



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

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DA 24-862

Released: September 3, 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 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

Aurora Academy Charter School, CO, Application No. 231039767, Petition for Reconsideration, CC Docket No. 02-6 (filed Feb. 23, 2024)

Mannheim School District 83, IL, Application No. 241040002, Petition for Reconsideration, CC

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).

Docket No. 02-6 (filed June 27, 2024, supplemented July 3, 2024)

Mannheim School District 83, IL, Application No. 241040028, Petition for Reconsideration, CC Docket No. 02-6 (filed June 27, 2024, supplemented July 3, 2024)

NYSARC, Inc., NYC Chapter (AHRC), NY, Application No. 241040025, Petition for Reconsideration, CC Docket No. 02-6 (filed June 26, 2024)

School Association for Special Education in DuPage County, IL, Application No. 241040041, Petition for Reconsideration, CC Docket No. 02-6 (filed July 2, 2024)

Dismissed on Reconsideration – Untimely⁴

Harvard International Academy Foundation, FL, Application No. 231039320, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 30, 2023)

The UCAP School, RI, Application No. 241039950, Petition for Reconsideration, CC Docket No. 02-6 (filed July 12, 2024)

Granted⁵

Discount Calculation⁶

Ascension Lutheran Christian School, IN, Application Nos. 231038858, 231038856, Request for Review, CC Docket No. 02-6 (filed Nov. 28, 2023)

Bet Yaakov of the Jersey Shore, NJ, Application No. 231023854, Request for Review, CC Docket No. 02-6 (filed May 13, 2024)

Pyramid Lake High School, NV, Application No. 241019865, Request for Review, CC Docket No. 02-6 (filed June 27, 2024)

Granting Additional time to Respond to USAC with Information During Invoicing⁷

⁴ See, e.g., *Petitions for Reconsideration by Rockwood School District and Yakutat School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 13004, 13004, para. 2 (WCB 2011) (*Rockwood School District Order*) (dismissing petitions for reconsideration because they were filed more than 30 days after the date of the Bureau's decisions).

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

⁶ See, e.g., *Requests for Review of the Decision of the Universal Service Administrator by Academia Claret et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 21 FCC Rcd 10703, 10708, para. 12 (WCB 2006) (*Academia Claret Order*) (allowing the submission of discount calculation information when the applicant was previously unable to fully comply with the document request within USAC's permitted time period).

⁷ *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by Accomack County Public School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, DA (continued....)

TPX Communications (Craven-Pamlico Regional Library), TX, Application No. 221027765, Request for Waiver, CC Docket No. 02-6 (filed Apr. 4, 2024)

Granting on Reconsideration – FCC Form 471 Filed Less than 30 Days Late Due to Unexpected Illness⁸

NLC Christian Academy, IL, Application Nos. 241040035, 241040034, Petition for Reconsideration, CC Docket No. 02-6 (filed July 2, 2024)

Warren City School District, OH, Application No. 241026282, Petition for Reconsideration, CC Docket No. 02-6 (filed June 28, 2024)

Late-Filed FCC Form 471 Applications – Filed Within 14 Days of the Close of the Window⁹

Basis Charter Schools, Inc., AZ, Application No. 241039803, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2024)

Donna Independent School District, TX, Application No. 241002415, Request for Waiver, CC Docket No. 02-6 (filed Apr. 12, 2024)

Palm Desert Branch Library, CA, Application No. 241039639, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2024)

San Diego County Library, CA, Application No. 241028355, Request for Waiver, CC Docket No. 02-6 (filed Apr. 10, 2024)

Ministerial and/or Clerical Errors¹⁰

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23-48, para. 14 (WCB Jan. 19, 2023) (*Accomack County Public School Order*) (granting requests for review of applicants that had been denied funding during invoicing because they failed to respond to USAC’s request for information within the USAC-specified time frame).

⁸ 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 Acorn Public Library District, et al., Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15474, 15477-78, para. 6 (2008) (*Acorn Public Library Order*) (finding special circumstances exist to justify granting a waiver request where, for example, the E-Rate staff person in a small school district filed an E-Rate application 30 days late or less because of an “unexpected absence due to illness.”).

NLC Christian Academy argues on reconsideration that its FCC Form 471 was late because its principal, not the person responsible for managing E-Rate at the academy, suffered an unexpected illness. Although our precedent states that a waiver is warranted when the E-Rate staff person suffers an “unexpected absence due to illness,” we find good cause to waive the application deadline in this instance because it was the first year NLC Christian Academy was applying for E-Rate funding and it was unable to timely complete this process for the first time in the principal’s absence due to an unexpected illness.

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

Billings Catholic Schools, MT, Application No. 241008300, Request for Waiver, CC Docket No. 02-6 (filed July 3, 2024)

Diboll Independent School District, TX, Application Nos. 231032370, 241005202, Request for Waiver, CC Docket No. 02-6 (filed Aug. 6, 2024)¹¹

Marion Comm School District 2, IL, Application No. 241009654, Request for Waiver, CC Docket No. 02-6 (filed Jun. 21, 2024)

Middleton-Cross Plains School District, WI, Application No. 241016176, Request for Waiver, CC Docket No. 02-6 (filed Aug. 5, 2024)

Mount Vernon-Enola School District, AK, Application No. 241036525, Request for Waiver, CC Docket No. 02-6 (filed July 18, 2024)

Ministerial and/or Clerical Errors – FRN Omitted from FCC Form 471 Application¹²

Brick Township Public School District, NJ, Application No. 241035570, Request for Waiver, CC Docket No. 02-6 (filed July 15, 2024)

Citrus County School District, FL, Application No. 241040283, Request for Waiver, CC Docket No. 02-6 (filed July 8, 2024)

Derby Unified School District 260, KS, Application No. 241007751, Request for Waiver, CC Docket No. 02-6 (filed July 15, 2024)

Garner-Hayfield-Ventura Community School District, IA, Application No. 241010303, Request for Waiver, CC Docket No. 02-6 (filed July 29, 2024)

Sylvan Grove Unified School District 299, KS, Application No. 241001421, Request for Waiver, CC Docket No. 02-6 (filed July 12, 2024)

USAC Decision Issued After Invoice Deadline¹³

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¹⁰ 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, nn. 5, 9, 12 (*Ann Arbor Public Schools Order*) (permitting correction when applicant entered the monthly charge as the annual charge, failed to enter an item from the source list onto the application, and permitting correction when applicant entered the wrong expiration date for a contract).

¹¹ We grant in part and deny in part Diboll Independent School District's request for waiver. We grant the request for funding for upgraded WAN service. We grant in part and deny in part Diboll's request for funding for upgraded Internet Access. We grant to the extent that funding is corrected to reflect the original Internet Access service (2G \$2,000/mo) instead of the cost of the WAN Hub location (\$800/mo) but deny the request for funding for upgraded Internet Access for lack of evidentiary support.

¹² 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 correct its FCC Form 471 to conform to the source document). The petitioners did not realize their funding requests were omitted until the FY 2024 application filing window had closed. The petitioners then filed FCC Form 471 applications that were out of window. We direct USAC to add these funding requests to one of the petitioners' timely-filed FY 2024 FCC Form 471 applications or treat the late-filed applications as timely filed.

Lake Dallas Independent School District, TX, Application No. 211023510, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

*Waiver of Special Construction Service Delivery Deadline*¹⁴

WANRack, LLC (Richmond Public Schools), VA, Application No. 221003966, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

Denied

*FCC Form 470 Waiver Denial*¹⁵

Laramie County School District 1, WY, No Application Filed, Request for Waiver, CC Docket No. 02-6 (filed May 22, 2024)

Salem School District, CT, No Application Filed, Request for Waiver, CC Docket No. 02-6 (filed May 8, 2024)

*Late-Filed FCC Form 471 Applications*¹⁶

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

Bellwood-Antis Public Library, PA, Application No. 241040266, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

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¹³ 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).

¹⁴ See, e.g., *Requests for Waiver of the Decisions of the Universal Service Administrator by Grants/Cibola County School District and Jemez Pueblo Tribal Consortium*, CC Docket No. 02-6, Order, 33 FCC Rcd 10048, 10051, para. 8 (WCB 2018) (*Grants/Cibola County School District Order*) (waiving the special construction service delivery deadline because the applicant was unable to complete implementation for reasons beyond the service provider's control and the petitioner made good faith efforts to comply with Commission rules and procedures).

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

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

¹⁵ Because there is no deadline for the FCC Form 470, we deny the Petitioner's request for a deadline waiver of an FCC Form 470 that was not filed with enough time to allow for the 28-day competitive bidding period to run before timely filing the FCC Form 471. 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.").

¹⁶ 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).

Bellwood-Antis School District, PA, Application No. 241040263, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

Compass Charter Middle School, FL, Application No. 241040275, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

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

Emmanuel Christian Academy, OH, Application No. 241040271, Request for Waiver, CC Docket No. 02-6 (filed July 4, 2024)

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

Hutchinson School District 423, MN, Application No. 241040230, Request for Waiver, CC Docket No. 02-6 (filed July 4, 2024)¹⁷

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

Rich Hill School District R 4, MO, Application No. 241040273, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

Roanoke City School, AL, Application No. 241040280, Request for Waiver, CC Docket No. 02-6 (filed July 3, 2024)

Saint Francis de Sales School, NV, Application Nos. 241040078, 241040267, Request for Waiver, CC Docket No. 02-6 (filed June 27, 2024)

West Saint Francois County District R4, MO, Application No. 241040308, Request for Waiver, CC Docket No. 02-6 (filed July 12, 2024)

Yorkville School District 115, IL, Application No. 241040047, Request for Waiver, CC Docket No. 02-6 (filed June 26, 2024)

*Late-Filed Invoice or Invoice Deadline Extension*¹⁸

Bridgetek Solutions (Dillon County School District Four), SC, Application No. 221037866, Request for Waiver, CC Docket No. 02-6 (filed Mar. 6, 2024)

Holy Trinity Catholic School, PA, Application No. 221019021, Request for Waiver, CC Docket

¹⁷ Hutchinson School District 423 inadvertently listed an incorrect application number in its waiver request. We are including the correct FCC Form 471 number in this Public Notice.

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).

No. 02-6 (filed July 7, 2024)

Kernville Union Elementary School District, CA, Application Nos. 171042122, 181023154, 191027482, 201018991, 211024222, 221026408, Request for Waiver, CC Docket No. 02-6 (filed Mar. 7, 2024)

*Service Substitution*¹⁹

Community Action Organization of Erie County, NY, Application No. 181036166, Request for Waiver, CC Docket No. 02-6 (filed Dec. 20, 2023)

*Untimely Filed Appeals or Waiver Requests*²⁰

Arlington Christian, OH, Application No. 231039813, Request for Waiver, CC Docket No. 02-6 (filed June 17, 2024)

Bas Mikrah, NY, Application No. 221039585, Request for Waiver, CC Docket No. 02-6 (filed Apr. 15, 2024)

Eden Valley-Watkins ISD #463, MN, Application No. 211034720, Request for Waiver, CC Docket No. 02-6 (filed July 16, 2024)

Ft. George Community Services, Inc., NY, Application No. 221006781, Request for Waiver, CC Docket No. 02-6 (filed Aug. 18, 2024)

Lexington Montessori School, MA, Application No. 231032733, Request for Waiver, CC Docket No. 02-6 (filed July 11, 2024)

Smee School District, SD, Application No. 211032883, Request for Waiver, CC Docket No. 02-6 (filed June 24, 2024)

West Central Area Independent School District 2342, MN, Application Nos. 241039442, 241039449, Request for Waiver, CC Docket No. 02-6 (filed July 3, 2024, supplement filed July 17, 2024)

Rural Health Care Program
WC Docket No. 02-60

¹⁹ See, e.g., *Requests for Waiver of Sections 54.504(c), 54.504(f), 54.507(c), and 54.507(g) of the Commission's rules by State of Louisiana Department of Education et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 1653, 1668, para. 18 (2010) (denying a service substitution request when it does not meet the Commission's rules for granting a service substitution).

²⁰ 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).

Granted*Service Substitution*²¹

California Telehealth Network (Southern Humboldt Community Healthcare District and Mayers Memorial Hospital), OR, Request for Review, WC Docket No. 02-60, Funding Request No. RHC20220012027 (filed July 22, 2024)

*Waiver of the Invoice Filing Deadline*²²

Preferred Family Healthcare Kirksville S. Jamison St., MO, Request for Waiver, WC Docket No. 02-60, Funding Request No. 19934911 (filed July 6, 2022)

Primary Care of Southwest Georgia Inc. – Quitman, GA, Request for Waiver, WC Docket No. 02-60, Funding Request Number 17243321 (filed Jan. 30, 2019)

Denied*Waiver of the Invoice Filing Deadline*²³

South Central Telcom LLC, KY, Request for Waiver, WC Docket No. 02-60, Funding Request No. 22215661 (filed July 10, 2024; supplement filed July 25, 2024)

*Waiver of the 60-Day Appeal Deadline*²⁴

²¹ See *Requests for Waiver of Sections 54.504(c), 54.504(f), 54.507(c), and 54.507(g) of the Commission's Rules, State of Louisiana Department of Education et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 1653, 1662, para. 17 (2010) (granting service substitution requests meeting the regulatory requirements for service substitutions). See also 47 CFR § 54.624 (allowing service substitutions in the RHC Program when: (1) the substitution is provided for in the contract, within the change clause, or constitutes a minor modification; (2) the site is an eligible health care provider and the service is an eligible service under the Telecommunications Program or the Healthcare Connect Fund Program; (3) the substitution does not violate any contract provision or state, Tribal, or local procurement laws; and (4) the requested change is within the scope of the controlling Request for Services, including any applicable RFP used in the competitive bidding process). We grant the requests to substitute Form 462-approved 250 Mbps MPLS service for 200 Mbps for Southern Humboldt Community Healthcare District and 25 Mbps MPLS service for 10 Mbps for Mayers Memorial Hospital.

²² See *Request for Waiver by NTUA Wireless, LLC; Rural Health Care Universal Service Support Mechanism*, WC Docket No. 02-60, Order, 38 FCC Rcd 2045, 2046-47, para. 5 (WCB 2023) (waiving invoice filing deadline pursuant to Commission's discretionary authority in case in which administrator was seriously ill for three months in an unusual set of circumstances, and hardship had affected the participant). The persons in charge of submitting invoices for Preferred Family Healthcare and Primary Care of Southwest Georgia both fell ill and were unable to complete the submissions in time to meet the invoice filing deadline. Due to these circumstances beyond the control of the affected health care providers, we waive the petitioners' invoice filing deadlines and allow them 120 days from the release of this Public Notice to file invoices.

²³ See *Requests for Waiver or Review of Decision of the Universal Service Administrator by Indiana Telehealth Network*, WC Docket No. 02-60, Order, 33 FCC Rcd 12341, 12343, paras. 4-5 (WCB 2018) (denying a waiver of the invoice filing deadline when the petitioner offered "no reason at all" for why the deadline was missed). South Central Telcom missed the deadline to file an invoice for funding year 2022 but offered no explanation or special circumstances warranting a waiver of the invoice filing deadline.

²⁴ 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

(continued....)

Heart of Texas Region MHMR Center-Fairfield and Charger Access, LLC, TX, Request for Waiver, WC Docket No. 02-60, No Funding Request Number (filed Apr. 18, 2023)

Weeks Medical Center, NH, Request for Waiver, WC Docket No. 02-60, Funding Request No. RHC20220010238 (filed Feb. 22, 2024)

Dismissed

*Dismissed as Moot—Appeal Deadline Waiver Request Resolved by USAC*²⁵

Washington County Mental Health Services, VT, Request for Waiver, WC Docket No. 02-60, Funding Request No. 18453841 (filed May 14, 2021)

Contribution Methodology
WC Docket No. 06-122

Granted

*Request for Waiver of Contributions Obligations on Interstate Loop Revenue for 2018-2023 FCC Forms 499-A*²⁶

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USAC and its deadline to do so had long passed, and petitioner did not articulate special circumstances for waiving the 60-day appeal deadline in its request for waiver); *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). Heart of Texas Region MHMR Center-Fairfield and Charger Access received Funding Commitment Letters for 13 sites for funding year 2022 on either July 14, 2022, or August 18, 2022, but did not submit their appeal seeking to add an additional site until April 18, 2023, several months after the 60-day appeal deadline. Weeks Medical Center received a Funding Commitment Letter on March 30, 2023, which it appealed on August 18, 2023, more than two months after the 60-day appeal deadline. Neither party offers any explanation or special circumstances warranting a waiver of the appeal deadline.

²⁵ 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). Washington County Mental Health Services requested a waiver of the 60-day deadline to file an appeal of its commitment adjustment letter issued by USAC on February 26, 2021. After discovering issues related to the delivery of that letter, USAC, at the direction of the Commission, re-issued the commitment adjustment letter. Washington County Mental Health Services timely appealed the re-issued letter on October 19, 2021, which USAC denied on the merits. We dismiss Washington County’s Mental Health Services’ appeal as moot following USAC’s resolution of the matter.

²⁶ *Universal Service Contribution Methodology, Gtek Computers & Wireless L.L.C., Request for Review and Contingent Request for Waiver and Renewed Request for Review and Contingent Request for Waiver; NextMetro, LLC d/b/a BroadAspect, Request for Review and Request for Waiver of USAC Decision*, Order, WC Docket No. 06-122, 37 FCC Rcd 4990 (WCB 2022) (*Gtek and NextMetro Order*) (finding that petitioners could have reasonably read the Instructions as exempting them from the FCC Form 499-A filing requirements, thus warranting a waiver of the Commission’s contributions rules for the years at issue); see also *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Dockets Nos. 21-93, 06-122, 18-213, Public Notice, 38 FCC Rcd 975 (WCB 2023) (granting request for waiver of contributions obligations on interstate loop revenue for 2023); *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6 et al., Public Notice, 37 FCC Rcd 13997 (WCB 2022) (granting in part Mark Twain’s request for waiver of contributions obligations on interstate loop revenue for 2018-2022); see also *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC

(continued....)

Breda Telephone Corporation and Prairie Telephone Company, Inc., Joint Request for Waiver, WC Docket No. 06-122 (filed Feb. 20, 2023)

*Request for Waiver of Contributions Obligations on Interstate Loop Revenue for 2023 FCC Form 499-A*²⁷

Webster-Calhoun Cooperative Telephone Association, Request for Waiver, WC Docket No. 06-122 (filed Feb. 24, 2023)

Citizens Telephone Cooperative, Request for Waiver, WC Docket No. 06-122 (filed Mar. 6, 2023)

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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Docket No. 02-6 et al., Public Notice, 38 FCC Rcd 975 (WCB 2023) (*2023 Mark Twain Public Notice*) (granting Mark Twain's request for waiver of contributions obligations on interstate loop revenue for 2023).

²⁷ See *Gtek and NextMetro Order*, 37 FCC Rcd at 4996, para. 13 (waiving the Commission's contributions rules because petitioners could have reasonably believed they were exempt from filing the FCC Form 499-A); *2023 Mark Twain Public Notice*, 38 FCC Rcd at 985 (waiving 2023 interstate loop revenue contribution obligations).