

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

In the Matter of)	
)	
Requests for Review and/or Waiver)	
of Decisions)	
of the Universal Service Administrator by)	
)	
Archdiocese of Chicago School)	File Nos. SLD-766468, <i>et al.</i>
Chicago, Illinois, <i>et al.</i>)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: January 12, 2012

Released: January 12, 2012

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

1. Consistent with the Commission's precedent in the *Alaska Gateway Order*,¹ we grant 22 appeals of decisions by the Universal Service Administrative Company (USAC) that reduce or deny funding from the E-rate program for various funding years because USAC found that the applicants failed to timely submit FCC Forms 486.² Based on our review of the record, we find that the same analysis in the *Alaska Gateway Order* applies here, and we remand the underlying applications to USAC to allow the applicants another opportunity to file their FCC Forms 486. We also waive any Commission or USAC procedural deadline, such as the invoicing deadline, that might be necessary because the FCC Forms 486 of these applicants were initially rejected. To ensure that the underlying applications 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 its receipt of the requested information. We also grant two petitioners waivers of our filing deadline³ for appeals because we find they submitted their appeals to the Commission within a reasonable period of time after receiving actual notice of USAC's adverse decision.⁴

2. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4

¹ See *Request for Review of the Decision of the Universal Service Administrator by Alaska Gateway School District, 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 Order*). See also *Requests for Review and/or Waiver of the Decisions of the Universal Service Administrator by Academy St. Benedict – Stewart, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-660086, *et al.*, CC Docket No. 02-6, Order, 25 FCC Rcd 17309 (Wireline Comp. Bur. 2010).

² See appendix. 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) (2011). The E-rate program is more formally known as the schools and libraries universal service support program.

³ See 47 C.F.R. § 54.720.

⁴ Request for Waiver by Idabel School District 5 and Request for Waiver by Otsego Northern Catskills BOCES.

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), that the Requests for Review and/or Requests for Waiver filed by the petitioners as listed in the appendix ARE GRANTED and the underlying applications ARE REMANDED to USAC for further consideration in accordance with the terms of this order.

3. 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, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 1.3 of the Commission's rules, that section 54.720(a) of the Commission's rules, 47 C.F.R. § 54.720(a), ARE WAIVED for Idabel School District 5, Idabel, Oklahoma and Otsego Northern Catskills BOCES, Cicero, New York to the extent necessary as provided herein.

FEDERAL COMMUNICATIONS COMMISSION

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

APPENDIX

List of Petitioners

Applicant	Application Number	Funding Year	Date Appeal Filed
Archdiocese of Chicago School (Coleman Group Management Consulting) Chicago, IL	766468	2010	10/31/2011
Assumption of the Blessed Virgin Mary School, Pasadena, CA	696142	2009	8/3/2011
Assumption of the Blessed Virgin Mary School, Pasadena, CA	760378	2010	8/3/2011
Assumption Parish Library Napoleonville, LA	554053	2007	10/30/2008
Delta – Schoolcraft Intermediate School District, Escanaba, MI	753439, 753688	2010	10/27/2011
Flagstaff Unified School District Flagstaff, AZ	714034	2010	10/31/2011
Idabel School District 5 Idabel, Oklahoma	718144	2010	10/21/2011
Mitchell School District 55 Mitchell, OR	747772	2010	11/14/2011
Otsego Northern Catskills BOCES Cicero, NY	718050	2010	7/5/2011
Our Lady of Tepayac School Chicago, IL	763863	2010	10/31/2011
Pearce Elementary School District No. 22 Pearce, AZ	754877	2011	9/20/2011
Sacred Heart School Chicago, IL	768122	2010	10/31/2011
Springfield School District R-12 Springfield, MO	751104	2010	8/17/2011
St. Columbanus School Chicago, IL	767857, 768385, 768688, 768747	2010	10/31/2011
St. Cyprian School River Grove, IL	768940	2010	10/31/2011
St. Gabriel School Chicago, IL	766495	2010	10/31/2011
St. Helen School Chicago, IL	764598	2010	10/31/2011
St. Joseph 73 rd Summit Summit, IL	765762	2010	10/31/2011

St. Luke School River Forest, IL	766074	2010	10/31/2011
St. Patricia School Hickory Hills, IL	760867	2010	10/31/2011
Wapanucka Independent School District 37 Ada, OK	719689	2010	9/20/2011
West Oak Lane Charter School Philadelphia, PA	762149	2010	10/6/2011