

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Requests for Review of)	
Decisions of the)	
Universal Service Administrator by)	
)	
Business Communications, Inc.)	File No. SLD-305696
(Biloxi School District)	
Biloxi, Mississippi))	
)	
Mission Control)	File No. SLD-300248
(Bethel Christian Learning Center)	
Jamaica, New York))	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: October 23, 2012

Released: October 23, 2012

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Consistent with precedent,¹ we grant requests for review from two service providers, Business Communications, Inc. and Mission Control,² seeking review of decisions made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).³ In each case, USAC found that the school served by the relevant petitioner violated Commission rules by failing to pay the non-discounted portion of the price of

¹ See *Requests for Review of the Decision of the Universal Service Administrator by Al-Ihsan Academy, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-196013, et al., CC Docket No. 02-6, Order, 27 FCC Rcd 1927 (Wireline Comp. Bur. 2012) (finding that one petitioner demonstrated that it paid its required share of its E-rate purchase, and 16 others did not).

² Letter from Lesley Carter, Business Communications, Inc., to Office of the Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Dec. 5, 2005) (seeking review of USAC decision finding that Biloxi School District failed to pay its share of the price of services it purchased from Business Communications, Inc. under the E-rate program) (Business Communications, Inc. Request for Review) (concerning FCC Form 471 application number 305696 (funding request numbers 789082 and 789121)); Letter from Van Harris, Mission Control, to Marlene Dortch, Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Mar. 20, 2009) (seeking review of USAC decision finding that Bethel Christian Learning Center failed to pay its share of the price of services it purchased from Mission Control under the E-rate program) (Mission Control Request for Review) (concerning FCC Form 471 application number 300248 (funding request number 871664)); Letter from Van Harris, Mission Control, to Marlene Dortch, Secretary, Federal Communications Commission, CC Docket No. 02-6 (filed Mar. 24, 2009) (supplementary material).

³ Section 54.719(c) of the Commission’s rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

the services it purchased from the petitioner under the E-rate program.⁴ Based on our review of the record, we find that both schools paid the required portion of the purchase price for the purchases at issue.⁵

2. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3 and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3 and 54.722(a), that the requests for review filed by Business Communications, Inc. and Mission Control ARE GRANTED and USAC is directed to process the invoices submitted by those parties for purchases by the Biloxi School District and Bethel Christian Learning Center, consistent with this decision.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁴ *Id.* See also 47 C.F.R. § 54.523 (requiring eligible schools to pay the non-discount portion of the price of products or services purchased with E-rate discounts).

⁵ See, e.g., E-mail from Ann Denison, Biloxi School District, to Mark Nadel, Federal Communications Commission, CC Docket No. 02-6 (filed Apr. 26, 2012) (providing documentation that the Biloxi School District paid its share of the price of E-rate services purchased from Business Communications, Inc. for funding request numbers 789082 and 789121); E-mail from Tammy Ray, Business Communications, Inc., to Mark Nadel, Federal Communications Commission, CC Docket No. 02-6 (filed Apr. 26, 2012) (providing a copy of a check from Biloxi School District to Business Communications, Inc. and an associated bid analysis); Facsimile from Vanoy Harris, Mission Control, to Mark Nadel, Federal Communications Commission, CC Docket No. 02-6 (filed Oct. 5, 2012) (providing documentation that Bethel Christian Learning Center paid its share of the price of E-rate services purchased from Mission Control for funding request number 871664).