



# PUBLIC NOTICE

Federal Communications Commission  
45 L Street, N.E.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <https://www.fcc.gov>  
TTY: 1-888-835-5322

DA 21-1049

Released: August 31, 2021

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

**CC Docket No. 02-6**  
**WC Docket No. 02-60**  
**CC Docket No. 96-45**  
**WC Docket No. 10-90**  
**WC Docket No. 05-337**  
**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 the release date of this Public Notice.<sup>2</sup>

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

#### **CC Docket No. 02-6**

#### **Dismissed<sup>3</sup>**

Clay Joint Elementary School District, CA, Application No. 201024614, Request for Review, CC Docket No. 02-6 (filed May 28, 2021)

<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 that 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).

<sup>3</sup> See, e.g., *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, para. 2 (WCB 2015) (dismissing an appeal that properly belongs before USAC pursuant to Commission rules).

New Frontiers Public Schools, TX, Application No. 201020829, Request for Review, CC Docket No. 02-6 (filed June 21, 2021)

St. Mary of the Falls School, OH, Application No. 201032170, Request for Review, CC Docket No. 02-6 (filed July 15, 2021)

Dismiss as Moot<sup>4</sup>

Laurel School District, PA, Application No. 211040844, Request for Waiver, CC Docket No. 02-6 (filed Apr. 26, 2021)

Dismiss as Moot<sup>5</sup>

Florida Department of Management Services, FL, Application No. 171038394, Request for Waiver, CC Docket No. 02-6 (filed Feb. 8, 2021)

Dismissed on Reconsideration<sup>6</sup>

Andalusia School, NY, Application No. 922246, Request for Review, CC Docket No. 02-6 (filed Apr. 27, 2015)

---

<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 (WCB 2012) (dismissing as moot requests for review where USAC approved the underlying funding request).

<sup>5</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).

<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). We reject the petitioner's argument that Commission rules did not prescribe a deadline for waiver requests during the time when Andalusia School's waiver requests was 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).

<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

(continued....)

Granted<sup>7</sup>*Demonstrating Extraordinary Circumstances Warranting an Invoice Rule Waiver*<sup>8</sup>

Centralia Elementary School District, CA, Application No. 171014132, Request for Waiver, CC Docket 02-6 (filed Aug. 13, 2019)

*Incorrect Service Start Date on FCC Form 486*<sup>9</sup>

St. Cloud Area School District 742, MN, Application No. 201021911, Request for Waiver, CC Docket No. 02-6 (filed July 1, 2021, supplemented July 14, 2021)

*Late-Filed FCC Form 471 Applications – Due to Circumstances Beyond Their Control*<sup>10</sup>

Laquey School District R 5, MO, Application No. 211040767, Request for Waiver, CC Docket 02-6 (filed July 20, 2021)

Port Chester-Rye Union Free School District, NY, Application No. 211040711, Request for Waiver, CC Docket 02-6 (filed Apr. 12, 2021)

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

---

close of the funding year); 47 CFR § 54.514(a) (codifying the invoice filing deadline).

<sup>8</sup> See, e.g., *Petition for Reconsideration of a Decision of the Wireline Competition Bureau by Sunesys, LLC (Montebello Unified School District), Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, 34 FCC Rcd 7766, 7768, para. 6 (WCB 2009) (granting an invoice deadline extension when the petitioner demonstrated extraordinary circumstances outside of its control and made good faith efforts to resolve the outstanding issue with its service provider). On remand, USAC should extend the invoice deadline by 120 days and work with Centralia Elementary School District to process the operational SPIN change needed to properly submit the invoices.

<sup>9</sup> See, e.g., *Request for Review and/or Waiver by Glendale Unified School District, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 21 FCC Rcd 1040 (WCB 2006); see also *Request for Waiver by Harvey Public Library District, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15419 (WCB 2008) (granting waiver requests when the applicants inadvertently listed the wrong service start date on their FCC Forms 486). Consistent with precedent, we also find good cause exists to waive section 54.720(a) or (b) of the Commission's rules, which requires that petitioners file their appeals within 60 days of a USAC decision or action. See *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by Barrow County School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 4028, 4029, para. 2 (WCB 2011) (*Barrow County Order*) (waiving the filing deadline for petitioners that filed an appeal within a reasonable period of time after receiving actual notice of the mistake).

<sup>10</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Abbotsford School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 15299, 15300, para. 2 (WCB 2012) (finding that the applicant filed their FCC Form 471 application beyond 14 days of the FCC Form 471 deadline due to delays beyond their control).

To the extent necessary, we also find good cause exists to waive section 54.720(a) and (b) of the Commission's rules, which requires that petitioners file their appeals within 60 days of a USAC decision or action. 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) (granting waivers of filing deadline for appeals because they submitted their appeals within a reasonable period of time after receiving actual notice of USAC's decision). 47 CFR § 54.720(a), (b).

Fullerton Public Library, CA, Application No. 211040290, Request for Waiver, CC Docket 02-6 (filed Apr. 6, 2021)

Kinnelon Borough School District, NJ, Application No. 201047581, Request for Waiver, CC Docket 02-6 (filed Oct. 30, 2020)

Lindenwold Borough School District, NJ, Application No. 211040262, Request for Waiver, CC Docket 02-6 (filed Apr. 1, 2021)

Maine School Admin District 33, ME, Application No. 211040264, Request for Waiver, CC Docket 02-6 (filed Apr. 1, 2021)

*Late-Filed FCC Form 471 Applications –Application Filed More than 30 Days Late*<sup>12</sup>

Kenston Forest School, VA, Application No. 211041161, Request for Waiver, CC Docket 02-6 (filed July 23, 2021)

Kenston Forest School, VA, Application No. 211041162, Request for Waiver, CC Docket 02-6 (filed July 23, 2021)

New Frontiers Public Schools, TX, Application No. 211040362, Request for Waiver, CC Docket 02-6 (filed Aug. 4, 2021)

*Ministerial and/or Clerical Errors*<sup>13</sup>

Catholic Schools of the Diocese of Salina, KS, Application No. 211007235, Request for Waiver and/or Review, CC Docket 02-6 (filed June 23, 2021)

Hamilton School District, WI, Application No. 211019886, Request for Waiver and/or Review,

(Continued from previous page) \_\_\_\_\_

<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) (finding special circumstances existed to justify granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days of the application filing window deadline).

<sup>12</sup> See *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Agri-Business Child Development et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 35 FCC Rcd 8278, 8280, para. 7 (WCB 2020) (*Agri-Business Child Development Order*) (finding good cause to waive the FCC Form 471 application filing window deadline for applicants impacted by the coronavirus (COVID-19) pandemic that requested a waiver of the filing deadline and submitted their applications within 60 days of the close of the filing window). Because the *Agri-Business Child Development Order* was released August 6, 2020 after the funding year 2020 window had closed, the Bureau also found good cause existed to waive the funding year 2020 FCC Form 471 application filing window deadline for those applicants filing their applications on or before that date, waiving the filing deadline for applications that were up to 99 days late. We extend this waiver standard to funding year 2021 applicants but emphasize that this additional relief applies only to this subset of applications and applicants should not expect the Commission to grant additional waivers absent a showing of extraordinary circumstances.

<sup>13</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, nn.5, 7, 8, 9, 16, 17, 19, 20 (WCB 2010) (granting a waiver where the applicant omitted entities, services, and items that were on its source list, mischaracterized its term or service, entered an incorrect FCC Form 470 number, incorrect service provider, and wrong date, or indicated the wrong service on its FCC Form 471).

CC Docket 02-6 (filed July 29, 2021)

Hardin School District, MT, Application No. 211017249, Request for Waiver and/or Review, CC Docket 02-6 (filed July 28, 2021)

HTH-Charter Management Organization, CA, Application No. 211000449, Request for Waiver and/or Review, CC Docket 02-6 (filed Jun. 29, 2021)

Jonesboro Independent School District, TX, Application No. 211009795, Request for Waiver and/or Review, CC Docket 02-6 (filed July 12, 2021)

Memphis Academy of Health Sciences, TN, Application No. 211029109, Request for Waiver and/or Review, CC Docket 02-6 (filed May 26, 2021, supplemented Aug. 6, 2021)

Regional Off of Ed Clark, IL, Application No. 191012086, Request for Waiver, CC Docket 02-6 (filed July 12, 2021)

St. Martin Elementary School, MO, Application No. 211009954, Request for Waiver and/or Review, CC Docket 02-6 (filed June 15, 2021)

Seaman Unified School Dist. 345, KS, Application No. 191017314, Request for Waiver and/or Review, CC Docket 02-6 (filed Feb. 10, 2020, supplemented July 23, 2021)

Southern Westchester BOCES, NY, Application Nos. 881531, 1000168, Request for Waiver and/or Review, CC Docket 02-6 (filed Nov. 21, 2017, supplemented Aug. 5, 2021)

Warren Township Schools, NJ, Application No. 201007627, 201045516, Request for Waiver and/or Review, CC Docket 02-6 (filed July 8, 2021)

*Untimely Filed Appeal or Waiver Requests*<sup>14</sup>

Kentucky Department of Education, KY, Application No. 161058891, Request for Waiver, CC Docket No. 02-6 (filed Mar. 4, 2020)

*Untimely Filed Appeal – Filed Within a Reasonable Period of Actual Notice*<sup>15</sup>

Estancia Municipal School District, NM, Application No. 161016899, Request for Waiver, CC Docket No. 02-6 (filed May 4, 2021)

*USAC Decision Issued After Invoice Deadline*<sup>16</sup>

---

<sup>14</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Savannah R-III School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd. 12053, n.30 (WCB 2008) (finding good cause to waive section 54.720 of the Commission's rules that establishes deadlines for affected parties to seek review of decisions issued by USAC because the issue on appeal before the Commission should have been resolved with USAC before the petitioner resorted to filing an appeal with the Commission). 47 CFR § 54.720. 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>15</sup> See, e.g., *Barrow County Order*, 26 FCC Rcd at 4029, para. 2 (waiving the filing deadline for petitioners that filed an appeal within a reasonable period of time after receiving actual notice of the mistake). We make no finding on the underlying issues in these appeals and remand these applications back to USAC for a determination on the merits. See *supra* note 7.

Colonial Heights Public School District, VA, Application No. 1048930, Request for Waiver, CC Docket No. 02-6 (filed Feb. 23, 2017)

### Denied

#### *Failure to File FCC Form 470 for Current Funding Year<sup>17</sup>*

United School District 7, ND, Application No. 211012222, Request for Waiver, CC Docket 02-6 (filed July 14, 2021)

United School District 7, ND, Application No. 211012422, Request for Waiver, CC Docket 02-6 (filed Aug. 6, 2021)

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

North Central Washington Libraries, WA, Application Nos. 171040202, 181024869, Request for Waiver, CC Docket No. 02-6 (filed Apr. 21, 2021)

South Holland School District 151, IL, Application No. 181041035, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2021)

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

Commonwealth Charter Academy, PA, Application Nos. 211041237, 211041236, 211041238, 211041234, Request for Waiver, CC Docket 02-6 (filed July 19, 2021)

(Continued from previous page) \_\_\_\_\_

<sup>16</sup> See *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Order, 35 FCC Rcd 14426, 14431, para. 15 (2020) (*Invoice Relief Order*) (authorizing the Bureau to grant a waiver in instances where a program participant was unable to timely submit an invoice because they were awaiting a post-commitment decision from USAC, or received a decision approving a post-commitment request or granting an appeal of a previously denied or reduced funding request after the invoice filing deadline had passed).

Colonial Heights Public School District filed for an operational SPIN change on February 23, 2017, prior to the invoice deadline of February 27, 2017. See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Warren Village School; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 237, 238, para. 2 (WCB 2011) (explaining that applicants may change service providers before the last day for submitting invoices). On remand, USAC should process the operational SPIN change request as timely filed.

<sup>17</sup> See, e.g., *Review of the Decision of the Universal Service Administrator by Aberdeen School District; School and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8757, 8763, para. 10 (2007) (denying appeal where applicant failed to file a new FCC Form 470 and solicit bids in the year for which it sought services, thereby circumventing the competitive bidding process).

<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 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) (denying requests for waiver of the FCC Form 471 application filing deadline where petitioners failed to present special circumstances justifying waiver of our rules).

Gary Public Library, IN, No Application Filed, Request for Waiver, CC Docket 02-6 (filed July 15, 2021)

Montgomery City County Public Library, AL, Application No. 211040414, Request for Waiver, CC Docket 02-6 (filed July 16, 2021)

Rampart Library District, CO, Application No. 211012300, Request for Waiver, CC Docket 02-6 (filed July 9, 2021)

Sandoval CUSD 501 School District, IL, Application No. 211041210, Request for Waiver, CC Docket 02-6 (filed July 13, 2021)

St. Andrew Catholic School, IL, Application No. 211006413, Request for Waiver, CC Docket 02-6 (filed July 7, 2021)

St. Pius V School, RI, Application No. 211041256, Request for Waiver, CC Docket 02-6 (filed July 23, 2021)

STAR Academy, TN, Application Nos. 211041245, 211041246, Request for Waiver, CC Docket 02-6 (filed July 20, 2021)

*Late-Filed FCC Form 486<sup>20</sup>*

Lapwai School District, ID, Application No. 191034725, Request for Waiver, CC Docket 02-6 (filed July 16, 2021)

*Relying on FCC Form 470 That Did Not Seek Bids on Types of E-rate Services Later Requested<sup>21</sup>*

Cadan Technologies (School District of Ladysmith), WI, Application No. 171042079, Request for Review, CC Docket No. 02-6 (filed Nov. 7, 2018)

Indianola Community School District, IA, Application No. 191036890, Request for Review, CC Docket No. 02-6 (filed Apr. 13, 2021)

School District of Belleville, WI, Application No. 201037056, Request for Review, CC Docket No. 02-6 (filed Apr. 12, 2021)

*Untimely Filed Appeals or Waiver Requests<sup>22</sup>*

---

<sup>20</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).

<sup>21</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).

AMIKids Bennettsville, SC, Application No. 161031058, Request for Waiver, CC Docket No. 02-6 (filed July 12, 2021)

Bellwood School District 88, IL, Application No. 201002784, Request for Waiver, CC Docket No. 02-6 (filed Mar. 1, 2021)

Perseus House Charter School of Excellence – Hamilton Center, PA, Application No. 161044569, Request for Waiver, CC Docket No. 02-6 (filed Mar. 22, 2017)

Perseus House Charter School of Excellence – Hamilton Center, PA, Application No. 161044569, Request for Waiver, CC Docket No. 02-6 (filed Apr. 13, 2017)

Vacaville Unified School District, CA, Application No. 191037665, Request for Waiver, CC Docket No. 02-6 (filed Mar. 2, 2021)

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

Granted

*Waiver of the Invoice Filing Deadline—Sua Sponte Waiver<sup>23</sup>*

Columbus Regional Health, IN, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 19967021

Preferred Family Healthcare Kirksville, MO, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 19934911

Heywood Healthcare, MA, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 18918071

Indiana Telehealth Network, IN, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 19554601

Integris Telehealth Network, OK, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 18899881

(Continued from previous page) \_\_\_\_\_

<sup>22</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 rule).

<sup>23</sup> See *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, 35 FCC Rcd 1986, 1994 (WCB 2020) (*Funding Year 2018 Invoice Waiver Order*); *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, 32 FCC Rcd 5065, 5065-66, paras. 2, 4 (WCB 2017) (*Funding Year 2016 Invoice Waiver Order*) (granting a waiver sua sponte of the invoice filing deadline when the deadline had already passed at the time that health care providers received USAC's decision, which made compliance with program rules impossible). We waive the petitioner's invoice filing deadline and allow it 180 days from the later of the release of this Public Notice or the issuance of a Funding Commitment Letter to file invoices with USAC.



Muscogee (Creek) Nation, OK, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 17875091

Northeast Missouri Family Health Clinic - Edina, MO, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 19896401

North Country Telemedicine Project, NY, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 19963411

Pampa Regional Medical Center, TX, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 19939311

Providence St. Joseph Health Consortium, WA, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 17965511

Rural Wisconsin Health Cooperative Itn, WI, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 17420611

The Cleveland Clinic Foundation Consortium, OH, Sua Sponte Waiver, Docket No. 02-60, Funding Request No. 18916241

*Waiver of the Service Delivery Deadline*<sup>24</sup>

Brazos Valley Council of Governments, TX, Petition for Reconsideration, WC Docket No. 02-60, Funding Request No. 16819841 (filed Apr. 29, 2020)

**Connect America Fund**

**WC Docket Nos. 10-90, 05-337, CC Docket No. 96-45**

**Granted**

*Late Annual State Filing Certification Waiver Request*<sup>25</sup>

---

<sup>24</sup> *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, 35 FCC Rcd 5400, 5402-03 (WCB 2020) (waiving provisions of the Rural Health Care Program rules following natural disasters that precluded the petitioners from meeting Program deadlines); *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 32 FCC Rcd 7456 (WCB 2017) (waiving the service implementation deadline for Funding Year (FY) 2016 E-Rate Program participants in areas affected by Hurricanes Harvey, Irma, and Maria) (*Hurricanes Harvey, Irma, and Maria Order*). The Petitioner maintains that damage caused by Hurricane Harvey made its ability to meet the service delivery deadline for FY 2016 funding request number (FRN) 16819841 impossible due to material shortages in its region. We find that the equipment shortages and long-term impacts of Hurricane Harvey warrant a waiver of the service delivery deadline because Hurricane Harvey damaged portions of the Petitioner's network and the state-wide repair efforts following the Hurricane led to acute material shortages, delaying repairs to the damaged network portions and progress on the project. We grant this petition for reconsideration of the service delivery deadline for FRN 16819841 and extend the service delivery deadline to July 31, 2019 as requested. See Petition for Reconsideration of Brazos Valley Council of Governments, WC Docket No. 02-60, at 4-5 (filed Apr. 29, 2020). In the *March 2020 Streamlined Request Resolution Public Notice*, we granted a request to extend the Petitioner's invoice filing deadline. *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, WC Docket No. 02-60, CC Docket No. 02-6, Public Notice, 35 FCC Rcd 2908, 2911, n. 12 (WCB 2020) (*March 2020 Streamlined Request Resolution PN*). The invoice filing deadline, as extended, lapsed on September 27, 2020. In light of the service delivery deadline extension granted herein, the invoice filing deadline must be extended to allow the Petitioner to file any invoices resulting from the service delivery deadline extension. We thus extend the invoice filing deadline and permit the Petitioner to submit any outstanding invoices within 180 days of the release of this Public Notice for equipment committed under FRN 16819841.

Petition of Viasat Carrier Services, Inc. for Limited Waiver of 47 CFR § 54.314(d), WC Docket Nos. 10-90, 05-337, CC Docket No. 96-45 (filed July 23, 2021)

### **Contribution Methodology**

#### **WC Docket No. 06-122**

#### **Granted**

*Request for Waiver of Form 499-Q Revision Deadline Due to Coronavirus (COVID-19)*<sup>26</sup>

Zip Conferencing, Inc., Request for Waiver of 45-Day Downward Revision Deadline for FCC Forms 499-Q, WC Docket No. 06-122 (filed Aug. 5, 2021)

#### **Denied**

*Request for Waiver of Form 499-A Filing Deadline*<sup>27</sup>

M2nGage Telecommunications II Corp., Request for Review of a Decision of USAC, or in the alternative, Request for Waiver of Filing Deadline, WC Docket No. 06-122 (filed July 16, 2021)

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](mailto:james.bachtell@fcc.gov) or (202) 418-2694.

(Continued from previous page) \_\_\_\_\_

<sup>25</sup> See, e.g., *Streamline Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6 et al., Public Notice, 33 FCC Rcd 7401 (WCB 2018) (granting a petition for waiver when a missed filing deadline was due to the state commission omitting the petitioner from its certification); *Petition for Waiver of Universal Serv. High-Cost Filing Deadline, Fed.-State Joint Bd. on Universal Serv., CTC Telecom, Inc. d/b/a Snake River PCS Petition for Waiver of Deadline in 47 C.F.R. § 54.314(d)(6)*, WC Docket No. 08-71, 25 FCC Rcd 7242, 7244, para. 5 (WCB 2010) (granting a petition for waiver when a missed filing deadline was due to state commission action, as opposed to actions of the carrier).

<sup>26</sup> See, e.g., *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company, Requests for Waiver of Filing Deadline Due to Coronavirus (COVID-19)*, WC Docket No. 06-122, et al., Public Notice, DA 20-1129 (WCB Sept. 30, 2020); *Schools and Libraries Universal Support Mechanism et al.*, CC Docket No. 02-6, WC Docket No. 02-60, WC Docket No. 11-42, WC Docket No. 06-122, Order, 32 FCC Rcd 7456, 7461-63, para. 18 (WCB 2017) (extending Form 499-Q filing deadline to allow USAC to recalculate the contribution obligations for providers affected by hurricanes).

<sup>27</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) (finding that good cause was not shown when filer claimed it did not have skilled personnel to interpret and correctly apply FCC Form 499 instructions).

- FCC -