

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

In the Matter of)	
)	
Petition for Reconsideration by)	
)	
Coatesville Area School District)	File No. SLD- 509428
Coatesville, Pennsylvania)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: November 1, 2011

Released: November 1, 2011

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

1. In this order, we affirm a decision by the Wireline Competition Bureau (Bureau) and dismiss a petition for reconsideration filed by Coatesville Area School District (Coatesville), Coatesville, Pennsylvania.¹ Coatesville seeks review of the Bureau's May 26, 2010 decision finding that Coatesville failed to submit its E-Rate program appeal to the Commission within 60 days of the decision by the Universal Service Administrative Company (USAC), as required by Commission rules.² Coatesville initially sought relief from a denial of funding after it inadvertently listed the wrong FCC Form 470 application number on the FCC Form 471, thus making it appear that it violated the 28-day rule.³ Coatesville waited more than a year after USAC's decision to file an appeal with the Commission.⁴

2. In its petition for reconsideration, Coatesville reiterates the same argument in its appeal, arguing that the initial denial of funding would never have occurred if USAC had been proactive in assisting Coatesville after determining that the school district's FCC Form 470 had not been posted for 28 days before the contract signature date.⁵ Coatesville's petition for reconsideration did not contain any new

¹ Letter from Richard Como, Superintendent, Coatesville Area School District, to the Office of the Secretary, Federal Communications Commission, filed June 26, 2010 (Petition for Reconsideration). 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) (2011).

² 47 C.F.R. § 54.720 (2011); *Request for Waiver and Review of Decisions of the Universal Service Administration by Agra Public Schools I-134, et al.*, File No. SLD-363747, et al., CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (Wireline Comp. Bur. 2010)(Agra Public Schools I-134, et al. Order). The E-rate program is more formally known as the schools and libraries universal service support program.

³ Petition for Reconsideration at 4; Letter from Letter from Richard Como, Superintendent, Coatesville Area School District, to the Office of the Secretary, Federal Communications Commission, filed April 17, 2008 (Request for Waiver) at 2.

⁴ See Letter from USAC, Schools and Libraries Division, to Abdallah Hawa, Coatesville Area School District, dated Jan. 24, 2007) (Administrator's Decision on Appeal).

⁵ Request for Waiver at 4; Petition for Reconsideration at 5-6.

facts or circumstances that would result in a waiver of our rules for late-filed appeals and we therefore dismiss its petition.⁶

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority contained in sections 1-4 and 254 of the Communications Act, as amended, 47 U.S.C. §§ 151-154 and 254, and pursuant to authority in sections 0.91, 0.291, 1.3, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 1.106, and 54.722(a), that the petition for reconsideration filed by Coatesville Area School District, Coatesville, Pennsylvania IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Gina M. Spade
Deputy Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁶ See 47 C.F.R. § 1.106(b)(3) (2011) (noting that a petition for reconsideration that fails to rely on new facts or changed circumstances may be dismissed).