

**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, DC 20554**

In the Matter of	)	
	)	
	)	CC Docket No. 02-6
Petition for waiver of Commission rules	)	
by	)	
	)	
Howard County Public School System	)	File No. FCC Form 471 Application
	)	Numbers 161003537
Schools and Libraries Universal Service	)	
Support Mechanism	)	
	)	

To: Federal Communications Commission

**HOWARD COUNTY PUBLIC SCHOOL SYSTEM**  
**PETITION FOR WAIVER**

Howard County Public School System (“HCPSS”),<sup>1</sup> pursuant to Section 54.719(c) of the Federal Communications Commission’s (“FCC”) rules,<sup>2</sup> hereby submits this petition for waiver of Section 54.514(a) and (b) of the Commission’s rules.<sup>3</sup>

As discussed below, HCPSS applied for and the Universal Service Administrative Company (“USAC”) committed funding for E-rate services and equipment. HCPSS timely invoiced USAC for the requested equipment. While the invoice was pending, USAC issued a Commitment Adjustment (“COMAD”), alleging that HCPSS failed to produce requested documentation pertaining to its competitive bidding process.

HCPSS successfully appealed the COMAD determination, and USAC discontinued recovery actions against HCPSS. But, in approving the appeal and restoring funding for the funding request at issue, USAC failed to adjust the last date to invoice (“LDI”). HCPSS, therefore, was unable to submit

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<sup>1</sup> Billed Entity Number 126366.

<sup>2</sup> See 47 C.F.R. § 54.719(c).

<sup>3</sup> 47 C.F.R. §54.514(a) (requiring applicants seeking to receive discounts for eligible services to submit invoices to the Administrator within 120 days after the last day to receive service or 120 days after the date of the FCC Form 486 Notification Letter); 47 C.F.R. §54.514(b) (permitting applicants or service providers to request a one-time, 120-day extension of the invoicing deadline if timely requested).

invoices for the requested equipment. HCPSS filed a second appeal with USAC, requesting that it properly adjust the LDI. USAC denied the second appeal.

HCPSS respectfully requests that the Commission extend the invoice deadline for the funding request at issue and, to the extent necessary, waive Section 54.514(a) and (b) and any other of the Commission's rules as are necessary to grant the requested relief. Given the facts and special circumstances of this case, there are ample grounds to grant the requested waiver.

## **I. BACKGROUND**

HCPSS filed a funding year 2016 FCC Form 471 on May 19, 2016.<sup>4</sup> The application included its funding request for internal connections equipment, FRN 1699103176. On July 23, 2016, USAC approved the application and funding request as submitted. The last date to invoice for the requested services was set for January 29, 2018.

HCPSS filed an FCC Form 472 ("Form 472" or "BEAR Form") on June 28, 2017, requesting reimbursement for the internal connections equipment.<sup>5</sup> On December 21, 2017, while the invoice remained pending with USAC, HCPSS received a COMAD letter.<sup>6</sup> According to USAC, HCPSS failed to produce requested documentation pertaining to its competitive bidding process. As a result, USAC determined to rescind the funding commitment for the internal connections funding request. One week later, HCPSS received notification that its pending BEAR Form had been denied.

HCPSS filed an appeal with USAC on January 17, 2018.<sup>7</sup> It successfully argued that the COMAD determination was the result of a USAC error and an ongoing issue regarding HCPSS's designated E-rate contact. USAC approved the appeal on March 23, 2018 and reinstated the funding commitment for the FRN at issue. However, upon approving the appeal it failed to update the LDI. This left HCPSS unable to resubmit a Form 472 for the requested equipment.

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<sup>4</sup> FCC Form 471 Application Number 161003537.

<sup>5</sup> SLD Invoice 2613935.

<sup>6</sup> The Commitment Adjustment Letter is attached as Exhibit A.

<sup>7</sup> The letter of appeal filed with USAC is attached as Exhibit B.

On March 27, 2018, HCPSS submitted a customer service case via USAC's E-rate Productivity Center ("EPC").<sup>8</sup> It informed USAC that, although the appeal was approved, USAC had yet to update the invoice date. HCPSS explained that it could not submit a new BEAR Form and requested that USAC make the necessary adjustment:

On 3/24 Howard Co. Public Schools received the attached Revised Funding Commitment Decision in regards to an appeal that was filed. The appeal was granted for one of the FRNs and funding has been restored to that request. However, the LDI for that FRN has not been adjusted and the district cannot file a BEAR for this request until the LDI is updated. Can we find out when the LDI will be adjusted so that the reimbursement paperwork can be filed? Thank you.<sup>9</sup>

The customer service request ultimately proved unsuccessful. HCPSS filed a second appeal with USAC on March 27, 2018, again seeking to have USAC update the LDI.<sup>10</sup> HCPSS reiterated that the LDI had not been updated upon approval of the COMAD appeal, and that it could not resubmit an invoice until such adjustment was made. HCPSS also informed USAC that it had timely filed its initial reimbursement request in June 2017, but that the request was pending when USAC issued the COMAD and reimbursement was consequently denied.

USAC denied the appeal on May 17, 2018. The following explanation was provided in the appeal notification letter:

If an invoice deadline extension request is not timely submitted, you must first submit a waiver request to the Federal Communications Commission (FCC). The FCC must grant your waiver request before USAC can extend the invoice deadline.

Your appeal is a request of a waiver of the Invoice Deadline Extension filing window. Federal Communications Commission (FCC) rules do not permit USAC to consider requests for waivers of FCC rules. If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC.

To date, HCPSS has not been permitted to resubmit the necessary invoice.

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<sup>8</sup> The EPC customer service case (case #232141) is attached as Exhibit C.

<sup>9</sup> *Id.*

<sup>10</sup> The EPC appeal (case #91975) is attached as Exhibit D.

## II. DISCUSSION

Given the explanation provided, it appears USAC misunderstood the request in HCPSS's appeal. HCPSS did not request a waiver of the invoice filing deadline. It timely submitted an invoice for the FRN at issue in June 2017. It then received a COMAD letter while the invoice was pending with USAC. HCPSS appealed the COMAD determination, and the original LDI passed while the appeal was in review. Though USAC ultimately approved the COMAD appeal, it failed to adjust the invoice deadline to allow HCPSS to resubmit a request for reimbursement. Because HCPSS timely filed an invoice for the requested services, it was not necessary to request a waiver.

In denying HCPSS's appeal, USAC also indicated that HCPSS had not properly requested an invoice deadline extension. It is important to note, however, that HCPSS could not possibly have requested a one-time invoice extension. The last date to invoice was January 29, 2018. The funding commitment was rescinded, based on the COMAD determination, on December 21, 2017. Without a funding commitment, USAC's legacy system does not permit applicants to request an invoice extension. In this case, the funding commitment was reduced from \$52,959.98 to \$0.00 based on the alleged competitive bidding violations. USAC did not approve HCPSS's initial appeal and reinstate the funding commitment until March 2018.

HCPSS maintains that it complied with all program rules and properly submitted the invoice prior to the established deadline. Yet, if the Commission deems it necessary to grant the requested relief, waiver of the Commission's rules is appropriate. The Commission, in its *Modernization Order*,<sup>11</sup> determined that it is generally not in the public interest to waive its invoicing rules, and directed the Wireline Competition Bureau to grant such waivers only in extraordinary circumstances. While the standard is appropriately difficult to meet, the facts and circumstances of this case justify the requested waiver. HCPSS followed all deadlines and yet was denied reimbursement because a COMAD determination issued in error rendered it impossible to comply with the invoicing rules. Because USAC

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<sup>11</sup> *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870 (2014) ("Modernization Order").

appears unable to authorize the request to adjust the last date to invoice, HCPSS now seeks relief from the Commission.

Finally, if necessary, HCPSS requests that the Commission waive the 60-day appeal deadline in Section 54.720 of its rules.<sup>12</sup> HCPSS filed an appeal in EPC on March 27, 2018, just four days after USAC's approval of the initial COMAD appeal in which it failed to adjust the LDI. In its decision, USAC explained that such a request should have been filed with the FCC, as it incorrectly assumed the appeal was a request for waiver of Commission rules. As the preceding section makes clear, however, HCPSS was not seeking a waiver of the invoicing rules; it filed the underlying appeal to give USAC an opportunity to resolve its own system error. The request would have been timely if filed directly with the Commission. Therefore, should the Commission find it necessary to grant the requested relief, waiver of the appeal deadline is also appropriate.

### **III. RELIEF REQUESTED**

For the foregoing reasons, HCPSS respectfully requests that the Commission extend the invoice deadline for the funding request at issue and, to the extent necessary, waive Section 54.514(a) and (b) and any other of the Commission's rules as are necessary to grant the requested relief.

Respectfully submitted *on behalf of*  
*Howard County Schools,*



Stephen Dolney  
IT Partnerships Manager  
Howard County Public School System  
[Stephen.Dolney@hcpss.org](mailto:Stephen.Dolney@hcpss.org)  
410-313-3438

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<sup>12</sup> See 47 C.F.R. § 54.720.

# Exhibit A

# Revised Funding Commitment Decision Letter

## Funding Year 2016

**Contact Information:**

Chris Lenhardt  
HOWARD CO. PUBLIC SCHOOL SYSTEM  
10910 STATE ROUTE 108  
ELLICOTT CITY, MD 21042  
[clenhardt@erateelite.com](mailto:clenhardt@erateelite.com)

**BEN:** 126366**Post Commitment Wave:** 49

## Totals

Original Commitment Amount	\$52,949.98
<b>Revised Commitment Amount</b>	<b>\$107,131.98</b>

## What is in this letter?

Thank you for submitting your post-commitment request for **Funding Year 2016 Schools and Libraries Program (E-rate) funding**. Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received. Below are the changes that were made:

- Appeals

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

## Next Steps

1. **File the FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, if you have not already done so. Please review the CIPA requirements and file the form(s).



**BEN Name:** HOWARD CO. PUBLIC SCHOOL SYSTEM

**BEN:** 126366

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- o **If USAC approved funding on an FRN in your original FCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of the original FCDL or from the service start date (whichever is later).
  - o **If a new FRN was created for this RFCDL or funding was not approved on an FRN in your original FCDL but is approved in this RFCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of this RFCDL or from the service start date (whichever is later).
2. **Invoice USAC**, if you or your service provider have not already done so. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying your bills in full.
- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
  - **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
  - **To receive an invoice deadline extension, the applicant or service provider** must request an extension on or before the last date to invoice. **If you anticipate, for any reason, that invoices cannot be filed on time**, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

## How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

**Note:** The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC**, visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request,





**BEN Name:** HOWARD CO. PUBLIC SCHOOL SYSTEM

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identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).

## Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

## Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



**BEN Name:** HOWARD CO. PUBLIC SCHOOL SYSTEM

**BEN:** 126366

**Post Commitment Wave:** 49

## Revised Funding Commitment Decision Overview

### Funding Year 2016

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Committed	Review Status
1699103176	Data Networks of America, Inc.	Appeals	\$107,131.98	Denied



**BEN Name:** HOWARD CO. PUBLIC SCHOOL SYSTEM

**BEN:** 126366

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<b>Post Commitment Request Number:</b> 91975	<b>Post Commitment Request Type:</b> Appeals	<b>Post Commitment Decision:</b> Denied
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<b>FRN:</b> 1699103176	<b>Service Type:</b> Internal Connections	<b>Original Status:</b> Funded	<b>Revised Status:</b> Funded
<b>FCC Form 471: 161003537</b>			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$105,899.96
Total Pre-Discount Charges		\$105,899.96	
Discount Rate		50.00%	
Revised Committed Amount		\$107,131.98	

Dates	
Service Start Date	7/1/2016
Contract Expiration Date	4/13/2019
Contract Award Date	4/15/2016
Service Delivery Deadline	9/30/2017
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Data Networks of America, Inc.
SPIN (498ID)	143005976
Contract Number	
Account Number	
Establishing FCC Form 470	160018499

Consultant Information	
Consultant Name	Chris Lenhardt
Consultant's Employer	E-Rate Elite Services, Inc.
CRN	16024803

**Revised Funding Commitment Decision Comments:**

**Post Commitment Rationale:**

If an invoice deadline extension request is not timely submitted, you must first submit a waiver request to the Federal Communications Commission (FCC). The FCC must grant your waiver request before USAC can extend the invoice deadline. Your appeal is a request of a waiver of the Invoice Deadline Extension filing window. Federal Communications Commission (FCC) rules do not permit USAC to consider requests for waivers of FCC rules. If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. Detailed instructions for filing waiver requests with the FCC are available at: <http://www.usac.org/sl/about/program-integrity/appeals.aspx>

# Exhibit B

January 17, 2018

Universal Service Administrative Company  
Schools and Libraries Division  
30 Lanidex Plaza West  
Parsippany, NJ 07054

## **LETTER OF APPEAL**

<b>Applicant:</b>	Howard County Public School System
<b>Billed Entity Number:</b>	126366
<b>Funding Year:</b>	2016
<b>FCC Form 471 Application Number:</b>	161003537
<b>Funding Request Numbers:</b>	1699102616; 1699103176

The Howard County Public School System (“HCPSS”) hereby requests review of the Commitment Adjustment determination of the Universal Service Administrative Company (“USAC”) with respect to the funding requests (“FRNs”) in the above-captioned application.

### **I. BACKGROUND**

#### **A. USAC’s Commitment Adjustment Determination for Funding Years 2013-2015**

On April 13, 2015, HCPSS filed two funding year 2015 FCC Forms 471, requesting discounts for Category One and Category Two services and equipment. USAC approved the sole Category Two funding request and all nine FRNs included on the Category One application.

On February 14, 2017, HCPSS received two Commitment Adjustment (“COMAD”) letters. According to USAC, HCPSS had at some point failed to produce requested documentation pertaining to its competitive bidding process and, as a result, would be required to return funds dating back to 2013. In all, USAC determined to rescind 15 funding commitments across funding years 2013, 2014, and 2015.

HCPSS never received an information request relating to its competitive bidding process or the affected FRNs. And despite HCPSS’s attempts, USAC’s Client Service Bureau could neither produce copies of the correspondence nor inform HCPSS what information was originally requested. Only later did HCPSS learn that USAC had requested the documentation. It also discovered that the information requests were sent to HCPSS’s former E-rate consultant.

On April 13, 2017, HCPSS filed an appeal with USAC.<sup>1</sup> HCPSS explained that it had not received the information requests. HCPSS also provided all competitive bidding documentation related to the funding years in question and FRNs denied or rescinded. The documentation included requests for proposals, copies of bids received, vendor evaluation documentation, and service agreements. HCPSS requested that USAC accept and review as part of the entire record the competitive bidding documentation provided, update the contact information, and ultimately reverse the COMAD determination.

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<sup>1</sup> The letter of appeal, dated April 13, 2017, is attached as Exhibit A. For ease of reference, the exhibits originally included with the filing have been removed.

USAC approved the appeal on July 7, 2017, discontinuing recovery actions against HCPSS and reinstating the funding commitments denied and rescinded.<sup>2</sup>

### **B. HCPSS's Multiple Change of Contact Requests**

Just before the issuance of the COMAD letters, HCPSS retained a new E-rate consultant. On January 13, 2017, to ensure that all future information and correspondence be directed to the correct party, HCPSS's Business Manager, Dennis Moore, removed its former consultant as a user in the E-rate Productivity Center ("EPC") and updated HCPSS's contact information.<sup>3</sup> Mr. Moore also sent a written change of contact request to USAC.<sup>4</sup>

All information necessary to make the requested change was included in the correspondence. Nevertheless, on March 7, 2017, HCPSS was notified that EPC notifications were still being directed to its former consultant. HCPSS opened another customer service case, again asking USAC to remove the former consultant as a user and update its contact information:

[A notification] was sent to the District's prior consultant that was removed as a consultant in EPC on 1/13/2017. The District does not want any further communication going to the prior consultant. Please verify that the prior consultant, E-rate Elite, and any of its associated staff have been removed from EPC and no further communication will be generated to E-rate Elite. A copy of the customer service case removing the prior consultant is included for reference.<sup>5</sup>

Funds For learning, LLC, HCPSS's current E-rate consultant, is listed as an authorized user and its consultant in EPC. Yet it appears USAC correspondence is still being sent to the former consultant.

### **C. USAC's Commitment Adjustment Determination for Funding Year 2016**

HCPSS filed its funding year 2016 FCC Form 471 on May 19, 2016. The application included two internal connections funding requests, FRNs 1699102616 and 1699103176. On July 23, 2016, USAC approved the funding requests and committed \$98,475.03 in E-rate funds.

On June 28, 2017, HCPSS submitted reimbursement requests for the two internal connections FRNs.<sup>6</sup> From September 26, 2017 to October 24, 2017, HCPSS reached out to USAC on five separate occasions requesting an update regarding the BEAR forms. A USAC representative informed HCPSS multiple times that the invoices were in "an additional review process." This was the last correspondence between HCPSS and USAC until December 28, 2017, when HCPSS was notified that USAC had denied reimbursement for the internal connections funding requests entirely.

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<sup>2</sup> Copies of the Administrator's Decision on Appeal (3) are attached as Exhibit B.

<sup>3</sup> EPC Customer Service Case #145622. A copy of the customer service case, dated January 13, 2017, is attached as Exhibit C.

<sup>4</sup> A copy of written request is attached as Exhibit D.

<sup>5</sup> EPC Customer Service Case #160591. A copy of the customer service case, dated March 8, 2017, is attached as Exhibit E.

<sup>6</sup> SLD Invoices 2613935 and 2613936.

Soon after receipt of the remittance statement, HCPSS received another COMAD letter, this time related to its funding year 2016 application.<sup>7</sup> According to USAC, HCPSS had again failed to produce documentation pertaining to its competitive bidding process. And USAC again determined to rescind funding commitments:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. The applicant failed to produce at the request of the Administrator the following documentation pertaining to its competitive bidding process: copies of bids, number of bidders per FRN, associated 470 information or RFPs, vendor selection documentation, and associated contracts . . .<sup>8</sup>

Because HCPSS did not produce the competitive bidding documentation, reimbursement for the internal connections funding requests was denied. In all, USAC denied and determined to rescind \$98,475.03 in funding commitments.

HCPSS immediately contacted USAC seeking an explanation. It informed USAC that, although HCPSS has requested – in EPC and by written request – that USAC update its contact and consultant information, HCPSS never received an information request related to the affected FRNs. It also explained that it had previously filed an appeal with USAC because information requests were sent to HCPSS’s former E-rate consultant. A USAC representative stated that HCPSS would have to file another appeal to reverse the COMAD decision.

## **II. DISCUSSION**

HCPSS appeals USAC’s COMAD determination because HCPSS did conduct an open and fair competitive bidding process; it retained all relevant competitive bidding documentation, as required; and it could have produced the requested documentation had HCPSS received USAC’s request. HCPSS retains all documentation pertaining to its competitive bidding process for a minimum of 10 years, as required by FCC regulations. It also employs dedicated E-rate staff as well as a third-party E-rate consultant to ensure its compliance with program rules and regulations. Any competitive bidding documentation that may have been requested could have been made available *had* HCPSS received the information request. Unfortunately, neither HCPSS nor any of its agents received a request from USAC.

Further, HCPSS appeals USAC’s decision because it appears the information requests were directed to HCPSS’s former consultant, despite HCPSS’s repeated attempts to update its contact information. HCPSS requested that USAC update HCPSS’s contact information, remove its former consultant as a user in EPC, and discontinue sending correspondence to the consultant. The change of contact requests were first made in EPC, and then in writing by HCPSS’s Business Manager. Nevertheless, USAC continued to send USAC notifications and correspondence to HCPSS’s prior consultant.

The instant appeal will be the second filed with the Administrator based on nearly identical facts and circumstances. Because HCPSS previously filed an appeal related to its funding year 2013, 2014, and 2015 applications, it would seem that USAC should have the correct contact and consultant information on file. At the very least, USAC should have been aware of the issue, and could and should have reached out to HCPSS directly to request the information at issue. This is particularly true in this case, where nearly \$100,000.00 in E-rate funding is at risk of being denied or rescinded.

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<sup>7</sup> A copy of the Commitment Adjustment Letter is attached as Exhibit F.

<sup>8</sup> *Id.*

### **III. RELIEF SOUGHT**

For the foregoing reasons, Howard County School Public School System respectfully requests that USAC expeditiously discontinue recovery action against HCPSS and reinstate the funding commitments for FRNs 1699102616 and 1699103176.

Upon request from USAC, HCPSS will promptly provide any and all requested documentation pertaining to its competitive bidding process and the affected FRNs. HCPSS requests that USAC contact the designated appeal contact should it require any additional information and/or documentation.

Respectfully submitted,

Dennis Moore  
Business Manager  
[dennis\\_moore@hcpss.org](mailto:dennis_moore@hcpss.org)  
(410) 458-5711

Howard County Public School System  
10910 Clarksville Pike (Route 108)  
Ellicott City, MD 21042



# Exhibit C

#232141 - LDI update for appeal

REOPEN CASE

SummaryNewsRelated Actions



Case Details

Topic

Appeals - Other

Status

Closed

Priority

Medium

Inquiry Type

Web

Created By

Verlyne Jolley

Created On

3/27/2018 8:47 AM CDT

Organization

HOWARD CO. PUBLIC SCHOOL SYSTEM

Case Description

Description

On 3/24 Howard Co. Public Schools received the attached Revised Funding Commitment Decision in regards to an appeal that was filed. The appeal was granted for one of the FRNs and funding has been restored to that request. However, the LDI for that FRN has not been adjusted and the district can not file a BEAR for this request until the LDI is updated. Can we find out when the LDI will be adjusted so that the reimbursement paperwork can be filed? Thank you.

Case Artifacts

Documents

Name	Uploaded By	Upload Date
<a href="#">HW16-APP-RFCDL appeal decision - 88229 - HOWARD CO. PUBLIC SCHOOL SYSTEM-1</a>	Verlyne Jolley	3/27/18 8:47 AM

Attachments

Attachment	Attachment Type
No items available	

Case Thread

User	Note	Date
USAC	<div>Verlyne,</div> <div>An approved SPIN change, service substitution, or appeal does not necessarily mean that your invoicing deadline will be automatically extended.</div> <div>If an operational SPIN change or a service substitution for non-recurring services is approved on or after March 1 of the funding year, USAC will automatically extend the service delivery deadline an additional year. As a result, the invoicing deadline is also extended 120 days after the new service delivery deadline.</div> <div>If an operational SPIN change or service substitution for non-recurring services is approved before March 1 of the funding year, if the request pertained to recurring services only, or if the SPIN change was corrective instead of operational, no automatic extension will be given. If an invoice deadline extension is necessary, you will need to request one.</div>	3/27/2018 8:56 AM CDT

Case Contact

Case ContactVerlyne Jolley

# Exhibit D

[Records](#) / [Appeals](#)

# LDI extension - #91975

[Summary](#) [Associated FRNs](#) [News](#) [Related Actions](#)

In-Review	Outreach	Wave Ready	Committed
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## Appeal Information

[View Status \(+\)](#)

**Funding Year** 2016

**Submitting Organization** [HOWARD CO. PUBLIC SCHOOL SYSTEM \(BEN: 126366\)](#)

**Created By** Verlyne Jolley

**Created On** 3/27/2018 11:39 AM CDT

## Main Contact

**Name** Verlyne Jolley

**Email** [vjolley@fundsforlearning.com](mailto:vjolley@fundsforlearning.com)

**Phone Number** 405-471-0950

## Narrative

On 3/24 Howard Co. Public Schools received the attached Revised Funding Commitment Decision in regards to an appeal that was filed. The appeal was granted for one of the FRNs and funding has been restored to that request. However, the LDI for that FRN has not been adjusted and the district can not file a BEAR for this request until the LDI is updated. The district has not requested the one 120 day extension it should be entitled to since a BEAR was timely filed and was pending until Jan 2018 when funding was denied. The district appealed the decision and was successful. The district should now be allowed to file it's reimbursement paperwork since they have been activity trying to get this FRN paid. When the LDI did not adjust after the appeal decision, the district filed the attached CSB ticket. The response provides information on SPIN changes and product substitution requests, but the case at issue was for a pending appeal that was eventually successful.

At this time, the district would respectfully request that an extension to the LDI be granted so that the reimbursement paperwork for this FRN can be filed.

## Appeal Details

**Decision appealed by applicant** Revised Funding Commitment Decision Letter

If you wish to modify or cancel your appeal, or, if you have any questions about your appeal, please contact the E-rate Program’s Client Service Bureau (CSB) at (888) 203-8100.

[View Supporting Documentation \(+\)](#)