



PUBLIC NOTICE

Federal Communications Commission
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Washington, DC 20554

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

DA 25-244

Released: April 1, 2025

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. 06-122
WC Docket No. 02-60
WC Docket No. 24-311
WC Docket No. 24-688
WC Docket No. 10-90
AU Docket No. 17-182

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 as Moot³

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)(1) 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. 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 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) (*Al Noor High School Order*) (dismissing as moot requests for review where USAC approved the underlying funding request).

The Collegiate School of Memphis, TN, Application No. 221031311, Request for Waiver, CC Docket No. 02-6 (filed Feb. 1, 2024)

Dismiss for Failure to Comply with the Commission's Basic Filing Requirements⁴

Haltom City Public Library, TX, No Application Number on File, Request for Waiver, CC Docket No. 02-6 (filed Mar. 22, 2018)

Dismiss Petition for Reconsideration as Moot⁵

Chumash Library Learning Center, CA, Application No. 241040344, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 31, 2024)

Dismissed on Reconsideration⁶

PenTeleData Limited Partnership I (Wilkes-Barre Area School District), PA, Application No. 231024948, Petition for Reconsideration, CC Docket No. 02-6 (filed Feb. 28, 2025)

Granted⁷

⁴ 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 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).

⁵ We dismiss this petition for reconsideration as moot. The Wireline Competition Bureau (Bureau) granted Chumash Library Learning Center's request to waive the FCC Form 471 filing deadline in the *November USF Streamlined Public Notice* on its own motion. *See Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket No. 02-60, Public Notice, DA 24-1108 (WCB Nov. 1, 2024) (*November USF Streamlined Public Notice*).

⁶ *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).

⁷ 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).

*Competitive Bidding – Adequate Information on Form 470*⁸

Alpine Public Library, TX, Application No. 241004329, Request for Review, CC Docket No. 02-6 (filed Aug. 2, 2024)

*Competitive Bidding – Applicant Selected Lowest-Price Solution*⁹

Albuquerque School District, NM, Application No. 879346, Request for Waiver, CC Docket No. 02-6 (filed July 21, 2014)

Central Unified School District, CA, Application No. 161047558, Request for Waiver, CC Docket No. 02-6 (filed Aug. 3, 2020)

Lake Norman Charter School, NC, Application No. 171043984, Request for Waiver, CC Docket No. 02-6 (filed Oct. 26, 2021)

Thompson School District R-2J, CO, Application No. 221017643, Request for Waiver, CC Docket No. 02-6 (filed Aug. 26, 2024)

White Bear Lake School District, MN, Application No. 231029811, Request for Waiver, CC Docket No. 02-6 (filed Sept. 27, 2024)¹⁰

*Competitive Bidding – Permissible Vendor Selection*¹¹

Chedar Menachem High School, PA, Application No. 161049936, Request for Waiver, CC Docket No. 02-6 (filed Feb. 3, 2020)

Hawaii Baptist Academy, HI, Application Nos. 968392, 1011868, 161021465, 171024711, 181033333, Request for Waiver, CC Docket No. 02-6 (filed Nov. 22, 2022)

⁸ See, e.g., *Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District*, CC Docket No. 02-6, Order, 18 FCC Rcd 26407, 26410, para. 7 (2003) (*Ysleta Independent School District Order*) (requiring FCC Forms 470 “to describe the services that the schools and libraries seek to purchase in sufficient detail to enable potential providers to formulate bids”).

⁹ See, e.g., *Request for Review of the Decision of the Universal Service Administrator by Allendale County School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 6109, 6114-15, para. 9 (WCB 2011) (*Allendale County School District Order*) (finding that the petitioners used price of eligible products and services as the primary factor when selecting the winning vendor and therefore did not violate E-Rate program rules).

¹⁰ Consistent with precedent, 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 an adverse USAC decision. 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, 11019, para. 2 (WCB 2011) (*ABC Unified School District Order*) (granting waivers of the filing deadline for appeals submitted within a reasonable period of time after receiving actual notice of USAC’s adverse decision); 47 CFR §§ 54.720(a), (b).

¹¹ See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Central Islip Free Union School District et al.; School and Libraries Universal Service Support Mechanism*, 29 FCC Rcd 2715, 2716, para. 1 (WCB 2014) (*Central Islip Free Union School District Order*) (granting a waiver when the competitive bidding process was not compromised by technical violation of the Commission’s requirements and the outcome of the vendor selection process was otherwise consistent with the policy goals underlying the Commission’s competitive bidding rules).

Learning Works Charter School, CA, Application No. 161013570, Request for Waiver, CC Docket No. 02-6 (filed Jan. 30, 2020)

*Competitive Bidding – Valid Vendor Selection*¹²

Girard Unified School District 248, KS, Application No. 171022113, Request for Review, CC Docket No. 02-6 (filed Oct. 3, 2022)

Girard Unified School District 248, KS, Application No. 191001166, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Dec. 13, 2022)

*Contract Agreement in Place*¹³

Nixa Public Schools, MO, Application No. 241038448, Request for Waiver, CC Docket No. 02-6 (filed Feb. 21, 2025)

*Demonstrating Extraordinary Circumstances Warranting Invoice Rule Waiver*¹⁴

Cebridge Telecom MO, LLC (Jarrell Independent School District), TX, Application No. 221012696, Request for Waiver, CC Docket No. 02-6 (filed Feb. 20, 2024)

Villa Joseph Marie High School, PA, Application No. 231007420, Request for Waiver, CC Docket No. 02-6 (filed Feb. 27, 2025)

*Discount Calculation*¹⁵

¹² Consistent with our obligation to conduct a de novo review of appeals of decisions made by USAC, we grant these requests for review. *See* 47 CFR § 54.723. Based on the facts and circumstances of these cases, we disagree with USAC’s conclusion and find that Girard Unified School District 248 properly selected its vendor in accordance with the E-Rate program’s rules and procedures. *See, e.g., Request for Review of a Decision of the Universal Service Administrator by Grand Rapids; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15413, 15416, para. 6 (WCB 2008) (*Grand Rapids Order*) (conducting de novo review of the facts and circumstances to determine whether USAC’s decision was in error).

Girard Unified School District 248 also inadvertently listed the incorrect FCC Form 470 number on its FY 2019 funding application. Consistent with precedent, we grant a waiver of our rules for this clerical error. *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, 17320, para. 2 (WCB 2010) (*Ann Arbor Public Schools Order*) (granting a waiver where the applicant listed the incorrect FCC Form 470 number on its FCC Form 471).

¹³ *See, e.g., Request for Waiver of the Decision of the Universal Service Administrator by Barberton City School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15526, 15532, para. 10 (WCB 2008) (*Barberton City School District Order*) (granting on the merits when petitioners submitted evidence to the Commission demonstrating that they had a valid, signed contract in place at the time it submitted its FCC Forms 471 to USAC).

¹⁴ *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) (*Montebello Unified School District Order*) (granting an invoice filing deadline extension when the petitioner demonstrated extraordinary circumstances outside of its control).

¹⁵ *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,

(continued....)

Brooklyn Prospect Charter School, NY, Application Nos. 241023384, 241023389, Request for Review, CC Docket No. 02-6 (filed Oct. 24, 2024)

Manatee County School District, FL, Application Nos. 961552, 961568, Request for Review, CC Docket No. 02-6 (filed May 12, 2015)

*Eligible Services – Community Use of Schools’ E-Rate Funded Facilities and Services*¹⁶

Alabama Supercomputer Authority (Alabama Research and Education Network, The Alabama School of Fine Arts), Application No. 771989, Request for Review, CC Docket No. 02-6 (filed Mar. 20, 2015)

*Granting Additional Time to Respond to USAC with Information*¹⁷

Allentown School District, PA, Application No. 161034688, Request for Waiver, CC Docket No. 02-6 (filed Jan. 6, 2020)

*Granting Additional Time to Respond to USAC with Information During Invoicing*¹⁸

ConvergeOne, Inc. (Etiwanda School District), CA, Application No. 181036711, Request for Waiver, CC Docket No. 02-6 (filed May 26, 2020)

Watertown Public Schools, MA, Application No. 231024918, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2024)

10708, para. 12 (WCB 2006) (*Academia Claret Order*) (granting discount calculation related appeals and remanding them to USAC for further processing when it appears the applicant fully complied with USAC’s procedures or the Commission disagreed with USAC’s discount calculation determination).

To the extent necessary and consistent with precedent, we also find good cause exists to waive sections 54.720(a) and (b) of the Commission’s rules, which require petitioners to file their appeals within 60 days of an adverse USAC decision. *See, e.g., ABC Unified School District Order*, 26 FCC Rcd at 11019, para. 2 (granting waivers of the filing deadline for appeals submitted within a reasonable period of time after receiving actual notice of USAC’s adverse decision); 47 CFR §§ 54.720(a), (b).

¹⁶ *Schools and Libraries Universal Service Support Mechanism, A National Broadband Plan for Our Future*, CC Docket No. 02-6, GN Docket No. 09-51, Sixth Report and Order, 25 FCC Rcd 18762, 18774-76, paras. 22-25 (2010) (*Sixth Report and Order*) (establishing a community use policy, which permits schools to allow access to their E-Rate-supported services when classes are not in session).

¹⁷ *See, e.g., Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6035, 6036, para. 4 (2007) (*Alpaugh Unified School District 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, 1876-1877, para. 1 (WCB 2014) (*Ben Gamla Palm Beach Order*) (granting applicants’ requests for review when they were denied funding because of failure to respond to USAC’s request for information within the USAC-specified time frame).

¹⁸ *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, 38 FCC Rcd 300, 337, para. 14 (WCB 2023) (*Accomack County Public School Order*) (granting applicants’ requests for review when they were denied funding during invoicing because of failure to respond to USAC’s request for information within the USAC-specified time frame).

*Granting on Reconsideration – Services Delivered Before Contract End Date*¹⁹

Esmeralda County School District, NV, Application No. 201032563, Petition for Reconsideration, CC Docket No. 02-6 (filed Dec. 12, 2024)

*Granting on Reconsideration – Late-Filed Appeal/Waiver*²⁰

Northside Charter High School, NY, Application Nos. 241039806, 241039303, 241039311, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 28, 2024)

*Invoicing Ministerial and/or Clerical Error*²¹

Addison Central School District, VT, Application No. 231027688, Request for Waiver, CC Docket No. 02-6 (filed Dec. 10, 2024)

Canton Local School District, OH, Application No. 171032860, Request for Waiver, CC Docket No. 02-6 (filed Feb. 27, 2020)

Colchester School District, VT, Application No. 241020253, Request for Waiver, CC Docket No. 02-6 (filed Feb. 12, 2025)

Hampton Falls School District, NH, Application No. 231013519, Request for Waiver, CC Docket No. 02-6 (filed Dec. 6, 2024)

Henry Johnson Charter School, NY, Application No. 788860, Request for Waiver, CC Docket No. 02-6 (filed Aug. 15, 2012)

¹⁹ 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 previous determination). Consistent with our obligation to conduct a de novo review of appeals of decisions made by USAC, we grant this petition for reconsideration. See *supra* note 12. We find that the services were delivered to Esmeralda County School District by the contract end date and grant this appeal on the merits.

²⁰ See, e.g., *Callisburg Independent School District Order*, 28 FCC Rcd at 9461, para. 5 (granting petition for reconsideration where, upon reconsideration of the record, we do not find that the evidence supports our previous determination). We find that the consultant for Northside Charter High School filed its waiver request with the Commission as soon as it realized that it submitted incorrect entity information on a petition seeking a waiver of the funding year 2024 application filing deadline. Consistent with precedent, we grant a waiver of the appeal-filing deadline. See, e.g., *ABC Unified School District Order*, 26 FCC Rcd at 11019, para. 2 (granting waivers of the filing deadline for appeals submitted within a reasonable period of time after receiving actual notice of USAC's adverse decision). We also grant a waiver of the FCC Form 471 application filing deadline because Northside Charter High School filed its applications only a few days outside the funding window. 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 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).

²¹ *Accomack County Public School Order*, 38 FCC Rcd at 334, para. 7 (granting requests for review of applicants where the E-Rate invoice filer entered the wrong recipient of service, funding year or dollar amount on a timely-filed invoice).

Lexington R-V School District, MO, Application No. 161007885, Request for Waiver, CC Docket No. 02-6 (filed Nov. 2, 2017)

May Justus Memorial Library, TN, Application No. 231019430, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2024)

New Milford School District, NJ, Application No. 161004398, Request for Waiver, CC Docket No. 02-6 (filed Sept. 21, 2018)

*Late-Filed Appeal or Waiver – Submitted Only a Few Days Late*²²

Taunton Public Schools, MA, Application No. 375392, Request for Review, CC Docket No. 02-6 (filed Feb. 8, 2006)

*Late-Filed Appeal or Waiver*²³

Al-Madrassa Al-Islamiya, NY, Application No. 191034605, Request for Waiver, CC Docket No. 02-6 (filed Jan. 12, 2025)

Liceo Aguadillano, PR, Application Nos. 211020256, 211020277, Request for Waiver, CC Docket No. 02-6 (filed Jan. 14, 2025)

²² See, e.g., *ABC Unified School District Order*, 26 FCC Rcd at 11019, para. 2 (waiving the filing deadline for petitioners that submitted their appeals or waiver requests to the Commission or USAC only a few days late).

During USAC's application review, Taunton Public Schools answered "yes" to the question: "[a]re there any contractual, technical, or other limitations that would prevent the service provider from using the leased on-premise communications equipment in part for other customers?" Applying the test from the *Tennessee Order*, Taunton Public School's answer led USAC to conclude that the equipment was exclusively used by the school district to transport information within school buildings, and accordingly, USAC reclassified the service as internal connections, which led to a funding denial. See *Schools and Libraries COMAD Individual FRN Report*, FRN 1028093, created July 8, 2005 (noting that the applicant responded that they had exclusive use of the equipment and USAC was therefore seeking to recover \$40,392 in E-Rate funding); *Request for Review by the Department of Education of the State of Tennessee of the Decision of the Universal Service Administrator, Request for Review by Integrated Systems and Internet Solutions, Inc. of the Decision of the Universal Service Administrator, Request for Review by Education Networks of America of the Decision of the Universal Service Administrator, 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, 14 FCC Rcd 13734, 13754, para. 37 (1999) (*Tennessee Order*). Because Taunton Public School was not given the exact reason for the *Tennessee Order* denial and because its subsequent appeal to USAC was not considered because it was late-filed, consistent with precedent we remand this application so the school district and its service provider can have another opportunity to clarify how its on-premises equipment was used. See *Request for Review of Decisions of the Universal Service Administrator by Minnesota River Valley Education District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 21 FCC Rcd 12917, 12919, par. 5 (WCB 2006) (*Minnesota Valley Education District Order*) (remanding application back to USAC to give school district an opportunity to clarify how its on-premise equipment was used).

²³ See, e.g., *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*) (filing waiver request promptly after person responsible for handling E-Rate matters learned of the USAC decision that triggered the 60-day appeal filing deadline). We make no finding on the underlying issues in these appeals and remand these applications to USAC to make a determination on the merits. See *supra* note 7.

MetComm.Net, LLC (Islamic Elementary School C), NY, Application No. 181032385, Request for Waiver, CC Docket No. 02-6 (filed Jan. 16, 2025)

Telecommunications Firm, LLC (Ocali Charter High School), FL, Application No. 231038918, Request for Waiver, CC Docket o. 02-6 (filed Feb. 19, 2025)

The Garvey School, NY, Application Nos. 161049797, 161054691, Request for Waiver, CC Docket No. 02-6 (filed Feb. 20, 2025)

*Late-Filed FCC Form 486 Filed Before Invoice Deadline*²⁴

Pontiac Township High School, IL, Application No. 231034273, Request for Review, CC Docket No. 02-6 (filed Nov. 8, 2024)

*Ministerial and/or Clerical Error*²⁵

Aldine Independent School District, TX, Application No. 421086, Request for Review, CC Docket No. 02-6 (filed Aug. 15, 2008, supplemented Oct. 2, 2008)

Ceres Unified School District, CA, Application No. 241037440, Request for Waiver, CC Docket No. 02-6 (filed Dec. 26, 2024)

Solid IT Networks, Inc. (Aldine Independent School District), TX, Application No. 421086, Request for Review, CC Docket No. 02-6 (filed Aug. 18, 2008, supplemented Oct. 9, 2008)

Synergy Academies, CA, Application No. 241040639, Request for Waiver, CC Docket No. 02-6 (filed Feb. 26, 2025)

*Ministerial and/or Clerical Error – FCC Form 471*²⁶

²⁴ 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*) (ensuring that the late filing of the FCC Form 486 did not frustrate the timely submission and payment of invoices by 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).

Although the petitioner filed its FCC Form 486 more than 120 days after the last day to receive service, we find good cause to grant this appeal. The rationale for adopting the *Archdiocese of New Orleans Order* FCC Form 486 relief standard was to ensure that a late-filed FCC Form 486 would not dictate the deadline for E-rate invoices. *Id.* at 11750, para. 8. The Bureau noted that a failure to timely file an FCC Form 486 prevents USAC from issuing the relevant FCC Form 486 notification letter and therefore could frustrate the timely submission and payment of invoices, pursuant to the Commission's invoice rules. *Id.* at 11750, para. 10. In fact, the standard the Bureau created for relief was based on the invoice filing deadline to ensure that the invoicing process would not be delayed by tardy FCC Forms 486. *Id.* In the instant cases, the petitioner's invoice filing deadline had not yet occurred when the FCC Form 486 was filed. We therefore grant this appeal because, in this instance, the late filing of the FCC Form 486 did not frustrate the timely submission and payment of invoices as the form was filed before the invoice filing deadline.

²⁵ See, e.g., *Ann Arbor Public Schools Order*, 25 FCC Rcd at 17319-20, para. 2, nn.5, 20 (WCB 2010) (permitting applicant to include item omitted from FCC Form 471, but included on its source list).

²⁶ See, e.g., *Request for Review of the Decision 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,

(continued...)

Graham County School District, NC, Application Nos. 614927, 677276, 743650, Request for Review, CC Docket No. 02-6 (filed June 20, 2012)

North County Library System, NY, Application No. 241010967, Request for Waiver, CC Docket No. 02-6 (filed Jan. 21, 2025)

*Ministerial and/or Clerical Errors – FCC Form 486*²⁷

Uinta County Public Library, WY, Application No. 1014159, Request for Waiver, CC Docket No. 02-6 (filed Sept. 29, 2016)

Walpole Public Library, MA, Application No. 424702, Request for Waiver, CC Docket No. 02-6 (filed Apr. 20, 2006)

*Permissible Implementation Delay*²⁸

Washington Local School District, OH, Application No. 211027119, Request for Waiver, CC Docket No. 02-6 (filed Dec. 30, 2024)

*Service Implementation Delay Because of Time Limitation*²⁹

15522, paras. 7-8 (WCB 2008) (*Archer Public Library Order*) (granting waivers permitting petitioners to correct clerical or ministerial errors in their FCC Forms 471 or associated item 21 attachments).

²⁷ 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) (*Glendale Unified School District Order*); *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) (*Harvey Public Library District*); *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by Barrow County School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 4028 (WCB 2011) (*Barrow County Order*) (granting waiver requests when the applicants made a clerical error on their FCC Forms 486).

²⁸ See, e.g., *Request for Review/Waiver of the Decision of the Universal Service Administrator by Accelerated Charter et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 13652, 13652-3, para. 2 (WCB 2014) (*Accelerated Charter Order*) (granting late-filed extensions of the deadline for service implementation when applicants demonstrated they were unable to complete implementation on time for reasons beyond the service providers' control and made significant efforts to secure the necessary extensions in a timely manner).

Consistent with precedent, 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 an adverse USAC decision. See *ABC Unified School District Order*, 26 FCC Rcd at 11019, para. 2 (waiving the filing deadline for petitioners that submitted their appeals within a reasonable period of time after receiving actual notice of USAC's adverse decision).

²⁹ See, e.g., *Buffalo City School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association*, Order, CC Docket Nos. 96-45 and 97-21, 17 FCC Rcd 11881, 11884, para. 8 (WCB 2002) (*Buffalo City School District Order*) (waiving the Commission's rules to allow an extension of the deadline for service implementation when applicants demonstrated they were unable to complete service delivery because of time limitations imposed by late-issued funding commitments).

It appears as though Coupeville School District inadvertently listed its contracted internal connection services as month-to-month tariffed services on its FCC Form 471. On remand, USAC should work with the applicant to correct any ministerial or clerical mistakes on its application. See, e.g., *Ann Arbor Public Schools Order*, 25 FCC Rcd at 17320-21, para. 2, n.12 (permitting correction when applicant entered the monthly charge as the annual charge).

Coupeville School District, WA, Application No. 221040118, Request for Waiver, CC Docket No. 02-6 (filed Feb. 10, 2025)

*Service Substitution*³⁰

Esmeralda County School District – Financial Office, NV, Application No. 241032810, Request for Waiver, CC Docket No. 02-6 (filed Oct. 24, 2024, supplement filed Nov. 18, 2024)

*Unutilized Equipment*³¹

Independence Unified School District 446 and Twotrees Technologies, KS, Application Nos. 161045239, 161044955, Request for Waiver, CC Docket No. 02-6 (filed Nov. 4, 2024)

*USAC Decision Issued After Invoice Deadline*³²

Cathedral Preparatory Seminary, NY, Application No. 221032722, Request for Waiver, CC Docket No. 02-6 (filed Nov. 12, 2024, supplement filed Feb. 14, 2025)

Crisp County School District, GA, Application No. 231015719, Request for Waiver, CC Docket No. 02-6 (filed Mar. 3, 2025)

Denton Independent School District, TX, Application No. 171043196, Request for Waiver, CC Docket No. 02-6 (filed Jan. 14, 2019)

Docomo Pacific, Inc. (CNMI Public Schools and Saipan Public Schools), MP, Application No. 221024825, Request for Waiver, CC Docket No. 02-6 (filed Jun. 17, 2024)

³⁰ We remand the Esmeralda County School District - Financial Office appeal to USAC to determine whether the legacy broadband speed is within the scope of the establishing FCC Form 470. *See, e.g., Requests for Review of Decisions of the Universal Service Administrator by Beaufort County Public School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, 29 FCC Rcd 3124, 3125, para. 3 (WCB 2014) (*Beaufort County Public School District Order*) (granting service substitution appeals when the petitioners missed USAC’s deadline for service substitution requests but complied with the Commission’s requirements for service substitutions under 47 CFR § 54.504(d) and had a reasonable explanation for missing the deadline).

³¹ We grant Independence Unified School District 446 and Twotrees Technologies’ appeal with respect to Application No. 161045239. For Application No. 161044955, we remand this application 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. 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.

³² *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).

Gill Memorial Library, NJ, Application No. 231023887, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2025)

Montcalm Area Intermediate School District, MI, Application No. 221033672, Request for Waiver, CC Docket No. 02-6 (filed Mar. 18, 2024)

Nova Classical Academy, MN, Application No. 231036584, Request for Waiver, CC Docket No. 02-6 (filed Feb. 3, 2025)

Summit School District 104, IL, Application Nos. 201021965, 201011444, Request for Waiver, CC Docket No. 02-6 (filed Aug. 29, 2022)

*Waiver of the Competitive Bidding 28-Day Rule*³³

Mount Horeb Area School District, WI, Application No. 241000413, Request for Waiver, CC Docket No. 02-6 (filed Dec. 23, 2024)

Remand To Allow USAC to Address Appeal in the First Instance³⁴

Nordonia City Schools, OH, Application No. 241038657, Request for Waiver, CC Docket No. 02-6 (filed Sept. 26, 2024)

Denied

*Failure to Conduct Fair and Open Competitive Bidding*³⁵

Orchard View Schools, MI, Application No. 604086, Request for Review, CC Docket No. 02-6 (filed July 27, 2009)

*Failure to Document Price as the Primary Factor in Vendor Selection Process*³⁶

³³ See, e.g., *Application for Review of the Decision of the Universal Service Administrator by Aberdeen School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8757 (2007) (*Aberdeen School District Order*) (granting waivers of violations of the 28-day rule when the applicants only missed the deadline by one to three days, thereby allowing their requests for services to be competitively bid for a meaningful period of time).

³⁴ USAC determined that certain funding requests on Nordonia City Schools's application were ineligible without providing the school district a chance to submit evidence to refute the evidence that led to the funding denials. Consistent with precedent, we find that this appeal should be addressed by USAC in the first instance. See, e.g., *Requests for Review of the Decision of the Universal Service Administrator by Picher-Cardin Independent School District 15; Federal Joint Board on Universal Service*, CC Docket Nos. 96-45, Order, 17 FCC Rcd 17392, 17394, para. 5 (WCB 2002) (*Picher-Cardin Independent School District 15 Order*) (remanding an appeal to be addressed by USAC in the first instance).

³⁵ See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Conestoga Valley School District, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, 27 FCC Rcd 13167 (WCB 2012) (+) (denying appeals where applicants discouraged prospective service providers from participating in the competitive bidding process and therefore suppressed fair and open competitive bidding).

³⁶ See, e.g., *Requests for Review of a Decision of the Universal Service Administrator by Fall River Public School District, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 7427, 7429, para. 5 (WCB 2013) (*Fall River Public School District Order*) (denying appeal where applicant failed to consider price as primary factor in its vendor selection process and where it was not clear from the record that applicant selected the lowest-cost provider). An audit also found that Le Jardin Academy received E-Rate funding

(continued....)

Le Jardin Academy, HI, Application No. 161040634, Request for Review, CC Docket No. 02-6 (filed Dec. 8, 2022)

*Ineligible Entities*³⁷

Gateway Community Action Partnership, NJ, Application No. 161033245, Request for Waiver, CC Docket No. 02-6 (filed Feb. 3, 2020)

*Ineligible Services*³⁸

Kentucky State Department of Education, KY, Application No. 211017885, Request for Review, CC Docket No. 02-6 (filed Jan. 26, 2024)

Professional Network Consultants, Inc. (Graham County School District), NC, Application Nos. 614927, 677276, 743650, Request for Review, CC Docket No. 02-6 (filed Aug. 13, 2012)

Professional Network Consultants, Inc. (Mitchell County School District), NC, Application No. 626116, Request for Review, CC Docket No. 02-6 (filed July 9, 2013)

*Late-Filed FCC Form 471 Applications*³⁹

Alpena County George N. Fletcher Public Library, MI, Application No. 241040604, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2024, Jan. 16, 2025)

Arizona Cultural Academy & College Prep, AZ, Application Nos. 241040100, 241040101, Request for Waiver, CC Docket No. 02-6 (filed May 3, 2024)

for ineligible items. Le Jardin Academy untimely filed its appeal on the ineligible items funding denial with USAC after the 60-day appeal deadline. *See* 47 CFR § 54.720 (requiring that petitioners file their appeals within 60 days of an adverse USAC decision). As the appeal was untimely filed and because we are denying Le Jardin Academy's entire application on competitive bidding grounds, we are not determining this issue on the merits.

³⁷ *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by CCRC Community Link et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 5326, para. 1 (WCB 2012) (*CCRC Community Link Order*) (denying support to entities that failed to show that they were eligible for E-Rate support).

³⁸ *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by AllWays, Inc. (Prairie Hills School District 144); Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 1968, 1968-69, para. 1 (WCB 2012) (*AllWays Order*) (upholding denials of funding requests for services that are not eligible for E-Rate support). In regard to Graham County School District's FCC Form 471 Application No. 614927, we also deny any request for relief related to document retention. *See, e.g., Requests for Review of Decisions of the Universal Service Administrator by Eastchester UN Free School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 34 FCC Rcd 7776, 7781-82, para. 14 (WCB 2019) (*Eastchester UN Free School District Order*) (denying an appeal on the grounds that the petitioner failed to retain documentation pertaining to the appeal subject matter at issue).

³⁹ *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 window deadline where petitioners failed to present special circumstances justifying a waiver of the Commission's rules).

Cahokia Public Library District, IL, No Application Filed, Request for Waiver, CC Docket No. 02-6 (filed Sept. 16, 2024)⁴⁰

Colorado School for Deaf & Blind, CO, Application No. 241040349, Request for Waiver, CC Docket No. 02-6 (filed Sept. 16, 2024)

Derby Public Library, CT, Application No. 241040478, Request for Waiver, CC Docket No. 02-6 (filed Nov. 21, 2024)⁴¹

El Paso Leadership Academy, TX, Application No. 241039658, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2024)

El Paso Leadership Academy, TX, Application No. 241040531, Request for Waiver, CC Docket No. 02-6 (filed Dec. 20, 2024)

Marist Catholic High School, OR, Application No. 221040820, Request for Waiver, CC Docket No. 02-6 (filed Aug. 22, 2022)

Marshall Memorial Library, NM, Application No. 241040576, Request for Waiver, CC Docket No. 02-6 (filed Dec. 18, 2024)

Nichols School, NY, Application No. 241040302, Request for Waiver, CC Docket No. 02-6 (filed Dec. 23, 2024)⁴²

Ouachita River School District, AZ, Application No. 171049215, Request for Waiver, CC Docket No. 02-6 (filed June 5, 2017)

Salem School District, NH, Application No. 241040625, Request for Waiver, CC Docket No. 02-6 (filed Dec. 30, 2024)

St. Joseph School, CA, Application No. 241016377, Request for Waiver, CC Docket No. 02-6 (filed Jan. 2, 2025)

St. Theresa's School, TX, Application No. 241040543, Request for Waiver, CC Docket No. 02-6 (filed Dec. 12, 2024)

Surprise Valley Joint Unified School District, CA, Application No. 181042641, Request for Waiver, CC Docket No. 02-6 (filed May 11, 2018)

⁴⁰ While Cahokia Public Library District seeks a waiver for funding year 2023, the library did file application no. 241015656 on Sept. 16, 2024 for funding year 2024. This application is also denied as late-filed. *See supra note 39.*

⁴¹ The entry for Derby Public Library had the incorrect application number in a previous public notice. *See Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket Nos. 21-93, 02-60, Public Notice, DA 25-159 (WCB Rel. Mar. 3, 2025). We include Derby Public Library with the corrected application number in this public notice.

⁴² In addition to submitting its FCC Form 471 application late, Nichols School filed its waiver request after the 60-day deadline. *See* 47 CFR § 54.720 (requiring that petitioners file their appeals within 60 days of an adverse USAC decision).

*Late-Filed Invoice or Invoice Deadline Extension*⁴³

Appalachia Intermediate Unit 8, PA, Application Nos. 221017791, 221033878, Request for Waiver, CC Docket No. 02-6 (filed Feb. 26, 2025)

Chapel Hill Independent School District, TX, Application No. 171018695, Request for Review, CC Docket No. 02-6 (filed Dec. 20, 2019)

CodeBlue Technology LLC (Colonial Heights Public School District), VA, Application No. 181040546, Request for Waiver, CC Docket No. 02-6 (filed Dec. 6, 2024)

Logicalis Inc. (Great Oaks Legacy Charter School), NJ, Application No. 211033837, Request for Waiver, CC Docket No. 02-6 (filed Aug. 28, 2024)

Southwest Barry County School District R5, MO, Application No. 231002826, Request for Waiver, CC Docket No. 02-6 (filed Jan. 14, 2025)

*Relying on FCC Form 470 That Did Not Seek Bids on Types of E-Rate Services Later Requested*⁴⁴

Lincoln County School District, OR, Application No. 211027448, Request for Waiver, CC Docket No. 02-6 (filed Oct. 18, 2024)

*Responsible Party for Recovery of Improperly Disbursed Funds*⁴⁵

Professional Network Consultants, Inc. (Stanly County School District), NC, Application No. 727383, Request for Review, CC Docket No. 02-6 (filed July 9, 2013)

⁴³ 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, 3836, para. 7 (WCB 2016) (*Ada School District*) (denying waiver requests for invoice filing deadline extensions 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 rule).

⁴⁴ 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) (*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 (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).

⁴⁵ See *Federal-State Joint Board on Universal Service et al.*, CC Docket No. 96-45 et al., Order on Reconsideration and Fourth Report and Order, 19 FCC Rcd 15252, 15257, para. 15 (2004) (*Fourth Report and Order*) (explaining that recovery action is directed to the party or parties that committed the rule or statutory violation in question and providing examples of applicant responsibility for discount rate calculations and service provider responsibility for services delivered to schools not approved for funding under the governing FCC Form 471). Here, we find that recovery was correctly directed at both the school and the service provider in accordance with that Order. In addition, we deny the request as it related to basic maintenance services provided outside of the applicable funding year. See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Twiggs County School District and American Control Systems, Inc.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 5788, 5790, para. 6 (WCB 2011) (noting that applicants may seek extensions of time only for non-recurring services and therefore denying an extension of the implementation deadline for a recurring service funding request).

*Untimely Filed Appeals or Waiver Requests*⁴⁶

En-Net Services (Solanco School District), PA, Application No. 171043912, Request for Waiver, CC Docket No. 02-6 (filed July 2, 2019)

Excel Christian Academy and Preschool, FL, Application No. 221033352, Request for Waiver, CC Docket No. 02-6 (filed Jan. 22, 2025)

Landow Yeshiva Lubavitch Center, FL, Application Nos. 803131, 873008, 928024, 984914, Request for Waiver, CC Docket No. 02-6 (filed Jan. 6, 2025)

St. Helen School, NY, Application No. 1031131, Request for Waiver, CC Docket No. 02-6 (filed Nov. 14, 2024)

St. Louis City School District, MO, Application No. 221007901, Request for Waiver, CC Docket No. 02-6 (filed Nov. 4, 2024)

St. Francis De Sales Deaf School, NY, Application No. 171011578, Request for Waiver, CC Docket No. 02-6 (filed Dec. 19, 2024)

Emergency Connectivity Fund Program
WC Docket No. 21-93**Granted**⁴⁷*Early Delivery*⁴⁸

Bluum Corporation f/k/a CDI Computers Corp. (Eufaula Independent School District 1), OK, Application No. ECF202203118, Request for Waiver, WC Docket No. 21-93 (filed Mar. 5, 2025)

Red Clay School District, DE, Application No. ECF202209114, Request for Waiver, WC Docket No. 21-93 (filed Feb. 13, 2025)

⁴⁶ 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).

⁴⁷ 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).

⁴⁸ 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).

Denied*Late-Filed ECF FCC Form 471 Applications*⁴⁹

Holy Family School, MO, Application No. ECF222121271, Request for Waiver, CC Docket No. 02-6 (filed Apr. 19, 2022)

*Untimely Filed Appeals or Waiver Requests*⁵⁰

Legacy The School of Sports Sciences, TX, Application No. ECF202115017, Request for Waiver, CC Docket No. 02-6 (filed Feb. 11, 2025)

Contribution Methodology**WC Docket No. 06-122**Granted*Untimely Filed Appeal*⁵¹ □

RAM Telecom International, Inc., Request for Review, WC Docket No. 06-122 (filed Mar. 3, 2025) □ □

*Request for Waiver of the Form 499-Q 45-Day Revision Deadline, Interest, and Late Fees*⁵² □

⁴⁹ See, e.g., *Academy of Math and Science Order*, 25 FCC Rcd at 9259, para. 8 (denying requests for waiver of the FCC Form 471 application filing deadline where petitioners failed to present special circumstances justifying waiver of our rules); *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket Nos. 21-93, et al., Public Notice, 37 FCC Rcd 6423, 6439, n.13 (WCB 2022) (denying late-filed ECF FCC Form 471 applications).

⁵⁰ 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 60 days; or failed to submit their waiver requests to the Commission within 60 days as required by the Commission's rules; and (2) did not show special circumstances necessary for the Commission to waive the deadline). 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.

⁵¹ USAC issued a Performance Audit on September 11, 2024 and RAM Telecom filed an appeal of the audit on November 12, 2024. Under FCC rules, an appeal must be filed within sixty days of a final USAC action. See 47 C.F.R. § 54.720(b). Sixty days from September 11, 2024 was November 10, 2024, which was a Sunday. The next day, Monday, November 11, 2024 was a federal holiday. Consistent with FCC rules, RAM Telecom filed the appeal with USAC on the next business day, Tuesday, November 12, 2024. See also 47 C.F.R. § 1.4.

⁵² See *Universal Service Contribution Methodology; Petition for Reconsideration by Ascent Media Group, Inc.*, WC Docket No. 06-122, Order, 28 FCC Rcd 6150 (WCB 2013) (*Ascent Media Group Order*) (finding good cause for granting a waiver of the FCC Form 499-Q filing deadline where the company mistakenly reported its total projected company revenues instead of its assessable interstate and international end-user revenues, resulting in invoices that were significantly higher than what they would have been, but for the reporting error); *Universal Service Contribution Methodology; Request for Review of a Decision of the Universal Service Administrator and Request*

(continued...)

Marvil CG, LLC, Request for Review, WC Docket No. 06-122 (filed Feb. 14, 2025) □ □

Dismissed as Moot

*Petition for Waiver of Form 499-A Revision Deadline*⁵³ □

Fairway IT Solutions, LLC, Request for Waiver, WC Docket No. 06-122 (filed Jan. 27, 2025) □ □

Rural Health Care Program
WC Docket No. 02-60

Dismiss as Moot

*Waiver of Application Filing Deadline*⁵⁴

Children's Health of Carolina, NC, Request for Waiver, WC Docket No. 02-60, No Funding Request Number (filed Mar. 12, 2025)

The Queen's Health System, HI, Request for Waiver, WC Docket No. 02-60, No Funding Request Number (filed Mar. 12, 2025)

*Waiver of the Invoice Filing Deadline*⁵⁵

Grace Cottage Hospital, VT, Request for Waiver, WC Docket No. 02-60, Funding Request No. RHC20230020154 (filed Feb. 13, 2025)

Granted

for Waiver by American Broadband & Telecommunications, WC Docket No. 06-122, 28 FCC Rcd 10358 (WCB 2013) (finding good cause for granting a waiver of the FCC Form 499-Q deadline where a typographical error resulted in invoices for the relevant quarter that were several times the company's true-up contribution obligation for the entire year). We direct USAC to accept Marvil's revised November 2024 Form 499-Q as if timely filed and reverse any associated interest, fees, and penalties.

⁵³ See *Universal Service Contribution Methodology, Requests for Waiver of Decisions of the Universal Service Administrator by Ambess Enterprises Inc., et al.*, WC Docket No. 06-122, Order, 25 FCC Rcd 3722 (WCB 2010) (*Ambess Enterprises Order*) (dismissing several petitions for waiver of USAC decisions because subsequent USAC action has provided relief sought by petitioners).

⁵⁴ See *Rural Health Care Support Mechanism, Promoting Telehealth in Rural America*, WC Docket Nos. 02-60 and 17-310, Order, DA 25-224 at 3, para. 6 (WCB Mar. 13, 2025) (waiving the Rural Health Care Program's application filing deadline for funding year 2025 and extending the close of the filing window to June 2, 2025). We dismiss the petitions as moot due to the extension of the application filing deadline for all participants in the Rural Health Care Program.

⁵⁵ In the petition for waiver, Grace Cottage Hospital requested an extension of the invoice filing deadline to August 2025, but its invoice deadline was extended to August 2025 as a result of a SPIN change processed by USAC in December 2024. As a result of USAC's processing of the SPIN change prior to the filing of the petition for waiver, we dismiss the petition as moot.

*Waiver of the Invoice Filing Deadline*⁵⁶

Hendry Regional Medical Center and NetFortis Acquisition Co., LLC, FL, Requests for Waiver, WC Docket No. 02-60, Funding Request Nos. RHC 20230024970, 20230024972, 20230027292 (filed Feb. 26, 2025)

Littleton Hospital Association, NH, Request for Waiver, WC Docket No. 02-60, Funding Request No. RHC20230020973 (filed Feb. 25, 2025)

Denied*Waiver of the Invoice Filing Deadline*⁵⁷

Tahoe Forest Hospital, CA, Request for Waiver, WC Docket No. 02-60, Funding Request Nos. RHC20230023954, RHC20230020280, RHC20230020274 (filed Feb. 26, 2025)

**Effective Dates of Conditional Authorizations to Receive Rural Digital Opportunity Fund Support
WC Docket No. 24-311**

As of March 17, 2025, Central Virginia Services, Inc. (CVSI) has satisfied all conditions for its authorization to receive Rural Digital Opportunity Fund (RDOF) support assigned to it from Brightspeed of Virginia, LLC (formerly known as Central Telephone Company of Virginia).⁵⁸

**Effective Dates of Conditional Authorizations to Receive Rural Digital Opportunity Fund Support
WC Docket No. 24-688**

As of March 24, 2025, Central Virginia Services, Inc. (CVSI) has satisfied all conditions for its authorization to receive Rural Digital Opportunity Fund (RDOF) support assigned to it from

⁵⁶ See *Requests for Waiver by University of Virginia Health System Center for Telehealth and Lumos Networks, Inc., Rural Health Care Universal Service Support Mechanism*, CC Docket No. 02-60, Order, 38 FCC Rcd 1041, 1042-43, paras. 3-5 (WCB 2023) (*Virginia Health System Center Order*) (granting waiver of invoice filing deadline where petitioner “submitted its portion of the FCC Form 463 in time to permit . . . [the service provider] to complete the form prior to the invoice filing deadline,” but which the service provider failed to do). In the current cases, filed by Hendry Regional Medical Center and Littleton Hospital Association, the service provider has experienced delays in fulfilling registration requirements for an online government payment system. We therefore waive the petitioners’ invoice filing deadlines and allow them 120 days from the release date of this Public Notice to file invoices.

⁵⁷ See *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Indiana Telehealth Network, et. al.*, WC Docket No. 02-60, Order, 33 FCC Rcd 12341, 12342-43, paras. 4-5 (WCB 2018) (*Indiana Telehealth Network*) (delays in timely filing an invoice for reasons within the control of the petitioning party do not justify a waiver of the invoice filing deadline). Tahoe Forest Hospital received multiple funding commitments in 2023 and most of its invoices were submitted properly and paid, but not the three in question, which were partially submitted and paid at mid-year but not at year-end. Tahoe Forest Hospital states that its consultant’s tracking system “was not set up to always catch partial year needs,” a circumstance within its control and therefore insufficient to support a waiver request.

⁵⁸ *Domestic Section 214 Application Granted for the Acquisition of Certain Assets of Brightspeed of Virginia, LLC by Central Virginia Services, Inc.*, WC Docket No. 24-311, Public Notice, DA 24-1270 (WCB Dec. 18, 2024) (*Brightspeed 214 Transfer Order*); Letter from Todd B. Lantor, Counsel to Central Virginia Services, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 24-92 (filed Mar. 17, 2025) (notifying the Commission that all conditions for CVSI to receive the RDOF support associated with the *Brightspeed 214 Transfer Order* were satisfied as of March 17, 2025).

FiberLight of Virginia, LLC.⁵⁹

High-Cost Program (Connect America Fund)
WC Docket No. 10-90

Granted

High Cost Performance Measures Module (PMM) Certification Reporting⁶⁰

Waitsfield-Fayston Telephone CO., Inc. d/b/a Waitsfield and Champlain Valley Telecom Request for Waiver, WC Docket No. 10-90 (filed Mar. 5, 2025)

Planters Rural Telephone Cooperative, Inc. Emergency Request for Expedited Treatment Petition for Waiver, WC Docket No. 10-90 (filed Mar. 7, 2025)

RiverStreet Communications of Virginia Request for Expedited Grant of Waiver, WC Docket 10-90 (filed Mar. 13, 2025)

RiverStreet Communications of North Carolina Request for Expedited Grant of Waiver, WC Docket 10-90 (filed Mar. 13, 2025)

Millington Telephone Company Emergency Request for Expedited Treatment Petition for Waiver, WC Docket 10-90 (filed Mar. 13, 2025)

San Carlos Apache Telecommunications Utility Request for Waiver Emergency Request for Expedited Treatment, WC Docket 10-90 (filed Mar. 14, 2025)

Total Communications Inc. Emergency Request for Expedited Treatment Petition for Waiver, WC Docket 10-90 (filed Mar. 14, 2025)

⁵⁹ *Domestic Section 214 Application Granted for the Acquisition of Certain Assets of FiberLight of Virginia, LLC by Central Virginia Services, Inc.*, WC Docket No. 24-688, Public Notice, DA 25-99 (WCB Jan. 31, 2025) (*FiberLight 214 Transfer Order*); Letter from Todd B. Lantor, Counsel to Central Virginia Services, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 24-688 (filed March 24, 2025) (notifying the Commission that all conditions for CVSI to receive the RDOF support associated with the *FiberLight 214 Transfer Order* were satisfied as of March 18, 2025).

⁶⁰ Waitsfield-Fayston Telephone Company, Planters Rural Telephone Cooperative, RiverStreet Communications of Virginia, RiverStreet Communications of North Carolina, Millington Telephone Company, San Carlos Apache Telecommunications Utility, Total Communications, Canadian Valley Telephone Company, Piedmont Rural Telephone Co., Central Arkansas Telephone Company, Albion Telephone Company, Wave Rural Connect, LaHarpe Telephone Company, Farmers Cooperative Telephone Company, Filers Mutual Telephone Company- Idaho, Medicine Park Telephone Company, Electra Telephone Company, and Tatum Telephone Company all timely uploaded the 2023 testing data into the Performance Measures Module, but did not timely certify the testing data as required by Commission Rule 47 CFR §54.313(j). *See Connect America Fund, et al.*, WC Docket Nos. 10-90 et al., Order, 36 FCC Rcd 13976, paras. 9-10 (NNTC Certification Waiver Order) (granting waiver to allow the carrier to report locations after the deadline for the reporting year when locations were timely uploaded to the HUBB portal but due to an inadvertent administrative oversight were not timely certified); *see also Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket Nos. 21-93, 10-90, 02-60 and 06-122, Public Notice, DA 23-333, n.38 (WCB Apr. 28, 2023) (granting waiver to allow the carrier to certify meeting its milestone obligation after the deadline for the reporting year when locations were timely uploaded and certified to the HUBB portal but due to an inadvertent administrative oversight, the milestone obligation was not timely certified).

Canadian Valley Telephone Company Emergency Request for Expedited Treatment Petition for Waiver, WC Docket No. 10-90 (filed Mar. 17, 2025)

Piedmont Rural Telephone Cooperative, Inc. Emergency Request for Expedited Treatment Petition for Waiver, WC Docket No. 10-90 (filed Mar. 17, 2025)

Central Arkansas Telephone Cooperative Emergency Request for Expedited Treatment Petition for Waiver, WC Docket 10-90 (filed Mar. 17, 2025)

Albion Telephone Company, Inc. Request for Expedited Waiver, WC Docket 10-90 (filed Mar. 20, 2025)

Wave Rural Connect, LLC, Petition for Waiver, WC Docket No. 10-90 (filed Mar. 20, 2025)

LaHarpe Telephone Company, Inc. Petition for Waiver of PMM Penalties for LaHarpe Telephone Company, Inc., WC Docket No. 10-90 (filed Mar. 21, 2025)

Farmers Cooperative Telephone Company Request for Review and Petition for Expedited Waiver, WC Docket No. 10-90 (filed Mar. 21, 2025)

Filer Mutual Telephone Company- Idaho Petition for Waiver, WC Docket No. 10-90 (filed Mar. 24, 2025)

Medicine Park Telephone Company, Electra Telephone Company, Tatum Telephone Company Request for Expedited Waiver, WC Docket No. 10-90 (filed Mar. 25, 2025)

Granted

*Performance Measures Testing Requirements*⁶¹

Frontier Communications Petition for Waiver, WC Docket No. 10-90 (filed Mar. 14, 2025)

High-Cost **AU Docket No. 17-182**

Granted

*Letter of Credit*⁶²

Broadband Corp., Request for Waiver, AU Docket No. 17-182 (filed Mar. 13, 2025)

⁶¹ Frontier Communications asserts that it timely deployed to all of its CAF II service area locations and successfully completed pre-testing in 2023 and 2024 as required, but due to the Los Angeles Wildfires, 10 out of 19 of Frontier's CAF II locations have been destroyed or substantially damaged creating an extreme burden to conduct performance testing in the first and second quarter of 2025. See *Affordable Connectivity Program, et al.*, WC Docket Nos., 10-90, *et. al.*, Order, 38 FCC Rcd 7587, 7602, para. 35; *Lifeline and Link Up Reform and Modernization, et. al.*, WC Docket No. 11-42 *et. al.*, Order, DA 25-63, para. 9 (WCB 2025) (waiving similar testing requirements after federally-declared natural disasters).

⁶² We grant this petition by temporarily and conditionally waiving section 54.315(c)(2)(i)(B) of the Commission's rules to permit Broadband Corp. to obtain a letter of credit from a United States bank that is "well capitalized" but

(continued....)

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that does not have a bank safety rating issued by Weiss of B- or better. 47 CFR § 54.315(c)(2)(i)(B); *Domestic Section 214 Application Granted for the Acquisition of Certain Assets of Commnet Wireless, LLC by Inland Cellular LLC; Conditional Authorization of Inland Cellular, LLC to Receive Support and Limited Waiver of Bank Eligibility Requirement*, WC Docket Nos. 24-134, 10-90, Public Notice, DA 25-50, at 8-9 (WCB Jan. 15, 2025) (*Commnet Wireless Order*) (conditionally waiving the Commission’s rules to permit Inland Cellular to obtain a letter of credit from a bank that is “well capitalized” consistent with the Commission’s recently adopted but not effective rule change replacing the Weiss standard with the “well capitalized” standard). The rule change permitting a Connect America Phase II auction carrier to obtain a letter of credit from a United States bank that is “well capitalized,” and that otherwise meets the Commission’s requirements, will be effective August 25, 2025. *Connect America Fund et al.*, WC Docket No. 10-90 et al., FCC 24-127, at 5-9, paras. 11-22 (Dec. 13, 2024) (amending section 54.315(c)(2)(i)(B) by replacing the Weiss standard with the well capitalized standard, to be made effective after a six-month transition period); Federal Communications Commission, *Connect America Fund et al.*, 90 Fed. Reg. 10456 (Feb. 24, 2025). We condition the grant of this temporary waiver relief on Broadband Corp.’s submission of a letter of credit from a United States bank otherwise qualified to issue a letter of credit that meets the “well capitalized” standard and the submission of a United States Bank Officer certification certifying that the bank meets the criteria to be considered well capitalized. *Id.* This temporary conditional waiver will remain in place until the rule change becomes effective.