

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

In the Matter of)	
)	
Requests for Review of Decisions of the Universal Service Administrator by)	
)	
Green Tree School Philadelphia, PA)	File Nos. SLD 927469, 927523
)	
Systems Development Integration, LLC (Virgin Island Department of Education) St. Thomas, VI)	File No. SLD 926895
)	
Three Stages East Orange, NJ)	File No. SLD 894602
)	
Schools and Libraries Universal Service Support Mechanism)	CC Docket No. 02-6
)	

ORDER

Adopted: July 30, 2014

Released: July 30, 2014

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

1. Consistent with precedent,¹ we deny requests for review filed by Green Tree School (Green Tree); System Development Integration, Inc. (SDI), on behalf of Virgin Island Department of Education (Virgin Island DOE); and Three Stages (collectively, petitioners),² of decisions 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) for funding year 2013.³ Specifically, USAC denied the petitioners' priority two funding requests for internal connections on the ground that USAC

¹ See Request for Review of a Decision of the Universal Service Administrator by Loving Municipal Schools; Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, 26 FCC Rcd 10428, 10430-31, para. 6 (Wireline Comp. Bur. 2011); *Request for Waiver and Review of Decisions of the Universal Service Administrator by Montgomery County School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC 320, 321, para. 2 (Wireline Comp. Bur. 2014) (both affirming USAC denials of funding requests that fell below the priority two funding threshold for the relevant funding years).

² See Letter from Adam G. Kegley, Green Tree School and Services, to USAC, Schools and Libraries Division – Correspondence Unit, CC Docket No. 02-6 (filed Apr. 30, 2014) (regarding FCC Form 471 application numbers 927469 and 927523); Letter from Brian Diver, System Development Integration, LLC, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Apr. 25, 2014) (regarding FCC Form 471 application number 926895); Letter from Lynda Wright, Three Stages, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Jun. 2, 2014) (regarding FCC Form 471 application number 894602).

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).

was authorized by the Federal Communications Commission (Commission) to deny funding for all priority two funding requests in funding year 2013.⁴

2. Based upon our review of the record, we affirm USAC's decisions and deny the requests for review.⁵ The Commission's rules require USAC to first provide available funds for priority one funding requests for telecommunications and Internet access services.⁶ Next, the rules permit USAC to fund priority two requests for internal connections and basic maintenance of internal connections only after all priority one requests have been committed, allocating funds for discounts beginning with those applicants eligible for a 90 percent discount level.⁷ In funding year 2013, there were insufficient funds available to fund any priority two requests.⁸ Therefore, USAC appropriately denied all requests for priority two funding for funding year 2013, including the petitioners' requests.⁹

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 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 Green Tree School, Systems Development Integration, LLC, and Three Stages, ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Vickie S. Robinson
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁴ See Letter from USAC, Schools and Libraries Division, to Colly Burgwin, Green Tree School (dated Mar. 5, 2014) (Green Tree Funding Commitment Decision Letter (FCDL)); Letter from USAC, Schools and Libraries Division, to Clinton Stapleton, Virgin Islands Department of Education (dated Mar. 5, 2014) (Virgin Island DOE FCDL); Letter from USAC, Schools and Libraries Division, to Lynda Wright, Three Stages (dated Mar. 12, 2014) (Three Stages FCDL) (collectively, FCDLs).

⁵ See *supra* note 2.

⁶ See 47 C.F.R. § 54.507(g)(1)(i).

⁷ See *id.* § 54.507(g)(1)(ii).

⁸ See USAC website, Schools and Libraries Program, Update on Priority 2 Commitments 2013, www.usac.org/sl/tools/news/default.aspx (last visited Jul. 9, 2014).

⁹ See FCDLs.