

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Requests for Review or Waiver of)	
Decisions of the)	
Universal Service Administrator by)	
)	
Annunciation Elementary School)	SLD Nos. 851615 et al.
Denver, Colorado et al.)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER AND ORDER ON RECONSIDERATION

Adopted: February 20, 2014

Released: February 20, 2014

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Consistent with precedent,¹ we deny 15 requests from petitioners² seeking review of decisions made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).³ Based on our review of the record, we find that the petitioners identified in Appendix A failed to submit their requests for review either to the Commission or to USAC within 60 days of USAC issuing a decision, as required by the Commission's rules, and failed to demonstrate that special circumstances exist to justify a waiver of the deadline.⁴

¹ 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 (Wireline Comp. Bur. 2010); *Requests for Review or Waiver of Decisions of the Universal Service Administrator by Academia Avance et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 12859 (Wireline Comp. Bur. 2013) (*Academia Avance Order*) (both orders denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days, as required by the Commission's rules, and did not show special circumstances necessary for the Commission to waive the deadline).

² The requests for review or waiver are listed in Appendix A.

³ Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

⁴ 47 C.F.R. § 54.720 (setting forth the 60-day deadline for appeals of USAC decisions). The Commission may waive any provision of its rules for good cause shown. 47 C.F.R. § 1.3.

2. Also consistent with precedent,⁵ we dismiss petitions for reconsideration filed by Charlotte Christian School (Charlotte Christian) and Paterson Public Schools (Paterson) seeking review of a Wireline Competition Bureau order involving late-filed appeals by those petitioners.⁶ We dismiss these two petitions for reconsideration because they 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.⁷

3. 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, 1.3, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, and 54.722(a), that the requests for review or waiver filed by the petitioners listed in Appendix A ARE DENIED.

4. IT IS FURTHER 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, 1.106, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.106, and 54.722(a), that the petitions for reconsideration listed in Appendix B ARE DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Kimberly A. Scardino
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁵ See *Academia Avance Order* (dismissing petitions for reconsideration under 47 C.F.R. § 1.106(p) because the petitioners failed to identify any material error, omission, or reason warranting reconsideration and relied on arguments that had been fully considered and rejected by the Bureau within the same proceeding).

⁶ Charlotte Christian and Paterson are seeking reconsideration of that portion of the *Academia Avance Order* that denied their appeals. The Bureau has the authority to act on petitions requesting reconsideration of final actions taken pursuant to delegated authority. 47 C.F.R. § 1.106(a)(l). The petitions for reconsideration are listed in Appendix B.

⁷ 47 C.F.R. § 1.106(p)(1), (3).

APPENDIX A

Requests for Review or Waiver

Petitioner	Application Number(s)	Funding Year(s)	Date Request for Review/Waiver Filed
Annunciation Elementary School Denver, Colorado	851615	2012	Dec. 3, 2013
Cedar Riverside Community School Minneapolis, Minnesota	845977	2012	Sept. 18, 2013
Central Minnesota Christian School Prinsburg, Minnesota	919935	2013	Dec. 4, 2013
Congregation Uvlechtechu Baderech Inc. Monroe, New York	761887	2010	Dec. 4, 2013
Dove Academy of Detroit and Weston Preparatory Academy Detroit, Michigan	860068, 860189, 860222	2012	Apr. 25, 2013
Hanover School District Hanover, Massachusetts	798959	2011	Nov. 7, 2013
Harrisville School District Harrisville, New Hampshire	863224	2012	Oct. 18, 2013
La Resolana Leadership Academy Albuquerque, New Mexico	748314	2010	Oct. 17, 2013
New London Public Schools New London, Connecticut	746248	2010	Nov. 18, 2013
NS Community Improvement Council Head Start Spring Valley, New York	685013, 756208, 805150	2009, 2010, 2011	Dec. 6, 2013
Our Lady of Peace School Wheeling, West Virginia	901722	2013	Nov. 22, 2013
Springfield School District 186 Springfield, Illinois	812790	2011	May 2, 2013
St. Hugh School Miami, Florida	837287	2012	Nov. 18, 2013
St. Regis Falls Central School St. Regis Falls, New York	928081	2013	Dec. 12, 2013
Talmud Torah D'Nitra Brooklyn, New York	764119	2010	Aug. 12, 2013

APPENDIX B

Petitions for Reconsideration

Petitioner	Application Number	Funding Year	Date Petition for Reconsideration Filed
Charlotte Christian School Charlotte, North Carolina	865754	2012	Sept. 18, 2013
Paterson Public Schools Paterson, New Jersey	463661	2005	Sept. 20, 2013