



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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

CC Docket No. 02-6  
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.<sup>1</sup> The deadline for filing petitions for reconsideration or applications for review concerning the disposition of any of these Requests is 30 days from the release date of this Public Notice.<sup>2</sup>

### Schools and Libraries (E-Rate) CC Docket No. 02-6

#### Dismiss as Moot<sup>3</sup>

AT&T Corp. (West Point Consolidated School District), MO, Application No. 788360, Request for Review, CC Docket No. 02-6 (filed Mar. 21, 2016)

Rochester Stem Academy, MN, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Apr. 14, 2017)

<sup>1</sup> See *Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45 and 02-6, WC Docket Nos. 02-60, 06-122, 08-71, 10-90, 11-42, and 14-58, Public Notice, 29 FCC Rcd 11094 (WCB 2014). Section 54.719(b) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC, after first seeking review at USAC, may seek review from the Commission. Section 54.719(c) of the Commission's rules provides that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. 47 CFR § 54.719(b)-(c). In this Public Notice, we have reclassified as Requests for Waiver those appeals seeking review of a USAC decision that appropriately should have requested a waiver of the Commission's rules. Similarly, we have reclassified as Requests for Review those appeals seeking a waiver of the Commission's rules but that are, in fact, seeking review of a USAC decision.

<sup>2</sup> See 47 CFR §§ 1.106(f), 1.115(d); see also 47 CFR § 1.4(b)(2) (setting forth the method for computing the amount of time within which persons or entities must act in response to deadlines established by the Commission).

<sup>3</sup> See, e.g., *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) (dismissing as moot requests for review where USAC had taken the action the petitioner requested).

Dismiss on Reconsideration<sup>4</sup>

Millwood Independent School District, OK, Application Nos. 201044727, 201044731, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 30, 2020)

Saint Philip School, RI, Application No. 201044829, Petition for Reconsideration, CC Docket No. 02-6 (filed Sept. 18, 2020)

Granted<sup>5</sup>*Fair and Open Competitive Bidding Process*<sup>6</sup>

Charter Communications (Wilson County School District), NC, Application No. 597607, Request for Review and Waiver, CC Docket No. 02-6 (filed July 6, 2020)

Wilson County School District, NC, Application No. 597607, Request for Review and Waiver, CC Docket No. 02-6 (filed July 29, 2020)

*Ministerial and/or Clerical Errors*<sup>7</sup>

Caruthers Unified School District, CA, Application No. 201027204, Request for Review and Waiver, CC Docket No. 02-6 (filed Dec. 28, 2020)<sup>8</sup>

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<sup>4</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Allan Shivers Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order and Order on Reconsideration, 29 FCC Rcd 10356, 10357, para. 2 (WCB 2014) (dismissing petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding).

<sup>5</sup> We remand these applications to USAC and direct USAC to complete its review of the applications and issue a funding commitment or a denial based on a complete review and analysis, no later than 90 calendar days from the release date of this Public Notice. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications. We also waive sections 54.507(d) and 54.514(a) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. See 47 CFR § 54.507(d) (requiring non-recurring services to be implemented by September 30 following the close of the funding year); 47 CFR § 54.514(a) (codifying the invoice filing deadline).

<sup>6</sup> See *Requests for Review of Decisions of the Universal Service Administrator by Kings Canyon Unified School District, et al., Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 4084, 4084-85, paras. 1-2 (WCB 2012) (granting appeal where applicant accepted gifts from service provider, but conducted a fair and open competitive bidding process under Commission rules that existed at the time); see also *Requests for Review of Decisions of the Universal Service Administrator by Dimmitt Independent School District, et al., Schools and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 15581, 15587-89, paras. 10, 12 (WCB 2011) (granting appeals where the gifts at issue by themselves did not compromise the competitive bidding process because, in each instance, the gifts were minimal, they were provided over the course of several years, or they were given to employees with no authority to bind the district to a contract or who had no ability to influence the competitive bidding decision).

<sup>7</sup> See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 17319, 17319-20 & nn.5, 9 & 20 (WCB 2010) (granting a waiver where the applicant omitted items from its source list, entered the wrong dates for service on its form, or selected the wrong category of service on its FCC Form 471); *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) (permitting applicant to correct an incorrect discount rate on its FCC Form 471).

Lee County Library, GA, Application No. 161059441, Request for Review and Waiver, CC Docket No. 02-6 (filed Nov. 24, 2020)

Lunenburg Public Schools, MA, Application No. 191039619, Request for Waiver., CC Docket No. 02-6 (filed Nov. 10, 2020, supplemented Feb. 23, 2021)

Revelation School District of Florida, FL, Application No. 201036142, Request for Waiver, CC Docket No. 02-6 (filed Jan. 11, 2021)

San Miguel School of Providence, RI, Application No. 201003138, Request for Waiver., CC Docket No. 02-6 (filed Nov. 20, 2020, supplemented Feb. 17, 2021)

School District Unit 46, IL, Application No. 201022861, Request for Review and Waiver, CC Docket No. 02-6 (filed Jan. 13, 2021, supplemented Feb. 9, 2021)

*Late-Filed FCC Form 471 Applications – Filed Within 14 Days of the Close of the Window<sup>9</sup>*

Community Parents, Inc., NY, Application No. 201047594, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2020)

Crystal Springs School, MA, Application No. 201047591, Request for Waiver, CC Docket No. 02-6 (filed Nov. 3, 2020)

Hasbrouck Heights School District, NJ, Application No. 201047583, Request for Waiver, CC Docket No. 02-6 (filed Nov. 3, 2020)

International Charter School of Trenton, NJ, Application No. 201047568, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2020)

Jim Elliot Christian High School, CA, Application No. 201047596, Request for Waiver, CC Docket No. 02-6 (filed Jan. 27, 2021)

Long Island and Family Development Services, NY, Application No. 201047605, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2020)

Pro Action of Steuben and Yates, NY, Application No. 201047603, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2020)

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<sup>8</sup> Due to this grant, USAC should review Application No. 201045857 which requests an upgrade in bandwidth pursuant to the second E-Rate application filing window for schools needing additional funding to meet their increased on-campus bandwidth needs. *See Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 35 FCC Red 10347, 10351, para. 13 (WCB 2020).

<sup>9</sup> *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Red 9256, 9259, para. 8 (2010) (*Academy of Math and Science Order*) (finding special circumstances existed to justify granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days of the filing window deadline).

*Late-Filed FCC Form 486*<sup>10</sup>

New Prague School District 721, MN, Application No. 161020708, Request for Review, CC Docket No. 02-6 (filed Jan. 21, 2021)

*No Signed Contract*<sup>11</sup>

Blackstone Valley Regional Vocational District, MA, Application No. 1026249, Request for Review, CC Docket No. 02-6 (filed Sept. 21, 2016)

*Untimely Filed Appeal*<sup>12</sup>

Jenks Independent School District 5, OK, Application No. 201025446, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2020)<sup>13</sup>

*USAC Decision Issued After Invoice Deadline*<sup>14</sup>

New Ulm Area Catholic Schools, MN, Application No. 181040260, Request for Waiver, CC Docket No. 02-6 (filed Feb. 25, 2020)

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<sup>10</sup> See, e.g., *Requests for Waiver of Decisions of the Universal Service Administrator by Archdiocese of New Orleans et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 11747, 11750, para. 10 (WCB 2016) (granting relief 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).

<sup>11</sup> See, e.g., *Requests for Waiver of the Decision of the Universal Service Administrator by Adams County School District 14 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6019, 6022-23, paras. 8-9 (2007) (granting a waiver of the Commission's contract rules for applicants that had an agreement in place but signed the actual contract with their service providers shortly after submitting their FCC Form 471).

<sup>12</sup> See, e.g., *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by ABC Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, para. 2 (WCB 2011) (waiving the filing deadline for petitioners that submitted their appeals or waiver requests to the Commission or USAC only a few days late). We make no finding on the underlying issues in this appeal and remand these applications back to USAC for a determination on the merits. See supra note 6.

<sup>13</sup> The application number for Jenks Independent School District 5 was incorrect 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. 02-60, 06-122, Public Notice, DA 21-92 (WCB Jan. 29, 2021). We include the entry in this public notice with the correct application number.

<sup>14</sup> See *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Order, FCC 20-178, para. 15 (rel. Dec. 10, 2020) (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).

Consistent with precedent, we also find good cause exists to waive sections 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 for Holdrege Public School District and West Virginia Department of Education Office of Transition and Diversion Programs. See *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by ABC Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, para. 2 (WCB 2011) (granting waivers of filing deadline for appeals because they submitted their appeals within a reasonable period of time after receiving actual notice of USAC's adverse decision); 47 CFR §§ 54.720(a), (b).

*Waiver of Special Construction Service Delivery Deadline*<sup>15</sup>

MontanaSky Networks (Pleasant Valley School District), MT, Application No. 181037134, Request for Waiver, CC Docket No. 02-6 (filed July 27, 2020)

Denied*Competitive Bidding and Contract Issues*<sup>16</sup>

Salina Unified School District 305, KS, Application Nos. 181037643, 191031915, 191031917, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Jan. 3, 2020)

*Failure to Satisfy Debt/Red Light Rule*<sup>17</sup>

Choanoke Area Development Association, Inc., NC, Application No. 191040624, Request for Review, CC Docket No. 02-6 (filed Sept. 27, 2019)

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<sup>15</sup> See *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) (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). This applicant was unable to complete implementation for reasons beyond its control and made good faith efforts to comply with Commission rules and procedures. Accordingly, we waive the respective special construction service delivery deadline and direct USAC to set a new service delivery deadline of June 30, 2021 and adjust any associated administrative or procedural deadlines, including the invoice deadline, that might be necessary to effectuate our ruling.

<sup>16</sup> We deny Application No. 191031915 because Salina Unified School District 305 (Salina) did not conduct a competitive bidding process for its requested services. See 47 CFR § 54.504(c) (stating that applicants must seek competitive bids for E-Rate eligible services by posting a Form 470 and waiting 28 days before entering into a contract for services); *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, 8763, para. 10 (2007) (denying an appeal for an applicant that requested E-Rate program funds without posting a new FCC Form 470 for the services).

We also deny Application No. 181037643 because Salina did not conduct a competitive bidding process for its services and relied on a month-to-month arrangement with its service provider that referenced an FCC Form 470 from a prior funding year. See, e.g., *Request for Review by New Albany-Floyd County Consolidated School Corporation*, CC Dockets No. 02-6, Order, 20 FCC Rcd 8159, 8160-61, para. 5 (WCB 2005) (noting that once a contract expires, even if the services continue on a month-to-month basis, a new FCC Form 470 must be filed and posted for 28 days in order to be compliant with the Commission's competitive bidding rules).

Finally, we deny Application No. 191031917 because Salina failed entirely to consider a valid bid submitted by a service provider. See 47 C.F.R. §54.511(a) (requiring applicants to "carefully consider all bids submitted"); *Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District 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, 97-21, Order, 18 FCC Rcd 26428, 26410, para. 47 (2003).

<sup>17</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Net56, Inc., Wheeling School District 21, Schools and Libraries Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 13122, 13126, para 6 (WCB 2013) (*Net56 Order*) (denying E-Rate applicant's request for a waiver of the red light rule and dismissing their funding year 2010 application where the applicant's only justification for not paying the debt was that it was never notified by USAC). Choanoke Area Development Association, Inc. argues that its funding year 2019 applications should be funded because, even though it was on red light status when it applied for funding, it eventually repaid the debt. We note that subsequent repayment of the delinquent amount that is in violation of the red light rule does not reverse the dismissal of the application. See *id.* (denying funding of applications for E-Rate funding even though the red light debt had been satisfied).

Choanoke Area Development Association, Inc., NC, Application No. 191012146, Request for Review, CC Docket No. 02-6 (filed Dec. 30, 2019, Mar. 16, 2020, supplemented Mar. 9, 2020)

Harambee Charter School, PA, Application Nos. 181037348, 181039903, Request for Waiver, CC Docket No. 02-6 (filed Feb. 7, 2019)

Sequoia Union Elementary School District, CA, Application Nos. 181001076, 181009036, Request for Review and/or Waiver, CC Docket No. 02-6 (filed Nov. 30, 2018)

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

Core BTS, Inc. (Paterson Public Schools), NJ, Application No. 181041135, Request for Waiver, CC Docket No. 02-6 (filed Nov. 30, 2020)

Garden City Public Library, NY, Application No. 1023864, Request for Waiver, CC Docket No. 02-6 (filed Nov. 12, 2020)

Hazel Crest School District 152½, IL, Application No. 181036735, Request for Waiver, CC Docket No. 02-6 (filed Dec. 2, 2019)

Hazel Crest School District 152½, IL, Application No. 181036873, Request for Waiver, CC Docket No. 02-6 (filed Dec. 2, 2019)

IC Imagine, NC, Application No. 181042170, Request for Waiver, CC Docket No. 02-6 (filed Jan. 22, 2021)

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

Dallas Public Library, TX, Application No. 201044664, Request for Waiver, CC Docket No. 02-6 (filed Nov. 9, 2020)

Ebenezer Christian School, FL, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Jan. 14, 2021)

Mid Vermont Christian School, VT, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Dec. 24, 2020)

Prairie Crossing Charter School, IL, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Dec. 3, 2020)

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<sup>18</sup> See, e.g., *Requests for Waiver of Decisions of the Universal Service Administrator by Ada School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 3834, 3835, para. 7 (WCB 2016) (denying requests for waiver of the Commission's invoice extension rule for petitioners that failed to demonstrate extraordinary circumstances justifying a waiver); see also *Modernizing the E-Rate Program for Schools and Libraries*, WC Docket No. 13-184, Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8966, para. 240 (2014) (establishing that it is generally not in the public interest to waive the Commission's invoicing rules absent extraordinary circumstances); 47 CFR § 54.514.

<sup>19</sup> See, e.g., *Academy of Math and Science Academy Order*, 25 FCC Rcd at 9261-62, para. 13 (denying requests for waiver of the FCC Form 471 application filing window deadline where petitioners failed to present special circumstances justifying waiver of our rules).

Second Mesa Day School, AZ, No Application No., Request for Waiver, CC Docket No. 02-6 (filed March 4, 2020, supplemented Dec. 14, 2020)

South Haven Christian School, TN, No Application No., Request for Waiver, CC Docket No. 02-6 (filed Dec. 3, 2020)

St. Cloud Area School District 742, MN, Application No. 201045275, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2020)

St. Helen School, NY, Application No. 201047704, Request for Waiver, CC Docket No. 02-6 (filed Dec. 18, 2020)

*Untimely Filed Appeals or Waiver Requests*<sup>20</sup>

Convent of the Sacred Heart, NY, Application No. 201003354, Request for Waiver, CC Docket No. 02-6 (filed Dec. 22, 2020)

Cutter-Morning Star School District, AR, Application No. 201035496, Request for Waiver, CC Docket No. 02-6 (filed Jan. 1, 2021)

Peak to Peak Mountain Charter School, CA, Application No. 201044708, Request for Waiver, CC Docket No. 02-6 (filed Jan. 15, 2021)

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

Granted

*Waiver of the Appeal Filing Deadline*<sup>21</sup>

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<sup>20</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134 et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (WCB 2010); *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Bound Brook School District et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 5823 (WCB 2014) (denying requests for review and/or waiver on the grounds that the petitioners failed to (1) submit their appeals either to the Commission or to USAC within 60 days; or failed to submit their waiver requests to the Commission within 60 days as required by the Commission's rules; and (2) did not show special circumstances necessary for the Commission to waive the rule).

<sup>21</sup> See e.g., *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket No. 02-60, WC Docket No. 06-122, Public Notice, 35 FCC Rcd 9927, 9938, n.24 (WCB 2020) (waiving section 54.720(b) for a late filing in the Rural Health Care program because the petitioner submitted its appeal to USAC only one day late); *Requests for Waiver of Decisions of the Universal Service Administrator by Children of Peace School*, CC Docket 02-6, Order, 25 FCC Rcd 5492, 5495, para. 6 (WCB 2010) (finding that the petitioners missed the appeal filing deadline for an appeal filed in the E-Rate program by only a few days and that was good cause to waive the appeal filing deadline rule); *Requests for Waiver of Decisions of the Universal Service Administrator by Cathedral Home for Children*, CC Docket 02-6, Order, 28 FCC Rcd 5482, 5483, para. 2 (WCB 2013) (waiving section 54.720(a) for a late filing in the E-Rate program because the petitioner submitted its appeal to USAC only two days late). The Bureau extended the deadline for filing appeals and requests for waiver by 60 days, giving petitioners a total of 120 days to file appeals and requests for waiver. See *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, 35 FCC Rcd 2922, 2927, para. 12 (WCB 2020) (waiving the 60-day deadlines to file appeals and waiver requests in section 54.720(a)-(b) and providing an additional 60 days for such requests). Tidelands Health had until Friday, August 28, 2020 to file an appeal due to the 120-day extended deadline and filed its appeal on Monday, August 31, 2020, one business day after the deadline.

Georgetown Hospital System (GHS) d/b/a Tidelands Health, SC, Request for Waiver, WC Docket No. 02-60, Funding Request No. 19648871 (filed December 21, 2020)

*Waiver of the Invoice Filing Deadline*<sup>22</sup>

Contact Network, LLC (Mississippi Primary Health Care Association), MS, Request for Waiver, WC Docket No. 02-60, Funding Request No. 17275221 (filed Jan. 15, 2021)

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

MidMichigan Medical Center - Alpena, MI, *Sua Sponte* Waiver, WC Docket No. 02-60, Funding Request No. 16406151

Human Services Agency CARE, *Sua Sponte* Waiver, WC Docket No. 02-60, Funding Request No. 17106671

La Pine Community Health Center, *Sua Sponte* Waiver, WC Docket No. 02-60, Funding Request No. 17258451

Fort Thompson Community Health Center, *Sua Sponte* Waiver, WC Docket No. 02-60, Funding Request No. 17277061

CHA Broadband Services, *Sua Sponte* Waiver, WC Docket No. 02-60, Funding Request No. 18681241

Denied

*Waiver of the Invoice Filing Deadline*<sup>24</sup>

Computer 5, Inc. (Lake Chelan Community Hospital dba Chelan County Public Hospital Dist. #2), WA, Request for Waiver, WC Docket No. 02-60, Funding Request No. 17276231 (filed Dec. 16, 2020)

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<sup>22</sup> See *Rural Health Care Support Mechanism*, WC Docket 02-60, Order, 35 FCC Rcd 2922, 2926, para. 11 (WCB 2020) (finding good cause to extend the invoice filing deadline for RHC Program participants impacted by the COVID-19 pandemic). We waive the petitioner's invoice filing deadline and allow it 180 days from the release of this Public Notice to file invoices with USAC.

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

<sup>24</sup> See *Rural Health Care Support Mechanism*, WC Docket 02-60, Order, 33 FCC Rcd 12341, 12343, para. 5 (WCB 2018) (*Indiana Telehealth Network Order*) (denying a request for waiver of the invoice filing deadline when the delay in certifying and submitting the invoice form was for reasons within the applicant or service provider's control). See also *Rural Health Care Support Mechanism*, WC Docket 02-60, 30 FCC Rcd 1063, 1065, paras. 6 (WCB 2015) (reminding applicants that adherence to the filing deadlines and program rules are necessary for the efficient administration of the Healthcare Connect Fund Program).



**Contribution Methodology**  
**WC Docket No. 06-122**

Granted

*Request for Waiver of Form 499-A Filing Deadline Due to Coronavirus (COVID-19)*<sup>25</sup>

Cloudapt, LLC, Letter from John Barbee, to Federal Communications Commission, WC Docket No. 06-122 (filed Jan. 18, 2021)

Denied

*Late 499-A Filing Fee Waiver Request*<sup>26</sup>

Blueray Concepts, Letter from David Kent, to Federal Communications Commission, WC Docket No. 06-122 (filed Jan. 27, 2021)

*Request for Waiver of FCC Form 499-Q Revision Deadline*<sup>27</sup>

7G Network, Inc., Request for Waiver of FCC Form 499-Q Filing Deadline, WC Docket No. 06-122 (filed Jan. 27, 2021)

For additional information concerning this Public Notice, please contact James Bachtell in the Telecommunications Access Policy Division, Wireline Competition Bureau, at james.bachtell@fcc.gov or (202) 418-2694.

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<sup>25</sup> See, e.g., *Schools and Libraries Universal Support Mechanism et al.*, CC Docket No. 02-6, WC Docket No. 02-60, WC Docket No. 11-42, WC Docket No. 06-122, Order, 32 FCC Rcd 7456, 7461-63, paras. 17-21 (WCB 2017) (finding good cause to waive certain rules and deadlines for contributors whose operations were substantially impacted by the Hurricanes and thus prevented from meeting filing deadlines).

<sup>26</sup> 47 CFR § 54.713. See, e.g., *Universal Service Contribution Methodology; Request for Review of a Decision of the Universal Service Administrator and Request for Waiver by BelWave Communications*, WC Docket No. 06-122, Order, 27 FCC Rcd 11176 (WCB 2012); *Universal Service Contribution Methodology; Request for Review of Decisions of the Universal Service Administrator and Request for Waiver by BCG, Inc. et al.*, WC Docket No. 06-122, Order, DA 11-864 (WCB 2011) (both finding that petitioners' claims that they were unaware of their filing obligation did not warrant waiver of the Form 499-A filing deadline and associated late fees).

<sup>27</sup> See, e.g., *Universal Service Contribution Methodology; Federal-State Joint Board on Universal Service; Requests for Review of Decisions of Universal Service Administrator by Airband Communications, Inc. et al.*, WC Docket No. 06-122, CC Docket No. 96-45, Order, 25 FCC Rcd 10861 (WCB 2010) (denying deadline waivers where claims of good cause amount to no more than simple negligence, errors by the petitioner, or circumstances squarely within the petitioner's control); *Federal-State Joint Board on Universal Service; Request for Review by National Network Communications, Inc.*, CC Docket No. 96-45, Order, 22 FCC Rcd 6783 (WCB 2007) (good cause not shown when filer claimed it did not have skilled personnel to interpret and correctly apply FCC Form 499 instructions).