

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Requests for Review and/or Waiver of)	
Decisions of the)	
Universal Service Administrator by)	
)	
Corporation For Education Network)	File No. SLD-211024120
Initiatives in California (CENIC))	
)	
East Meadow Union Free School District)	File No. SLD-161031033
Westbury, New York)	
)	
North Shore Central School District)	File No. SLD-161022455
Sea Cliff, New York)	
)	
Prairie-Hills School District 144)	File No. SLD-231037195
Markham, Illinois)	
)	
Sharyland Independent School District)	File No. SLD-211035860
Mission, Texas)	
)	
South Huntington Union Free School District)	File No. SLD-161039039
Huntington Station, New York)	
)	
Valley Stream Union Free School District 13)	File No. SLD-161055175
Valley Stream, New York)	
)	
Westbury Union Free School District)	File No. SLD-161027066
Westbury, New York)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: February 17, 2026

Released: February 17, 2026

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this Order, we grant appeals of decisions by the Universal Service Administrative Company (USAC) from E-Rate program participants whose requests for reimbursement were treated as being late-filed even though they were submitted before the USAC-generated invoice filing deadline.¹ In

¹ See Letter from Cathy Benham and Karen Worobieff, on behalf of Corporation For Education Network Initiatives (CENIC) in California, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed May 19, 2025), <https://www.fcc.gov/ecfs/search/search-filings/filing/10519067297710> (CENIC Appeal); Letter from Winston E. Himsworth, on behalf of East Meadow Union Free School District et al., to Office of the Secretary, (continued....)

each case, USAC denied the requests for reimbursement as being submitted after the invoice filing deadline despite USAC's own system and public-facing tools indicating that the deadline had not yet passed. The Commission has previously granted waivers in instances where E-Rate applicants and service providers were denied funding after reasonably relying on a USAC tool or system notification that provided misinformation. For the reasons discussed below, we grant these appeals and waive section 54.514(a) of the Commission's rules for these funding requests.

II. BACKGROUND

2. *Invoicing.* E-Rate applicants select one of two ways to seek reimbursement of the costs of eligible E-Rate equipment and services.² If an applicant pays the full cost of the equipment and services upfront, then the applicant must submit an FCC Form 472, the Billed Entity Applicant Reimbursement (BEAR) form, to request reimbursement for the discounted share of the costs from USAC.³ If an applicant only pays its service provider the non-discounted share of the cost of the eligible equipment and services, then the service provider must file an FCC Form 474, the Service Provider Invoice (SPI) form, to receive reimbursement of the discounted share of the costs directly from USAC.⁴ In 2014, the Commission adopted a new rule requiring applicants and service providers to submit requests for reimbursement to USAC no later than 120 days after the last day to receive service or 120 days after the date of the FCC Form 486 Notification letter, whichever date is later.⁵ The Commission's rules also allow an applicant or a service provider to receive a one-time 120-day extension of the invoice filing deadline for any reason, if the applicant or service provider requests the extension before the applicable invoice filing deadline.⁶ By providing the one-time extension of the invoice filing deadline, the

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Federal Communications Commission, CC Docket No. 02-6 (filed Feb. 2, 2018), <https://www.fcc.gov/ecfs/search/search-filings/filing/10222346906896> (East Meadow Union Free School District et al. Appeal); Letter from Daniel Lamas, on behalf of Prairie-Hills School District 144, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Aug. 21, 2025), <https://www.fcc.gov/ecfs/search/search-filings/filing/108210529003330> (Prairie-Hills School District 144 Appeal); Referral Letter from USAC, on behalf of Sharyland Independent School District, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Jan. 6, 2025), <https://www.fcc.gov/ecfs/search/search-filings/filing/1010652989234> (Sharyland Independent School District Appeal); and Supplemental Letter from Carol Simpson, on behalf of Sharyland Independent School District, to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Jan. 6, 2025), <https://www.fcc.gov/ecfs/search/search-filings/filing/10613227654112> (Sharyland Independent School District Supplemental Appeal). In this order, we use the term "appeals" to generally refer to requests for review of decisions issued by USAC. Section 54.719(c) of our rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 CFR § 54.719(c).

² 47 CFR § 54.514(c).

³ USAC Invoicing: FCC Form 472 Filing, <https://www.usac.org/e-rate/applicant-process/invoicing/fcc-form-472-filing/> (last visited Feb. 17, 2026).

⁴ Service Provider Process – Step 5: Invoice USAC, <https://www.usac.org/e-rate/service-providers/step-5-invoicing/> (last visited Feb. 17, 2026).

⁵ 47 CFR § 54.514(a) (2014); *Modernizing the E-Rate Program for Schools and Libraries*, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8965-66, paras. 238-39 (2014) (*First 2014 E-Rate Order*). In December 2020, the Commission amended section 54.514(a) of its rules and provided applicants and service providers 120 days after the date of Revised Funding Commitment Decision Letter approving a post-commitment request made by the applicant or service provider or successful appeal of a previously denied or reduced funding request to submit their requests for reimbursement. *See Modernizing the E-Rate Program for Schools and Libraries*, WC Docket No. 13-184, Order, 35 FCC Rcd 14426, 14429, para. 10 (2020) (*2020 E-Rate Invoice Rule Modification Order*).

⁶ 47 CFR § 54.514(b).

Commission further explained that USAC should not grant any other invoicing deadline extension.⁷ The Commission also stated “it is generally not be in the public interest to waive our invoicing rules and therefore the [Wireline Competition Bureau (Bureau)] should grant waivers of those rules in extraordinary circumstances.”⁸

3. USAC’s system extends the invoice filing deadline in certain circumstances. As noted above, USAC provides an automatic 120-day invoice deadline extension for applicants and service providers that request one timely.⁹ Also, all E-Rate applicants and service providers receive an extra 120 days to submit invoices for payment after USAC issues a Revised Funding Commitment Decision Letter approving a post-commitment request or granting an appeal of a previously denied or reduced funding request.¹⁰ Because every funding request receives an individual deadline, thousands of invoice filing deadlines are created. In funding year 2022, for instance, USAC created invoice filing deadlines for more than 110,000 funding requests.¹¹ Of these, E-Rate applicants and service providers submitted more than 273,000 invoices to USAC with 176 distinct invoice filing deadlines, ranging from October 30, 2023 to January 28, 2027.¹² USAC communicates invoice filing deadlines to applicants and service providers in different ways, including through the E-Rate Productivity Center (EPC) system, public-facing tools, and in revised funding commitment decision letters (RFCDL) for approved post-commitment changes and appeals.¹³

4. *Limited Relief for Relying on USAC.* The Commission has occasionally granted waivers when E-Rate applicants and service providers reasonably relied on USAC misinformation to their detriment. In 2018, the Commission granted a waiver of its rules in the *Pribilof School District Order* when an inaccurate response was generated by USAC’s electronic filing system, EPC, leading the school district to reasonably believe its FCC Form 471 application would be considered for funding by USAC despite being filed late.¹⁴ Because the notification reasonably appeared to be legitimate, and given

⁷ *First 2014 E-Rate Order*, 29 FCC Rcd at 8966, para. 240.

⁸ *Id.*

⁹ *Supra* para. 2.

¹⁰ 47 CFR § 54.514(a); *Modernizing the E-Rate Program for Schools and Libraries*, FCC 20-178, *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 35 FCC Rcd 14426, 14429-30, para. 11 (2020) (*2020 Post-Commitment Invoice Deadline Extension Order*). Only certain post-commitment changes result in invoice deadline extensions. For instance, an applicant receiving a revised funding commitment decision letter (RFCDL) after requesting a reduction in funding through an FCC Form 500 will not receive additional time to invoice, even if the RFCDL arrives on or after the current invoice deadline.

¹¹ USAC Open Data E-Rate Request for Discount on Services: FRN Status (FCC Form 471 and Related Information) Tool for Funding Year 2022.

¹² USAC Open Data E-Rate Invoices and Authorized Disbursements (FCC Forms 472 and 474) Tool for Funding Year 2022.

¹³ See, e.g., USAC Open Data E-Rate Invoices and Authorized Disbursements (FCC Forms 472 and 474) Tool for Funding Year 2022; USAC Open Data E-Rate Request for Discount on Services: FRN Status (FCC Form 471 and Related Information) Tool for Funding Year 2022; EPC Navigation Reference Guide (providing details about where to complete the steps for invoicing and where to find invoice-related information), <https://www.usac.org/wp-content/uploads/e-rate/documents/invoicing/e-rate-epc-navigation-reference-guide.pdf> (last visited Feb. 17, 2026).

¹⁴ *Application for Review of a Decision by the Wireline Competition Bureau by Pribilof School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 33 FCC Rcd 8378, 8381, para. 9 (2018) (*Pribilof School District Order*) (granting a waiver of the deadline to file a request for waiver with the Commission and the deadline to file an FCC Form 471 where the applicant reasonably believed that its late-filed funding year 2016 FCC Form 471 application would be considered for funding based on the response generated by

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complications arising from the rollout of EPC, the Commission said it could not fault the school district for relying on what appeared to be a formal acceptance notification it received through EPC from USAC regarding its specific funding application.¹⁵ Similarly, in the *All Hallows Institute School Order*, applicants relied on a USAC tool that incorrectly indicated that entities were eligible for internal connections funding when, in fact, they were not.¹⁶ The Bureau noted that a waiver was warranted where reliance on “inaccurate official system-generated information” leads an applicant to rely on erroneous information to its detriment.¹⁷ As discussed further below, the petitioners similarly relied on incorrect information in USAC’s system and tools to their detriment.

5. *Corporation For Education Network Initiatives in California (CENIC)*. During funding year (FY) 2021, USAC made post-commitment updates to CENIC’s application.¹⁸ While making these updates, USAC’s system inadvertently extended the invoice deadline from February 27, 2023 to March 21, 2023.¹⁹ The service provider, relying on the invoice filing deadlines reported in USAC’s system, submitted its request for reimbursement to USAC on March 17, 2023.²⁰ Although USAC approved payment for the March 17, 2023 reimbursement request, on January 17, 2025, USAC issued a recovery letter to both the applicant and service provider after finding that “the Invoice Deadline Date was inadvertently extended ... to [March 21, 2023].”²¹ USAC said it was changing the invoice filing deadline back to February 27, 2023, and was seeking \$25,306 in repayment because the March 17, 2023 request for reimbursement was submitted after this deadline.²² CENIC and its service provider filed appeals with USAC, both of which were denied.²³ CENIC then filed the instant appeal with the Commission.²⁴

6. *New York State School Districts*. A consultant for five New York state school districts applying for E-Rate funding in FY 2016 erroneously classified the services on the applications as one-time charges (billed once each year) instead of recurring charges (billed 12 times each year).²⁵ During a review of the applications, USAC recognized the mistake and modified the charges from “non-recurring” to “recurring.”²⁶ Because of this reclassification, USAC’s system inadvertently extended the invoice

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USAC through EPC and considering the novelty of having a second filing window and the technical difficulties associated with the initial rollout of EPC).

¹⁵ *Id.*

¹⁶ See *Requests for Review and Waiver of Decisions of the Universal Service Administrator by All Hallows Institute School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 35 FCC Rcd 12738, 12740, para. 4 (WCB 2020) (*All Hallows Institute School Order*).

¹⁷ *Id.* at para. 6.

¹⁸ CENIC Appeal at 3.

¹⁹ CENIC Appeal at 3; USAC Open Data E-Rate Invoices and Authorized Disbursements (FCC Forms 472 and 474) Tool for Application Number 211024120, https://opendata.usac.org/E-Rate/E-Rate-Invoices-and-Authorized-Disbursements-FCC-F/jpiu-tj8h/data_preview (last visited Feb. 17, 2026).

²⁰ *Id.*

²¹ CENIC Appeal at 2-3; Recovery of Improperly Disbursed Funds Letters issued January 17, 2025.

²² *Id.*

²³ CENIC Appeal at 3.

²⁴ CENIC Appeal.

²⁵ Union Free School District et al. Appeal at 2.

²⁶ *Id.*

deadline from October 30, 2017 to January 29, 2018.²⁷ On November 16, 2017, the service provider for South Huntington Union Free School District filed a request for reimbursement.²⁸ In addition, the consultant for East Meadow Union Free School District, North Shore Central School District, and Valley Stream Union Free School District 13 filed requests for reimbursement on January 24 and 25, 2018, relying on the January 29, 2018 invoice filing deadline in EPC.²⁹ The consultant notified USAC that the external tools used January 29, 2018 as the invoice filing deadline.³⁰ Based on this notification, on February 10, 2018, USAC reset the invoice filing deadline to the original deadline of October 30, 2017 and denied the requests for reimbursement and extension request as late-filed.³¹ The consultant filed a waiver of the invoice filing deadline rule with the Commission on behalf of the five school districts.³²

7. *Prairie-Hills School District 144.* On February 18, 2025, the consultant for Prairie-Hills School District 144 filed an FCC Form 500 seeking to reduce the funding commitment amount for a FY 2023 request.³³ USAC approved the change on February 25, 2025—the invoice filing deadline for Prairie-Hills School District 144’s funding requests—and extended the invoice filing deadline from February 25, 2025 to June 25, 2025.³⁴ On May 21, 2025, the consultant for Prairie-Hills School District 144 sought another funding reduction with an FCC Form 500.³⁵ On June 3, 2025, the school submitted a request for reimbursement before the June 25, 2025 invoice filing deadline, but it was rejected by USAC.³⁶ Prairie-Hills School District 144 filed an appeal to USAC which was denied.³⁷ In the August 12, 2025 appeal denial decision, USAC explained the request for reimbursement was rejected because its internal system incorrectly extended the invoice filing deadline beyond the original deadline of February 25, 2025.³⁸ Because the request for reimbursement was submitted on June 3, 2025, it was not timely.³⁹

²⁷ *Id.*

²⁸ See USAC Open Data E-Rate Invoices and Authorized Disbursements (FCC Forms 472 and 474) Tool for Funding Request Number 1699085555, https://opendata.usac.org/E-Rate/E-Rate-Invoices-and-Authorized-Disbursements-FCC-F/jpiu-tj8h/data_preview (last visited Feb. 17, 2026).

²⁹ Union Free School District et al. Appeal at 2. Westbury Union Free School District did not file a request for reimbursement, and instead filed a request to extend the invoice filing deadline that was denied as late-filed.

³⁰ *Id.* at 3.

³¹ *Id.*

³² Union Free School District et al. Appeal.

³³ Prairie-Hills School District 144 FCC Form 500 for funding request number 2399055146, created Feb. 18, 2025.

³⁴ Revised Funding Commitment Decision Letter to Prairie-Hills School District 144 for funding request number 2399055146, issued Feb. 25, 2025. Note that this extension was unwarranted because USAC does not extend the invoice deadline for applicants seeking a reduction in funding through the FCC Form 500 process. See *supra* note 9.

³⁵ Prairie-Hills School District 144 FCC Form 500 for funding request number 2399055146, created May 21, 2025. This request was approved by USAC. See Revised Funding Commitment Decision Letter to Prairie-Hills School District 144 for funding request number 2399055146, issued June 3, 2025. USAC’s approval of the reduced commitment change request inadvertently extended the invoice filing deadline from June 25, 2025 to October 1, 2025. *Id.*

³⁶ FCC Form 472 (BEAR) Notification Letter to Prairie-Hills School District 144 for funding request number 2399055146, dated July 28, 2025.

³⁷ USAC Appeal from Prairie-Hills School District 144 for funding request number 2399055146, dated July 28, 2025; Revised Funding Commitment Decision Letter to Prairie-Hills School District 144 for funding request number 2399055146, issued Aug. 12, 2025.

³⁸ *Id.*

³⁹ *Id.*

Prairie-Hills School District 144 filed the instant waiver request with the Commission.⁴⁰

8. *Sharyland Independent School District*. On April 25, 2024, before the May 28, 2024 invoice filing deadline, Sharyland Independent School District filed an FCC Form 500 with USAC requesting an extension of the contract expiration date from September 30, 2023 until June 30, 2024 to ensure that its service provider had sufficient time to submit all invoices for the work.⁴¹ USAC dismissed the request on April 30, 2024 because the service delivery deadline had already passed.⁴² Despite this dismissal, however, on May 2, 2024, USAC changed the contract expiration date in its system and changed the last day to invoice from May 28, 2024 to August 28, 2024.⁴³ Relying on the updated invoice filing deadline, the service provider submitted a request for reimbursement on June 4, 2024 for \$114,219.⁴⁴ Even though USAC changed the last date to invoice in its system back to May 28, 2024, a few days later, it paid the request for reimbursement on Aug. 2, 2024.⁴⁵ On October 4, 2024, USAC issued a recovery of improperly disbursed funds (RIDF) letter rescinding the funding it had disbursed on August 2, 2024, on the ground that the request for reimbursement had been submitted after the original May 28, 2024 invoicing deadline.⁴⁶ Sharyland Independent School District filed an appeal with USAC, which was transmitted by USAC directly to the Commission because it was a waiver request, and later supplemented that request with another filing.⁴⁷

III. DISCUSSION

9. We find that the petitioners have demonstrated extraordinary circumstances that warrant a waiver of section 54.514(a) of the Commission's rules. Generally, waiver of the Commission's rules is appropriate if special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.⁴⁸ However, as noted above, in codifying the invoice filing deadline rules in 2014, the Commission determined that waivers of the invoicing rules were generally not in the public interest and that the Bureau should grant waivers of the invoicing rules only in extraordinary circumstances.⁴⁹

10. We have held that those filing requests for reimbursement are responsible for knowing and following our rules and for submitting their E-Rate filings in a timely manner, even when

⁴⁰ Prairie-Hills School District 144 Appeal.

⁴¹ Sharyland Independent School District Supplemental Appeal at 1-2; Sharyland Independent School District FCC Form 500 for funding request number 2199055879, created April 25, 2024.

⁴² Revised Funding Commitment Decision Letter to Sharyland Independent School District for funding request number 2199055879, issued Apr. 30, 2024.

⁴³ Sharyland Independent School District Supplemental Appeal at 2; Revised Funding Commitment Decision Letter to Sharyland Independent School District for funding request number 2199055879, issued Apr. 30, 2024.

⁴⁴ Sharyland Independent School District Supplemental Appeal at 2; USAC Open Data E-Rate Invoices and Authorized Disbursements (FCC Forms 472 and 474) Tool for Funding Request Number 2199055879, https://opendata.usac.org/E-Rate/E-Rate-Invoices-and-Authorized-Disbursements-FCC-F/jpiu-tj8h/data_preview (last visited Feb. 17, 2026).

⁴⁵ *Id.*

⁴⁶ Recovery of Improperly Disbursed Funds Letter to Sharyland Independent School District for funding request number 2199055879, issued Oct. 4, 2024.

⁴⁷ See Sharyland Independent School District Appeal; Sharyland Independent School District Supplemental Appeal.

⁴⁸ Generally, the Commission's rules may be waived if good cause is shown. 47 CFR § 1.3. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

⁴⁹ See *supra* para. 2.

given allegedly incorrect advice from USAC employees.⁵⁰ At the same time, we have granted waivers to applicants that were unable to file their request for reimbursement forms or an extension request before the invoice filing deadline due to circumstances outside of their control.⁵¹ The Commission has also granted invoice filing deadline waivers when USAC system issues made it difficult or impossible to invoice because E-Rate applicants and service providers were waiting for the issuance of post-commitment revised funding commitment decision letters.⁵²

11. The facts presented to us demonstrate that there were circumstances outside of the control of the petitioners that are distinguishable from prior invoice filing deadline-related waiver requests that we have denied. We find that the petitioners reasonably relied on USAC's system and invoice deadline tools as the deadline for submitting their requests for reimbursement. Because of the fluid nature of invoice filing deadlines and the sheer volume of requests for reimbursement that are submitted each funding year, E-Rate applicants and service providers often rely on USAC's system and tools to determine these deadlines. Importantly, in each case, we find that the petitioners had timely filed their requests for reimbursement or request for extension based on the invoice filing deadline provided in USAC's system or tools. As in the *Pribilof School District Order* and the *All Hallows Institute School Order*, the petitioners here relied on misinformation created by the USAC system and tools that unnecessarily led to the procedural denial of the requests for reimbursement and requests for extension that were timely filed based on the incorrect invoice filing deadlines generated by USAC.⁵³

12. Consistent with our prior decisions involving reliance on misinformation from USAC's system or data tools, we find a deviation from the general rule will serve the public interest here. Of particular note, we find there is no evidence of waste, fraud, or abuse by petitioners.⁵⁴ While we are granting relief under the very limited circumstances we have described, we remind E-Rate program applicants and service providers that they are responsible for complying with program rules and procedures and should familiarize themselves with any applicable regulations so that they can ensure full compliance with E-Rate program rules, including the invoice filing deadlines. We remand the underlying requests to USAC for further action consistent with this Order.

⁵⁰ *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, 3837, para. 10 (WCB 2016) (*Ada School District Order*) (denying waiver requests for invoice filing deadline from petitioners who failed to seek an extension before the invoice filing deadline and did not demonstrate extraordinary circumstances to justify waiving the Commission's rules).

⁵¹ *See 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, DA 17-256 (WCB Mar. 16, 2017) (granting a waiver for applicants that were unable to file the BEAR form while waiting for USAC to provide an FCC Form 498 ID or personal identification number (PIN) at the time of the invoice filing deadline due to the one-time influx in requests in the fall of 2016); *Petition for Reconsideration of a Decision of the Wireline Competition Bureau by Sunesys*, CC Docket 02-6, Order, 34 FCC RCD 7766 (2019) (granting an invoice filing deadline extension when a service provider demonstrated extraordinary circumstances outside of its control because of a billing system issue resulting from a merger).

⁵² *Modernizing the E-Rate Program for Schools and Libraries*, WC Docket No. 13-184, Order, 35 FCC Rcd 14426, 14429, para. 10 (WCB 2020) (*2020 E-Rate Invoice Rule Modification Order*) (granting a limited waiver to affected program participants that were unable to submit invoices because they were awaiting decisions held up due to USAC system issues); *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 33 FCC Rcd 2042 (WCB 2018) (*2018 Invoicing Relief Order*) (finding that granting a limited waiver is appropriate where the affected program participants timely requested and received a single 120-day extension, but were unable to submit their invoices within that extended time period solely because of USAC system issues).

⁵³ *See supra* paras. 5-8.

⁵⁴ *See supra* para. 4.

IV. ORDERING CLAUSES

13. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 CFR §§ 0.91, 0.291, and 1.3, that section 54.514(a) is WAIVED to the extent provided herein.

FEDERAL COMMUNICATIONS COMMISSION

Joseph S. Calascione
Chief
Wireline Competition Bureau