

E-Rate Funding Solutions, LLC
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May 9, 2017

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

Appellant Name: Steve Futrell, Consultant to the Applicant
Appellant CRN: 16070846
Applicant: Metairie Park County Day School
BEN: 16063949
Form 471 #: 161007804
FRN: 1699010994

Re: CC Docket No. 02-6
Request for Review
USAC Administrator's Decision on Post Commitment Request Denial

Mrs. Dortch:

Metairie Park County Day School is appealing USAC's Post Commitment Request Denial for a Change of Contract Expiration Date for E-Rate Funding Year 2016, on FCC 471 Application # 161007804, FRN 1699010994, in a Revised Funding Commitment Decision Letter dated 04/11/18, containing the following reason:

"USAC denied your request to change Contract Expiration Date for FRN 1699010994 from 7/21/2016 to 6/30/2017. Our records show that FRN 1699010994 was approved for 1 month of service during PIA review. The new Contract Expiration Date will increase the number of months of service and the funding commitment for this FRN, which is not allowable during post-commit review. On appeal, you did not demonstrate that USAC's determination was incorrect. Consequently, your appeal is denied."

E-rate records reveal there was no PIA review of 471 #161007804, FRN 1699010994. The clerical error was discovered upon receiving a Form 472 (BEAR) Notification Letter dated 12/20/17 for SLD Invoice 2731640 filed on 11/27/17 approving the total amount of Reimbursement for Payment of \$794.88, explaining "Service Delivered After Contract Expiration."

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Metairie Park Country Day School (BEN 16063949)

Upon discovering the clerical error on 471# 161007804, FRN 1699010994, FCC Form 500 #87331 was filed on 01/03/18 requesting a Contract expiration Date Change to 06/30/17, explaining that the original Contract Expiration Date of 07/21/16 was indeed a clerical error.

FCC Form 500 #87331 contained no request for increased funding commitment as FRN 16990101994 requested funding for twelve months of service and was funded for twelve months of service (\$15,076.61).

We hereby request that Request for Contract Expiration Date Change be granted and the applicant be allowed to capture much needed funding already committed it for twelve months of service emphasizing that there is no waste fraud or abuse involved in the request noting that the FCC has granted similar Requests for Waivers and Decisions of the Universal Service Administrator.¹

Waiver is appropriate if circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the rule.

The granting of this request will serve the public interest by allowing Metairie Park Country Day School to capture funding committed to support its eligible telecommunications services without adversely affecting current or future E-Rate applicants.

We respectfully request the FCC to direct USAC to grant our request for Contract Expiration Date Change relative to the FRN above together with reasonable extensions permitting Metairie Park Country Day School to realize the intended benefits of the E-Rate Program and recover funds committed to that it has already paid for eligible services, emphasizing again that Metairie Park Country Day School has not committed any waste, fraud or abuse.

For Metairie Park Country Day School,



Steve Futrell, M.Ed., CEO

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¹ Ann Arbor Public Schools, et al, DA 10-2354, December 16, 2010.