

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
ETC Annual Reports and Certifications)	WC Docket No. 14-58
)	
Connect America Fund: A National Broadband Plan for Our Future High-Cost Universal Service Support)	WC Docket No. 10-90

ORDER

Adopted: June 28, 2024

Released: June 28, 2024

By the Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau), on our own motion, grants a limited waiver to all eligible telecommunications carriers (ETCs) of the July 1, 2024 filing deadline under section 54.313(j) of the Commission's rules.¹ Generally, the Commission's rules may be waived for good cause shown.² We find that special circumstances warrant an extension of the FCC Form 481 filing deadline for Program Year 2025 from July 1, 2024 to July 10, 2024 due to technical difficulties that are impacting the FCC Form 481 filing portal.

2. All ETCs requesting federal high-cost or low-income universal service support from the Universal Service Administrative Company (USAC), the universal service Administrator, must file the FCC Form 481 on an annual basis. ETCs participating in the High Cost program must file FCC Form 481 with the Administrator on an annual basis by July 1st each year to be eligible to receive support.³ Carriers that fail to comply with our reporting obligations are subject to support reductions.⁴

3. Beginning on June 26, 2024, USAC has encountered technical issues causing form processing difficulties and record availability complications that have impeded certain ETCs' ability to submit and certify their completed FCC Form 481. Due to these technical difficulties, USAC has temporarily disabled the FCC Form 481 filing portal to deploy a solution to these issues. This solution will result in a temporary delay in FCC Form 481 filing and certification for some ETCs. We direct USAC to notify ETCs once the technical issues are resolved.

¹ 47 CFR § 54.313(j). While Lifeline-only ETCs do not have a similarly prescribed filing deadline included in the Lifeline rules, to the extent a deadline for filing might exist in early July and be impacted by the technical difficulties experienced by USAC and discussed here, we also grant additional time for those ETCs to file FCC Form 481, as described in this Order. *See* 47 CFR § 54.422.

² 47 CFR § 1.3. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*). In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166. Waiver of a filing deadline in the Commission's rules is appropriate when (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. *Northeast Cellular*, 897 F.2d at 1166.

³ 47 CFR § 54.313.

⁴ 47 CFR § 54.313(j)(1)(i-ii).

4. We therefore adopt a limited waiver of section 54.313(j) of the Commission's rules⁵ and allow ETCs to file and certify the FCC Form 481 by July 10, 2024. The Bureau has previously found good cause to waive the Commission's rules and grant an extension of a program deadline when technical issues affected an applicant's ability to meet a program's process deadline.⁶ For the same reasons, we find that good cause exists here, and a temporary waiver is justified and would serve the public interest.

5. Accordingly, IT IS ORDERED, pursuant to sections 0.91, 0.291, 1.3 of the Commission's rules, 47 CFR §§ 0.91, 0.291, 1.3 that sections 47 CFR §§ 54.313(j) and 54.422 are waived, as described herein.

6. IT IS FURTHER ORDERED, that pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader
Chief
Wireline Competition Bureau

⁵ 47 CFR § 54.313(j).

⁶ See 47 CFR §§ 0.91(b), 0.291. The Commission also has delegated authority to the Chief of the Wireline Competition Bureau to resolve unanticipated technical and operational issues relating to the universal service mechanisms that may arise. See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Third Report and Order, 12 FCC Rcd 22485, 22488-89, para. 6 (1997); *The Wireline Competition Bureau Further Extends the HUBB Certification Deadline for Deployed Fixed Locations for Alaska Plan Carriers Adak, ASTAC, and MTA and Announces New Deadline*, WC Docket Nos. 10-90 and 16-271, Public Notice, 37 FCC Rcd 9406 (WCB 2022).