



PUBLIC NOTICE

Federal Communications Commission
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Washington, DC 20554

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

DA 24-1169

Released: December 2, 2024

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

CC Docket No. 02-6
WC Docket No. 21-93
WC Docket No. 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

Casa Grande Elementary School District, AZ, Application Nos. 201003953, 211015028, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 30, 2024)

Frugal Inc. d/b/a Network Computer Solutions (Broken Bow Public School District), NE,

¹ See *Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45 and 02-6, WC Docket Nos. 02-60, 06-122, 08-71, 10-90, 11-42, and 14-58, Public Notice, 29 FCC Rcd 11094 (WCB 2014). Sections 54.719(b) and 54.1718(a)(1) of the Commission's rules provide that any person aggrieved by an action taken by a division of USAC, after first seeking review at USAC, may seek review from the Commission. Sections 54.719(c) and 54.1718(a)(3) of the Commission's rules provide that parties seeking waivers of the Commission's rules shall seek review directly from the Commission. In this Public Notice, we have reclassified as Requests for Waiver any appeals seeking review of a USAC decision that appropriately should have requested a waiver of the Commission's rules. Similarly, we have reclassified as Requests for Review any appeals seeking a waiver of the Commission's rules but that are, in fact, seeking review of a USAC decision.

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

³ See, e.g., *Requests for 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).

Application No. 211031144, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 29, 2024)

Missouri Valley Community School District, IA, Application Nos. 241034446, 241035183, Petition for Reconsideration, CC Docket No. 02-6 (filed Nov. 6, 2024)

Queens Borough Public Library, NY, Application No. 221023802, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 30, 2024)

Saint Francis de Sales School, NV, Application Nos. 241040078, 241040267, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 3, 2024)

Ulysses Unified School District 214, KS, Application No. 241040217, Petition for Reconsideration, CC Docket No. 02-6 (filed Oct. 1, 2024)

Granted⁴

Appeal Filing Deadline⁵

Brazoria Telephone Company (Sweeney Independent School District), Application No. 171033653, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2018)

Pendleton School District 16R, OR, Application No. 241029171, Request for Waiver, CC Docket No. 02-6 (filed Sept. 11, 2024)

Contract Agreement in Place⁶

Independence Unified School District 446 and Twotrees Technologies, KS, Application No. 211032061, Request for Review, CC Docket No. 02-6 (filed Oct. 25, 2024)

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 of Decisions of the Universal Service Administrator by ABC Unified School District, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, para. 2 (WCB 2011) (*ABC Unified School District Order*) (granting waivers of appeal filing deadline when 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). We make no finding on the underlying issues in these appeals and remand these applications to USAC to make a determination on the merits.

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

*Contract Renewal Signed After FCC Form 471 Filed*⁷

Monett R-1 School District, MO, Application No. 241031813, Request for Waiver, CC Docket No. 02-6 (filed Oct. 16, 2024)

*Demonstrating Extraordinary Circumstances Warranting Invoice Rule Waiver*⁸

DC Preparatory Public Charter School, DC, Application No. 181019218, Request for Waiver, CC Docket No. 02-6 (filed May 21, 2020)

*Eligible Services*⁹

The Allegro School Inc., NJ, Application No. 241018555, Request for Review, CC Docket No. 02-6 (filed Sept. 16, 2024)

Machne Shalva, NY, Application No. 201043149, Request for Review, CC Docket No. 02-6 (filed May 29, 2024)

*Granting Additional Time to Respond to USAC with Information During Invoicing*¹⁰

Charter Communications & Charter Fiberlink – Illinois, LLC (East St. Louis School District 189), IL, Application No. 161050068, Request for Waiver, CC Docket No. 02-6 (filed July 13, 2018)

St. Stephens Indian School, WY, Application No. 221022701, Request for Waiver, CC Docket No. 02-6 (filed May 30, 2024)

*Service Substitution – Remand to USAC for Determination*¹¹

East Central Arkansas Regional Library, AR, Application No. 231031917, Request for Waiver, CC Docket No. 02-6 (filed Sept. 23, 2024)

⁷ See, e.g., *Barberton City School District Order*, 23 FCC Rcd at 15530, para. 6 (granting waivers when petitioners inadvertently signed a contract renewal after certifying its FCC Form 471).

⁸ See, e.g., *Petition for Reconsideration of a Decision of the Wireline Competition Bureau by Sunesys, LLC (Montebello Unified School District), Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, 34 FCC Rcd 7766, 7768, para. 6 (WCB 2009) (*Sunesys, LLC Order*) (granting an invoice deadline extension when the petitioner demonstrated extraordinary circumstances outside of its control).

⁹ Remanding to USAC for eligibility determination consistent with the new evidence provided on appeal to the Commission. See, e.g., *Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8735, 8737-40, para. 6, 9-10 (2007) (*Aiken County Public Schools Order*) (directing USAC to reassess applicants' ineligible funding requests). However, we note that Machne Shalva is not allowed to increase the pricing of other items to account for the partial eligibility of the advance protection service license request.

¹⁰ *Requests for Review and/or Waiver of Decisions of the Universal Service Administrator by Accomack County Public School et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 38 FCC Rcd 330, 337, para. 14 (WCB 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).

¹¹ See *infra* note 12. In its waiver request, East Central Arkansas Regional Library failed to submit documentation substantiating the broadband speed it received prior to the transition. On remand, USAC should work with the applicant to determine whether the service for which it seeks substitution is within the scope of the controlling FCC Form 470. See also *supra* note 4.

*Service Substitution*¹²

La Honda-Pescadora Unified School District, CA, Application No. 231012982, Request for Waiver, CC Docket No. 02-6 (filed Oct. 25, 2024)

Leedey Public School, OK, Application No. 231011941, Request for Waiver, CC Docket No. 02-6 (filed Oct. 15, 2024)

*Service Substitution – Reinstate Original FRN*¹³

Christina Seix Academy, NJ, Application No. 241026135, Request for Review, CC Docket No. 02-6 (filed Sept. 18, 2024)

*USAC Decision Issued After Invoice Deadline*¹⁴

Varnett Schools, TX, Application No. 161038016, Request for Waiver, CC Docket No. 02-6 (filed Mar. 18, 2020)

*Waiver of Price as Primary Factor Rule*¹⁵

White Bear Lake School District, MN, Application No. 231028117, Request for Waiver, CC Docket No. 02-6 (filed Sept. 27, 2024)

¹² See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Beaufort County School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 3124 (WCB 2014) (*Beaufort County School District Order*) (granting appeals of denied service substitution requests when the requested service substitution met the requirements for service substitutions currently codified in 47 CFR § 54.504(d) that (1) the service or product had the same functionality as the original service or product, (2) the substitution did not violate any contract provisions or state or local procurement laws, (3) the substitution did not result in an increase in the percentage of ineligible services or functions, and (4) the applicant certified that the requested change is within the scope of the controlling FCC Form 470). See, e.g., *id.* at 3125, para. 3 (granting service substitution appeals when the petitioners missed USAC’s deadline for service substitution requests but complied with the Commission’s requirements for service substitutions under 47 CFR § 54.504(d) and had a reasonable explanation for missing the deadline).

¹³ We affirm USAC’s denial of the requested service substitution and grant Chistina Seix Academy’s request for reinstatement of the original funding commitment subject to confirmation by USAC that the services were approved on the FCC Form 471 and that the services were provided to the school. Cf., e.g., *Aiken County Public Schools Order*, 22 FCC Rcd at 8737-40, paras. 6, 9-10 (directing USAC to reassess applicants’ funding requests after the ineligible services are removed).

¹⁴ 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).

¹⁵ See, e.g., *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, 6114-15, para. 9 (WCB 2011) (*Allendale County School District Order*) (granting appeals where the record demonstrated that applicants gave the most weight to price during the bid evaluation process).

Consistent with precedent, we also find good cause exists to waive section 54.720(a) and (b) of the Commission’s rules, which requires that petitioners file their appeals within 60 days of an adverse USAC decision. See *ABC Unified School District Order*, 26 FCC Rcd at 11019, para. 2 (waiving the filing deadline for petitioners that submitted their appeals within a reasonable period of time after receiving actual notice of USAC’s adverse decision).

Denied*Competitive Bidding – FCC Form 470 Referenced Specific Vendor*¹⁶

Mumford Independent School District, TX, Application No. 241012730, Request for Review, CC Docket No. 02-6 (filed Sept. 26, 2024)

*Late-Filed FCC Form 471 Applications*¹⁷

Christ Lutheran School, IL, Application No. 241040327, Request for Waiver, CC Docket No. 02-6 (filed Sept. 27, 2024)

Flagg-Rochelle Public Library District, IL, Application No. 241040486, Request for Waiver, CC Docket No. 02-6 (filed Oct. 23, 2024)

Osakis Public School, MN, Application No. 241040512, Request for Waiver, CC Docket No. 02-6 (filed Oct. 28, 2024)

Step Up Suncoast, FL, Application No. 241015277, Request for Waiver, CC Docket No. 02-6 (filed Oct. 2, 2024)

Sublette Unified School District 374, KS, Application No. 241040507, Request for Waiver, CC Docket No. 02-6 (filed Oct. 25, 2024)

Trinity Academy for the Performing Arts, RI, Application No. 241040447, Request for Waiver, CC Docket No. 02-6 (filed Oct. 22, 2024)

Trinity Lutheran Grade School, WI, Application No. 241040491, Request for Waiver, CC Docket No. 02-6 (filed Oct. 15, 2024)

Virtus Academy of South Carolina, SC, Application No. 241039942, Request for Waiver, CC Docket No. 02-6 (filed Oct. 10, 2024)

Wartburg Public Library, TN, Application No. 241040474, Request for Waiver, CC Docket No. 02-6 (filed Oct. 4, 2024)

¹⁶ See, e.g., *Request for Review of the Decision of the Universal Service Administrator by Queen of Peace High School; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 16466, 16469, para. 8 (WCB 2011) (*Queen of Peace Order*) (finding a competitive bidding violation when applicants reference specific vendors, products, or services in their requests for bids).

¹⁷ 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, 9261-62, para. 13 (2010) (*Academy of Math and Science Order*) (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).

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

*Late-Filed Invoice or Invoice Deadline Extension*¹⁸

Esmeralda County School District, NV, Application No. 201032563, Request for Waiver, CC Docket No. 02-6 (filed June 10, 2024)

Grass Lake School District 36, IL, Application No. 221030375, Request for Waiver, CC Docket No. 02-6 (filed Aug. 15, 2024)

Hmong American Peace Academy, WI, Application No. 211033777, Request for Waiver, CC Docket No. 02-6 (filed Sept. 12, 2024, supplemented Sept. 17, 2024)

Machne Shalva, NY, Application No. 171048042, Request for Waiver, CC Docket No. 02-6 (filed Oct. 28, 2024)

Tyler Communications Systems, Inc. (Hamlin Independent School District), TX, Application No. 201031787, Request for Waiver, CC Docket No. 02-6 (filed Oct. 23, 2024)

Tyler Communications Systems, Inc. (St. Cecilia School), TX, Application No. 201038985, Request for Waiver, CC Docket No. 02-6 (filed Oct. 23, 2024)

Tyler Communications Systems, Inc. (St. Cecilia School), TX, Application No. 201038985, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2024)

*Untimely Filed Appeals or Waiver Requests*¹⁹

Aero Computing, Ltd. (Forrestville Valley School District 221), IL, Application No. 181005337, Request for Waiver, CC Docket No. 02-6 (filed Mar. 5, 2020)

Camas County Schools, ID, Application No. 201011234, Request for Waiver, CC Docket No. 02-6 (filed Mar. 29, 2022)

Carrizo Springs Consolidated Independent School District, TX, Application No. 241039109, Request for Waiver, CC Docket No. 02-6 (filed Oct. 17, 2024)

Cesar Chavez Community School, AZ, Application No. 201014897, Request for Waiver, CC Docket No. 02-6 (filed June 16, 2021)

¹⁸ 47 CFR § 54.514. *See also Requests for Waiver of Decisions of the Universal Service Administrator by Ada School District et al.; Schools and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Order, 31 FCC Rcd 3834, 3836, para. 8 (WCB 2016) (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).

¹⁹ *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).

Easton School District, MA, Application No. 181008715, Request for Waiver, CC Docket No. 02-6 (filed Nov. 13, 2019)

Mequon-Thiensville School District, WI, Application No. 181038112, Request for Waiver, CC Docket No. 02-6 (filed Mar. 4, 2020)

New World Educational Center, AZ, Application No. 241029752, Request for Waiver, CC Docket No. 02-6 (filed Oct. 23, 2024)

Emergency Connectivity Fund Program
WC Docket No. 21-93

Granted²⁰

*Early Delivery*²¹

Breckinridge Country School District, KY, Application No. ECF202201998, Request for Waiver, WC Docket No. 21-93 (filed Oct. 14, 2024)

Bridgeport Public Schools, CT, Application No. ECF202205927, Request for Waiver, WC Docket No. 21-93 (filed Aug. 29, 2024)

Educational Opportunities for Children and Families, WA, Application No. ECF202205464, Request for Waiver, WC Docket No. 21-93 (filed Nov. 5, 2024)

Gladbrook-Reinbeck Community School District, IA, Application No. ECF202203374, Request for Waiver, WC Docket No. 21-93 (filed Oct. 16, 2024)

Insight Public Sector, Inc. (Hickman County School District), KY, Application No. ECF202200357, Request for Waiver, WC Docket No. 21-93 (filed Nov. 14, 2024)

Shamokin Area School District, Application No. ECF202202784, Request for Waiver, WC Docket No. 21-93 (filed Nov. 22, 2024)

Sturgis Public Schools, MI, Application No. ECF202201183, Request for Waiver, WC Docket No. 21-93 (filed Nov. 7, 2024)

²⁰ We remand these applications to USAC and direct USAC to complete its review of the applications and issue a funding decision based on a complete review and analysis, no later than 90 calendar days from the release date of this Public Notice. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' applications. We also waive sections 54.1711(d) and (e) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. See 47 CFR § 54.1711(d)-(e) (codifying the invoice filing deadline and establishing the service delivery dates for equipment, other non-recurring services, and recurring services).

²¹ See *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, WC Docket Nos. 21-93, 06-122, Public Notice, 37 FCC Rcd 7445, 7459 n.25 (WCB 2022) (granting requests for waivers for equipment delivered before the start of the approved funding year).

Rural Health Care Program
WC Docket No. 02-60

Granted

*Waiver of the Application Filing Deadline*²²

Bethel Family Clinic and Council of Athabascan Tribal Governments, AK, Request for Waiver, WC Docket No. 02-60, Funding Request Nos. 19618591, 19567891 (filed Apr. 26, 2021)

Dismissed

*Dismissed as Moot*²³

Morton General Hospital, WA, Request for Waiver, WC Docket No. 02-60, Funding Request No. 17205651 (filed May 14, 2021)

Denied

*Invoice Filing Deadline*²⁴

Pioneers Medical Center and Meeker Family Health Center, CO, WC Docket No. 02-60, Funding Request No. RHC20220003487 (filed Oct. 9, 2024)

²² See *In the Matter of Request for Review Bradford Regional Medical Center; Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, 25 FCC Rcd 7221, 7222-23, paras. 3-5 (WCB 2010) (granting a waiver of the application filing deadline when the petitioner missed the deadline due to technical issues). We remand this matter to USAC and direct USAC to coordinate with the petitioners on the filings of these applications and then issue a funding decision based on a complete review and analysis of the application. In remanding this matter to USAC, we make no finding as to the ultimate eligibility of the services or the petitioners' application.

²³ 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). Morton General Hospital 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 re-issued the commitment adjustment letter on August 20, 2021. Morton General Hospital filed an appeal on September 14, 2021, and USAC then resolved Morton General Hospital's appeal on the merits on November 30, 2023. We dismiss Morton General Hospital's request for waiver of the deadline to file an appeal as moot because it was able to timely file an appeal.

²⁴ *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) (denying waivers of the invoice filing deadline when the petitioners missed their deadlines due to personnel issues).

Contribution Methodology
WC Docket No. 06-122

Granted

Request for Waiver of the Limited International Revenue Exemption (LIRE) Threshold for Revenue Reporting Year 2025²⁵

Miron Enterprises, LLC and Tello, LLC, Petition for Waiver of the Limited International Revenue Exemption, WC Docket No. 06-122 (filed Nov. 8, 2024)

Telxius Cable USA, Inc., Telefónica Global Solutions USA, Inc., and Telefónica Larga Distancia de Puerto Rico, Inc., Petition for Waiver of the Limited International Revenue Exemption, WC Docket No. 06-122 (filed Oct. 18, 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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²⁵ 47 CFR § 54.706(c). See *Tata Communications (America), Inc. and Tata Communications (Guam), L.L.C. Request for Waiver of Section 54.706(a) of the Commission's Rules*, WC Docket No. 06-122, Order, 36 FCC Rcd 5759 (WCB 2021) (finding good cause for a limited waiver of the LIRE allowing filers to continue contributing solely on their interstate revenue). To the extent petitioners seek a waiver of the LIRE threshold beyond December 31, 2025, they must file a request to renew or extend this waiver, accompanied by the requisite showing supporting the request, consistent with the Commission's waiver rule and precedent.