



Federal Communications Commission
Washington, D.C. 20554

April 14, 2008

DA 08-872

Mel Blackwell
Vice President, Schools and Libraries Division
Universal Service Administrative Company
2000 L Street, N.W.
Suite 200
Washington, D.C. 20036

Re: Mineola Union Free School District, FCC Form 471 No. 637705

Dear Mel:

We understand from USAC staff that an applicant, Mineola Union Free School District (Mineola), Mineola, New York, has requested that it be allowed to submit two of its three funding requests it mistakenly failed to include as part of its Funding Year 2008 (FY 2008) application, FCC Form 471 No. 637705. Based on the information provided to us by USAC staff, as set forth below, this was a clerical error that can be corrected, pursuant to Commission precedent.¹ Therefore, we direct USAC to allow Mineola to submit the two funding requests and consider them with its FY 2008 application.

In FY 2008, Mineola timely submitted a paper copy of its FCC Form 471 to USAC.² Upon realizing that it had inadvertently failed to include two of its three funding requests as part of its FY 2008 application, Mineola asked USAC if it could submit the missing two pages, including the two funding requests, to be included with its application as submitted to USAC. Based on a review of Mineola's FCC Form 471 No. 637705, it appears, and USAC staff agrees, that Mineola made a clerical error by not submitting the missing two pages, including two of its funding requests.³ First, the total funding amount requested by Mineola in its FCC Form 471, Block 6, Item 25b (\$17,986.39)⁴ is substantially greater when compared to the funding amount requested by Mineola in Block 5 Item 23K (\$2,892.96).⁵ Absent a clerical calculation or typographical error, the total of the amounts entered in all Blocks 5, Item 23K should be the same as the amount entered in Block 6, Item 25b. Therefore, if Mineola's application was for only one funding request, then the amounts in Blocks 5 and 6 would be the same. Due to the large difference in dollar amounts in Blocks 5 and 6 of Mineola's application, however, it does not appear that this was simply a calculation or typographical error. Second, the page including Block 5 of Mineola's application indicates that it is page 1 of 3. Therefore, it appears that Mineola intended to submit more than one page as part of its FY 2008 application.

¹ Email from Leslie Fullwood, USAC, to Anita Cheng and Regina Brown, Federal Communications Commission (sent Mar. 6, 2008) (USAC Email).

² FCC Form 471 No. 637705, Mineola Union Free School District (filed Feb. 6, 2008).

³ See USAC Email.

⁴ Block 6, Item 25b, contains the total funding amount requested on an applicant's FCC Form 471 after the applicant adds together all of its individual Block 5, Item 23K funding requests.

⁵ Each Block 5, Item 23K, contains the amount requested for each funding request on an applicant's FCC Form 471.

In the past, the Commission has allowed applicants to correct similar mistakes, such as inadvertently leaving portions of the FCC Form 470 or FCC Form 471 blank, or making minor errors while completing the form.⁶ Based on the foregoing, it appears that Mineola intended to include the additional two funding requests as part of its FY 2008 application. Additionally, correcting Mineola's mistake regarding its funding requests would not, in and of itself, result in waste, fraud or abuse, or a failure to adhere to core program requirements. Therefore, we direct USAC to allow Mineola to submit the additional two pages of its FY 2008 application and review Mineola's application in its entirety.

It is important to note that the guidance provided herein is limited to the issue of the two funding requests inadvertently excluded from Mineola's FCC Form 471 No. 637705 for FY 2008 only. If there are other issues with this application, we direct USAC to act accordingly.

Sincerely,

Dana R. Shaffer
Chief
Wireline Competition Bureau

⁶ See *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Support Mechanism*, File No. SLD-487170, CC Docket No. 02-6, Order, 21 FCC Rcd 5316, 5320, paras. 10-11 (2006) (*Bishop Perry Order*).