Bound Brook School District)	SLD No. 892413 et al.
Bound Brook, New Jersey et al.)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER AND ORDER ON RECONSIDERATION

Adopted: May 29, 2014

Released: May 29, 2014

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Consistent with precedent,¹ we deny 28 requests from petitioners² seeking review of decisions made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).³ Based on our review of the record, we find that the petitioners identified in Appendix A failed to submit their requests for review either to the Commission or to USAC within 60 days of USAC issuing a decision, as required by the Commission's rules, and failed to demonstrate that special circumstances exist to justify a waiver of the deadline.⁴

¹ See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (Wireline Comp. Bur. 2010); *Requests for Review or Waiver of Decisions of the Universal Service Administrator by Annunciation Elementary School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 1866 (Wireline Comp. Bur. 2014) (*Annunciation Order*) (both orders denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days, as required by the Commission's rules, and did not show special circumstances necessary for the Commission to waive the deadline).

² The requests for review or waiver are listed in Appendix A.

³ Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

⁴ 47 C.F.R. § 54.720 (setting forth the 60-day deadline for appeals of USAC decisions). The Commission may waive any provision of its rules for good cause shown. 47 C.F.R. § 1.3.

2. Also consistent with precedent,⁵ we dismiss a petition for reconsideration filed by New London Public Schools seeking review of a Wireline Competition Bureau order involving its late-filed appeal.⁶ We dismiss this petition for reconsideration because it fails to identify any material error, omission, or reason warranting reconsideration, and relies on arguments that have been fully considered and rejected by the Bureau within the same proceeding.⁷

3. ACCORDINGLY, IT IS ORDERED, 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 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 waiver or review filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER ORDERED, 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 sections 0.91, 0.291, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.106, and 54.722(a), that the petition for reconsideration listed in Appendix B IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Vickie S. Robinson
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁵ See *Annunciation Order*, 29 FCC Red at 1867, para. 2 (dismissing petitions for reconsideration under 47 C.F.R. § 1.106(p) because the petitioners failed to identify any material error, omission, or reason warranting reconsideration and relied on arguments that had been fully considered and rejected by the Bureau within the same proceeding).

⁶ New London Public Schools is seeking reconsideration of that portion of the *Annunciation Order* that denied its appeal. The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(1). The petition for reconsideration is listed in Appendix B.

⁷ 47 C.F.R. § 1.106(p)(1), (3).

APPENDIX A

Requests for Waiver or Review

Petitioner	Application Number(s)	Funding Year(s)	Date Request for Review/Waiver Filed
Bound Brook School District Bound Brook, New Jersey	892413	2013	Dec. 3, 2013
Chedar Chabad of Monsey Boys Spring Valley, New York	874989, 875008	2012	Dec. 2, 2013
Chi-Chil-Tah Vanderwagen, New Mexico	871964	2012	Feb. 28, 2014
College Preparatory Academy of the Treasure Coast Port St. Lucie, Florida	916824	2013	Apr. 23, 2014
Community Harvest Charter School Sherman Oaks, California	696054	2009	Jan. 23, 2014
Congregation Uvlechtechu Baderech Inc. (Telecom Communication Solutions) Monroe, New York	761887	2010	Mar. 10, 2014
Cook County School District Blue Island, Illinois	630552	2008	Oct. 17, 2013
Coudersport Area School District Coudersport, Pennsylvania	778693	2011	Mar. 18, 2014
Department of Education, State of Hawaii Honolulu, Hawaii	910047	2013	Mar. 14, 2014
Department of Education, State of Hawaii Honolulu, Hawaii	931078	2013	Mar. 14, 2014
Detroit Public School District Detroit, Michigan	893512, 896784	2013	Apr. 11, 2014
Fort Stockton Independent School District Fort Stockton, Texas	908162, 929206	2013	Mar. 26, 2014
Harrisburg School District R-VIII Harrisburg, Missouri	923716	2013	Mar. 18, 2014
Harrison Public School District Harrison, Arkansas	724095	2010	Jan. 23, 2014
Lake County School District R1 Leadville, Colorado	882954	2013	Apr. 10, 2014
Landow Yeshiva Lubavitch CTR Miami, Florida	873517	2012	Nov. 18, 2013
Northampton County School District Jackson, North Carolina	748122	2010	Jan. 23, 2014
North Kingstown School District North Kingstown, Rhode Island	850618	2012	Feb. 21, 2014
Philadelphia Electrical and Technology Charter High School Philadelphia, Pennsylvania	486297	2005	Jan. 27, 2014

Petitioner	Application Number(s)	Funding Year(s)	Date Request for Review/Waiver Filed
Primavera Technical Learning Center Chandler, Arizona	842816	2012	Jan. 17, 2014
School Administrative District #44 Bethel, Maine	860924	2012	Dec. 2, 2013
School for Children with Hidden Intelligence Lakewood, New Jersey	870476	2012	Apr. 14, 2014
Somerset Preparatory Academy Charter at N. Lauderdale Jacksonville, Florida	925359	2013	Apr. 28, 2014
Sumner School District 320 Sumner, Washington	872253, 872886	2012	Dec. 17, 2013
Temima High School For Girls Atlanta, Georgia	901210	2013	Mar. 25, 2014
Tierra Encantada Charter School Santa Fe, New Mexico	825047, 881198	2012, 2013	Oct. 17, 2013
Van Vleck Independent School District Van Vleck, Texas	666458	2009	Jan. 23, 2014
Willits Unified School District Willits, California	792420	2011	Feb. 4, 2014

APPENDIX B

Petition for Reconsideration

Petitioner	Application Number	Funding Year	Date Petition for Reconsideration Filed
New London Public Schools New London, Connecticut	746248	2010	Mar. 25, 2014