

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of
Requests for Review of the Decisions of the
Universal Service Administrator by
Diversified Computer Solutions, Inc.
Columbia, South Carolina
Schools and Libraries Universal Service
Support Mechanism
File Nos. SLD-224126, 224221,
224397, 248519
CC Docket No. 02-6

ORDER

Adopted: May 21, 2012

Released: May 21, 2012

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

1. In this order we dismiss as moot two appeals filed by Diversified Computer Solutions, Inc., Columbia, South Carolina (Diversified), on behalf of four school districts, seeking review of funding commitment decision letters (FDCLs) issued by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program) to those school districts in late 2001 and early 2002 for funding year 2001.

2. In March and April of 2002, Diversified appealed the FCDLs to the Commission, arguing that the services requested were actually non-recurring internal connections but because the contracts allowed applicants to make installment payments, the FCC Form 471 in use for funding year 2001 required the services to be categorized as "recurring." Diversified also claims that USAC sent the FCDLs to the applicants late in the funding year. As a result, Diversified states that the combination of the late FCDLs, the early recurring services deadline, and the applicants' lack of financial resources

1 See Request for Review by Diversified. to Federal Communications Commission, CC Docket Nos. 96-45 and 97-21 on behalf of Florence County School District 3 (Florence), Marlboro County School District (Marlboro) and Orangeburg County School District 3 (Orangeburg) (filed Mar. 14, 2002) (March Request for Review); and Request for Review by Diversified to Federal Communications Commission, CC Docket Nos. 96-45 and 97-21 on behalf of Fairfield County School District (Fairfield) (filed Apr. 22, 2002) (April Request for Review). 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).

2 March Request for Review at 3-4; April Request for Review at 2-4.

3 March Request for Review at 3-4; April Request for Review at 2-4.

4 March Request for Review at 2; April Request for Review at 2.

meant that the effective term of the contract was cut short, which potentially could result in E-rate funding being denied if the services were not installed before the deadline.<sup>5</sup>

3. Based on our review of the record, however, we find that neither Diversified nor any of the applicants were denied funding. USAC records demonstrate the Fairfield school district was fully compensated for the funding it requested and all submitted invoices related to the Florence, Marlboro and Orangeburg school districts were funded.<sup>6</sup> Therefore, we dismiss the appeals Diversified filed on behalf of Fairfield, Florence, Marlboro and Orangeburg as moot.

4. 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 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the requests for review filed by Diversified Computer Solutions, Inc., Columbia, South Carolina, on behalf of Fairfield County School District, Florence County School District 3, Marlboro County School District and Orangeburg County School District 3, on April 22, 2002 and on March 14, 2002, ARE DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader  
Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>5</sup> March Request for Review at 4; April Request for Review at 3.

<sup>6</sup> USAC Invoice Review, dated Aug. 9, 2011.