



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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## STREAMLINED RESOLUTION OF REQUESTS RELATED TO ACTIONS BY THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY

CC Docket No. 02-6  
WC Docket No. 02-60  
WC Docket No. 06-122

Pursuant to our procedure for resolving requests for review, requests for waiver, and petitions for reconsideration of decisions related to actions taken by the Universal Service Administrative Company (USAC) that are consistent with precedent (collectively, Requests), the Wireline Competition Bureau (Bureau) grants, dismisses, or denies the following Requests.<sup>1</sup> The deadline for filing petitions for reconsideration or applications for review concerning the disposition of any of these Requests is 30 days from release of this Public Notice.<sup>2</sup>

### **Schools and Libraries (E-Rate)**

CC Docket No. 02-6

#### Dismissed as Moot – Invoices Fully Paid<sup>3</sup>

Wayne County Public Library, OH, Application No. 161002094, Request for Review, CC Docket No. 02-6 (filed May 10, 2018)

<sup>1</sup> See *Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45 and 02-6, WC Docket Nos. 02-60, 06-122, 08-71, 10-90, 11-42, and 14-58, Public Notice, 29 FCC Rcd 11094 (WCB 2014). Section 54.719(b) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC, after first seeking review at USAC, may seek review from the Commission. Section 54.719(c) of the Commission's rules provides that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. 47 CFR § 54.719(b)-(c). In this Public Notice, we have reclassified as Requests for Waiver those appeals seeking review of a USAC decision that appropriately should have requested a waiver of the Commission's rules. Similarly, we have reclassified as Requests for Review those appeals seeking a waiver of the Commission's rules but are actually seeking review of a USAC decision.

<sup>2</sup> See 47 CFR §§ 1.106(f), 1.115(d); see also 47 CFR § 1.4(b)(2) (setting forth the method for computing the amount of time within which persons or entities must act in response to deadlines established by the Commission).

<sup>3</sup> See, e.g., *Requests for Review of Decision of the Universal Service Administrator by Diversified Computer Solutions, Inc.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 5250, 5251, para. 3 (WCB 2012) (dismissing appeals as moot where invoicing records demonstrate that the entity was fully compensated for the funding it requested and all submitted invoices funded).

Dismissed as Moot – Requested Action Taken by USAC<sup>4</sup>

Marist Catholic High School, OR, Application No. 161055596, Request for Review, CC Docket No. 02-6 (filed May 16, 2018)

North Central Area Schools, MI, Application No. 161004224, Request for Review, CC Docket No. 02-6 (filed July 10, 2018)

Dismissed on Reconsideration<sup>5</sup>

Blue Ridge School District, PA, Application No. 975318, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Del Norte County Office of Education, CA, Application No. 815306, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Mauston School District, WI, Application No. 933016, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Mountainair Public School District, NM, Application No. 915206, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Papillion-La Vista School District, NE, Application No. 897395, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Selkirk School District, WA, Application No. 932309, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Sequim School District 323, WA, Application No. 865515, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

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<sup>4</sup> See, e.g., *Requests for Review and/or Requests for Waiver of the Decisions of the Universal Service Administrator by Al-Noor High School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 8223, 8224, para. 2 (WCB 2012) (dismissing as moot requests for review where USAC had taken the action the petitioner requested).

<sup>5</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Allan Shivers Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 10356, 10357, para. 2 (WCB 2014) (*Allan Shivers Library Order*) (dismissing petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding). We reject the petitioners' argument that Commission rules did not prescribe a deadline for waiver requests during the time when petitioners' waiver requests were late-filed. Although the rule adopted March 6, 2015 added the term "waiver" to the appeal filing deadline language in section 54.720 of the Commission's rules, it was merely clarifying what the rule has always held: requests for waivers and petitions for review must be filed within 60 days of the issuance of the decision at issue. 47 CFR § 54.720. The Commission noted that clarification in December 2014, long before the petitioners filed their waiver requests. See *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Second Report and Order and Order on Reconsideration, 29 FCC Rcd 15538, 15591, para. 133 (2014) (clarifying that the language in the rule means that affected parties have 60 days from the issuance of the decision to file an appeal, either with USAC in the case of requests for review, or the Commission or Bureau in the case of requests for waiver).

Sigourney Community School District, IA, Application No. 988111, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Unity Lutheran Christian Elementary School, IL, Application Nos. 989946, 991958, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 27, 2015)

Dismissed on Reconsideration<sup>6</sup>

Immaculate Conception Catholic Services, Inc., RI, Application No. 181042720, Petition for Reconsideration, CC Docket No. 02-6 (filed June 21, 2018)

Granted<sup>7</sup>

*Appeal or Waiver Filed Few Days Late*<sup>8</sup>

Gateway Community Action Partnership, NJ, Application No. 161041707, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2017)

*Appeal Timely Filed with USAC*<sup>9</sup>

Poly Tech School District, DE, Application No. 171005432, Request for Waiver, CC Docket No. 02-6 (filed July 18, 2018)

*Fair and Open Competitive Bidding Process*<sup>10</sup>

Charter Communications, Inc. (Robeson County Public Schools), NC, Application Nos. 583701, 583371, 624714, 651887, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Apr. 24, 2018)

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<sup>6</sup> See, e.g., *Allan Shivers Library Order*, 29 FCC Rcd at 10357, para. 2 (WCB 2014) (dismissing petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding).

<sup>7</sup> We remand these applications to USAC and direct USAC to complete its review of the applications and issue a funding commitment or a denial based on a complete review and analysis, no later than 90 calendar days from the release date of this Public Notice. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications. We also waive sections 54.507(d) and 54.514(a) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. See 47 CFR § 54.507(d) (requiring non-recurring services to be implemented by September 30 following the close of the funding year); 47 CFR § 54.514(a) (codifying the invoice filing deadline).

<sup>8</sup> See, e.g., *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by Baker Hall School et al.*, Order, 25 FCC Rcd 17534, 17535, n.9 (WCB 2010) (waiving the 60-day appeal filing requirement when a petitioner submits its appeal only a few days late). We make no finding on the underlying issues in this appeal and remand these applications back to USAC to make a determination on the merits. See *supra* note 7.

<sup>9</sup> See, e.g., *Requests for Review of the Decision of the Universal Service Administrator by Calhoun School*, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd 356, paras. 8-9 (WCB 2003) (finding that an appeal was not untimely from the date of the funding commitment decision letter (FCDL) because it was seeking timely review of a decision other than the FCDL). We make no finding on the underlying issues in this appeal and remand this application back to USAC to make a determination on the merits. See *supra* note 7.

<sup>10</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Kings Canyon Unified School District, et al., Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27

Charter Communications, Inc. (Robeson County Public Schools), NC, Application No. 813171, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Dec. 12, 2016)

Robeson County Public Schools, NC, Application Nos. 583701, 583371, 624714, 651887, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Apr. 24, 2018)

Robeson County Public Schools, NC, Application No. 813171, Request for Review, CC Docket No. 02-6 (filed Dec. 12, 2016)

*Invoice Timely Filed*<sup>11</sup>

North Country Library System, NY, Application No. 161058513, Request for Review, CC Docket No. 02-6 (filed Nov. 27, 2018)

*Ministerial and/or Clerical Errors*<sup>12</sup>

Odebolt-Arthur Community School District, IA, Application No. 171043125, Request for Review, CC Docket No. 02-6 (filed Dec. 4, 2018)

Richmond County School System, GA, Application No. 171030785, Request for Waiver, CC Docket No. 02-6 (filed Dec. 7, 2018)

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FCC Rcd 4084, 4084-85, paras. 1-2 (WCB 2012) (granting appeal where applicant accepted gifts from service provider, but conducted a fair and open competitive bidding process under Commission rules that existed at the time).

<sup>11</sup> We find, based on the record before us, that North Country Library System's service provider timely filed FCC Forms 474 (Service Provider Invoice (SPI) Forms) calculated from the correct date of the extension granted by USAC. The service provider, therefore, should be given the opportunity by USAC to refile its invoice on remand. In this instance, we waive any procedural deadlines, including the invoice deadline, that might be necessary to effectuate our ruling. *See supra* note 7.

<sup>12</sup> *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17319, 17319-20, para. 2 & nn.19, 20 (WCB 2010) (waiving the appeal filing deadline and permitting applicant to correct a mislabeling of a service category on its FCC Form 471).

*Unable to Timely File Awaiting USAC Action*<sup>13</sup>

Bottineau Public School, ND, Application No. 161048537, Request for Waiver, CC Docket No. 02-6 (filed Apr. 24, 2018)

*Waiver of Competitive Bidding Requirement to Comply with State and Local Procurement Rules*<sup>14</sup>

Durant Public School District, MS, Application No. 537591 (FRNs 1488538, 1488561), Request for Review and/or Waiver, CC Docket No. 02-6 (filed May 28, 2013)

Denied

*Failure to Consider Price as Primary Factor*<sup>15</sup>

Durant Public School District, MS, Application No. 537591 (FRN 1488511), Request for Review and/or Waiver, CC Docket No. 02-6 (filed May 28, 2013)

*Failure to Seek Competitive Bids*<sup>16</sup>

Pioneer Springs Community School, NC, Application No. 181039097, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Oct. 29, 2018)

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<sup>13</sup> See, e.g., *Request for Review and/or Waiver of Decisions of the Universal Service Administrator by Ada Public Library; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 32 FCC Rcd 1909, 1911, para. 6 (WCB 2017) (granting a waiver for applicants who were unable to file a BEAR form because they were waiting for USAC to provide an FCC Form 498 ID or personal identification number (PIN) at the time of the deadline).

<sup>14</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Aberdeen School District et al.; Schools and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 1941, 1942, para. 1 (WCB 2012) (granting a waiver where applicants failed to comply with state competitive bidding requirements because the Commission determined these were technical violations of the competitive bidding rules and there was no evidence of waste, fraud, or abuse). Consistent with precedent, we also grant the applicant's appeal for FRN 1488538, finding that the school district did not violate the necessary resource requirement, even though USAC did not address this issue in its Administrator's Decision on Appeal. Based on our review of the record, we find that the applicant had a reasonable expectation that it would have the necessary resources to use its E-Rate-supported equipment effectively. See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Academy of Excellence et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8722, 8725-26, para. 6 (2007) (granting appeals where applicants had a specific, reasonable expectation that they would have necessary resources to use their eligible E-rate services effectively, but did not due to circumstances beyond their control).

<sup>15</sup> See, e.g., *Requests for Review of a Decision of the Universal Service Administrator by Fall River Public School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 7427, 7429, para. 5 (WCB 2013) (denying appeal where applicant failed to consider price as primary factor in its vendor selection process and where it was not clear from the record that applicant selected the lowest-cost provider). Further, because we find that the applicant violated the Commission's competitive bidding rules, we also decline to

*FCC Form 470 with Inadequate Specificity and No Indication of Request for Proposal (RFP) on Services Being Sought*<sup>17</sup>

St. Joseph County Public Library, IN, Application No. 817673, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Feb. 20, 2013)

*Invoice Deadline Extension Requests*<sup>18</sup>

Berwyn Public Library, IL, Application No. 161058522, Request for Waiver, CC Docket No. 02-6 (filed Apr. 27, 2018)

Cashmere School District 222, WA, Application No. 171045469, Request for Waiver, CC Docket No. 02-6 (filed Feb. 4, 2019)

Central Valley School District No. 356, SD, Application No. 161013923, Request for Waiver, CC Docket No. 02-6 (filed Feb. 5, 2019)

Phonoscope Inc. (Harris County Public Library), TX, Application No. 171000972, Request for Waiver, CC Docket No. 02-6 (filed Jan. 30, 2019)

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waive the applicant's violation of the requirement to comply with state and local procurement rules for FRN 1488511.

<sup>16</sup> 47 CFR § 54.504(c) (stating that applicants must seek competitive bids for E-Rate eligible services by posting an FCC Form 470 and waiting 28 days before entering into a contract for services); *see Application for Review of the Decision of the Universal Service Administrator by Aberdeen School District, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8757, 8763, para. 10 (2007) (denying an appeal for an applicant that requested E-Rate program funds without posting a new FCC Form 470 for the newly contracted services); *Applications for Review of a Decision of the Universal Service Administrator by Challis Joint School District # 181, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 3812, 3812-13, para. 2 (WCB 2011) (stating that applicants must seek competitive bids for services eligible for E-Rate support by posting an FCC Form 470, waiting 28 days, and entering into a contract with a service provider for the requested services; stating further that applicants may exercise voluntary extensions of previously competitively bid contracts without seeking competitive bids or posting a Form 470); *see also Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, 15 FCC Rcd 6732, 6734, 6736, paras. 5, 10 (CCB 1999) (providing a limited exception to the requirement to post an FCC Form 470 and conduct a competitive bid evaluation when an applicant exercises a voluntary extension in a previously competitively bid contract).

<sup>17</sup> *See, e.g., Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District et al.; Federal-State Joint Board on Universal Service; Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd 26407, 26410, para. 7 (2003) (clarifying that an applicant's bona fide request for services must include a list of "specified services" to provide potential bidders with sufficient information on the FCC Form 470 to determine the needs of the applicant); *Petitions for Reconsideration by Mansfield Independent School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, DA 18-1282 (WCB Dec. 20, 2018), 2018 WL 6722647 (denying appeal where applicant filed an FCC Form 470 with inadequate specificity); *see also Petition for Reconsideration by Chicago Public Schools; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, 29 FCC Rcd 9289, 9291-92, paras. 7-8 (WCB 2014) (finding that petitioner did not demonstrate the existence of special circumstances to warrant a waiver of the Commission's competitive bidding requirements).

<sup>18</sup> *See, e.g., Requests for Waiver of Decisions of the Universal Service Administrator by Ada School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 3834, 3835, para. 7 (WCB 2016) (denying requests for waiver of the Commission's invoice extension rule for petitioners that failed to demonstrate extraordinary circumstances justifying a waiver); *see also Modernizing the E-rate Program for*

Soledad Unified School District, CA, Application No. 161045837, Request for Waiver, CC Docket No. 02-6 (filed May 16, 2018)

Southwest Independent School District, TX, Application No. 171047351, Request for Waiver, CC Docket No. 02-6 (filed Feb. 6, 2019)

Valley Forge Military Academy, PA, Application No. 161036773, Request for Waiver, CC Docket No. 02-6 (filed May 9, 2018)

Williamsburg County School District, NC, Application No. 161045936, Request for Waiver, CC Docket No. 02-6 (filed May 9, 2018)

*Late-Filed FCC Form 471 Applications*<sup>19</sup>

Mountain Heart Community Services, Inc., WV, Application No. 181024575, Request for Waiver, CC Docket No. 02-6 (filed Nov. 27, 2018)

Murray City School District, UT, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Mar. 22, 2018)

New Hope Christian Academy, FL, Application No. 181043394, Request for Waiver, CC Docket No. 02-6 (filed Oct. 26, 2018)

Sarah J. Webber Media Arts Center, MI, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Jan. 7, 2019)

Southern Door County School District, WI, Application No. 181043374, Request for Waiver, CC Docket No. 02-6 (filed Oct. 22, 2018)

St. Paul Catholic School, KY, Application No. 181043215, Request for Waiver, CC Docket No. 02-6 (filed Aug. 14, 2018)

*Untimely-Filed Appeals or Waiver Requests*<sup>20</sup>

The Bronx Charter School For Children, NY, Application Nos. 181042814, 181042875, Request for Waiver, CC Docket No. 02-6 (filed Jan. 24, 2019)

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*Schools and Libraries*, WC Docket No. 13-184, Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8966, para. 240 (2014) (establishing that it is generally not in the public interest to waive the Commission's invoicing rules absent extraordinary circumstances); 47 CFR § 54.514.

<sup>19</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9261-62, para. 13 (2010) (*Academy of Math and Science Order*) (denying requests for waiver of the FCC Form 471 filing window deadline where petitioners failed to present special circumstances justifying waiver of our rules).

<sup>20</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (WCB 2010) (*Agra Public Schools Order*); *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Bound Brook School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 5823 (WCB 2014) (denying requests for review and/or waiver on the

Glades Day School, FL, Application No. 1040748, Request for Waiver, CC Docket No. 02-6 (filed Dec. 10, 2018)

Mary Queen of the Holy Rosary, KY, Application No. 171021811, Request for Waiver, CC Docket No. 02-6 (filed Apr. 3, 2018)

Yeshiva Rav Isacsohn Academy, CA, Application No. 171049039, Request for Waiver, CC Docket No. 02-6 (filed Feb. 12, 2019)

**Rural Health Care Program**  
**WC Docket No. 02-60**

Denied

*Late-Filed FCC Form 466 Application*<sup>21</sup>

I'SOT dba Canby Family Practice Clinic, HCP No. 10618, Request for Waiver, WC Docket No. 02-60 (filed May 24, 2017)

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grounds that the petitioners failed to 1) submit their appeals either to the Commission or to USAC within 60 days; or failed to submit their waiver requests to the Commission within 60 days as required by the Commission's rules; and 2) did not show special circumstances necessary for the Commission to waive the deadline).

Yeshiva Rav Isacsohn Academy filed its FCC Form 471 10 days late in funding year 2017. While the Commission has granted waiver requests where petitioners filed their FCC Forms 471 within 14 days after the FCC Form 471 filing window deadline, it has done so in response to a petitioner's waiver request seeking such relief. *See, e.g., Academy of Math and Science Order*, 25 FCC Rcd at 9258, para. 6 (granting waiver requests from petitioners seeking waivers of the FCC Form 471 filing window deadline). Our rules require parties seeking a waiver to seek relief from the Commission. 47 CFR § 54.719(c). The waiver request must be filed within 60 days from the date of the adverse decision. 47 CFR § 54.720(a). Because the instant waiver request was filed more than 60 days after the adverse decision and did not show special circumstances warranting waiver of the filing deadline, we do not consider the substance of the pleading (i.e. that its late-filed application in funding year 2017 met the Commission's waiver standard and should be considered for funding). *See, e.g., Agra Public Schools Order*, 25 FCC Rcd at 5688, para. 6 (denying appeal and waiver requests outright in instances where petitioners did not demonstrate the existence of special circumstances that would warrant a waiver of our appeal and waiver filing rules).

<sup>21</sup> *See* 47 CFR § 54.675(d) (requiring health care providers to file new funding requests for each funding year unless they have received a multi-year funding commitment); USAC, Rural Health Care, Telecommunications Program, Health Care Providers, Evergreen Contracts, <http://www.usac.org/rhc/telecommunications/health-care-providers/evergreen-contracts.aspx> (last visited Feb. 7, 2019) (stating that health care providers with evergreen contracts must submit the FCC Form 466 and the FCC Form 467 annually for every funding year in which funding is requested under the terms of the contract); *Wireline Competition Bureau Provides a Filing Window Period Schedule for Funding Requests under the Telecommunications Program and The Healthcare Connect Fund*, WC Docket No. 02-60, Public Notice, 31 FCC Rcd 9588 (WCB 2016) (establishing two filing windows for the submission of funding year 2016 funding requests: the first filing window period starting on March 1, 2016 through June 1, 2016, and the second filing window period starting on September 1, 2016 through November 30, 2016); *Request for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and*



## Dismissed Without Prejudice

### *Improperly Filed*<sup>22</sup>

Valley View Health Center – Raymond, WA, Funding Request No. 18411001, Request for Review, WC Docket No. 02-60 (Feb. 15, 2019)

Valley View Health Center – Winlock, WA, Funding Request No. 18410981, Request for Review, WC Docket No. 02-60 (Feb. 11, 2019)

Valley View Health Center – Morton, WA, Funding Request No. 18410991, Request for Review, WC Docket No. 02-60 (Feb. 11, 2019)

## Dismissed as Moot<sup>23</sup>

### *Requests for Extension of Time to Submit Invoices*<sup>24</sup>

South Georgia Governmental Services Authority, GA (City of Thomasville Utilities), Funding Request No. 1716496, Request for Review, WC Docket No. 02-60 (filed Dec. 11, 2018)

South Georgia Governmental Services Authority, GA (City of Thomasville Utilities), Funding Request No. 1716500, Request for Review, WC Docket No. 02-60 (filed Dec. 11, 2018)

South Georgia Governmental Services Authority, GA (City of Thomasville Utilities), Funding Request No. 1716504, Request for Review, WC Docket No. 02-60 (filed Dec. 11, 2018)

South Georgia Governmental Services Authority, GA (City of Thomasville Utilities), Funding Request No. 1716510, Request for Review, WC Docket No. 02-60 (filed Dec. 11, 2018)

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*Science et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9261-62, para. 13 (2010) (denying requests for waiver of the FCC Form 471 filing window deadline where petitioners failed to present special circumstances justifying waiver of our rules).

<sup>22</sup> Valley View Health Center failed to first appeal to USAC. 47 CFR § 54.719(a)-(b) (providing that any party aggrieved by an action taken by USAC must first seek review from USAC, not the Commission). *See Request for Review of a Decision of the Universal Service Administrator by La Canada Unified School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 30 FCC Rcd 4729, 4729, para. 2 (WCB 2015) (dismissing an appeal that properly belonged before USAC pursuant to Commission rules). We therefore dismiss Valley View Health Center's appeals without prejudice to allow appellant to refile its appeals with USAC in the first instance.

<sup>23</sup> *See, e.g., Requests for Review of Decision of the Universal Service Administrator by Diversified Computer Solutions, Inc.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 5250, 5251, para. 3 (WCB 2012) (dismissing appeals as moot where the invoicing records demonstrated that the entity was fully compensated for the funding it requested and all submitted invoices funded).

<sup>24</sup> Appellant subsequently filed a letter with the Commission withdrawing its appeals concerning City of Thomasville Utilities after discovering that City of Thomasville Utilities received funding for the funding requests at issue. *See* Letter from Hannah Orr, Financial Director, South Georgia Governmental Services Authority, to Office of the Secretary, Federal Communications Commission, WC Docket No. 02-60 (filed Feb. 4, 2019).

Dismissed on Reconsideration<sup>25</sup>

Charter Communications, MO (Spooner Health System), Funding Request No. 15775081, Petition for Reconsideration, WC Docket No. 02-60 (filed Jan. 17, 2019)

Charter Fiberlink CC VIII, LLC, MO (Aspirus Clinic), Funding Request Nos. 1582971, 15837421, 15837511, 15837711, 15837731, 15832131, 15829601, 15829861, 15826201, Petition for Reconsideration, WC Docket No. 02-60 (filed Jan. 17, 2019)

Charter Advanced Services, MO (Yakima Valley Farm Workers Clinic - Mountainview Women's Health Center), Funding Request No. 16875641, Petition for Reconsideration, WC Docket No. 02-60 (filed Jan. 17, 2019)

Charter Fiberlink CCO, LLC, MO (St. Joseph), Funding Request Nos. 14622131, 15768411, Petition for Reconsideration, WC Docket No. 02-60 (filed Jan. 17, 2019)

Morrow County Health District, OR (Pioneer Memorial Hospital), Funding Request Nos. 16814421, 16814431, 16814441, Petition for Reconsideration, WC Docket No. 02-60 (filed Jan. 7, 2019)

**Contribution Methodology**  
**WC Docket No. 06-122**

Denied

*Late 499-A Filing Fee Waiver Request*<sup>26</sup>

247VoIP Services, LLC, Request for Waiver, WC Docket 06-122 (filed January 23, 2019)

For additional information concerning this Public Notice, please contact James Bachtell in the Telecommunications Access Policy Division, Wireline Competition Bureau, at james.bachtell@fcc.gov or (202) 418-2694.

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<sup>25</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Allan Shivers Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 10356, 10357, para. 2 (WCB 2014) (dismissing petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding). Here, the Petitioners rely on arguments that have been fully considered and rejected by the Bureau. 47 CFR § 1.106(p)(3).

<sup>26</sup> See, e.g., *Universal Service Contribution Methodology; Request for Review of a Decision of the Universal Service Administrator and Request for Waiver by BelWave Communications*, WC Docket No. 06-122, Order, 27 FCC Rcd 11176 (WCB 2012); *Universal Service Contribution Methodology; Request for Review of Decisions of the Universal Service Administrator and Request for Waiver by BCG, Inc. et al.*, WC Docket No. 06-122, Order, 26 FCC Rcd 6791 (WCB 2011) (both finding that petitioners' claims that they were unaware of their filing obligation did not warrant waiver of the Form 499-A filing deadline and associated late fees).