

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

In the Matter of)	
)	
Request for Waiver and Review of)	
a Decision of the)	
Universal Service Administrator by)	
)	
Approach Learning and Assessment Center)	File No. SLD-416985
Santa Ana, CA)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: March 23, 2012

Released: March 23, 2012

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

1. Consistent with precedent,¹ we grant a request from the Approach Learning and Assessment Center (Approach Learning)² seeking review of a decision made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).³ Based on our review of the record, the instant request for review involves the same alleged competitive bidding issue addressed in the *Approach Learning Order*, in which the Wireline Competition Bureau determined that there was no improper vendor involvement.⁴ We therefore grant the request for review and remand the underlying application to USAC for additional processing consistent with this order.

2. To ensure that the underlying application is resolved expeditiously, we direct USAC to complete its review of the application and issue an award or a denial based on a complete review and analysis no later than 90 calendar days from the release date of this order. In remanding the application to USAC, we make no finding as to the ultimate eligibility of the services requested or Approach Learning's application.

3. ACCORDINGLY, IT IS 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

¹ *Requests for Review of Decisions of the Universal Service Administrator by Approach Learning and Assessment Center, et al., Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 5296 (2011) (*Approach Learning Order*) (finding that there was not improper vendor involvement in Approach Learning's competitive bidding process).

² See Letter from Donald A. Verleur, Approach Learning and Assessment Center, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Sept. 28, 2007).

³ 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).

⁴ See *Approach Learning Order*, 22 FCC Rcd at 5302-03, para. 17.

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 request for review filed by the Approach Learning and Assessment Center IS GRANTED and the underlying application IS REMANDED to USAC for further consideration in accordance with this order.

FEDERAL COMMUNICATIONS COMMISSION

Trent Harkrader
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau