



REQUEST FOR WAIVER AND APPEAL ON BEHALF OF CAMERON PARISH LIBRARY

May 15, 2019

FCC DOCKET NO: 02-6

FILING IN SUPPORT OF RULE WAIVER

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

Applicant: Cameron Parish Library

Address: 501 Marshall Street Cameron, La. 70631

BEN: 139270

Funding Request Number: 1799027291

Funding Year: 2017

Contact Information: Teri Lawrence, E-Rate Consultant FCC RN #16071123 TeriL@eratesupport.org

Adverse Decision: BEAR Denial

Waiver Request: Invoice Deadline needed because USAC waited to 7 months to send Denial of BEAR

Appeal: USAC Decision to Deny BEAR Reimbursement for FRN 1799027291

Reason for Denial

Applicant Name: CAMERON PARISH LIBRARY; SLD Invoice Number:2876390; BEAR Letter Date: 04/22/2019; Line Item Detail Number:9380332; Amount Requested:2520.00; Incomplete documents provided for review;1239;

Background

Cameron Parish Library filed a timely BEAR form on September 3, 2018 for reimbursement of Basic Maintenance services rendered from July 1, 2017 to June 30, 2018. The applicant received a USAC service certification on September 10, 2018. A copy of the invoice, canceled check, and contract was sent timely to the reviewer.

On September 25, 2018, USAC sent a remittance for \$0.00 funding. The rejection stated, "Incomplete documents provided for review".

The invoice from the vendor did not indicate the number of hours for work performed, but it indicated the number of months. No one at USAC would provide any information regarding the denial for "incomplete document," but it was assumed by the applicant the invoice was missing the hours.

A second BEAR was filed on 10/18/2018 and an invoice deadline extension was also filed and approved. On October 19, 2018 a second service certification was received by the applicant. The same day the applicant responded by sending an invoice with the number of hours and other support documents.

On December 17, 2018 Case #258572 was opened to inquire about the 73 day delay in processing the BEAR form filed on 10/18/2018. On December 30, 2019 case #259508 was opened after USAC closed the first case.

USAC responded indicating the BEAR inquiries were sent to Management. On 2/4/2019, 3/3/2019 and 4/15/2019 the applicant reopened the case requesting information about the delay and USAC closed each inquiry without responding.

On May 7, 2019 Case #258572 was reopened by USAC and the first two paragraphs of the response are follows:

"I would like to begin by apologizing for the length of time this case has been open without a response. We are working on lowering our customer service case backlog to improve the customer experience.

During my investigation I was able to find that the review for invoice 2876390 was completed on 4/22/2019. The invoice was rejected because the reviewer requested documents and no requested documents received or all documents requested were not received. You can file an appeal with USAC within 60 days from the decision letter if you disagree with the decision."

On May 9, 2019 Case #259508 was reopened by USAC and the same apology appeared in the first two paragraphs as Case #258572.

Waiver Request

The invoice deadline was 2/16/2019, therefore, the applicant is now forced to file a waiver request with the FCC for an invoice deadline, as well as, an appeal that the BEAR certification should have been approved.

Appeal

The applicant sent all documentation to support the reimbursement timely, but at this point, the applicant is uncertain exactly which documentation is missing.

In the attached supporting documents, please note the applicant requests to the reviewer; "Please let me know if any additional information." The reviewer did not request any additional information.

The amount of the reimbursement is for \$2,142.00 for basic maintenance support for 12 months to six (6) libraries.

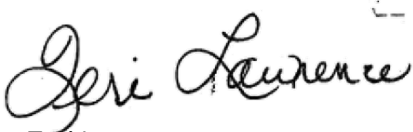
Conclusion

USAC's delay of 7 months to process a Bear payment and the lack of communication with the applicant should be carefully considered when granting this appeal and waiver.

It is my understanding from a recent conversation with an Invoice Certification reviewer, "reviewers are not allowed to inform the vendor or applicants which documents are missing because of possible "collusion" with an applicant or service provider."

If this is the procedure adopted by USAC and approved by the FCC, applicants and service providers are left in the dark about which documents are missing or the reason for denial due to an "incomplete response."

Sincerely,



Teri Lawrence
Educational Professional Services
E-Rate Consultant, CRN 16071123
Telephone: 225-224-2786

Fax: 225-612-6682

Email: TeriL@eratesupport.org

Cc Supporting Documents Attached:

Bear Form #1 with Correspondence

Bear Form #2 with Correspondence

Correspondence with Apology