



PUBLIC NOTICE

Federal Communications Commission
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Washington, DC 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>

DA 24-973

Released: October 1, 2024

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

CC Docket No. 02-6
WC Docket No. 21-93
WC Docket No. 02-60
WC Docket No. 06-122

Pursuant to our procedure for resolving requests for review, requests for waiver, and petitions for reconsideration of decisions related to actions taken by the Universal Service Administrative Company (USAC) that are consistent with precedent (collectively, Requests), the Wireline Competition Bureau (Bureau) grants, dismisses, or denies the following Requests.¹ 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.²

Schools and Libraries (E-Rate)

CC Docket No. 02-6

Dismissed on Reconsideration³

¹ 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). Sections 54.719(b) and 54.1718(a)(2) of the Commission's rules provide 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. Sections 54.719(c) and 54.1718(a)(3) of the Commission's rules provide that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. 47 CFR §§ 54.719(c), 54.1718(a)(3). In this Public Notice, we have reclassified as Requests for Waiver any 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 any appeals seeking a waiver of the Commission's rules but that are, in fact, seeking review of a USAC decision.

² 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).

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

The Learning Community Charter School did not raise any arguments in its initial waiver for why its FCC Form 471 was filed out of window. On reconsideration, it now raises the argument that staff shortages and a high turnover rate contributed to the late filing of its application because the personnel assigned to the filing were inexperienced with

(continued...)

Department of Management Services, FL, Application No. 241039932, Petition for Reconsideration, CC Docket No. 02-6 (filed Aug. 1, 2024)

Earlimart Elementary School District, CA, Application No. 241040174, Petition for Reconsideration, CC Docket No. 02-6 (filed July 30, 2024)

O'Fallon Public Library, IL, Application No. 241003717, Petition for Reconsideration, CC Docket No. 02-6 (filed Aug. 31, 2024)

The Learning Community Charter School, RI, Application No. 241040213, Petition for Reconsideration, CC Docket No. 02-6 (filed Aug. 26, 2024)

Warren Township Schools, NJ, Application No. 221010538, Petition for Reconsideration, CC Docket No. 02-6 (filed Mar. 28, 2024)

Dismissed to Allow Appeal to be Filed with USAC⁴

Our Lady of Perpetual Help in Glendale, AZ, Application No. 241006552, Request for Review, CC Docket No. 02-6 (filed July 30, 2024)

Granted⁵

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the E-Rate program. Our rules state that a petition for reconsideration will be entertained only if the petition relies on facts or arguments that have changed or were unknown to the petitioner when it previously filed at the Commission. Because the Petitioner was aware of these personnel issues when it first filed its waiver request with the Commission, we dismiss the petition because it relies on a known fact that should have been raised earlier. See 47 CFR § 1.106(b)(2), (c)(2) (stating that a petition for reconsideration will be entertained only if the petition relies on facts or arguments that have changed or were unknown to the petitioner when it previously filed at the Commission, unless it is required in the public interest). As an alternative and independent basis for rejecting this petition, we also deny the petition on the merits. The Commission has held that neither employee error nor staffing changes relieves applicants of their responsibility to understand and comply with the program requirements for meeting application deadlines. See, e.g., *Request for Waiver by Duncan Public Library, 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, 17 FCC Rcd 22430, 22431, para. 3 (WCB 2003) (*Duncan Public Library*).

⁴ See *Petitions for Reconsideration by Little Falls Township School District et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, DA 23-110, para. 10 (WCB 2023) (*Little Falls Township Order*) (dismissing without prejudice appeals that are filed with the Commission before being reviewed at USAC and waiving the 60-day appeal filing deadline to allow the party to refile its appeal at USAC and have it considered on the merits).

Parties seeking review of USAC decisions must first file an appeal with USAC. See 47 CFR § 54.719(a). Because the petitioner filed its appeal with the Commission first, we now provide Our Lady Of Perpetual Help In Glendale 60 days from the release date of this Public Notice to refile its appeal at USAC. Pursuant to the *Little Falls Township Order*, we also waive the 60-day appeal filing deadline, 47 CFR § 54.720(a), to allow the appeal to be considered on the merits by USAC without being considered late. See *Little Falls Township Order* at para. 10. Appeals for funding year 2016 and forward should be filed in the E-Rate Productivity Center portal, found here: [EPC](#). Appeals from funding year 2015 and prior funding years should be filed by email to Appeals@usac.org.

⁵ We remand these applications to USAC and direct USAC to complete its review of the applications and issue a funding decision 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 equipment/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 rule).

*Discount Calculation*⁶

Bet Yaakov of the Jersey Shore, NJ, Application No. 221033637, Request for Waiver, CC Docket No. 02-6 (filed July 31, 2024)

Pendleton School District, OR, Application No. 241010167, Request for Waiver, CC Docket No. 02-6 (filed Aug. 8, 2024)

Torah Academy of Minneapolis, MN, Application Nos. 241036794, 241036822, Request for Waiver, CC Docket No. 02-6 (filed July 10, 2024)

*Granting Additional Time to Respond to USAC with Information*⁷

Tomer Dvora School, NJ, Application No. 231036524, Request for Review, CC Docket No. 02-6 (filed Apr. 15, 2024, supplemented May 30, 2024)

Torat Hayim Hebrew Academy, CA, Application No. 181005916, Request for Review, CC Docket No. 02-6 (filed Apr. 19, 2024)

Yeshivat Shaare Torah, NY, Application Nos. 1048376, 1048380, Request for Waiver, CC Docket No. 02-6 (filed May 16, 2024)

*Granting Additional Time to Respond to USAC with Information During Invoicing*⁸

Cal-Ore Communications, Inc. (CENIC-Corporation for Education Network Initiatives in California), CA, Application No. 221024832, Request for Waiver, CC Docket No. 02-6 (filed Aug. 14, 2024)

Family Christian Association of America, FL, Application No. 211006482, Request for Review, CC Docket No. 02-6 (filed Feb. 13, 2024)

⁶ 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) (*Academia Claret Order*) (allowing the submission of discount calculation information when the applicant was previously unable to fully comply with the document request within USAC's permitted time period).

Consistent with precedent, we also waive the appeal filing deadline for Pendleton School District. See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by ABC Unified School District*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, para. 2 (WCB 2011) (*ABC Unified School District Order*) (waiving the appeal filing deadline when the petitioners submitted their appeals or waiver requests only a few days late or within a reasonable period of time after receiving actual notice of USAC's adverse decision).

⁷ *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) (*Alpaugh Unified School Order*); *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) (*Ben Gamla Palm Beach Order*) (granting applicants' requests for review where they were denied funding because they failed to respond to USAC's request for information within the USAC-specified time frame).

⁸ *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by Accomack County Public School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, DA 23-48, para. 14 (WCB Jan. 19, 2023) (*Accomack County Public School Order*) (granting requests for review of applicants that had been denied funding during invoicing because they failed to respond to USAC's request for information within the USAC-specified time frame).

Logan School for Creative Learning, CO, Application No. 211036570, Request for Review, CC Docket No. 02-6 (filed May 6, 2024)

Salam School, WI, Application Nos. 221029962, 221029969, Request for Waiver, CC Docket No. 02-6 (filed June 7, 2024)

*Granting on Reconsideration – FCC Form 471 Filed More than 30 Days Late Due to Serious Illness*⁹

St. Patrick’s Catholic School, IA, Application No. 241040206, Petition for Reconsideration, CC Docket No. 02-6 (filed June 10, 2024)

*Granting on Reconsideration – Untimely Filed Appeal*¹⁰

West Central Area ISD 2342, MN, Application Nos. 241039442, 241039449, Petition for Reconsideration, CC Docket No. 02-6 (filed Sept. 10, 2024)

*Late-Filed FCC Form 471 Applications – Application Filed Late Within Reasonable Period Despite School Reorganization*¹¹

DeKalb Community Unit School District 428, IL, Application No. 241040171, Request for Waiver, CC Docket No. 02-6 (filed July 10, 2024)

*Late-Filed FCC Form 486*¹²

⁹ See, e.g., *Petitions for Reconsideration by Callisburg Independent School District; School and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 28 FCC Rcd 9459, 9461, para. 5 (WCB 2013) (*Callisburg Independent School District Order*) (granting petition for reconsideration where, upon reconsideration of the record, we do not find that the evidence supports our prior decision); *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Archdiocese of San Antonio et al.; Schools and Libraries Universal Service Support Mechanism, Establishing Emergency Connectivity Fund to Close the Homework Gap*, CC Docket No. 02-6, WC Docket No. 21-93, Order, 37 FCC Rcd 4879, 4882-83, paras. 7-8 (2022) (*Archdiocese of San Antonio Order*) (granting waiver requests for applications filed more than 30 days after the close of the filing window due to serious medical conditions).

In addition to the main E-Rate staff person at St. Patrick’s Catholic School experiencing complications from giving birth, the community and school staff members were dealing with the aftermath of a deadly shooting at the local high school.

¹⁰ See, e.g., *Callisburg Independent School District Order*, 28 FCC Rcd at 9459, 9461, para. 5 (granting petition for reconsideration where, upon reconsideration of the record, we do not find that the evidence supports our previous determination); *Request for Review of Decisions of the Universal Service Administrator by Franklin-McKinley School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 2578, 2580, n.25 (2008) (*Franklin-McKinley School District Order*) (granting a waiver of the 60-day appeal-filing deadline because the person responsible for handling E-rate matters learned of the denial after being out of the office handling a serious family illness and did not receive notice of the USAC decision that triggered the appeal filing deadline). We also find good cause to waive the application filing deadline in this instance. 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 existed to justify granting waiver requests for petitioners who filed their FCC Form 471 applications within 14 days of the filing window deadline).

¹¹ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by A.C.E. Charter High School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 15907, 15908, para. 2 (*A.C.E. Charter High School Order*) (WCB 2012) (finding special circumstances existed to justify granting waiver requests where, for example, petitioners filed within a reasonable period of the application filing window’s close despite a school reorganization).

Greenbrier County School District, WV, Application No. 231036694, Request for Waiver, CC Docket No. 02-6 (filed July 31, 2024)

*Ministerial and/or Clerical Errors*¹³

Atoka Independent School District, OK, Application Nos. 241019893, 241026258, Request for Waiver, CC Docket No. 02-6 (filed Aug. 9, 2024)

Eastern Owyhee County Library, ID, Application No. 241014703, Request for Waiver, CC Docket No. 02-6 (filed June 17, 2024)

Kendrick School District #283, ID, Application No. 241024597, Request for Waiver, CC Docket No. 02-6 (Aug. 12, 2024)

Our Mother of Sorrows School, AZ, Application No. 241014690, Request for Waiver, CC Docket No. 02-6 (Aug. 24, 2024)

*Ministerial and/or Clerical Errors – FRN Omitted from FCC Form 471 Application*¹⁴

Action for a Better Community, NY, Application No. 241040396, Request for Waiver, CC Docket No. 02-6 (filed Aug. 20, 2024)

*Unutilized Equipment*¹⁵

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¹² 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) (*Archdiocese of New Orleans Order*) (granting relief 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 applicant demonstrated good cause for the late filing).

¹³ 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, 9, 12, 16 (WCB 2010) (*Ann Arbor Public Schools Order*) (WCB 2010) (granting a waiver where the applicant omitted items or entities from its source list on its FCC Form 471); see, e.g., *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, 15520, n.19 (WCB 2008) (*Archer Public Library Order*) (permitting correction when applicant understated the amount of its recurring charges on its FCC Form 471 application).

¹⁴ See, e.g., *Archer Public Library Order*, 23 FCC Rcd at 15521 n.19 (permitting applicant to correct its FCC Form 471 to conform to the source document). The petitioner did not realize its funding request was omitted until the FY 2024 application filing window had closed. The petitioner then filed an FCC Form 471 application that was out of window. We direct USAC to add this funding request to this petitioner's timely-filed FY 2024 FCC Form 471 application or treat the late-filed application as timely filed.

¹⁵ We remand Independence Unified School District 446 and Twotrees Technologies' request for waiver to USAC for further review. In 2009, the Commission provided formal guidance to USAC on situations where USAC finds equipment was not being utilized and whether recovery was required. See Letter from Dana R. Shaffer, Chief, Wireline Competition Bureau, FCC, to Scott Barash, Acting Chief Executive Officer, USAC, CC Docket No. 02-6, Letter, 24 FCC Rcd 417 (WCB 2009) (2009 "Table C" Recovery Issues Letter). In the letter, the Bureau explained that USAC should not seek recovery in every instance in which it determined the equipment was not utilized. The Bureau noted that, for example, in situations where equipment was uninstalled because of personnel issues, but was subsequently installed, recovery would not be warranted. In the instant case, Independence Unified School District 446 installed the equipment and had it placed in service long before USAC issued a COMAD on March 15, 2024.

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Independence Unified School District 446 and Twotrees Technologies, KS, Application No. 201025443, Request for Waiver, CC Docket No. 02-6 (filed Aug. 1, 2024)

*USAC Decision Issued After Invoice Deadline*¹⁶

Adelphoi Education School District, PA, Application No. 211018229, Request for Waiver, CC Docket No. 02-6 (filed Feb. 28, 2024)

Hydaburg City School District, AK, Application No. 211039005, Request for Waiver, CC Docket No. 02-6 (filed June 21, 2024)

KIPP Jacksonville District Office, FL, Application Nos. 221015598, 221036924, Request for Waiver, CC Docket No. 02-6 (filed July 28, 2024)

Rite of Passage – Sierra Sage Academy, NV, Application No. 221016520, Request for Waiver, CC Docket No. 02-6 (filed Feb. 27, 2024)

Union County, PA, Application No. 221006422, Request for Waiver, CC Docket No. 02-6 (filed Mar. 25, 2024)

*USAC Decision Rationale Vague*¹⁷

New Hope Christian Academy, OH, Application No. 221004404, Request for Waiver, CC Docket No. 06-2 (Aug. 14, 2024)

*USAC Inaction*¹⁸

Uintah County School District, UT, Application No. 221030962, Request for Waiver, CC Docket No. 02-6 (June 27, 2024)

*Waiver of Appeal Filing Deadline*¹⁹

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We now ask USAC to reassess its recovery action based on our guidance in the “Table C” Recovery Issues Letter regarding recovery when equipment was not utilized.

¹⁶ See *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Order, 35 FCC Rcd 14426, 14431, para. 15 (2020) (*2020 Invoicing Rule Modification 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).

¹⁷ *Request For Review Of The Decision Of The Universal Service Administrator By Henkels & McCoy, Inc., Little Rock School District, Little Rock, Arkansas*, CC Docket No. 02-6, Order, 21 FCC Rcd 7934, 7937, para. 7 (WCB 2012) (*Henkels & McCoy, Inc. Order*) (remanding to USAC where the rationale for USAC decision is unclear and instructing USAC to provide specific explanations for its decision and permitting appellant an opportunity to respond).

¹⁸ See *Application for Review of a Decision of the Wireline Competition Bureau by Sioux Falls School District 49-5 Sioux Falls, South Dakota; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 35 FCC Rcd 8963, 8969, para. 13 (2020) (*Sioux Falls School District Order*) (granting waiver where applicant error could have been corrected promptly but for USAC inaction).

¹⁹ See, e.g., *ABC Unified School District Order*, 26 FCC Rcd at 11019, para. 2 (granting waivers of appeal filing deadline when the petitioners submitted their appeals or waiver requests only a few days late or within a reasonable period of time after receiving actual notice of USAC’s adverse decision). We make no finding on the underlying

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Centro Mater Child Care Services Inc., NJ, Application No. 241009243, Request for Waiver, CC Docket No. 02-6 (filed Sept. 5, 2024)

Florence Independent School District, TX, Application No. 241019130, Request for Waiver, CC Docket No. 02-6 (filed Aug. 19, 2024)

Ganado Unified School District, AZ, Application No. 181028385, Request for Waiver, CC Docket No. 02-6 (filed Oct. 21, 2020)

Ladacin Network Admin Office, NJ, Application No. 241009210, Request for Waiver, CC Docket No. 02-6 (filed Sept. 4, 2024)

Lewistown School District 1, MT, Application No. 241001645, Request for Waiver, CC Docket No. 02-6 (filed Aug. 22, 2024)

Medford School District 549C, OR, Application Nos. 241006003, 241006083, 241030492, Request for Waiver, CC Docket No. 02-6 (filed Aug. 1, 2024)

Rolling Hills Prep School, CA, Application No. 241011437, Request for Waiver, CC Docket No. 02-6 (filed Aug. 18, 2024)

*Waiver of Special Construction Service Delivery Deadline*²⁰

North Central Consortium, NM, Application No. 201026229, Request for Waiver, CC Docket No. 02-6 (filed July 16, 2024)

Denied

*Late-Filed FCC Form 471 Applications*²¹

Abington School District, PA, Application No. 241040296, Request for Waiver, CC Docket No. 02-6 (filed July 10, 2024)

Belmond-Klemme Community School District, IA, Application No. 241040413, Request for Waiver, CC Docket No. 02-6 (filed Aug. 28, 2024)

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issues in these appeals and remand these applications to USAC to make a determination on the merits. *See supra* note 5.

²⁰ *See, e.g., 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) (*Grants/Cibola County School District Order*) (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).

We find that WANRack, LLC was unable to complete implementation for reasons beyond its control and made good faith efforts to comply with Commission rules and procedures. We waive the special construction service delivery deadline and direct USAC to provide the applicant until June 30, 2025 to complete its special construction project.

For these Petitioners, we also waive any associated administrative or procedural deadlines, including the invoice filing deadline, that might be necessary to effectuate our ruling. *See also supra* note 5.

²¹ *See, e.g., Academy of Math and Science Order*, 25 FCC Rcd at 9261-62, para. 13 (denying waivers of the FCC Form 471 application filing deadline where petitioners failed to present special circumstances justifying a waiver of the Commission's rules).

Biblioteca Publica Vieques Library System, PR, Application No. 241040219, Request for Waiver, CC Docket No. 02-6 (filed July 10, 2024)

Carondelet Catholic, MN, Application No. 241040291, Request for Waiver, CC Docket No. 02-6 (filed July 9, 2024)

Christian Brothers High School, CA, Application No. 241040155, Request for Waiver, CC Docket No. 02-6 (filed July 26, 2024)²²

Christ Lutheran School, CA, Application No. 241040198, Request for Waiver, CC Docket No. 02-6 (filed July 11, 2024)

Chumash Library Learning Center, CA, Application No. 241040344, Request for Waiver, CC Docket No. 02-6 (filed Aug. 22, 2024)

Cristo Rey San Diego High School, CA, Application No. 241040371, Request for Waiver, CC Docket No. 02-6 (filed Aug. 6, 2024)

Eastbrook Academy Inc., WI, Application No. 241040405, Request for Waiver, CC Docket No. 02-6 (filed Aug. 23, 2024)

Ecole Bilingue De Berkeley, CA, Application No. 241040320, Request for Waiver, CC Docket No. 02-6 (filed July 17, 2024)²³

Fort Huachuca Accommodation School District, AZ, Application No. 241040415, Request for Waiver, CC Docket No. 02-6 (filed Aug. 29, 2024)

Geff Community Consolidated School District 14, IL, Application No. 241040317, Request for Waiver, CC Docket No. 02-6 (filed July 24, 2024)

Guadalupe Regional Middle School, TX, Application No. 241040369, Request for Waiver, CC Docket No. 02-6 (filed Aug. 6, 2024)

Haskell Independent School District, TX, Application No. 241040305, Request for Waiver, CC Docket No. 02-6 (filed July 15, 2024)

Ivy Academia Charter School District, CA, Application No. 241040362, Request for Waiver, CC Docket No. 02-6 (filed Aug. 13, 2024)

Jasper County School District, GA, Application No. 241040386, Request for Waiver, CC Docket No. 02-6 (filed Aug. 13, 2024)

²² In addition to submitting its FCC Form 471 application late, Christian Brothers High School filed its waiver request after the 60-day appeal or waiver request deadline. *See* 47 CFR § 54.720 (requiring petitioners to file their appeals or waiver requests within 60 days of an adverse USAC decision).

²³ Ecole Bilingue De Berkeley inadvertently listed an incorrect application number in its waiver request. We are including the correct FCC Form 471 number in this Public Notice.

Kansas City International Academy, MO, Application No. 241040418, Request for Waiver, CC Docket No. 02-6 (filed Aug. 29, 2024)

Kansas City International Academy, MO, Application No. 241040422, Request for Waiver, CC Docket No. 02-6 (filed Sept. 3, 2024)

Kreiva Academy Public Charter School, NH, Application No. 241040306, Request for Waiver, CC Docket No. 02-6 (filed July 11, 2024)

Miami County Educational Service Center, OH, Application No. 241040404, Request for Waiver, CC Docket No. 02-6 (filed Aug. 21, 2024, supplement Sept. 5, 2024)

Montezuma Unified School District 371, KS, Application No. 241040288, Request for Waiver, CC Docket No. 02-6 (filed July 8, 2024)

New Castle Public Library, PA, Application No. 241040358, Request for Waiver, CC Docket No. 02-6 (filed Aug. 26, 2024)

North Caldwell School District, NJ, Application No. 241040392, Request for Waiver, CC Docket No. 02-6 (filed Aug. 15, 2024)

Northlake Public Library District, IL, Application No. 241040310, Request for Waiver, CC Docket No. 02-6 (filed July 15, 2024)

North Riverside Public Library District, IL, Application No. 241014306, Request for Waiver, CC Docket No. 02-6 (filed Aug. 3, 2024)

Pleasant Valley Community School District, IA, Application No. 241040316, Request for Waiver, CC Docket No. 02-6 (filed July 16, 2024)

Prospect Heights Public Library District, IL, Application No. 241040323, Request for Waiver, CC Docket No. 02-6 (filed July 17, 2024)

Reid Traditional Schools Painted Rock Academy, Reid Traditional Schools Valley Academy, AZ, Application Nos. 241040408, 241040407, Request for Waiver, CC Docket No. 02-6 (filed Aug. 27, 2024)

Richmond School District R 16, MO, Application Nos. 241040297, 241040295, Request for Waiver, CC Docket No. 02-6 (filed July 10, 2024)

Rippey Public Library, IA, Application No. 241039340, Request for Waiver, CC Docket No. 02-6 (filed Aug. 2, 2024)

Sculptor Charter School, FL, Application No. 241040346, Request for Waiver, CC Docket No. 02-6 (filed July 29, 2024)

Sculptor Charter School, FL, Application No. 241040347, Request for Waiver, CC Docket No. 02-6 (filed Aug. 20, 2024)

St. Athanasius School, PA, Application No. 241040387, Request for Waiver, CC Docket No. 02-6 (filed Aug. 13, 2024)

Sunnyvale Independent School District, TX, Application No. 241040385, Request for Waiver, CC Docket No. 02-6 (filed Aug. 12, 2024)

Troy City Schools, OH, Application No. 241040403, Request for Waiver, CC Docket No. 02-6 (filed Aug. 22, 2024, supplement Sept. 5, 2024)

Ulysses Unified School District 214, KS, Application No. 241040217, Request for Waiver, CC Docket No. 02-6 (filed Aug. 12, 2024)²⁴

*Late-Filed Invoice or Invoice Deadline Extension*²⁵

20/20 Technologies LLC (Seymour Community School District, Wallace Public School District, McCook Public School District, Stapleton Public School District), Application Nos. 201027768, 201025925, 201028438, 201036305, 201039727, Request for Waiver, CC Docket No. 02-6 (filed Apr. 12, 2024)

Achievement House Cyber Charter School, PA, Application No. 221035525, Request for Waiver, CC Docket No. 02-6 (filed Apr. 8, 2024)

Achievement House Cyber Charter School, PA, Application No. 221035525, Request for Waiver, CC Docket No. 02-6 (filed July 18, 2024)

Appalachia Intermediate Unit 8, PA, Application No. 221033878, Request for Review, CC Docket No. 02-6 (filed Aug. 2, 2024)

Asotin County Library System, WA, Application No. 221035724, Request for Waiver, CC Docket No. 02-6 (filed Feb. 27, 2024)

Boyd Buchanan School, TN, Application No. 221038175, Request for Waiver, CC Docket No. 02-6 (filed Aug. 9, 2024)

Casa Grande Elementary School District, AZ, Application Nos. 201003953, 211015028, Request for Waiver, CC Docket No. 02-6 (filed Aug. 18, 2024)

Central PA Institute of Science and Technology, PA, Application No. 221037085, Request for Waiver, CC Docket No. 02-6 (filed July 18, 2024)

Coffee County Lannom Public Library, TN, Application No. 221001522, Request for Waiver, CC Docket No. 02-6 (filed Aug. 14, 2024)

²⁴ In addition to submitting its FCC Form 471 application late, Ulysses Unified School District 214 filed its waiver request after the 60-day filing deadline. See 47 CFR § 54.720 (requiring petitioners to file their appeals or waiver requests within 60 days of an adverse USAC decision).

²⁵ 47 CFR § 54.514. See also, 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, 3836, para. 8 (WCB 2016) (*Ada School District Order*) (denying requests for waiver of the Commission's invoice filing deadline rule for petitioners that failed to demonstrate extraordinary circumstances to justify a waiver of the Commission's rules).

Frugal, Inc. (Broken Bow Public School District), NE, Application No. 211031144, Request for Waiver, CC Docket No. 02-6 (filed Aug. 8, 2024)

Hope Community Academy, MN, Application No. 221037905, Request for Waiver, CC Docket No. 02-6 (filed Aug. 8, 2024)

Moreno Valley High School, NM, Application No. 221034366, Request for Waiver, CC Docket No. 02-6 (filed Mar. 13, 2024)

RCN Telecom Services (Lehigh), LLC (Bethlehem Area Public Library), PA, Application No. 211002821, Request for Waiver, CC Docket No. 02-6 (filed Mar. 13, 2024)

Saint Benedict School, PA, Application No. 221034476, Request for Waiver, CC Docket No. 02-6 (filed Apr. 9, 2024)

St. John Evangelist School, PA, Application No. 221020929, Request for Waiver, CC Docket No. 02-6 (filed July 25, 2024)

St. Joseph Academy, WI, Application No. 221027592, Request for Waiver, CC Docket No. 02-6 (filed Sept. 13, 2024)

*Ministerial and Clerical Errors*²⁶

Perryville School District 7, AR, Application No. 241000719, Request for Waiver, CC Docket No. 02-6 (filed Aug. 15, 2024)

Soda Springs Public Library, ID, Application No. 221029964, Request for Waiver, CC Docket No. 02-6 (filed June 29, 2024)

*Relying on FCC Form 470 That Did Not Seek Bids on Types of E-Rate Services Later Requested*²⁷

Moscow School District 281, ID, Application No. 241035926, Request for Waiver, CC Docket No. 02-6 (filed July 23, 2024)

Sugar-Salem School District 322, ID, Application No. 211035372, Request for Waiver, CC Docket No. 02-6 (filed Feb. 21, 2022)

*Untimely Filed Appeals or Waiver Requests*²⁸

²⁶ See, e.g., *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) (*Assabet Valley Regional Vocational District Order*) (finding petitioners had not demonstrated good cause to justify waivers permitting changes to the applicants' E-Rate applications).

²⁷ 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, 4541, para. 14 (WCB 2009) (*Albert Lea Schools Order*); *Petition for Reconsideration by Chicago Public Schools; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 9289, 9289-90, para. 5 (WCB 2014) (*Chicago Public Schools Order*) (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).

Arlington Christian Academy, OH, Application No. 231039813, Request for Waiver, CC Docket No. 02-6 (filed Aug. 15, 2024)

Centro Educativo Pasitos Del Saber, Inc (CEPSI), PR, Application Nos. 241018776, 241018766, Request for Waiver, CC Docket No. 02-6 (filed Aug. 8, 2024)

Delta County Joint School District, CO, Application Nos. 241039160, 241010423, Request for Waiver, CC Docket No. 02-6 (filed July 9, 2024)

Iberville Parish School District, LA, Application No. 739863, Request for Review, CC Docket No. 02-6 (filed May 28, 2014)

Kingfisher Independent School District 7, OK, Application No. 241040123, Request for Waiver, CC Docket No. 02-6 (filed Aug. 15, 2024)

Northside Charter High School, NY, Application Nos. 241039806, 241039303, 241039311, Request for Waiver, CC Docket No. 02-6 (filed Aug. 19, 2024)

Queens Borough Public Library, CA, Application No. 221023802, Request for Waiver, CC Docket No. 02-6 (filed Aug. 16, 2024)

Safford Unified School District 1, AZ, Application No. 221031258, Request for Waiver, CC Docket No. 02-6 (filed Mar. 4, 2024)

The School Board of Okaloosa County, FL, Application No. 241020713, Request for Waiver, CC Docket No. 02-6 (filed Aug. 5, 2024)

Woodward Independent School District 1, OK, Application No. 241040049, Request for Waiver, CC Docket No. 02-6 (filed July 17, 2024)

Emergency Connectivity Fund Program
WC Docket No. 21-93

Dismissed as Insufficient²⁹

(Continued from previous page) _____

²⁸ See, e.g., *Requests for Review of the Decisions of the Universal Service Administrator by Agra Public Schools I-134; Schools and Libraries Universal Service Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684, 5688, para. 6 (WCB 2010) (*Agra Public Schools Order*); *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Bound Brook School District; Schools and Libraries Universal Service Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 5823, 5823, para. 1 (WCB 2014) (*Bound Brook School District Order*) (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 demonstrate special circumstances required for the Commission to waive the rule).

²⁹ See 47 CFR § 54.721 (setting forth general filing requirements for requests for review of decisions issued by USAC, including the requirement that the request for review include supporting documentation); see also *Wireline Competition Bureau Reminds Parties of Requirements for Request for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45, 02-6, WC Docket Nos. 02-60, 06-122, 10-90, 11-42, 13-184, 14-58, Public Notice, 29 FCC Rcd 13874 (WCB 2014) (reminding parties submitting appeals to the Bureau of the general filing requirements contained in the Commission's rules which, along with a proper caption and reference to the applicable docket number, require (1) a statement setting forth the party's interest in the matter presented for

(continued....)

Oak Hill Public Library, Application No. ECF222120042, Request for Waiver and/or Review, WC Docket No. 21-93 (filed May 28, 2024)

Dismissed as Moot³⁰

Atlanta SMART Academy, GA, Application No. ECF202112602, Request for Waiver, WC Docket No. 21-93 (filed July 8, 2024)

College Achievement Central Charter School, NJ, Application No. ECF202115233, Request for Waiver, WC Docket No. 21-93 (filed Feb. 15, 2024)

Giant Steps Illinois, Inc, IL, Application No. ECF202104837, Request for Waiver, WC Docket No. 21-93 (filed July 11, 2024)

Dismissed as Moot – USAC Took Action Requested³¹

Lebo-Waverly School District 243, KS, Application No. ECF202205843, Request for Waiver and/or Review, WC Docket No. 21-93 (filed May 9, 2024)

Granted³²

*Early Delivery*³³

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review; (2) a full statement of relevant, material facts with supporting affidavits and documentation; (3) the question presented for review, with reference, where appropriate, to the relevant Commission rule, order or statutory provision; and (4) a statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought); *Universal Service Contribution Methodology; Request for Review by Alternative Phone, Inc. and Request for Waiver*, WC Docket No. 06-122, Order, 26 FCC Rcd 6079 (WCB 2011) (dismissing without prejudice a request for review that failed to meet the requirements of section 54.721 of the Commission's rules). Consistent with the Commission's decision to adopt the similar appeal and waiver rules that govern all of the Universal Service Fund programs, including the E-Rate program, and to leverage existing E-Rate processes and forms in the Emergency Connectivity Fund program, we rely on E-Rate program precedent to resolve these petitions for waiver of the Emergency Connectivity Fund program rules. *See* 47 CFR § 54.1718(c).

³⁰ *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). Consistent with the Commission's decision to adopt the similar appeal and waiver rules that govern all of the Universal Service Fund programs, including the E-Rate program, and to leverage existing E-Rate processes and forms in the Emergency Connectivity Fund program, we rely on E-Rate program precedent to resolve these petitions for waiver of the Emergency Connectivity Fund program rules.

³¹ *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) (*Al Noor High School Order*) (dismissing as moot requests for review where USAC had taken the action the petitioner requested).

³² We remand these applications to USAC and direct USAC to complete its review of the applications and issue a funding decision 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 54.1711(d) and (e) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. *See* 47 CFR § 54.1711(d)-(e) (codifying the invoice filing deadline and establishing the service delivery dates for equipment, other non-recurring services, and recurring services).

Chatham Charter School, NC, Application No. ECF202203740, Request for Waiver, WC Docket No. 21-93 (filed Jun. 20, 2024)

Prairie Central Unit School District 8, IL, Application No. ECF202203708, Request for Waiver, WC Docket No. 21-93 (filed May 20, 2024)

Denied

*Untimely Filed Appeals or Waiver Requests*³⁴

Community Parents, Inc, NY, Application No. ECF202108660, Request for Review, WC Docket No. 21-93 (filed Jun. 28, 2024)

Sandoval Academy of Bilingual Education, NM, Application No. ECF222120241, Request for Waiver, WC Docket No. 21-93 (filed Feb. 29, 2024)

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

Granted

*Waiver of the Invoice Filing Deadline*³⁵

Chesapeake Regional Health, VA, Request for Waiver, WC Docket No. 02-60, Funding Request No. 21121311 (filed Nov. 14, 2022)

Denied

*Waiver of the Invoice Filing Deadline*³⁶

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³³ See *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket Nos. 21-93, 06-122, Public Notice, 37 FCC Rcd 7445, 7459 n.25 (WCB 2022) (granting requests for waivers for equipment delivered before the start of the approved funding year).

³⁴ See, e.g., *Agra Public Schools Order*, 25 FCC Rcd at 5688, para. 6; *Bound Brook School District Order*, 29 FCC Rcd at 5823, para. 1 (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 the required timeframe; or failed to submit their waiver requests to the Commission within the required deadline set forth by the Commission's rules; and (2) did not demonstrate special circumstances necessary for the Commission to waive the rule). Consistent with the Commission's decision to adopt the similar appeal and waiver rules that govern all of the Universal Service Fund programs, including the E-Rate program, and to leverage existing E-Rate processes and forms in the Emergency Connectivity Fund program, we rely on E-Rate program precedent to resolve these petitions for waiver of the Emergency Connectivity Fund program rules. We note that the Commission adopted a shortened waiver and appeal timeframe of 30 days in the Emergency Connectivity Fund Program due to the short-term, emergent nature of the program. See 47 CFR 54.1718; *Emergency Connectivity Fund Report and Order*, 36 FCC Rcd at 8740, 8746, paras. 90, 107. As such, absent special circumstances, appeals of USAC's decisions or requests for waiver of Emergency Connectivity Fund Program rules that are filed later than 30 days as required by section 54.1718 of the Commission's rules will be denied.

³⁵ See *Requests for Waiver or Review of Decision of the Universal Service Administrator by Indiana Telehealth Network*, WC Docket No. 02-60, Order, 33 FCC Rcd 12341, 12342, para. 4 (WCB 2018) (granting a waiver of the invoice filing deadline when the petitioner missed the deadline due to technical issues outside of its control) (*Indiana Telehealth Network Order*). We waive the petitioners' invoice filing deadlines and allow them 120 days from the release of this Public Notice to file invoices.

OCHIN, Inc., OR, Request for Waiver, WC Docket No. 02-60, Funding Request No. RHC20220012209 (filed Aug. 8, 2024)

Contribution Methodology

WC Docket No. 06-122

Denied

*Request for Waiver of FCC Form 499-A Late Filing Fees*³⁷

WIT Networks, LLC, Request for Waiver, WC Docket No. 06-122 (filed Aug. 27, 2024)

Smartrak Incorporated, Request for Waiver, WC Docket No. 06-122 (filed July 15, 2024)

□

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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³⁶ See *Indiana Telehealth Network Order*, WC Docket No. 02-60, Order, 33 FCC Rcd 12341, 12342, para. 4 (WCB 2018) (denying a request for waiver of the invoice filing deadline when the petitioner missed the deadline due to personnel issues).

³⁷ See, e.g., *Universal Service Contribution Methodology; Petition for Waiver of Universal Service Fund Rules by Outfitter Satellite, Inc.*, WC Docket No. 06-122, Order, 28 FCC Rcd 13358 (WCB 2013) (finding that alleged mistakes by Outfitter's accounting firm and internal accounting staff were not adequate grounds for waiver); *Universal Service Contribution Methodology; Request for Review of a Decision of the Universal Service Administrator by IP Telecom Group, Inc.*, WC Docket No. 06-122, Order, 26 FCC Rcd 11213 (WCB 2011); *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 requests for waiver where claims of good cause amounted to no more than simple negligence, errors by the petitioner, or circumstances squarely within the petitioner's control). See also 47 CFR § 54.713(c) (requiring USAC to assess late filing fees if a contributor is more than 30 days delinquent in filing the FCC Form 499-A). To the extent petitioners' financial situations make it difficult to pay the invoices in full, they may set up a payment plan with USAC to satisfy the obligation. See <https://www.usac.org/service-providers/making-payments/how-to-pay/payment-plans/>.