

10/09/2019

Letter of Appeal
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554
CC Docket No. 02-6

Re: Letter of Appeal of Revised Funding Commitment Decision Letter for funding Year 2019, issued 09/18/19, denying the submitted USAC appeal.

Dear Sir or Madam:

I am submitting this letter of appeal regarding E-rate Revised Funding Commitment Decision Letter for application #191003648, on the grounds that, a waiver for the Appeal Deadline should be granted due to a ministerial/clerical order and in accordance with the Bishop Perry Order and FCC Order 07-36.

Appellant Name:	e2e Exchange, LLC
Applicant Name:	P C M Community School District
471 Application Number:	191003648
Billed Entity Number:	131938
FRN:	1999003870
Service Provider:	Mediacom iowa LLC

Post Commitment Rationale: The correction requested with your Receipt Acknowledgement letter was not implemented because you requested an increase in funding and your request was received after the associated FCC Form 471 (181007988) was committed and as such could not be processed. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied. The FCC's Bishop Perry Order directed USAC to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications without posting new FCC Forms 470 and 471. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, Louisiana, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. See Ministerial & Clerical Errors posted in the Reference Area of the SLD section of the USAC website. Per the FCC's directive, applicants should be allowed to amend their forms to correct clerical and ministerial errors until a Funding Commitment Decision Letter (FCDL) is issued. ***Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error.***

The issue in this case boils down simply to this: First, an appeal was submitted after the FCC Form 471 (181007988) was committed; it was not a Receipt Acknowledgment Letter, therefore the requirement to submit the appeal prior to commitment of the Form 471 does not apply. Appeals can be submitted within 60 days of the issued FCDL. Second, the accidental omission of a line item for the monthly recurring cost of \$525.00 for TLS service at 400 N Jasper site does indeed fall under the category of a clerical and ministerial error as it was a ***failure to enter an item from the source documentation onto the application.*** Please see attached April 2018 invoice for proof of documentation for the additional \$525.00 MRC, for a total monthly cost to the district of \$1,325.00. Based on the Bishop Perry Order, we request USAC actions remain consistent with this order and FRN 1899012489 be increased for a total MRC of \$1,325.00 per documentation.

Given that the omitted funding in this case was based on merely an administrative error, omission of adding the additional line item on the Form 471 application, the Parties respectfully request that the SLD process this Letter of Appeal and approve the correct funding commitment for PCM Community School District, remaining consistent with the Bishop Perry Order.

The absence of funding for an administrative error places a particular hardship on a school district such as PCM Community School District that otherwise should have been approved for and received E-rate funding for its application.

We respectfully request that you approve this letter of appeal. Thank you for reviewing this appeal. Please use the contact information below.

Tiffany Bullion, Director of Operations, e2e Exchange, LLC, PO Box 451, Syracuse, NY 13206, Tel. 315.422.7608, Fax 866.283.9332, stc@e2eexchange.com

Sincerely,
E2e Exchange, LLC

Tiffany Bullion
Director of Operations

CC:

Enclosures –

1. Submitted USAC Appeal for #191003648
2. RFCDL for #191003648
3. Documentation of \$525.00 MRC with Mediacom (April 2018 Invoice)