

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

In the Matter of	)	
	)	
Requests for Waiver of Decisions of the Universal Service Administrator by	)	
	)	
Alcona County Library Harrisville, Michigan, <i>et al.</i>	)	File Nos. SLD-425479, <i>et al.</i>
	)	
Schools and Libraries Universal Service Support Mechanism	)	CC Docket No. 02-6
	)	

**ORDER**

**Adopted: October 30, 2008**

**Released: October 30, 2008**

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

**I. INTRODUCTION**

1. In this order, we grant 34 appeals of decisions by the Universal Service Administrative Company (USAC) that reduce or deny funding from the schools and libraries universal service support mechanism (also known as the E-rate program) for Funding Years 1999, 2001, 2004, 2005 and 2006 because USAC found that the applicants failed to timely submit FCC Forms 486.<sup>1</sup> Upon review of these records, we find that the issue raised here was addressed by the Wireline Competition Bureau (Bureau) in *Alaska Gateway School District*.<sup>2</sup> Therefore, we remand the underlying applications to USAC for further action consistent with *Alaska Gateway School District*.<sup>3</sup> To ensure that the underlying applications are resolved expeditiously, we direct USAC to complete its review of each application listed in the Appendix

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<sup>1</sup> Funding Year 1999 started on July 1, 1999, and ended on June 30, 2000. Funding Year 2001 started on July 1, 2001, and ended on June 30, 2002. Funding Year 2004 started on July 1, 2004, and ended on June 30, 2005. Funding Year 2005 started on July 1, 2005, and ended on June 30, 2006. Funding Year 2006 started on July 1, 2006 and ended on June 30, 2007. In this order, we use the term “appeals” to generally refer to requests for review or waiver that are related to decisions issued by USAC. 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).

<sup>2</sup> See *Request for Review of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-412028, *et al.*, CC Docket No. 02-6, Order, 21 FCC Rcd 10182 (Wireline Comp. Bur. 2006) (*Alaska Gateway School District*) (finding good cause to waive USAC’s deadline for FCC Form 486 for several applicants).

<sup>3</sup> *Id.*

and issue an award or a denial based on a complete review and analysis no later than 90 calendar days from release of this order.<sup>4</sup>

## II. BACKGROUND

2. Under the E-rate program, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.<sup>5</sup> After an applicant for discounted services under the E-rate program has entered into agreements for eligible services with one or more service providers, it must file an FCC Form 471 with USAC.<sup>6</sup> The FCC Form 471 notifies USAC of the services that have been ordered and supplies an estimate of funds requested for eligible services.<sup>7</sup> USAC then issues a funding commitment decision letter indicating the funding, if any, for which the applicant is approved to receive. After the funding year begins and the applicant begins receiving services at the discounted rate, the applicant submits an FCC Form 486 to USAC. The FCC Form 486 indicates that the service has begun, specifies the service start date and demonstrates that the applicant has received approval of its technology plans.<sup>8</sup> The timely submission of an FCC Form 486 ensures that disbursements for discounts on eligible services occur in a prompt and efficient manner. Because the FCC Form 486 indicates the actual service start date, USAC will only issue disbursements to the service provider for discounts on eligible services after receipt of the form.<sup>9</sup>

3. The deadline for receipt of the FCC Form 486, which is established by USAC, has varied over the years. In Funding Year 1999, applicants were required to submit the FCC Form 486 postmarked

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<sup>4</sup> In performing a complete review and analysis of each underlying application, USAC shall either grant the underlying application before it, or, if denying the application, provide the applicant with any and all grounds for denial.

<sup>5</sup> See 47 C.F.R. §§ 54.501-54.503.

<sup>6</sup> See Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (December 1997) (Funding Year 1999 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (September 1999) (Funding Year 2000 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (October 2000) (Funding Year 2001 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (November 2001) (Funding Year 2002 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (October 2003) (Funding Year 2004 FCC Form 471); Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (November 2004) (Funding Year 2005 FCC Form 471) (collectively, FCC Form 471).

<sup>7</sup> 47 C.F.R. § 54.504(c).

<sup>8</sup> Instructions for Completing the Schools and Libraries Universal Service, Receipt of Service Confirmation Form (FCC Form 486), OMB 3060-0853 (April 2000) (2000 FCC Form 486 Instructions); Instructions for Completing the Schools and Libraries Universal Service Receipt of Service Confirmation Form, OMB 3060-0853 (July 2001) (2001 FCC Form 486 Instructions); Instructions for Completing the Schools and Libraries Universal Service, Receipt of Service Confirmation Form (FCC Form 486), OMB 3060-0853 (September 2002) (2002 FCC Form 486 Instructions); Instructions for Completing the Schools and Libraries Universal Service, Receipt of Service Confirmation Form (FCC Form 486), OMB 3060-0853 (August 2003) at 2 (2003 FCC Form 486 Instructions) (collectively, FCC Form 486 Instructions).

<sup>9</sup> See, e.g., 2003 Form 486 Instructions at 2; see also *Federal-State Joint Board on Universal Service, Children's Internet Protection Act*, CC Docket No. 96-45, Order, 17 FCC Rcd 12443, 12444, para. 4 (2002) (*CIPA II Order*); 47 C.F.R. § 54.520.

by February 15, 2001.<sup>10</sup> In Funding Year 2002 and subsequent funding years, the FCC Form 486 had to be postmarked no later than 120 days after the date service began or no later than 120 days after the date of the funding commitment decision letter, whichever was later, to receive discounts retroactively to the service start date.<sup>11</sup> For a late FCC Form 486, the start date for discounted services is reset to 120 days before the postmark date.<sup>12</sup> No funding is provided for services rendered prior to the new start date and funding commitments are reduced for the relevant funding request.<sup>13</sup>

4. Petitioners' requests for funding were denied or reduced because USAC found that the FCC Form 486 was filed late or not filed at all. Each Petitioner has requested a waiver of the deadlines or a review of USAC's decision to deny or reduce funding because of the Petitioner's late filing.

### III. DISCUSSION

5. We grant the Requests for Review or Waiver filed by 34 applicants seeking waiver of the FCC Form 486 deadline.<sup>14</sup> Petitioners' requests for funding were denied or reduced because USAC found that the FCC Forms 486 were filed late or not filed at all.<sup>15</sup> These Petitioners, however, either claim that the late or missed filings were the result of immaterial clerical, ministerial or procedural errors,<sup>16</sup> or were

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<sup>10</sup> See, e.g., Service Provider Conference Call Minutes, February 7, 2001, available at <http://www.usac.org/sl/about/call-minutes/020701min.asp> (retrieved Aug. 11, 2008); January 29, 2001 Minutes, Schools & Libraries Committee Meeting; available at <http://www.universalservice.org/about/governance/board-directors/meeting-minutes/sl-committee/2001/012901.asp> (retrieved Aug. 11, 2008).

<sup>11</sup> *CIPA II Order*, 17 FCC Rcd at 12445, para. 5; 2003 Form 486 Instructions at 6.

<sup>12</sup> *CIPA II Order*, 17 FCC Rcd at 12445, para. 5; 2003 Form 486 Instructions at 6.

<sup>13</sup> *CIPA II Order*, 17 FCC Rcd at 12445, para. 5; 2003 Form 486 Instructions at 6.

<sup>14</sup> See Appendix. The Commission may waive any provision of its rules on its own motion and for good cause shown. 47 C.F.R. § 1.3. A rule may be waived where the particular facts make strict compliance inconsistent with the public interest. *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*). In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1157, (D.C. Cir. 1969), *affirmed by WAIT Radio v. FCC*, 459 F.2d 1203 (D.C. Cir. 1972). In sum, waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule. *Northeast Cellular*, 897 F.2d at 1166.

<sup>15</sup> See Appendix. Milwaukee Public Schools (Milwaukee) framed its request for review as an appeal of USAC's denial of its Good Samaritan request to get Billed Entity Applicant Reimbursement Form (BEAR) payment assistance through another service provider. A Good Samaritan request is used in situations where the original service provider has gone out of business or has filed for bankruptcy protection before processing the BEAR payments for the applicant. Although the Good Samaritan situation has been resolved in the instant case, our review of the record indicates that Milwaukee filed its FCC Forms 486 more than 120 days from the date of its funding commitment decision letters. On our own motion, we grant a waiver of Milwaukee's FCC Form 486 deadline.

<sup>16</sup> Request for Waiver by Alcona County Library; Request for Review by Bryan Independent School District; Request for Waiver by Cherokee County School District; Request for Review by Chester Township School District; Request for Review by Dayton Christian School System; Request for Review by Eugene School District 4J; Request for Waiver by Governor Baxter School for the Deaf; Request for Waiver by Inglewood Unified School District; Request for Waiver by KIPP Inc.; Request for Review by Lapeer District Library; Request for Waiver by Lavaca Public School District; Request for Waiver by Long Branch High School; Request for Waiver by Mendham Borough School District; Request for Waiver by Pitt County Schools; Request for Waiver by Portland Public School District; Request for Review by Project SOCRATES; Request for Waiver by River Mill Academy; Request for  
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due to circumstances beyond their control.<sup>17</sup> Specifically, some applicants claim that staff mistakes or confusion, or circumstances beyond their control resulted in missing the FCC Form 486 deadline.<sup>18</sup> Other Petitioners claim that they had technical problems during electronic filing.<sup>19</sup> Two Petitioners stated that Hurricane Katrina-related complications prevented them from filing their FCC Forms 486 in a timely manner.<sup>20</sup> Other Petitioners claim that their FCC Forms 486 were timely mailed but that USAC said it had no record of receipt of the forms.<sup>21</sup> Another Petitioner did not receive the Funding Commitment Decision Letter from USAC that gave notice that the FCC Form 486 was due because of a recent move.<sup>22</sup> In addition to waiving the FCC Form 486 deadline, we also find good cause to waive section 54.720 of the Commission's rules, which establishes deadlines for affected parties to seek review of decisions issued by USAC,<sup>23</sup> for three Petitioners—TIES,<sup>24</sup> Lapeer District Library,<sup>25</sup> and Selah School District No. 119.<sup>26</sup>

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Waiver by Salmon River Central School District; Request for Review and Waiver by Santa Fe Indian School; Request for Review of Selah School District No. 119; Request for Waiver by St. Vincent de Paul; Request for Waiver by Wallingford School District; Request for Waiver by Wapato School District.

<sup>17</sup> Request for Waiver by Erie 1 BOCES; Request for Waiver by Fenton Avenue Charter School; Request for Review by Hamblen County School District; Request for Waiver by Hancock County Library System; Request for Waiver by Long Beach Public Library; Request for Review by Seagraves Independent School District; Request for Review by St. John the Baptist Catholic School; Request for Review and/or Waiver by The Children's Storefront; Request for Review by TIES; Request for Waiver by Yeshiva Ktana by Passaic.

<sup>18</sup> Request for Waiver by Alcona County Library; Request for Waiver by Cherokee County School District; Request for Review of Chester Township School District; Request for Review by Dayton Christian School System; Request for Review by Eugene School District 4J; Request for Waiver by Fenton Avenue Charter School; Request for Waiver by Governor Baxter School for the Deaf; Request for Waiver by Inglewood Unified School District; Request for Waiver by KIPP Inc.; Request for Review by Lapeer District Library; Request for Waiver by Lavaca Public School District; Request for Waiver by Long Branch High School; Request for Waiver by Mendham Borough School District; Request for Waiver by Pitt County Schools; Request for Waiver by Portland Public School District; Request for Review by Project SOCRATES; Request for Waiver by River Mill Academy; Request for Waiver by Salmon River Central School District; Request for Review and Waiver by Santa Fe Indian School; Request for Review of Selah School District No. 119; Request for Waiver by St. Vincent de Paul; Request for Waiver by Wallingford School District; Request for Waiver by Wapato School District.

<sup>19</sup> Request for Review by Bryan Independent School District; Request for Review by Seagraves Independent School District; Request for Review by St. John the Baptist Catholic School; Request for Review and/or Waiver by The Children's Storefront.

<sup>20</sup> Request for Waiver by Hancock County Library System; Request for Waiver by Long Beach Public Library.

<sup>21</sup> Request for Waiver by Erie 1 BOCES; Request for Review by Hamblen County School District; Request for Waiver by Yeshiva Ktana Passaic.

<sup>22</sup> Request for Review by TIES.

<sup>23</sup> Specifically, section 54.720 of the Commission's rules provides parties with 60 days to appeal a decision by USAC to either USAC or the Commission. 47 C.F.R. § 54.720 (2007). Prior to September 12, 2001, an appeal was required to be filed with USAC or the Commission within 30 days of the issuance of a decision by USAC. 47 C.F.R. § 54.720 (2002).

<sup>24</sup> When TIES filed its appeal regarding the late-filed FCC Form 486, USAC informed the school district that an earlier appeal concerning TIES's rejected FCC Form 471 was "erroneously granted" because the appeal letter was not received within 30 days of the Form 471 Rejection Letter. *See* Letter from USAC, Schools and Libraries

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6. Based on the facts and the circumstances of these specific cases, we find that good cause exists to waive the deadline for filing the FCC Form 486 for Petitioners.<sup>27</sup> As the Bureau found in *Alaska Gateway School District*, complete rejection of these applications is not warranted, given that the applicants missed a USAC procedural deadline and did not violate a Commission rule.<sup>28</sup> As the Commission noted in *Bishop Perry Middle School*, a departure from required filing deadlines may be warranted upon careful review of the Petitioner's case and when doing so will serve the public interest.<sup>29</sup> Generally, these applicants claim that staff mistakes or confusion, or circumstances beyond their control

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Division, to Lee Whitcraft, TIES (dated Oct. 28, 2003) (Administrator's Decision on Appeal); 47 C.F.R. § 54.720 (2002). We find that this late filing was attributable to the fact that TIES moved during the course of the Funding Year 2003 application process and USAC continued to send correspondence to the applicant's old address. When TIES learned of the rejected FCC Form 471, it promptly appealed. Letter from Lee Whitcraft, TIES, to USAC, Schools and Libraries Division (dated August 21, 2003) (TIES Letter of Appeal to USAC). Because TIES did not receive notice from USAC of the decision triggering the 30-day appeal filing deadline, we waive the filing deadline in section 54.720 of the Commission's rules. 47 C.F.R. § 54.720.

<sup>25</sup> Lapeer District Library indicates that the library underwent major staffing changes at the time of filing its request for review with the Commission. Request for Review of Lapeer District Library at 1. When Lapeer District Library filed its appeal with the Commission on June 20, 2006, it was only 12 days late. See Request for Review of Lapeer District Library; Letter from USAC, Schools and Libraries, to Kathleen Cunningham (dated April 12, 2006) (Administrator's Decision on Appeal). We therefore grant Lapeer District Library a waiver of the filing deadline in section 54.720 of the Commission's rules. 47 C.F.R. § 54.720.

<sup>26</sup> Selah made several attempts to contact USAC personnel to resolve the change in its service start date after receiving its FCC Form 486 Notification Letter from USAC. Request for Review of Selah School District No. 119 at 1. When Selah appealed the letter, it was only five days late to USAC. Letter from USAC, Schools and Libraries, to Chris Scacco, Selah School District No. 119 (dated April 10, 2006) (Administrator's Decision on Appeal). We thus find good cause to waive section 54.720 of the Commission's rules for Selah. 47 C.F.R. § 54.720.

<sup>27</sup> Because we waive the FCC Form 486 deadline, eligible applicants should receive funding from their actual service start date. We also direct USAC to waive any of its subsequent deadlines if related to the late-filed FCC Form 486, such as the FCC Form 472 deadline or implementation of services deadline, if necessary for the processing of Petitioners' applications. See *Alaska Gateway School District*, 21 FCC Rcd at 10185, n.27. Consistent with precedent, we also grant a waiver of USAC's procedures in the case of Santa Fe Indian School where it mistakenly submitted the incorrect service start date on its FCC Form 486. See *Request for Review and/or Waiver by Glendale Unified School District, Schools and Libraries Universal Service Support Mechanism*, File No. SLD-143548, CC Docket No. 02-6, Order, 21 FCC Rcd 1040 (Wireline Comp. Bur. 2006) (*Glendale Unified School District Order*) (granting a waiver request where the school district inadvertently listed as its service start date the date that it submitted the FCC Form 486 to USAC, instead of the actual service start date). Besides submitting its FCC Form 486 more than 120 days after the date of its FCDL, Santa Fe Indian School also incorrectly inserted a service start date of July 1, 2005, instead of the correct service start date of July 1, 2004. Request for Review and Waiver by Santa Fe Indian School at 2. We find that Santa Fe Indian School committed an unintentional, clerical error when it listed the incorrect service start date and, consistent with our finding in the *Glendale Unified School District Order*, we waive USAC's procedures in this instance and grant Santa Fe Indian School's appeal on this issue.

<sup>28</sup> *Alaska Gateway School District*, 21 FCC Rcd at 10185-86, para. 7.

<sup>29</sup> *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316, para. 9 (2006) (*Bishop Perry Middle School*).

resulted in missing the FCC Form 486 deadline.<sup>30</sup> We note that the primary jobs of most of the people filling out these forms include school administrators, technology coordinators and teachers, as opposed to staff dedicated to pursuing federal grants, especially in small school districts. Even when a school official becomes adept at the application process, unforeseen events or emergencies may delay filings in the event there is no other person proficient enough to complete the forms. Furthermore, some of the errors were caused by third parties or unforeseen events and therefore were not the fault of the applicants.<sup>31</sup> Given that the applicants missed a USAC procedural deadline and did not violate a Commission rule, we find that the complete rejection of each of these applications is not warranted. Notably, at this time, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. We also note that granting these appeals should have a minimal impact on the Universal Service Fund because the monies needed to fund these requests, should they all be fully funded, have already been collected and held in reserve.<sup>32</sup> We further find that denial of funding in these cases would inflict undue hardship on the applicants. In these cases, the applicants have demonstrated that rigid compliance with USAC's application procedures does not further the purposes of section 254(h) or serve the public interest.<sup>33</sup> We therefore grant these appeals and remand them to USAC for further processing consistent with this order.<sup>34</sup> In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications.<sup>35</sup> We remind USAC of its obligation to independently determine whether the disbursement of universal service funds would be consistent with program requirements, Commission rules and orders, or applicable statutes and to decline to disburse funds where this standard is not met. To ensure these issues are resolved expeditiously, we direct USAC to complete its review of each application listed in the Appendix and issue an award or a denial based on a complete review and analysis no later than 90 calendar days from release of this order.<sup>36</sup>

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<sup>30</sup> Hamblen County School District and Yeshiva Ktana Passaic claim that they postmarked the FCC Form 486 on time. Given that we are waiving USAC's deadline for these applicants who mistakenly or knowingly filed late, we give Hamblen County School District and Yeshiva Ktana Passaic the benefit of the doubt and, to the extent necessary, waive the FCC Form 486 filing deadline in these cases. *See Alaska Gateway School District*, 21 FCC Rcd at 10186, n.30.

<sup>31</sup> USAC rejected two FCC Forms 474 filed by Erie 1 BOCES's service provider on the basis that an FCC Form 486 had not been filed. The record, however, shows that Erie 1 BOCES timely filed its FCC Form 486 for the services at issue and that USAC improperly denied funding to the service provider. In this case, we direct USAC to waive the deadline for invoicing these requests and process the FCC Form 474 invoices as timely.

<sup>32</sup> We estimate that the appeals granted in this Order involve application for approximately \$1.7 million in funding. We note that USAC has already reserved sufficient funds to address outstanding appeals. *See, e.g.*, Universal Service Administrative Company, Federal Universal Service Support Mechanisms Fund Size Projections for the Fourth Quarter 2008 (Aug. 1, 2008). Thus, we determine that the action we take today should have minimal impact on the Universal Service Fund as a whole.

<sup>33</sup> *See* 47 U.S.C. § 254(h).

<sup>34</sup> We emphasize the limited nature of this decision. Although we waive the deadlines for filing the FCC Form 486, we do not waive the requirement of the filing itself. *Alaska Gateway School District*, 21 FCC Rcd at 10186, para. 8.

<sup>35</sup> Additionally, nothing in this order is intended: (1) to authorize or require payment of any claim that previously may have been released by a service provider or applicant, including in a civil settlement or plea agreement with the United States; or (2) to authorize or require payment to any person or entity that has been debarred from participation in the E-rate program.

<sup>36</sup> In performing a complete review and analysis of each underlying application, USAC shall either grant the underlying application before it, or, if denying the application, provide the applicant with any and all grounds for denial.

7. Finally, we emphasize that the Commission is committed to guarding against waste, fraud, and abuse, and ensuring that funds disbursed through the E-rate program are used for appropriate purposes. Although we grant the Requests for Review or Waiver addressed here, this action does not affect the authority of the Commission or USAC to conduct audits or investigations to determine compliance with the E-rate program rules and requirements. Because audits or investigations may provide information showing that a beneficiary or service provider failed to comply with the statute or the Commission's rules, such proceedings can reveal instances in which universal service funds were disbursed improperly or in a manner inconsistent with the statute or the Commission's rules. To the extent the Commission finds that funds were not used properly, the Commission will require USAC to recover such funds through its normal processes. We emphasize that the Commission retains the discretion to evaluate the uses of monies disbursed through the E-rate program and to determine on a case-by-case basis that waste, fraud, or abuse of program funds occurred and that recovery is warranted. We remain committed to ensuring the integrity of the program and will continue to aggressively pursue instances of waste, fraud, or abuse under the Commission's procedures and in cooperation with law enforcement agencies.

#### IV. ORDERING CLAUSES

8. ACCORDINGLY, IT IS ORDERED that, 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 pursuant to authority delegated in 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), the Requests for Review and or Waiver of 47 C.F.R. §54.507 filed by the Petitioners as listed in the Appendix ARE GRANTED and REMANDED to USAC for further action consistent with the terms of this order.

9. IT IS FURTHER ORDERED that, 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 pursuant to the authority delegated in 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), USAC SHALL COMPLETE its review of the underlying applications as listed in the Appendix and ISSUE an award or a denial based on a complete review and analysis no later than 90 days from release of this order.

10. IT IS FURTHER ORDERED that, pursuant to authority delegated under sections 0.91, 0.291 and 1.102 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.102, this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Jennifer K. McKee  
Acting Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

## APPENDIX

<b>Applicant</b>	<b>Application Number</b>	<b>Funding Year</b>	<b>Type of Appeal</b>
Alcona County Library Harrisville, MI	425479	2004	Request for Waiver
Bryan Independent School District Bryan, TX	510905	2006	Request for Review
Cherokee County School District Gaffney, SC	479422, 480588	2005	Request for Waiver
Chester Township School District Red Bank, NJ	450800	2005	Request for Review
Dayton Christian School System Miamisburg, OH	425700	2004	Request for Review
Erie 1 BOCES West Seneca, NY	209132	1999	Request for Waiver
Eugene School District 4J Eugene, OR	454342	2005	Request for Review
Fenton Avenue Charter School Lake View Terrace, CA	537333	2006	Request for Waiver
Governor Baxter School for the Deaf Falmouth, ME	416359	2004	Request for Waiver
Hamblen County School District Morristown, TN	125142, 125173	1999	Request for Review
Hancock County Library System Bay St. Louis, MS	534582	2006	Request for Waiver
Inglewood Unified School District Inglewood, CA	478117, 472578	2005	Request for Waiver
KIPP Inc. Houston, TX	518268	2006	Request for Waiver
Lapeer District Library Lapeer, MI	412848	2004	Request for Review
Lavaca Public School District Lavaca, AR	525447	2006	Request for Waiver



Long Beach Public Library Long Beach, MS	447209	2005	Request for Waiver
Long Branch High School Long Branch, NJ	467731, 483663	2005	Request for Waiver
Mendham Borough School District Mendham, NJ	486313	2005	Request for Waiver
Milwaukee School District Milwaukee, WI	311571, 315297	2002	Request for Review
Pitt County Schools Greenville, NC	467256	2004	Request for Waiver
Portland Public School District Portland, MI	118626	1999	Request for Waiver
Project SOCRATES Mankato, MN	468316	2005	Request for Review
River Mill Academy Graham, NC	381781	2003	Request for Waiver
Salmon River Central School District Covington, NJ	475950	2005	Request for Waiver
Santa Fe Indian School Santa Fe, NM	434315	2004	Request for Review and Waiver
Seagraves Independent School District Seagraves, TX	440774	2005	Request for Review
Selah School District No. 119 Selah, WA	418250	2004	Request for Review
St. John the Baptist Catholic School Payne, OH	449349	2005	Request for Review
St. Vincent de Paul Red Bank, NJ	483391	2005	Request for Waiver
TIES St. Paul, MN	262586	2001	Request for Review
The Children's Storefront New York, NY	467206	2005	Request for Review and/or Waiver

Wallingford School District Wallingford, CT	456680	2005	Request for Waiver
Wapato School District Wapato, WI	474901, 477787	2005	Request for Waiver
Yeshiva Ktana of Passaic Passaic, NJ	481792	2005	Request for Waiver