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May 14, 2018

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

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

From: Gold Consulting Team
Leah Lax
CRN 16066397
School: BETH CHANA SCHOOL FOR GIRLS
BEN: 11744
FRN's, 1699016576, 1699016577, 1699016578, 1699016579, 1699016580,
1699016583, 1699016584, 1699016585, 1699016586, 1699016581,
1699016582 of 471 # 161010591 and FRN 1699016589 of 471 # 161010593

Introduction and Background

On about March 15, 2016, Gold Consulting filed the form 471s on behalf of Beth Chana School for Girls. The school had selected Central Telecom Group Inc. as their provider for their telecom and internet services of funding year 2016. Before July of 2016, the school was notified by a representative of Central Telecom Group Inc. that they will no longer provide any services. They also informed the school that part of their company was bought off by a company with name of: Top Quality Communication. It was the school's decision to use Top Quality Communication

as their provider for their telecom and internet services after the company agreed to provide the services on the same terms that was previously agreed with Central Telecom Group Inc.

USAC Review and School Response

In September of 2017 we got a review from USAC (Machado Glisban) asking the school to provide documentation to verify service delivery, such as Service Provider bills and to provide proof of payment. At that time the school provided the Top Quality Communication invoices for the above mentioned FRNs and they also sent copies of the school payments to Top Quality Communication. At that time we brought up an issue with the reviewer (Machado Glisban), that these invoices are from a different service provider for what was originally entered on the form 471, I also advised her of our intention to file for Correctional SPIN Change and I asked her if I should submit a RAL at that time. Her response to me was, I should not file for any changes at this time, and that she will make the changes and let me know if there are any other questions or if additional information is needed

USAC FCDL

On 2/13/2018 we received an FCDL denying the above FRNs. The reason given was: DR1: The FRN is denied because the applicant failed to provide at the request of the Program Administrator all requested documentation. Specifically, prior to commitment of the FRN, you were asked to submit documentation to support that the services requested in the FRN were delivered during the funding year and/or you were asked to provide vendor documentation in support of the FRN. You provided a response which failed to demonstrate that services were delivered by the service provider listed for the FRN. Therefore, your FRN is denied.

Appeal to USAC and USAC Decision on Appeal

We appealed this directly with USAC on the grounds that we believe that we provided just that and we did not receive any follow up questions on our response. On 04/04/2018 we received an RFCDL denying our appeal the reason given was: -USAC denied your funding requests because the applicant failed to provide at the request of the Program Administrator all requested documentation. Specifically, prior to commitment of the FRN, you were asked to submit documentation to support that the services requested in the FRN were delivered during the funding year and/or you were asked to provide vendor documentation in support of the FRN. You provided a response which failed to demonstrate that services were delivered by the service provider listed for the FRN. During the PIA review of the FRNs, the applicant provided documentation which does not indicate that the services requested in the FRNs were delivered by the service provider listed for the FRN, Central Telecom Group Inc, SPIN 143048853. Since documents were provided with a different service provider, the FRNs were denied for failure to demonstrate delivery of service with the service provider listed for the FRNs. On appeal you have submitted the same documentation and accordingly have failed to demonstrate delivery of service from Central Telecom Group Inc, for the FRNs. On appeal you have provided no new information that could overturn the denial of the FRN. Consequently, your appeal is denied.

Our appeal to the FCC

We are appealing this decision with the FCC as we believe that USAC erred in denying these FRNs. Basically the reason USAC gave for denying these FRNs was because the school did not use the service provider listed on the form 471. As the school obviously provided documentation that supports that the services requested in the FRN were delivered during the funding year (just not with the service provider listed on for 471). And in reality there was no reason to deny these FRNs for multiple reasons:

1- Since the service provider selected on the 471 was no longer providing service a school is eligible to select a new service provider (as a correctional SPIN change). And according to USAC guidelines the time to file a correctional spin change is “no earlier than the date of your RAL, and **no later than the last date to submit an invoice**” (so school was entitled to file for a correctional SPIN Change after the FCDL).

2- Also it is standard USAC procedure when you submit documentation that shows a different service provider than was entered on the 471, that USAC comes back for a clarification and in a case that original provider is not providing any service that reviewer will initiate a spin change.

3 – Also as previously mentioned during the USAC review from Machado Glisban who asked the school to provide documentation to verify service delivery, I brought this to her attention that these invoices are from a different service provider from what was entered on the for 471, I also advised her of our intention to file for a Correctional SPIN Change, I asked her if I should submit a RAL at that time. Her response to me was, I should not file for any changes at this time, and that she will make the changes and let me know if there are any other questions or if additional information is needed

We appreciate this opportunity.

A handwritten signature in cursive script that reads "Leah Lax".

Leah lax

Consultant