



PUBLIC NOTICE

Federal Communications Commission
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DA 24-608

Released: July 1, 2024

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 Nos. 08-71, 10-90, 18-143
WC Docket No. 06-122

Pursuant to our procedure for resolving requests for review, requests for waiver, and petitions for reconsideration of decisions related to actions taken by the Universal Service Administrative Company (USAC) that are consistent with precedent (collectively, Requests), the Wireline Competition Bureau (Bureau) grants, dismisses, or denies the following Requests.¹ The deadline for filing petitions for reconsideration or applications for review concerning the disposition of any of these Requests is 30 days from the release date of this Public Notice.²

Schools and Libraries (E-Rate)

CC Docket No. 02-6

Dismissed on Reconsideration³

HMS School for Children with Cerebral Palsy, PA, Application No. 241039945, Petition for Reconsideration, CC Docket No. 02-6 (filed May 28, 2024)

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). Section 54.719(b) 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. Section 54.719(c) of the Commission's rules provide that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. 47 CFR §§ 54.719(b)-(c). In this Public Notice, we have reclassified as Requests for Waiver any appeals seeking review of a USAC decision that appropriately should have requested a waiver of the Commission's rules. Similarly, we have reclassified as Requests for Review any appeals seeking a waiver of the Commission's rules but that are, in fact, seeking review of a USAC decision.

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

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

St. Francis Prep School, NY, Application No. 241040017, Petition for Reconsideration, CC Docket No. 02-6 (filed June 4, 2024)

Granted⁴

*Allowing Service Delivery Extension*⁵

Archbishop Molloy High School, NY, Application No. 221028889, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

*Cost-Effectiveness*⁶

Mary Queen of Peace, OH, Application Nos. 734493, 766542, Request for Review, CC Docket No. 02-6 (filed Nov. 18, 2010)

*Granting on Reconsideration – Late-Filed FCC Form 471*⁷

Yukon Independent School District 27, OK, Application No. 241028548, Petition for Reconsideration, CC Docket No. 02-6 (filed May 20, 2024)

*Inadvertent Cancellation of FCC Form 471*⁸

⁴ 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).

⁵ See, e.g., *Requests 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, 13652-53, nn.3, 4 (WCB 2014) (*Accelerated Charter Order*) (noting that extensions of the implementation deadline will be granted to applicants that timely request an extension to USAC on or before the implementation deadline provided the applicant's service provider is unable to complete implementation for reasons beyond the service provider's control); see 47 CFR § 54.507(d).

⁶ *Requests for Review of Decisions 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, 6115, para. 10 (WCB 2011) (*Allendale County School District Order*) (finding that where there is only one bid responsive to the FCC Form 470, the responsive bid necessarily offered the lowest price).

⁷ 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); *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Abbotsford School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 15299, 15300, para. 2 (WCB 2012) (*Abbotsford School District Order*) (finding that the applicant filed its FCC Form 471 application beyond 14 days of the FCC Form 471 filing deadline due to delays beyond their control).

⁸ Kenosha Public Library seeks a waiver of Application No. 241040048, which was filed after the close of the application filing window because the school district inadvertently cancelled the initial FCC Form 471. On remand, USAC should reinstate the cancelled FCC Form 471. See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Joseph Jingoli & Son, Inc., et al.; Schools and Libraries Universal Service*

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Kenosha Public Library, WI, Application No. 241001920, Request for Waiver, CC Docket No. 02-6 (filed June 3, 2024)

Late-Filed FCC Form 471 Applications – Filed More than 30 Days Late Due to Serious Illness⁹

Community Library Of The Shenango Valley, PA, Application No. 241040179, Request for Waiver, CC Docket No. 02-6 (filed May 23, 2024)

Stey-Nevant Public Library, PA, Application No. 241040180, Request for Waiver, CC Docket No. 02-6 (filed May 23, 2024)

Late-Filed FCC Form 471 Applications – Filed Within 14 Days of the Close of the Window¹⁰

Agate School District 300, CO, Application No. 241039916, Request for Waiver, CC Docket No. 02-6 (filed May 15, 2024)

Caring and Sharing Learning School, FL, Application No. 241019272, Request for Waiver, CC Docket No. 02-6 (filed June 3, 2024)

Commonwealth Elementary Academy, MI, Application No. 241039685, Request for Waiver, CC Docket No. 02-6 (filed May 17, 2024)

Cypress Hills Child Care Corp, NY, Application No. 241039747, Request for Waiver, CC Docket No. 02-6 (filed May 17, 2024)

Indian River Charter High School, FL, Application No. 241039093, Request for Waiver, CC Docket No. 02-6 (filed May 21, 2024)

Islamic School Of Rhode Island, RI, Application Nos. 241039895, 241039899, Request for Waiver, CC Docket No. 02-6 (filed May 30, 2024)

Melvin J. Berman Hebrew Academy, MD, Application Nos. 241039885, 241039903, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

St. Croix Christian Academy, VI, Application Nos. 241039053, 241039108, Request for Waiver, CC Docket No. 02-6 (filed May 15, 2024)

Valiant Cross Academy, AL, Application Nos. 241039466, 241039465, Request for Waiver, CC Docket No. 02-6 (filed June 3, 2024)

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Support Mechanism, CC Docket No. 02-6, Order, 22 FCC Rcd 19227, 19228-29, paras. 3-4 (WCB 2007) (granting petitioners' requests to restore mistakenly cancelled funding requests)

⁹ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Archdiocese of San Antonio et al.; Schools and Libraries Universal Service Support Mechanism, Establishing Emergency Connectivity Fund to Close the Homework Gap*, CC Docket No. 02-6, WC Docket No. 21-93, Order, 37 FCC Rcd. 4879, 4882-83, paras. 7-8 (2022) (*Archdiocese of San Antonio Order*) (granting waiver requests for applications filed more than 30 days after the close of the filing window due to serious medical conditions).

¹⁰ See, e.g., *Academy of Math and Science Order*, 25 FCC Rcd at 9259, para. 8 (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).

Washougal School District 112-6, WA, Application No. 241039158, Request for Waiver, CC Docket No. 02-6 (filed May 15, 2024)

Washougal School District 112-6, WA, Application No. 241039203, Request for Waiver, CC Docket No. 02-6 (filed May 15, 2024)

Washougal School District 112-6, WA, Application No. 241039157, Request for Waiver, CC Docket No. 02-6 (filed May 15, 2024)

*Late-Filed FCC Form 486*¹¹

Porterville Unified School District, CA, Application No. 221038093, Request for Waiver, CC Docket No. 02-6 (filed May 17, 2024)

*Ministerial and/or Clerical Errors*¹²

Auburn-Washburn School District 437, KS, Application No. 241037605, Request for Waiver, CC Docket No. 02-6 (filed May 30, 2024)

Lyons Unified School District 405, KS, Application No. 241007953, Request for Waiver, CC Docket No. 02-6 (filed May 23, 2024, supplemented Jun. 6, 2024)

*Ministerial and/or Clerical Errors — FRN Omitted from FCC Form 471 Application*¹³

Assumption Parish Library (Lenora Carter), LA, Application No. 241026624, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

*Reconsidering Bureau Decision and Granting the Waiver*¹⁴

¹¹ See, e.g., *Requests for Waiver of Decisions of the Universal Service Administrator by Archdiocese of New Orleans et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 11747, 11750, para. 10 (WCB 2016) (*Archdiocese of New Orleans Order*) (granting relief for late-filed FCC Forms 486 that were filed no later than 120 days after the last day to receive service for the funding request at issue and where the applicant demonstrated good cause for the late filing).

¹² See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools*, CC Docket No. 02-6, Order, 25 FCC Rcd at 17319, 17319-20, para. 2, nn.9, 17 (WCB 2010) (*Ann Arbor Public Schools Order*) (granting waivers where the applicant entered the wrong service start date or omitted service from source documents onto its FCC Form 471).

¹³ See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Archer Public Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15518, 15521, n.19 (WCB 2008) (*Archer Public Library Order*) (permitting applicant to add a request omitted from its FCC Form 471, but included on its source list). This entity did not realize a funding request was omitted until the FY 2024 application filing window had closed and it was too late to submit a Receipt Acknowledgment Letter (RAL) correction. We direct USAC to add this funding request to the petitioner's timely-filed FY 2024 FCC Form 471 application.

¹⁴ In the *June 2024 USF Streamlined Resolution PN*, we denied a waiver filed by Clinton Public School District, finding that its FCC Form 471 was late-filed. See *Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket Nos. 02-60 and 21-93, Public Notice, DA 24-482 (WCB June 3, 2024) (*June 2024 USF Streamlined Resolution PN*). We now reconsider on our own motion the denial of that appeal. See 47 CFR § 1.113(a) (allowing reconsideration of Bureau decisions within 30 days of public notice of the action). We now find that this was a situation where there was a

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Clinton Public School District, MS, Application No. 241040051, Request for Waiver, CC Docket No. 02-6 (filed May 7, 2024)

*USAC Decision Issued After Invoice Deadline*¹⁵

Community Independent School District, TX, Application No. 201017622, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

Sheridan AllPrep Academy, OR, Application Nos. 221031374, 221031374, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

*Waiver of Special Construction Service Delivery Deadline*¹⁶

Aurora Public Schools and Unite Private Networks, LLC, CO, Application No. 221033852, Request for Waiver, CC Docket No. 02-6 (filed Feb. 2, 2024)

Central Consolidated School District 22 and Sacred Wind Communications, Inc., NM, Application No. 211002700, Request for Waiver, CC Docket No. 02-6 (filed May 9, 2024)

Gallup McKinley County Schools and Sacred Wind Communications, Inc., NM, Application No. 191001103, Request for Waiver, CC Docket No. 02-6 (filed May 16, 2024)

Navajo Nation Tribal Consortium, AZ, Application No. 211028854, Request for Waiver, CC Docket No. 02-6 (filed June 14, 2024)

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ministerial and/or clerical error and that Clinton Public School District omitted a funding request from its timely-filed FCC Form 471 application. Because the school district did not realize its funding request was omitted until the FY 2024 application filing window had closed and it was too late to submit a Receipt Acknowledgment Letter (RAL), we direct USAC to add these funding requests to the petitioner's timely-filed FY 2024 FCC Form 471 application. *See, e.g., Archer Public Library Order*, 23 FCC Rcd at 15521, n.19 (permitting applicant to add a request omitted from its FCC Form 471, but included on its source list).

¹⁵ *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).

¹⁶ *See, e.g., Requests for Waiver of the Decisions of the Universal Service Administrator by Grants/Cibola County School District and Jemez Pueblo Tribal Consortium*, CC Docket No. 02-6, Order, 33 FCC Rcd 10048, 10051, para. 8 (WCB 2018) (*Grants/Cibola County School District Order*) (waiving the special construction service delivery deadline because the applicant was unable to complete implementation for reasons beyond the service provider's control and the petitioner made good faith efforts to comply with Commission rules and procedures).

We find that all the petitioners listed above were unable to complete implementation for reasons beyond their control and made good faith efforts to comply with Commission rules and procedures. For Aurora Public Schools, we waive the special construction service delivery deadlines for the funding request numbers that were left off its original timely-filed extension. For Gallup McKinley County Schools, Navajo Nation Tribal Consortium and Newark City (Ohio) School District, we waive the special construction service delivery deadline and direct USAC to provide the applicants until June 30, 2025 to complete their special construction projects. Although Central Consolidated School District 22 and Utah Education and Telehealth Network do not propose specific deadlines for completing implementation of their special construction projects, we extend their deadlines until June 30, 2025.

For these petitioners, we also waive any associated administrative or procedural deadlines, including the invoice filing deadline, that might be necessary to effectuate our ruling. *See supra* note 4.

Navajo Nation Tribal Consortium, AZ, Application No. 201040969, Request for Waiver, CC Docket No. 02-6 (filed June 14, 2024)

Navajo Nation Tribal Consortium, AZ, Application No. 201042013, Request for Waiver, CC Docket No. 02-6 (filed June 14, 2024)

Navajo Nation Tribal Consortium, AZ, Application No. 211019879, Request for Waiver, CC Docket No. 02-6 (filed June 14, 2024)

SWC Telesolutions, Inc. (Navajo Nation Tribal Consortium), AZ, Application Nos. 201042013, 211019879, Request for Waiver, CC Docket No. 02-6 (filed May 20, 2024)

Utah Education and Telehealth Network, UT, Application No. 191032022, Request for Waiver, CC Docket No. 02-6 (filed May 29, 2024)

WANRack, LLC (Newark City (Ohio) School District), OH, Application No. 221036946, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2024)

Denied

*Late-Filed FCC Form 471 Applications*¹⁷

Ada Public Library, OK, Application No. 241040186, Request for Waiver, CC Docket No. 02-6 (filed May 24, 2024)

Altenburg School District 48, MO, Application No. 241040191, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

Butner Independent School District I015, OK, Application No. 241040181, Request for Waiver, CC Docket No. 02-6 (filed May 23, 2024)

Christian Brothers High School, CA, Application No. 241040155, Request for Waiver, CC Docket No. 02-6 (filed May 14, 2024)

Department of Management Services, FL, Application No. 241039932, Request for Waiver, CC Docket No. 02-6 (filed June 1, 2024)

Earlimart Elementary School District, CA, Application No. 241040174, Request for Waiver, CC Docket No. 02-6 (filed May 21, 2024)

Emma Jewel Charter Academy, FL, Application No. 241040192, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

Holy Family High School, CO, Application No. 241040187, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

¹⁷ 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).

Holy Family High School, CO, Application No. 241040188, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

Notre Dame De La Baie Academy, WI, Application No. 241040196, Request for Waiver, CC Docket No. 02-6 (filed May 29, 2024)

Okaloosa Academy, FL, Application No. 241040083, Request for Waiver, CC Docket No. 02-6 (filed May 22, 2024)

River's Edge Academy Charter School, OR, Application No. 241040175, Request for Waiver, CC Docket No. 02-6 (filed May 22, 2024)

Salisbury Christian School, MD, Application No. 241022565, Request for Waiver, CC Docket No. 02-6 (filed May 29, 2024)

Sioux Falls Christian School, SD, Application No. 241040203, Request for Waiver, CC Docket No. 02-6 (filed May 30, 2024)

St. Helen School, NY, Application No. 241040202, Request for Waiver, CC Docket No. 02-6 (filed June 4, 2024)

St. Mary's Central, OH, Application No. 241040195, Request for Waiver, CC Docket No. 02-6 (filed May 29, 2024)

St. Patrick's Catholic School, IA, Application No. 241040206, Request for Waiver, CC Docket No. 02-6 (filed May 31, 2024)

Walton Academy, Inc., Application No. 241040091, Request for Waiver, CC Docket No. 02-6 (filed May 22, 2024)

*Late-Filed Invoice or Invoice Deadline Extension*¹⁸

Lamoille North Modified Unified Union School District, VT, Application No. 211034159, Request for Waiver, CC Docket No. 02-6 (filed Feb. 22, 2024)

Our Lady of the Holy Rosary St. Richard Catholic School, FL, Application No. 221036222, Request for Waiver, CC Docket No. 02-6 (filed Apr. 23, 2024)

Prosser Public Library (System), CT, Application No. 241040046, Request for Waiver, CC Docket No. 02-6 (filed May 16, 2024)

Wirestar, Inc. (College Station Independent School District), TX, Application No. 221013527, Request for Waiver, CC Docket No. 02-6 (filed Mar. 5, 2024)

*Ministerial and/or Clerical Errors*¹⁹

¹⁸ 47 CFR § 54.514. See also, e.g., *Requests for Waiver of Decisions of the Universal Service Administrator by Ada School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 3834, 3836, para. 8 (WCB 2016) (*Ada School District Order*) (denying requests for waiver of the Commission's invoice filing deadline rule for petitioners that failed to demonstrate extraordinary circumstances for a waiver of the Commission's rules).

Mandan School District 1, ND, Application No. 241024593, Request for Waiver, CC Docket No. 02-6 (filed May 30, 2024)

*Service Implementation Delay*²⁰

St. Francis De Sales Deaf School, NY, Application No. 211031627, Request for Waiver, CC Docket No. 02-6 (filed May 28, 2024)

*Untimely Filed Appeals or Waiver Requests*²¹

American Internet Group, Inc. (Detroit Edison Public School Academy), MI, Application No. 231033515, Request for Waiver, CC Docket No. 02-6 (filed May 10, 2024)

Bet Yaakov Of The Jersey Shore, NJ, Application No. 221033637, Request for Waiver, CC Docket No. 02-6 (filed May 15, 2024)

Butner Independent School District I015, OK, Application No. 231039571, Request for Waiver, CC Docket No. 02-6 (filed May 23, 2024)

Congregation Machzikei Hadas, NJ, Application No. 221039590, Request for Waiver, CC Docket No. 02-6 (filed June 3, 2024)

Department of Youth Services SD 210, AL, Application Nos. 869548, 781611, Request for Review, CC Docket No. 02-6 (filed Sept. 24, 2013)

*Waiver Request of FCC Form 470 and FCC Form 471 Deadline*²²

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¹⁹ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Assabet Valley Regional Vocational District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 1924, 1925, para. 1 (WCB 2012) (*Assabet Valley Order*) (finding that the petitioners did not demonstrate good cause to justify waivers of the Commission's rules permitting changes to the applicants' E-Rate applications after the filing window deadline).

²⁰ See, e.g., *Accelerated Charter Order*, 29 FCC Rcd at 13653, para. 3 (denying late-filed extensions of the deadline for service implementation when applicants failed to demonstrate they were unable to complete implementation on time for reasons beyond the service providers' control and failed to make significant efforts to secure the necessary extensions in a timely manner).

²¹ 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).

²² Because there is no deadline for the FCC Form 470, Mandan School District 1 does not need a waiver to file a new FCC Form 470. See, e.g., *Request for Waiver by Cotton Center ISD; 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, 17 FCC Rcd 643, 645, n.14 (CCB 2002) (*Cotton Center ISD Order*) (noting that "The FCC Form 470 merely initiates the process of requesting bids, and unlike the FCC Form 471 application, is not subject to a specified filing period and firm deadline."). We deny, however, Mandan School District 1's request for a waiver of the FCC Form 471. See, e.g., *Academy of Math and Science Order*, 25 FCC Rcd at 9261-62, para. 13 (denying

(continued....)

Mandan School District 1, ND, No Application Filed, Request for Waiver, CC Docket No. 02-6 (filed May 30, 2024)

Rural Health Care Program

WC Docket No. 02-60

*Dismissed as Moot – Request Withdrawn*²³

Alaska Communications Systems Holdings, Inc., AK, Request for Review and Contingent Petition for Waiver, WC Docket No. 02-60, Funding Request Nos. 1581804, 1581719, 1581724, 1581780, 1581801, 1697911, 1697908, 1697913, 1697914, 1697896 (filed Oct. 13, 2020)

Alaska Communications Systems Holdings, Inc., AK, Request for Review and Contingent Petition for Waiver, WC Docket No. 02-60, Funding Request Nos. 1698407, 1698416, 1698664, 1698668, 1698670, 1698674, 1698855 (filed Oct. 13, 2020)

Alaska Communications Systems Holdings, Inc., AK, Request for Review and Provisional Petition for Waiver, WC Docket No. 02-60, Funding Request No. 18464381 (filed Oct. 21, 2019)

*Dismissed as Moot – Request Resolved by USAC*²⁴

Sanity Solutions, Inc. (CHA Broadband Services), CO, Request for Waiver, WC Docket 02-60, Funding Request No. RHC20220012487 (filed Jan. 31, 2024)

Granted

*Late-Filed FCC Form 462 or 466 Applications – Filed Within 14 Days of the Close of the Window*²⁵

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requests for waiver of the FCC Form 471 application filing deadline where petitioners failed to present special circumstances justifying waiver of our rules).

²³ See, e.g., *Requests for Review of Decision of the Universal Service Administrator by Integrity Communications (Brooks Consolidated Independent School District) et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 7994, 7995, para. 1 (WCB 2012) (dismissing appeals as moot where the petitioner subsequently withdrew its funding requests). Pursuant to its Consent Decree with the Enforcement Bureau, Alaska Communications Systems Holding, Inc. (ACS) withdrew these dismissed appeals. See *In the Matter of Alaska Communications Systems, Inc.*, Order and Consent Decree, DA 24-383, 2024 WL 21098868, at *7 (EB, May 8, 2024) (requiring ACS's withdrawal of its pending appeals concerning the funding requests listed in Appendix E of the Consent Decree in exchange for a withdrawal credit) (*ACS Consent Decree*). See also Letter from Bennett L. Ross, Counsel to Alaska Communications Systems Holding, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 02-60 (June 4, 2024) (withdrawing and releasing all existing and future claims associated with the dismissed requests for review).

²⁴ See, e.g., *Requests for Review and/or Requests for Waiver of the Decisions of the Universal Service Administrator by Al Noor High School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 27 FCC Rcd 8223, 8224, para. 2 (WCB 2012) (*Al Noor High School Order*) (dismissing as moot requests for review where USAC had taken the action the petitioner requested). Sanity Solutions, Inc. (Sanity) requested an extension of time to complete a funding year 2022 invoice because it was unable to access RHC Connect. USAC subsequently resolved the access issue affecting Sanity. Sanity then completed the invoice form in RHC Connect prior to the invoice deadline, thereby negating the need for an extension of time.

²⁵ See *In the Matter of Requests for Waiver by Bartlett Regional Hospital et al.*, WC Docket No. 02-60, Order, DA-24-366, para. 8 (WCB 2024) (granting a waiver of the application filing deadline when the application was filed within 14 days of the deadline and administration of the RHC Program was minimally affected). For entries for which no funding request number is listed, the health care provider filed its request for waiver within 14 days of the

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Central Michigan District Health Department, MI, WC Docket No. 02-60, No Funding Request Number (filed May 7, 2024)

Colorado Hospital Association Broadband Services, CO, WC Docket No. 02-60, No Funding Request Number (filed May 1, 2024)

Northern Lakes Community Mental Health, MI, WC Docket No. 02-60, No Funding Request Number (filed May 7, 2024)

Pioneers Medical Center and Meeker Family Health Center, CO, WC Docket No. 02-60, No Funding Request Numbers RHC202040016240, RHC20240016241 (filed May 17, 2024)

*Service Provider Identification Number Change Request*²⁶

Cumberland Memorial Hospital, WI, Request for Waiver, WC Docket No. 02-60, Request for Waiver, Funding Request No. RHC20220010577 (filed Sept. 20, 2023)

*Waiver of the 60-Day Appeal Deadline*²⁷

Eastern Nebraska Healthcare Communications Consortium, NE, Request for Waiver, WC Docket No. 02-60, Funding Request Nos. 18454951, 18440531 (filed May 15, 2024)

*Waiver of the Invoice Filing Deadline*²⁸

Adventist Health, CA, Request for Waiver, WC Docket No. 02-60, Funding Request No. 18202441 (filed Dec. 15, 2022)

Cebridge Telecom TX, LP (St. Francis Health System Consortium), OK, Request for Waiver, WC Docket No. 02-60, Funding Request No. 20826531 (filed Mar. 7, 2022)

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filing deadline but was unable to complete the filing of its funding request because its selected service provider had not completed a required FCC Form 498 update. In these cases, we direct with USAC to coordinate with the health care providers on the filing of their funding requests. We remand all funding requests to USAC and direct USAC to complete its review of the applications and issue a funding decision based on a complete review and analysis. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications.

²⁶ See *Requests for Review of Decisions of the Universal Service Administrator by Bay Shore Union Free School District, et al., Schools and Libraries Universal Service Support Mechanism, et al.*, CC Docket No. 02-6, Order, 23 FCC Rcd 15537, 15543, para. 11 (WCB 2008) (waiving the service provider identification number (SPIN) change deadline when applicants were unaware of the need for a SPIN change until after the deadline). We direct USAC to coordinate with the applicants on filing SPIN change requests and make no finding as to the merits of the request.

²⁷ 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) (granting waivers of filing deadline for appeals because the petitioners submitted their appeals or waiver requests only a few days late or within a reasonable period of time after receiving actual notice of USAC's adverse decision, or the reasons were due "the result of clerical, ministerial, or procedural errors, or were due to circumstances beyond their control").

²⁸ *Requests for Waiver or Review of Decision of the Universal Service Administrator by Indiana Telehealth Network*, WC Docket No. 02-60, Order, 33 FCC Rcd 12341, 12342, para. 4 (WCB 2018) (granting a waiver of the invoice filing deadline when the petitioner missed the deadline due to technical issues outside of its control) (*Indiana Telehealth Network Order*). We waive the petitioners' invoice filing deadlines and allow them 120 days from the release of this Public Notice to file invoices.

New England Telehealth Consortium, ME, Request for Waiver, WC Docket No. 02-60, Funding Request No. 20854071 (filed July 10, 2023)

SCL Health, CO, Request for Waiver, CC Docket No. 02-60, Funding Request No. 19636511 (filed Dec. 28, 2021)

Western New York Rural Area Health Education Center, NY, Request for Waiver, WC Docket No. 02-60, Funding Request No. 19195421 (filed Jan. 6, 2022)²⁹

Denied

*Waiver of the 60-Day Appeal Deadline*³⁰

Pathways Community Mental Health – Marquette, MI, Request for Waiver, WC Docket No. 02-60, Funding Request No. 1722489 (filed June 23, 2020)

High-Cost Program (Connect America Fund)

WC Docket Nos. 08-71, 10-90, 18-143

Granted, in part

*Performance Measures Pre-testing Requirements*³¹

Liberty Communications of Puerto Rico, LLC Petition for Waiver, WC Docket Nos. 08-71, 10-90, 18-143 (June 20, 2024).

²⁹ See *Rural Health Care Support Mechanism*, WC Docket No. 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 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). Program rules have subsequently been amended to allow for revised funding commitment letters issued after an appeal decision to reset the invoice deadline. See 47 CFR § 54.514 (a)(3).

³⁰ 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, Public Notice, 34 FCC Rcd 3183, 3197-98, n.7 (WCB 2019) (denying petitioner's request for waiver because the petitioner did not submit an appeal regarding the funding decisions to USAC at all and its deadline to do so had long passed, and did not articulate special circumstances for waiving the 60-day appeal deadline in its request for waiver); *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, 08-71, Public Notice, 35 FCC Rcd 4490, 4496, n.20 (WCB 2020); *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) (denying appeals on the grounds that the petitioners failed to submit their appeals within 60 days as required by the Commission's rules and failed to show special circumstances necessary for the Commission to waive the deadline). This request for waiver of the appeal filing deadline was filed two and a half years after the deadline to file an appeal with no reason given for the delay.

³¹ Liberty Communications was unable to download its subscriber locations for performance measures pre-testing due to technical issues with the Performance Measures Module, which have lasted through May 16, 2024. Therefore, Liberty was unable to complete pre-testing for its full sample by the end of the second quarter and certify testing results by July 8, 2024. See *Wireline Competition Bureau Further Extends HUBB Certification Deadline for Deployed Fixed Locations for Alaska Plan Carriers, et al.*, Public Notice, DA 22-846 (WCB 2022) (granting an extension of the HUBB filing deadline due to technical issues with HUBB system modifications). A limited waiver is granted for Liberty to submit any completed performance measures pre-testing results by the second quarter reporting deadline of July 8, 2024, and we waive the sample size requirement for second quarter performance measures pre-testing.

Contribution Methodology
WC Docket No. 06-122

Denied

*Request for Waiver of FCC Form 499-A Revision Deadline*³²

Global VoIP, LLC, Letter of Appeal (2021), WC Docket No. 06-122 (filed Apr. 23, 2024)

Global VoIP, LLC, Letter of Appeal (2022), WC Docket No. 06-122 (filed Apr. 23, 2024)

Dismissed Without Prejudice

*Request for Waiver of Form 499-Q Revision Deadline*³³

Galaxy Distribution, LLC, Request for Waiver, WC Docket No. 06-122 (filed May 23, 2024)

Torch Wireless, Request for Waiver, WC Docket No. 06-122 (filed May 23, 2024)

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

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³² Global VoIP, LLC sought waiver of the one year downward revision deadline of the FCC Form 499-A for both 2021 and 2022. See, e.g., *Universal Service Contribution Methodology; Petition for Waiver of Universal Service Fund Rules by Outfitter Satellite, Inc.*, WC Docket No. 06-122, Order, 28 FCC Rcd 13358 (WCB 2013) (finding that alleged mistakes by Outfitter’s accounting firm and internal accounting staff were not adequate grounds for waiver); *Universal Service Contribution Methodology; Request for Review of a Decision of the Universal Service Administrator by IP Telecom Group, Inc.*, WC Docket No. 06-122, Order, 26 FCC Rcd 11213 (WCB 2011); *Universal Service Contribution Methodology; Federal-State Joint Board on Universal Service; Requests for Review of Decisions of Universal Service Administrator by Airband Communications, Inc., et al.*, WC Docket No. 06-122, CC Docket No. 96-45, Order, 25 FCC Rcd 10861 (WCB 2010) (denying requests for deadline waivers where claims of good cause amounted to no more than simple negligence, errors by the petitioner, or circumstances squarely within the petitioner’s control). To the extent Global VoIP, LLC’s financial situation makes it difficult to pay the invoice in full, it may set up a payment plan with USAC to satisfy the obligation. See <https://www.usac.org/service-providers/making-payments/how-to-pay/payment-plans/>.

³³ 47 CFR § 1.1910(b). 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) (dismissing E-Rate applicant's funding year 2010 request pursuant to the Commission’s “red light rules”).