

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Request for Review of a Decision of the Universal Service Administrator by	)	
	)	
Koko Head Elementary School Honolulu, Hawaii	)	File No. SLD-200061
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Changes to the Board of Directors of the National Exchange Carrier Association, Inc.	)	CC Docket No. 97-21
	)	

**ORDER**

**Adopted: January 11, 2002**

**Released: January 14, 2002**

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has before it a Request for Review filed by Koko Head Elementary School (Koko Head), Honolulu, Hawaii.<sup>1</sup> Koko Head seeks review of a decision of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company, rejecting its application for discounted services under the schools and libraries universal service support mechanism.<sup>2</sup> SLD returned without consideration Koko Head's application for failing to meet the requirement under SLD's minimum processing standards that applicants complete Item 22 of FCC Form 471.<sup>3</sup> For the reasons discussed below, we grant Koko Head's Request for Review and remand its application to SLD for further review.

2. In *Naperville*, the Commission determined that, under the totality of the circumstances, SLD should not have returned an application without consideration for failure to meet SLD's minimum processing standards. In *Naperville's* case, the Commission specifically

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<sup>1</sup> Letter from Les Goto, Koko Head Elementary School, to Federal Communications Commission, filed July 3, 2000. Although SLD treated Koko Head's request as a Waiver Request seeking waiver of our rules governing the application filing window, for consistency with our rules and with previous similar orders, we deem Koko Head's filing to be a Request for Review. 47 C.F.R. § 54.719(c).

<sup>2</sup> *Id.*; 47 C.F.R. § 54.719(c).

<sup>3</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Les Goto, Koko Head Elementary School, dated March 24, 2000.

found that where “(1) the request for information was a first-time information requirement on a revised form, thereby possibly leading to confusion on the part of the applicants; (2) the omitted information could be easily discerned by SLD through examination of other information included in the application; and (3) the application is otherwise substantially complete.”<sup>4</sup> Upon review of the record in the instant Request for Review, we conclude that, under the totality of the circumstances, Koko Head’s application did not merit return. Specifically, Koko Head’s request presents circumstances that are factually almost identical to those in *Naperville*.

3. The request for information on the form was a first-time information requirement on an FCC Form 471 revised for Funding Year 3.<sup>5</sup> Furthermore, in Koko Head’s case, the omitted information could be easily discerned by SLD through examination of other information included in the application.<sup>6</sup> In Funding Year 3, Koko Head was a single entity receiving services at a single site, and had a single Billed Entity Number (BEN) listed at the top of each Block 5 page and throughout its application.<sup>7</sup> Therefore, SLD could easily determine from the application that the services in each funding request were site-specific with the same BEN. Additionally, as was the case in *Naperville*, the record reflects that Koko Head’s application is otherwise substantially complete.<sup>8</sup> Therefore, we remand the application to SLD for processing pursuant to the Commission’s rules.<sup>9</sup>

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<sup>4</sup> *Request for Review by Naperville Community Unit School District 203, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-203343, CC Dockets No. 96-45 and 97-21, Order, 16 FCC Rcd 5032, 5039 para. 16 (Com. Car. Bur. 2001) (*Naperville*).

<sup>5</sup> *Id.* at 5039 para. 16; Waiver Request.

<sup>6</sup> *Naperville*, 16 FCC Rcd at 5039 para. 16.

<sup>7</sup> FCC Form 471, Koko Head Elementary School, filed January 17, 2000.

<sup>8</sup> *Id.*

<sup>9</sup> We note that our decision today does not guarantee that the applications will be granted upon processing by SLD. This order addresses only whether SLD should consider this application.

4. Accordingly, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Koko Head Elementary School, Honolulu, Hawaii, on July 3, 2000 IS REMANDED to the Schools and Libraries Division for further consideration as provided herein.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
Deputy Chief, Accounting Policy Division  
Common Carrier Bureau