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October 23, 2017

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC Docket No. 02-6
CC Docket No. 96-45

Re: Request for Waiver of the USAC Deadline for Appealing An FCDL.
Request that the FCC remand the application back to USAC for additional PIA since USAC
errored in their decision by not creating a new FRN when category of service was changed
from IA to TS.

To Whom It May Concern:

This Request for Review is filed on behalf of the applicant. My letter of agency is attached. My
contact information is as follows:

Heather Hosey, Senior Compliance Analyst
Service Associates, Inc.
807 Burke Street
Winston-Salem, NC 27101
hhosey@serviceassoc.com
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Applicant Ray Stemmer
Contact: York County School District 1
1475 East Liberty Street
York, SC 29745
york@serviceassoc.com
803-684-9916

Service Associates, Inc. is an E-rate support services company
providing services exclusively to E-rate applicants.

This is a Request for Waiver of the 60 day appeal deadline and a Request that the FCC remand the application back to USAC for further PIA review of the following USAC-SLD Decision since USAC errored in their decision of not creating a new FRN during PIA when the category of service was changed from IA to TS. This request for a Waiver requests that the FCC waive the “60 day appeal deadline denied for Form 471 Application Number 161014481, so that the District might retrieve this important funding – funding which the District was eligible for, and successfully applied for, before the application suffered a major error made by a PIA reviewer.

Regarding: Request for Waiver of 60 Day Appeal Deadline and a Request that FCC Remand the application back to USAC for further PIA review:

Date of Letter	October 23, 2017
Applicant	York County School District 1
Billed Entity Number	127243
Form 471 Application Number	161014481
Funding Request Numbers	1699024915

The **Explanation for Denial** given in the September 26, 2017 “Administrator’s Decision on Waiver Request to extend 60 day appeal deadline” is: “Our records show that your appeal was filed more than 60 days after the date your decision letter was issued. Your appeal was filed on 6/5/2017. The Funding Commitment Decision Letter was issued on 10/17/2016. Federal Communications Commission (FCC) rules require appeals to be filed within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.”

Grounds for Appeal

Request for waiver and review to remand the application back to USAC/PIA to create a new FRN, which the reviewer should have done when the category of service was authorized by the applicant to change from IA to TS. Rather than creating a new FRN for the new TS category of service for a Hosted VoIP Circuit, the reviewer cancelled the FRN and nothing else was done after that. In my conversation with the reviewer after this happened, I was told that the application goes through several supervisor’s before it is finally committed for funding. The fact that “several supervisors” overlooked the error, as did the reviewer, should be enough of a point to remand the application back to USAC/PIA for further review. The fact that “several supervisors” made the mistake of not catching the reviewer’s error also should be grounds for the FCC to consider the applicant’s error in overlooking the 60 day appeal deadline. We are human, and we make mistakes. York County School District 1 is a small District in the State of South Carolina and every penny counts. Coming out of pocket for an unexpected \$6209.95 would be a significant hardship for the District.

We humbly request leniency from the Commission and a waiver of the 60 day appeal deadline despite the fact that this request is being submitted long after the deadline. We respectfully request that the FCC remand this application back to USAC/PIA for review and that USAC issue a Revised Funding Commitment Decision Letter for the funding the District is eligible to receive. To do otherwise would contribute to unintended consequences of hardship and inequity for the students and teachers in the District.

We all thank you for your kind attention to this matter. Please contact me if you have any questions or need additional information.

Sincerely,
Service Associates, Inc.

Heather Hosey, Senior Compliance Analyst

Attachment: Post Commitment USAC Appeal

Attachment: Post Commitment USAC Appeal Request Decision

Attachment: Letter of Agency

[Records / Appeals](#)

York VoIP Circuit Appeal - #44004

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Appeal Information

[View Status \(+\)](#)**Funding Year** 2016**Submitting Organization** YORK COUNTY SCHOOL DISTRICT 1 (BEN: 127243)**Created By** Heather Hosey**Created On** 6/5/2017 12:09 PM EDT

Main Contact

Name Heather Hosey**Email** hhosey@serviceassoc.com**Phone Number** 800-396-9950

Narrative

Per the below PIA correspondence, a new FRN was supposed to be created once she cancelled the FRN that was applied for an IA in error when it should have been applied for a TS since it is a circuit that supports voice traffic. She cancelled the FRN and nothing else happened after that. CSB explained that she also changed the category of service from IA to TS, but why did she do that and then cancel the FRN? I would like to request that the Funding Decision Commitment be overturned from the cancelled status.

"Ebony,

Please call me about this as soon as you can. A new FRN was never created. See below in yellow. A new FRN was supposed to be created by PIA because I originally applied for the circuit as internet access when it should have been voice services. As internet access it was not subject to the proper discount percentage, so you were supposed to make a new FRN for it as a voice FRN so it was subject to the voice phase down. I need you to follow up to see why this has not been done.

Does this FRN include charges attributable to Voice services?

- a. If No, please provide a detailed explanation of why the documentation or narrative description provided indicates Voice services. Also, if available, please provide supporting documentation.
- b. If Yes, is the entire amount requested under this FRN used for Voice services?

If Yes, check the box if you agree that FRN 1699024915 should be cancelled and so that a new FRN will be created in order to change the service type to Voice Services. The new FRN will reflect the Voice Services' reduced discount rate of 40%."

Appeal Details

Decision appealed by applicant FCC Form 471 Funding Commitment Decision[View Supporting Documentation \(+\)](#)

BEN	BEN Name	Commitment	Commitment	FRN	Commitment	Commitment	Funding Decision	Funding Decision	Comments (FRN)	FCC Form 471	Service Type	Form 470	SPIN	Service Provider	Contract Number (for SPIN)	Date	Expiration Date	Date	Expiration Date	Service In	Recurring
127243	DISTRICT 1	Appeals	44304	1699024915	Denied	show that your	Cancelled	Cancelled		161014481	Voice	56	143001529	Compton, Inc.	9	01-Jul-2016	30-Jun-2017	11-Mar-2014		12	\$15,524.88

Time Charges	Discount	Discount Rate	Revised Commit Invoice Deadline	Wave Number	Service Delivery	Consultant Name	CRN	Consultant Employer Name
\$0.00	\$15,524.88	40.00%	\$0.00	22	30-Jun-2017	Heather Halsey	16043663	Service Associates Inc