

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

In the Matter of)	
)	
Requests for Review of)	
Decisions of the)	
Universal Service Administrator by)	
)	
Chippewa Falls Schools District	)	File Nos. SLD-247882, 304747,
Chippewa Falls, Wisconsin	)	369402, 522870
)	
Cooperative Educations Service Agency 10	)	File Nos. SLD-218650, 309367,
Chippewa Falls, Wisconsin	)	361287, 394370, 448904, 510259
)	
Edgar School District	)	File No. SLD-234973
Edgar, Wisconsin)	
)	
Oshkosh Area School District	)	File Nos. SLD-460864, 529766, 567504
Oshkosh, Wisconsin)	
)	
WiscNet	)	File Nos. SLD-218650, 309367,
Chippewa Falls, Wisconsin	)	361287, 394370, 247882, 304747,
	)	234973, 226120, 294243, 344180
)	
)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: February 08, 2012

Released: February 08, 2012

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

1. In this order, we address nine requests for review of decisions by the Universal Service Administrative Company (USAC) denying applicants' funding requests under the E-rate program (more formally known as the schools and libraries universal service support program).¹ In each instance, USAC stated that the applicant had violated the Commission's competitive bidding requirements because the applicants' FCC Forms 470 contained contact information for WiscNet, a service provider that participated in the competitive bidding process.² We dismiss as moot four requests for review where USAC subsequently received additional information clarifying the applicants' competitive bidding processes, rescinded its commitment adjustment (COMAD) letters, and issued revised funding

¹ See appendices A and B. 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 47 C.F.R. § 54.503.

commitments.³ We also grant five requests for review and remand the underlying applications to USAC for additional processing consistent with this order.⁴ Based on our review of the record, these five requests involve the same alleged competitive bidding issue as the four requests for review dismissed herein in which USAC ultimately determined the applicants and the service provider did not violate the competitive bidding rules.⁵ We instruct USAC, where applicable, to apply its prior findings to these applications. Additionally, where appropriate, we direct USAC to request additional information from the applicants regarding their competitive bidding process. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications.

II. ORDERING CLAUSES

2. 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 pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 54.722(a), that the requests for review listed in appendix A ARE DISMISSED AS MOOT.

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 pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 54.722(a), that the requests for review listed in appendix B ARE REMANDED to USAC for further processing consistent with this order.

4. 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 pursuant to authority delegated in sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that USAC, where applicable, SHALL ISSUE a revised funding commitment decision letter to those applicants listed in appendix B no later than 60 calendar days from the release date of this order.

FEDERAL COMMUNICATIONS COMMISSION

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

³ See appendix A.

⁴ See appendix B.

⁵ See appendix A.

APPENDIX A

Appeals Dismissed as Moot

Petitioner	Funding Year	Applicant Number	Funding Request Number(s)	Date Appeal Filed
Cooperative Educations Service Agency 10 Chippewa Falls, Wisconsin	2001	218650	584704	May 16, 2007
	2002	309567	804935	
	2003	361287	978313	
	2004	394370	1078781	
Chippewa Falls School District Chippewa Falls, Wisconsin	2001	247882	602452	May 21, 2007
	2002	304747	785451	
	2003	369402	1006945	
Edgar School District Edgar, Wisconsin	2001	234973	549810	May 16, 2007
WiscNet Chippewa Falls, Wisconsin	2001	218650	584704	May 18, 2007
	2002	309567	804935	
	2003	361287	978313	
	2004	394370	1078781	
	2001	247882	602452	
	2002	304747	785451	
	2003	369402	1006945	
	2001	234973	549810	
	2001	226120	521210	
	2002	294243	753267	
	2003	344180	927094	

APPENDIX B

Appeals Granted and Applications Remanded to USAC

Applicant	Funding Year	Applicant Number	Funding Request Number(s)	Date Appeal Filed
Cooperative Educations Service Agency 10 Chippewa Falls, Wisconsin	2005	448904	1234553 1234596 1403520 1403610	May 21, 2007
	2006	510259	1403520 1403610	
Chippewa Falls School District Chippewa Falls, WI	2006	522870	1439262	Nov. 7, 2006
Oshkosh Area School District Oshkosh, WI	2005	460864	1266817 1266915 1266968	Oct. 24, 2006
	2006	529766	1467145 1467323 1461330	May 25, 2007
	2007	567504	1566238	Oct. 20, 2008