



# PUBLIC NOTICE

Federal Communications Commission  
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DA 19-482  
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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. 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>

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<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, in fact, 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).

**Schools and Libraries (E-Rate)**  
**CC Docket No. 02-6**

Dismissed as Moot<sup>3</sup>

Grafton School District, WI, Application No. 171038298, Request for Waiver, CC Docket No. 02-6 (filed Apr. 29, 2019)

Ionia Community Library, MI, Application No. 171015139, Request for Waiver, CC Docket No. 02-6 (filed Feb. 26, 2019)

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

Omro School District, WI, Application No. 1040118, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Mar. 23, 2017)

Jay Telecom Inc. (Congregation Uvlechtechu Baderech Inc.), NY, Application No. 761887, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Jan. 3, 2014)

Shiprock Alternative High School, NM, Application No. 691298, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Aug. 13, 2009)

Dismissed as Moot – Application Cancelled by Petitioner<sup>5</sup>

Notre Dame Cristo Rey High School, MA, Application No. 765963, Request for Review, CC Docket No. 02-6 (filed Mar. 18, 2013)

Dismissed on Reconsideration<sup>6</sup>

Guttenberg Unified School District, NJ, Application Nos. 181042633, 181042834, Petition for Reconsideration, CC Docket No. 02-6 (filed Aug. 29, 2018)

Seiling Independent School District 8, OK, Application No. 171037046, Petition for Reconsideration, CC Docket No. 02-6 (filed Apr. 29, 2019)

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<sup>3</sup> See, e.g., *Requests for Review of Decisions 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 were funded).

<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 Review of Decisions of the Universal Service Administrator by Integrity Communications (Brooks Consolidated Independent School District); Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 7994, 7995, para. 1 (WCB 2012) (dismissing appeals as moot when the applicable funding requests had already been withdrawn by the applicant).

<sup>6</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).

Granted<sup>7</sup>*Appeal Timely Filed*<sup>8</sup>

Altoona School District, WI, Application No. 161007361, Request for Review, CC Docket No. 02-6 (filed Sept. 21, 2018)

*Discount Calculation*<sup>9</sup>

New America School – Las Cruces, NM, Application Nos. 859640, 860102, Request for Review, CC Docket No. 02-6 (filed Nov. 11, 2012)

*Granting Additional Time to Respond to USAC's Request for Information*<sup>10</sup>

Heartland Community Action Agency, Inc., MN, Application No. 953523, Request for Review, CC Docket No. 02-6 (filed Sept. 28, 2015)

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<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 of the Decision of the Universal Service Administrator by Calhoun School*, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd 356, para. 8-9 (WCB 2003) (finding that an appeal was not untimely because petitioner was seeking review of a different decision than the one USAC was using to determine whether the appeal was timely filed). We make no finding on the underlying issues in these appeals 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 Academia Claret et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 21 FCC Rcd 10703, 10708, para. 12 (WCB 2006) (remanding applications for further processing when, upon *de novo* review, the Commission disagreed with USAC's discount calculation determination).

<sup>10</sup> *See, e.g., Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6035 (2007); *Requests for Review of Decisions of the Universal Service Administrator by Ben Gamla Palm Beach et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 1876 (WCB 2014) (granting requests for review of applicants that had been denied funding because they failed to respond to USAC's request for information within the USAC-specified time frame). We make no finding on the underlying issues in these appeals and remand these applications back to USAC to make a determination on the merits. *See supra* note 7.

*Late-Filed FCC Form 471 Applications Filed within 14 Days of the Close of the Window*<sup>11</sup>

Afton Central School District, NY, Application No. 191042016; Alexandria Central School District, NY, Application Nos. 191042005, 191041958; Alpha School District, NJ, Application No. 191041988; Binghamton City SD, NY, Application No. 191041872; Chenango Valley Central District, NY, Application No. 191041989; Clark Township School District, NJ, Application No. 191041795; Cooperstown Ctrl School District, NY, Application Nos. 191041927, 191041936; Eastern Christian School Association, NJ, Application No. 191041738; Fairfield Twp Public Schools, NJ, Application No. 191042083; Harpursville Central District, NY, Application No. 191041690; Hunter-Tannersville Sch District, NY, Application No. 191041904; Lacey Township School District, NJ, Application No. 191041852; Lyme Central School District, NY, Application No. 191041831; Northern Vly Reg High Sch Dist Consortium, NJ, Application No. 191041600; Norwich City School District, NY, Application No. 191041981; Pennsville School District, NJ, Application No. 191042081; Pohatcong Township Board Of Education, NJ, Application No. 191042061; Roxbury Ctrl School District, NY, Application No. 191041836; Runnemede Borough School Dist, NJ, Application Nos. 191042062, 191041650; Sackets Harbor Ctrl Sch Dist, NY, Application No. 191041694; Sidney Central School District, NY, Application No. 191041843; St Lawrence-Lewis Boces, NY, Application No. 191041723; Susquehanna Vly Ctrl Sch Dist, NY, Application No. 191041965; Tenaflly School District, NJ, Application No. 191041026; The Cardinal Maida Academy, PA, Application Nos. 191041042, 191041042; Unatego Central School District, NY, Application No. 191042022; Warren Hills Regional Sch Dist, NJ, Application No. 191041799; Watertown City School Dist. NY, Application No. 191041938; Watkins Glen Central District, NY, Application No. 191041851; Whitney Point Central Sch Dist, NY, Application Nos. 191042010, 191041967; Worcester Central School Dist, NY, Application No. 191042080; Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Allegheny-Clarion Valley School District, PA, Application No. 191041731, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

Appalachia Intermediate Unit 8, PA, Application No. 191041748, Request for Waiver, CC Docket No. 02-6 (filed Apr. 8, 2019)

Annur Islamic, NY, Application No. 191041853, Request for Waiver, CC Docket No. 02-6 (filed May 13, 2019)

AOS 98RCSS, ME, Application No. 191041572; Derry Co-op School District, NH, Application No. 191041585; Economic Opportunities Council Of Indian River County, FL, Application No. 191041583; Laraway Youth & Family Services, VT, Application No. 191041591; Riverdale School District, NJ, Application Nos. 191041620, 191041621; School Administrative Unit 101, NH, Application No. 191041579; Westford Public Schools, MA, Application No. 191041587; Winchester School District, NH, Application No. 191041581; CC Docket No. 02-6 (filed Apr. 10, 2019).

Arie Crown Hebrew Day School, IL, Application Nos. 191041753, 191041754, Request for Waiver, CC Docket No. 02-6 (filed May 13, 2019)

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<sup>11</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9259, para. 8 (2010) (*Academy of Math and Science Order*) (finding special circumstances exist to justify granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days after the FCC Form 471 filing window deadline).

Bais Yaakov Academy for Girls, NY, Application No. 191041855, Request for Waiver, CC Docket No. 02-6 (filed May 13, 2019)

Birdville Independent School District, TX, Application No. 191041977, Request for Waiver, CC Docket No. 02-6 (filed May 6, 2019)

Brooke County School District, WV, Application No. 191041522, Request for Waiver, CC Docket No. 02-6 (filed Apr. 8, 2019)

Bright Hope Center, NY, Application No. 191041991, Request for Waiver, CC Docket No. 02-6 (filed May 13, 2019)

Cedar Falls Community School District, IA, Application No. 191041543, Request for Waiver, CC Docket No. 02-6 (filed Apr. 2, 2019)

Centro Nia School District, MD, Application No. 191041565, Request for Waiver, CC Docket No. 02-6 (filed Apr. 2, 2019)

Chabad Chayil Chap, FL, Application No. 191041593, Request for Waiver, CC Docket No. 02-6 (filed May 13, 2019)

Christ Lutheran School, CA, Application No. 191041633, Request for Waiver, CC Docket No. 02-6 (filed Apr. 8, 2019)

Circulo De La Hispanidad, NY, Application No. 191041922, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Columbia Elementary School District, CA, Application No. 191041964, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2019)

Council School District 13, ID, Application No. 191041772, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

Daughter of Zion SDA School, FL, Application Nos. 191041837, 191041985, Request for Waiver, CC Docket No. 02-6 (filed May 6, 2019)

ESC Region 20 Fiber Consortium, TX, Application No. 191042059, Request for Waiver, CC Docket No. 02-6 (filed May 6, 2019)

Fort Huachuca Accommodation School District, AZ, Application No. 191041758, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

Greek American Institute-NY, NY, Application No. 191041986, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Immanuel Lutheran School, IL, Application No. 191041634, Request for Waiver, CC Docket No. 02-6 (filed Apr. 1, 2019)

Jewish School of The Arts, FL Application No. 191041859, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Keller Independent School District, TX, Application No. 191041828, Request for Waiver, CC Docket No. 02-6 (filed May 7, 2019)

Kinneret Day School, NY, Application Nos. 191041842, 191041932, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Lewisville ISD, TX, Application No. 191041979, Request for Waiver, CC Docket No. 02-6 (filed May 7, 2019)

Maypearl Independent School District, TX, Application No. 191041642, Request for Waiver, CC Docket No. 02-6 (filed May 7, 2019)

Medina Valley Independent School District, TX, Application No. 191041686, Request for Waiver, CC Docket No. 02-6 (filed May 7, 2019)

MIT Academy, CA, Application No. 191040915, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

Mohawk Area School District, PA, Application No. 191041944, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2019)

Mount Ida School District, AR Application No. 191001896, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

Monte Rio Union Elementary School District, CA Application No. 191041962, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

New Hampton Community School District, IA, Application Nos. 191041763, 191041674, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

Newman Central Catholic High School, IL, Application Nos. 191041803, 191041802, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

Nixon-Smiley Consolidated Independent School District, KS, Application Nos. 191041775, 191041779, Request for Waiver, CC Docket No. 02-6 (filed May 8, 2019)

Northwestern Lehigh School District, PA, Application No. 191041990, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2019)

Norwalk Catholic School District, OH, Application No. 191041536, Request for Waiver, CC Docket No. 02-6 (filed May 10, 2019)

Osborne County Unified School District 392, KS, Application No. 191041824, Request for Waiver, CC Docket No. 02-6 (filed Apr. 8, 2019)

Pflugerville Independent School District, TX, Application No. 191041887, Request for Waiver, CC Docket No. 02-6 (filed May 8, 2019)

Prestonwood Christian Academy, TX, Application No. 191042050, Request for Waiver, CC Docket No. 02-6 (filed May 6, 2019)

Reedsburg School District, WI, Application Nos. 191041781, 191035433, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

Region 2 Fiber Consortium, TX, Application No. 191026408, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

Roseland Elementary School District, CA, Application No. 191041940, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

Saluda County School District, SC, Application No. 191042079, 191042041, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Sidney Community School District, IA, Application Nos. 191041911, 191041912, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

Siskiyou County Office of Education, CA, Application No. 191041785, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)<sup>12</sup>

Stephenville Independent School District, TX, Application No. 191041612, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2019)

St. Johns Country Day School, FL, Application Nos. 191042001, 191041786, Request for Waiver, CC Docket No. 02-6 (filed Apr. 1, 2019)

St. Mary's Elementary School, WI, Application No. 191026972, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2019)

The Newgrange School of Princeton Inc., NJ, Application No. 191041862, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)

Utah Education & Telehealth Network, UT, Application No. 191013592, Request for Waiver, CC Docket No. 02-6 (filed Apr. 1, 2019)

Van Buren District Library, MI, Application No. 191013740, Request for Waiver, CC Docket No. 02-6 (filed Apr. 8, 2019)

Wiseburn School District, CA, Application No. 191041825, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2019)<sup>13</sup>

Yeshivas Ohavei Torah, NY, Application No. 191041864, Request for Waiver, CC Docket No. 02-6 (filed May 13, 2019)

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<sup>12</sup> Siskiyou County Office of Education seeks a waiver request for Application No. 191041785. We note that a waiver request was already granted for that application number. *See Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice, DA 19-420 (WCB May 17, 2019).

<sup>13</sup> Wiseburn School District seeks a waiver request for Application No. 191041825. We note that a waiver request was already granted for that application number. *See Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice, DA 19-420 (WCB May 17, 2019).

*Ministerial and/or Clerical Errors*<sup>14</sup>

Greencastle Antrim School District, PA, Application No. 171040473, Request for Waiver, CC Docket No. 02-6 (filed Aug. 16, 2018, supplement filed Apr. 11, 2019)

Huntley Area Public Library, IL, Application No. 191042170, Request for Waiver, CC Docket No. 02-6 (filed Apr. 23, 2019)

Orange School District, OH, Application No. 161039235, Request for Waiver, CC Docket No. 02-6 (filed Oct. 12, 2018)

Rye City School District, NY, Application No. 181023140, Request for Waiver, CC Docket No. 02-6 (filed Jan. 18, 2019, supplement filed Apr. 15, 2019)

*No Service Provider Involvement in Competitive Bidding Process*<sup>15</sup>

St. Edward Public School District, NE, Application No. 486238, Request for Review, CC Docket No. 02-6 (filed Sept. 12, 2006)

*Waiver of Appeal- or Waiver-Filing Deadline*<sup>16</sup>

Imagine Town Center, FL, Application No. 181030629, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Mar. 5, 2019)

Pioneer Preparatory, AZ, Application Nos. 181040930, 181041027, Request for Waiver, CC Docket No. 02-6 (filed Sept. 12, 2018)

Walpole School District, MA, Application No. 161036207, Request for Waiver, CC Docket No. 02-6 (filed Oct. 31, 2017)

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<sup>14</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.5, 20 (WCB 2010) (*Ann Arbor Order*) (permitting applicant to include item omitted from FCC Form 471 but included on its source list; and permitting applicant to correct wrong category of service on its FCC Form 471); *Requests for Review of Decisions of the Universal Service Administrator by Archer Public Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15518, 15521 n.19 (WCB 2008) (permitting applicant to correct a pre-discount price on its FCC Form 471 to conform to the price on the source document).

<sup>15</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Greeley Public School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 6898, 6900-01, para. 5 (WCB 2013) (finding that when an applicant seeks bids on multiple funding requests as part of an application, improper service provider involvement during the competitive bidding process does not indicate a violation on the part of every vendor selected to provide services arising from the same FCC Form 470).

<sup>16</sup> See, e.g., *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by ABC Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, para. 2 (WCB 2011) (waiving the filing deadline for petitioners that submitted their appeals to the Commission or USAC only a few days late); *Ann Arbor Order*, 25 FCC Rcd at 17319, para. 1 & n.2 (waiving the filing deadline for petitioners that submitted their appeals to the Commission within 60 days of discovering the defects in their application or involved errors by USAC). We make no finding on the underlying issues in these appeals and remand these applications back to USAC to make a determination on the merits. See *supra* note 7.



*Waiver of Special Construction Service Delivery Deadline*<sup>17</sup>

Apache County School Consortium, AZ, Application No. 171035372, Request for Waiver, CC Docket No. 02-6 (filed May 6, 2019)

Bloomfield School District, NM, Application No. 161012770, Request for Waiver, CC Docket No. 02-6 (Mar. 29, 2019)

Lake Ed Service District, OR, Application No. 171010729, Request for Waiver, CC Docket No. 02-6 (filed May 1, 2019)

Denied*Discount Calculation*<sup>18</sup>

Cornelia Connelly School, CA, Application No. 181000462, Request for Review, CC Docket No. 02-6 (filed July 18, 2018)

*Failure to Conduct Competitive Bidding Process and Make Price Primary Factor*<sup>19</sup>

Salem Public School District, MA, Application No. 743878, Request for Review, CC Docket No. 02-6 (filed Apr. 16, 2013)<sup>20</sup>

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<sup>17</sup> See *Requests for Waiver of the Decisions of the Universal Service Administrator by Grants/Cibola County School District and Jemez Pueblo Tribal Consortium*, CC Docket No. 02-6, Order, 33 FCC Rcd 10048, 10051, para. 8 (WCB 2018) (waiving the special construction service delivery deadline because the applicant was unable to complete implementation for reasons beyond the service provider's control and the petitioner made good faith efforts to comply with Commission rules and procedures). These applicants were unable to complete implementation for reasons beyond their control and made good faith efforts to comply with Commission rules and procedures. Accordingly, we waive their respective special construction service delivery deadlines and direct USAC to set a new service delivery deadline of June 30, 2020 for each of them and adjust any associated administrative or procedural deadlines, including the invoice deadline, that might be necessary to effectuate our ruling.

<sup>18</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Enterprise City Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 2372 (WCB 2012) (finding that the applicants did not provide sufficient documentation to support their requested discount rate).

<sup>19</sup> See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Fall River Public School District*, Order, 28 FCC Rcd 7427, 7427-29, paras. 3-5 (WCB 2013) (denying appeal where applicant failed to consider price as primary factor in its vendor selection process); see also 47 CFR § 54.511(a) (requiring applicants to carefully consider bids and select the most cost-effective service provider).

<sup>20</sup> The heaviest-weighted factor in Salem Public School District's bid evaluation matrix was "Experience," with 40 of the 100 total points. Salem Public School District acknowledged that "Experience" is not a direct cost factor. There was no evaluation factor that directly compared price of the requested services.

*Invoice Deadline Extension Requests*<sup>21</sup>

DHE Computer Systems, LLC (Lotus School for Excellence), CO, Application No. 171048137, Request for Waiver, CC Docket No. 02-6 (filed Jan. 3, 2019)

Elkhorn Public Schools, NE, Application No. 161025737, Request for Waiver, CC Docket No. 02-6 (filed Apr. 11, 2019)

MAAC Agency, MD, Application No. 171048740, Request for Waiver, CC Docket No. 02-6 (filed May 7, 2019)

Marion County School District, MS, Application No. 171001782, Request for Waiver, CC Docket No. 02-6 (filed Jan. 18, 2019)

Newark Community High School District 18, IL, Application No. 171024547, Request for Waiver, CC Docket No. 02-6 (filed Apr. 25, 2019)

Opp City Schools, AL, Application No. 171047072, Request for Waiver, CC Docket No. 02-6 (filed Apr. 17, 2019)

Tim Ron Enterprises, LLC (Marshall Independent School District, Leveretts Chapel School District, Kilgore Independent School District), TX, Application Nos. 171001936, 171011781, 171045138, Request for Waiver, CC Docket No. 02-6 (filed Nov. 29, 2018)

SMC Electric Supply (McDonald County School District R1), MO, Application No. 171032741, Request for Waiver, CC Docket No. 02-6 (filed Apr. 16, 2019)

St. Johnsbury School District, VT, Application Nos. 171041385, 171041533, Request for Waiver, CC Docket No. 02-6 (filed Dec. 13, 2018)

*FCC Form 486 – Late-Filed*<sup>22</sup>

Veritas Academy, MN, Application No. 181015686, Request for Waiver, CC Docket No. 02-6 (filed Mar. 7, 2019)

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<sup>21</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 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>22</sup> See, e.g., *Requests for Waiver of Decisions of the Universal Service Administrator by Archdiocese of New Orleans et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 11747, 11750, para. 10 (WCB 2016) (granting relief only for late-filed FCC Forms 486 that were filed no later than 120 days after the last day to receive service for the funding request at issue and where the applicants have demonstrated good cause for the late filing).

*Late-Filed FCC Form 471 Applications*<sup>23</sup>

Alton Public Library, IA, Application No. 191042203, Request for Waiver, CC Docket No. 02-6 (filed Apr. 29, 2019)<sup>24</sup>

Burrillville School Department, RI, Application Nos. 191042201, 191042200, Request for Waiver, CC Docket No. 02-6 (filed Apr. 26, 2019)

Greenville School District R-2, MO, Application No. 191019437, Request for Waiver, CC Docket No. 02-6 (filed Apr. 22, 2019)

St. Joseph Notre Dame High School, CA, Application No. 191042089, Request for Waiver, CC Docket No. 02-6 (filed Apr. 11, 2019)

The Early College of Arvada, CO, Application No. 191025585, Request for Waiver, CC Docket No. 02-6 (filed Apr. 17, 2019)

Union County Public Schools, NC, Application No. 191042111, Request for Waiver, CC Docket No. 02-6 (filed Apr. 16, 2019)

*Ministerial and/or Clerical Errors*<sup>25</sup>

Pecos Independent School District, NM, Application No. 181040146, Request for Waiver, CC Docket No. 02-6 (filed Jan. 25, 2013)

*Relying on FCC Form 470 That Did Not Seek Bids on Types of E-Rate Services Later Requested*<sup>26</sup>

Garden Grove Unified School District, CA, Application No. 853091, Request for Waiver, CC Docket No. 02-6 (filed Jan. 25, 2013)

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<sup>23</sup> See, e.g., *Academy of Math and Science Order*, 25 FCC Rcd at 9261-62, para. 13 (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>24</sup> While we acknowledge the applicant's contention that a serious medical condition caused the late filing of its FCC Form 471, we nonetheless find that the applicant failed to demonstrate that the medical condition was unexpected and that provisions could not have been made to ensure the timely filing of the application. See, e.g., *Requests for Waiver by Nederland 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, 15 FCC Rcd 19544, 19545, para. 2 (WCB 2002) (“[W]e have consistently held that personnel disruptions, employee medical conditions or employee confusion or misunderstanding about [E-Rate] rules and deadlines do not rise to the level of special circumstances required for a waiver.”)

<sup>25</sup> *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Assabet Valley Regional Vocational District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 1924, 1925, para. 1 (WCB 2012) (finding petitioners had not demonstrated good cause to justify waivers permitting changes to the applicants' E-Rate applications).

<sup>26</sup> See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Albert Lea Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 24 FCC Rcd 4533 (WCB 2009); *Petition for Reconsideration by Chicago Public Schools; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 9289 (WCB 2014) (denying appeals of applicants that filed FCC Forms 470 that did not include the types of services for which the applicants later requested E-Rate funding and finding no special circumstances warranting a waiver of the rules).

Lee County School District, FL, Application No. 828284, Request for Waiver, CC Docket No. 02-6 (filed July 1, 2013)

Monterey Peninsula Unified School District, CA, Application No. 690891, Request for Review, CC Docket No. 02-6 (filed June 14, 2012)

*Untimely Filed Appeals or Waiver Requests*<sup>27</sup>

Catholic School Region of Central Westchester, MO, Application No. 181042079, Request for Waiver, CC Docket No. 02-6 (filed Apr. 29, 2019)

Greater Egg Harbor Regional High School District, NJ, Application No. 161047640, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Mar. 15, 2018)

Liberty Traditional Charter School, AZ, Application No. 374715, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2009)

Martin Luther School, WI, Application No. 181042461, Request for Waiver, CC Docket No. 02-6 (filed Mar. 27, 2019)

Notre Dame Cristo Rey High School, MA, Application Nos. 818155, 819768, Request for Review, CC Docket No. 02-6 (filed Mar. 18, 2013)

Paterson School District, NJ, Application No. 463661, Request for Review, CC Docket No. 02-6 (filed June 4, 2007)

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<sup>27</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); *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 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).

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

Denied

*Late 499-A Filing Fee Waiver Request*<sup>28</sup>

VIDA Network Technologies, Inc., Request for Waiver, WC Docket 06-122 (filed April 30, 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>28</sup> See, e.g., *Universal Service Contribution Methodology; Federal-State Joint Board on Universal Service; Requests for Review of Decisions of Universal Service Administrator by Airband Communications, Inc. et al.*, WC Docket No. 06-122, CC Docket No. 96-45, Order, 25 FCC Rcd 10861 (WCB 2010) (denying deadline waivers where claims of good cause amount to no more than simple negligence, errors by the petitioner, or circumstances squarely within the petitioner's control); *Universal Service Contribution Methodology; Requests for Waiver of Decisions of the Universal Service Administrator by ComScape Telecommunications of Raleigh-Durham, Inc. and Millennium Telecom, LLC*, WC Docket No. 06-122, Order, 25 FCC Rcd 7399 (WCB 2010) (denying waiver requests when negligence caused late filing fee); *Universal Service Contribution Methodology; Requests for Review of Decisions of the Universal Service Administrator by Achilles Networks, Inc., et al.*, WC Docket No. 06-122, Order, 25 FCC Rcd 4646, 4648-49, paras. 5, 8 (WCB 2010); *Federal-State Joint Board on Universal Service; Request for Review by National Network Communications, Inc.*, CC Docket No. 96-45, Order, 22 FCC Rcd 6783 (WCB 2007) (good cause not shown when filer claimed it did not have skilled personnel to interpret and correctly apply FCC Form 499 instructions).