Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Springfield Public Schools	)	File No. SLD-203588
Springfield, New Jersey	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	
Changes to the Board of Directors of the	)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.	)	

ORDER

Adopted: April 23, 2002 **Released: April 24, 2002**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division (Division) has under consideration a Request for Review filed by Springfield Public Schools (Springfield), Springfield, New Jersey.[1] Springfield seeks review of the decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator), rejecting one of Springfield's Funding Year 4 funding requests for failure to meet minimum processing standards and treating its submitted correction as untimely filed.[2] For the reasons that follow, we deny Springfield's Request for Review.

2. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, may apply for discounts for eligible telecommunications services, Internet access, and internal connections.[3] In order to receive discounts on eligible services, the Commission's rules require that the applicant submit to the Administrator a completed FCC Form 470, in which the applicant sets forth its technological needs and the services for which it seeks discounts.[4] Once the applicant has

[1] Letter from Daniela Tattoli, Spingfield Public Schools, to Federal Communications Commission, filed May 23, 2001 (Request for Review).

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

[3] 47 C.F.R. §§ 54.502, 54.503.

[4] 47 C.F.R. §§ 54.504 (b)(1), (b)(3).

complied with the Commission's competitive bidding requirements and entered into agreements for eligible services, the applicant must submit a completed FCC Form 471 application to the Administrator.[5] The FCC Form 471 is broken up into "blocks" that group related or interdependent requests for information, called "items," together.[6] In particular, the information describing a particular funding request is entered into Block 5.[7] For applications involving multiple requests, the applicant enters each onto a separate Block 5 worksheet.[8]

3. Consistent with the Commission's rule requiring applicants to submit a "completed FCC Form 471 to the Administrator," SLD utilizes what it calls "minimum processing standards" to facilitate the efficient review of the thousands of applications requesting funding.[9] These minimum processing standards are designed to require an applicant to provide at least the minimum data necessary for SLD to initiate review of the application under statutory requirements and Commission rules. In Funding Year 4, the minimum processing standard for Block 5 required "[a]t least one entry in Column E, H, I, or K."[10] When an applicant submits a Block 5 that omits information required by the minimum processing standards, SLD automatically returns the Block 5 to the applicant without considering it for discounts under the program.[11]

4. By letter dated September 1, 2000, SLD rejected one of Springfield's Block 5 worksheets, corresponding to one of its funding requests, for failure to meet SLD's minimum processing standards.[12] SLD stated that for that Block 5 worksheet, Columns E, H, I and K of Item 23, containing the annual pre-discount amount for recurring services, the annual eligible pre-discount amount for non-recurring services, the total pre-discount amount and the funding commitment request, respectively, were blank.[13] SLD stated that because of this minimum processing standard failure, the funding request could not be processed.[14]

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[5] 47 C.F.R. § 54.504(c).

[6] FCC Form 471.

[7] FCC Form 471, Block 5.

[8] *Id.*; Instructions for Completing the Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (FCC Form 471) (October 2000) (FCC Form 471 Instructions).

[9] 47 C.F.R. § 54.504(c); s*ee* SLD web site, Form 471 Minimum Processing Standards and Filing Requirements for FY 4, <http://www.sl.universalservice.org/reference/471mps.asp> (Minimum Processing Standards).

[10] Minimum Processing Standards.

[11] Minimum Processing Standards.

[12] Letter from Schools and Libraries Division, Universal Service Administrative Company, to Daniel Tattoli, Springfield Public Schools, dated September 1, 2000 (Rejection Letter).

[13] Rejection Letter at 1.

[14] *Id.*

5. On September 22, 2000, Springfield appealed to SLD, submitting a corrected Block 5 and asserting that the blank Columns in its originally submitted FCC Form 471, which actually contained a value of $0, were the result of an erroneous entry of a "0" for the number of months of service in Column D.[15] SLD denied the appeal, again finding that the FCC Form 471 as originally submitted failed to meet minimum processing standards and that it was the responsibility of the applicant to ensure that all required information is included in the FCC Form 471 during the filing window.[16] Springfield then filed the pending Request for Review, asserting that its original Block 5 should not have been rejected because it later submitted a correction of the erroneous information with its appeal.[17]

6. On review, we find that Springfield's original Block 5 was correctly rejected. The minimum processing standards for Funding Year 4, as published on SLD's website, required that the applicant make "[a]t least one entry in Column E, H, I, or K."[18] Here, Springfield entered values of zero for all these Columns.[19] Although, technically, a zero might be considered an entry, the minimum processing standards went on to state: "you may not increase your request after filing your Form 471, unless you submit a new Form 471. Therefore, you should take care to enter **ALL** applicable columns of Item 23."[20] Placing zeros in Columns E, H, I and K means that the amount requested for the pre-discount recurring costs, the pre-discount non-recurring costs, the total pre-discount costs, and the ultimate amount of discount dollars requested are all zero.[21] Because an applicant requesting zero dollars could not later have that amount raised, such a request could not, under any circumstances, receive any funding and thus applicants could not have reasonably expected that an entry of zero in Columns E, H, I, and K would be valid. We therefore find that Springfield's Block 5 was properly rejected under the minimum processing standards published in Funding Year 4.

7. We further find that Springfield was not entitled to funding of the new Block 5 that Springfield submitted on September 22, 2000.[22] Springfield's request for funding of its corrected Block 5 contravenes the Commission's policy that applicants should not be permitted

[15] Letter from Daniel Tattoli, Springfield Public Schools, to Schools and Libraries Division, Universal Service Administrative Company, filed September 22, 2000 (Appeal to SLD), at 1.

[16] Letter from Schools and Libraries Division, Universal Service Administrative Company, to Daniel Tattoli, Springfield Public Schools, dated April 27, 2001, at 1.

[17] Request for Review at 1.

[18] Minimum Processing Standards.

[19] Springfield Form 471, Block 5, Funding Request Number 464200.

[20] *Id.* (emphasis in original).

[21] *See* FCC Form 471, Block 5.

[22] *See* Appeal to SLD.

to amend FCC Forms 471 after closure of the filing window deadline.[23] If applicants were permitted to amend their requests after the filing window closed, it could jeopardize SLD's ability to accurately apply the rules of priority in years where requests for funding exceed the annual funding cap.[24] In light of the thousands of applications that SLD must review and process each year, we find that it is administratively necessary to require an applicant to be responsible for providing complete and accurate information in its FCC Form 471 upon which its ultimate funding is dependent. Therefore, we conclude that SLD properly denied Springfield's request for funding.

8. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under 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 Request for Review, filed by Springfield Public Schools, Springfield, New Jersey, on May 23, 2001 IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

[23] *See Request for Review by Free Library of Philadelphia, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-112605, CC Dockets No. 96-45 and 97-21, Order, 15 FCC Rcd 23820 (Com. Car. Bur. 2000).

[24] *See Request for Review by Cheney Public Schools, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-142969, CC Dockets No. 96-45 and 97-21, Order, DA 01-351 (Com. Car. Bur. rel. Feb. 13, 2001), at para. 6.