



## YAVAPAI COUNTY EDUCATION SERVICE AGENCY

*The "First Choice" for Responsive Educational Services*

**E-Rate Services**  
2970 Centerpointe East Drive  
Prescott, AZ 86301  
Phone 928-499-8421  
Fax 928-771-3549  
Email: [erate@yavapai.us](mailto:erate@yavapai.us)

### Request for Waiver CC Docket No. 02-6

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

To Whom It May Concern:

We are filing an Appeal of an Administrator's Decision on behalf of Mohave Accelerated Learning Center for Funding Year 2012: USAC Case number 22-670920.

**Billed Entity:** Mohave Accelerated Learning Center  
**Billed Entity Number (BEN):** 226056  
**Form 471 Application Number:** 869537  
**FRN:** 2386278, 2383179, 2383056 & 2381095

Request for Waiver filed by:  
Yavapai County Education Service Agency  
Frank Vander Horst, E-Rate Manager  
2970 Centerpointe East Drive  
Prescott, AZ 86301

**Basis for request:** Due to a serious illness and the resulting death of the employee that was handling all USAC filings, Form 486 for Funding Year 2012-13 was not filed in a timely manner. It was filed on May 27, 2013, and missed the 120 Day Form 486 Filing Deadline for the school district to have received funding for all 12 months of the funding year.

As a precedent, on December 10, 2010 the FCC ruled in DA10-2352 that in a similar Request for Waiver that "applicants missed a USAC procedural deadline and did not violate a Commission rule" and similar appeals were thus upheld. The applicant believes the spirit of that ruling favors this Request for Waiver of the Form 486 Service Start Date.

**Corrective Measure:** The Mohave Accelerated Learning Center respectfully request that the Form 486 Service Start Date be reset to July 1, 2012 for each of the listed FRN's and that the funding requested and approved be restored.

Thank you for your consideration in this matter.

Frank D. Vander Horst

Frank D. Vander Horst  
E-Rate Manager  
Yavapai County Education Service Agency