**THIS IS WAIVER REQUEST FOR DENIED SPI PAYMENT (CC Docket No. 02-60)**

**Federal Communications Commission**

**Attn: Letter of Appeal**

**445 12th Street SW**

**Washington, DC 20554**

Service Provider Filing the FCC Waiver: Charter Communications & Charter Fiberlink - Illinois, LLC

SPIN: 143005817 & 143027938

Service Provider Primary Contact Information:

David Ventimiglia

13545 Barrett Parkway Dr.

Suite 200

Ballwin, MO, 63021

FRN: 1699114501, 1699114522, 1699114517

Applicant:

BEN: 136412

Name: EAST ST LOUIS SCHOOL DIST 189

Address: 1005 STATE STREET, E SAINT LOUIS, IL 62201

Contact Name: Abe Loveless

Telephone: (618) 646-3037

E-mail: abe.loveless@estl189.com

FCC Form 471 Application Number: 161050068

USAC Payments:

* FRN: 1699114522 – 08/16-01/17 were paid, however 07/16, 02/17-06/17 were not paid.
* FRN: 1699114501 – 08/16-10/16 were paid, however 07/16, 11/16-06/17 were not paid.
* FRN: 1699114517 – 07/16-04/17 were paid, however 05/17-06/17 were not paid.

USAC Decision in Question:

We have received previous PIA reviews with different rejection reasons e.g. payment of applicant portion not validated, amount requested not supported by bill(s) and no response from service provider.

3/15/18, Denial, Remittance Statement = (10 months - July 2016 and November 2016 through June 2017 invoiced at once).

Most recent decision in dispute:

* SPI|143027938|ESTL 4501 10/16 |SLD Invoice Number:2776601;Line Item Detail Number:9063097 ;Amount Requested:$7276.84; No response from service provider;279;"|$0.00
* SPI|143027938|ESTL 4501 07/16 |SLD Invoice Number:2776601;Line Item Detail Number:9063096 ;Amount Requested:$8734.50; No response from service provider;279;"|$0.00
* SPI|143027938|ESTL 4501 11/16 |SLD Invoice Number:2776601;Line Item Detail Number:9063098 ;Amount Requested:$7276.84; No response from service provider;279;"|$0.00
* SPI|143027938|ESTL 4501 12/16-06/17 |SLD Invoice Number:2776601;Line Item Detail Number:9063099, 90630100, 90630101, 90630102, 90630103, 90630104, 90630105 ;Amount Requested:$7276.84; No response from service provider;279;"|$0.00
* SPI|143005817|ESTL 4522 07/16 |SLD Invoice Number:2776600;Line Item Detail Number:9063090 ;Amount Requested:$1037.76; No response from service provider;279;"|$0.00
* SPI|143005817|ESTL 4522 02/17-05/17 |SLD Invoice Number:2776600;Line Item Detail Number:9063091, 9063092, 9063092, 9063093, 9063094 ;Amount Requested:$2475.00; No response from service provider;279;"|$0.00
* SPI|143027938|ESTL 4512 07/16 |SLD Invoice Number:2776602;Line Item Detail Number:9063106;Amount Requested:$3582.00; No response from service provider;279;"|$0.00
* SPI|143027938|ESTL 4517 05/17-06/17 |SLD Invoice Number:2776603;Line Item Detail Number:9063107,9063128;Amount Requested:$49.50; No response from service provider;279;"|$0.00

Reason for the Waiver Request:

We are currently lacking outstanding payments for July 2016 and November 2016 through June 2017 for eligible services totaling $80,460.98. We have the necessary documents to support these invoices despite the lack of payment and have tried several times to resolve this with multiple USAC reviewers.

We invoiced FRN1699114501 on 10/16/17 and received a PIA review on 10/18/17 for July 2016 and November 2016 through June 2017. The applicant and service provider replied to the USAC reviewer with the appropriate information on 10/24/2017, before the specified deadline on the PIA review, 10/25/2017. We received a $0.00 remittance statement from USAC dated 01/17/2018 stating that “Payment of applicant portion not validated.” However, documentation was provided to USAC showing the customer made payments prior to invoicing (please see Attachment 2). We received payments for August 2016 through October 2016. Nonetheless, we are still missing payments in the amount of $66,949.22 for July 2016 and November 2016 through June 2017.

We invoiced FRN1699114522 on 10/16/17 and received a separate PIA review on 10/17/2017 for July 2016 and February 2017 through June 2017. The applicant and service provider replied to the USAC reviewer with the appropriate information. After submission of information we received a remittance statement for 1 SLD (2705934 July 2016 invoice), stating “Amount requested: $1037.76; Amount Requested Not Supported by Bill (s).” However, the billing statement dated 07/24/2016 is showing that discounts in the amount of $1,037.76 were applied to the customer’s account. (Unable to attach due to system limitations, but available upon request) We received payments for August 2016 through January 2017. However, we are still missing payments in the amount of $13,412.76 for July 2016 and February 2017 through June 2017.

We invoiced FRN1699114517 on 10/19/17 and additionally, we received another PIA review on 10/20/17 for May 2017 and June 2017. The applicant and service provider replied to the USAC reviewer with the appropriate information. After submission of information, we received a $0.00 remittance statement dated 11/10/2017. We received payments for July 2016 through April 2017. However, we are still missing payments in the amount of $99.00 for May 2017 and June 2017.

After several attempts to retrieve missing payments from USAC for FRNs 1699114522, 1699114501 and 1699114517 in the total amount of $80,460.98, we were granted invoice extensions through 02/26/18 for the FRNs listed above. As we approached the new invoicing deadline, we re-invoiced on 02/19/18 as a preventative measure due to the potential inability to invoice given program rules state only one invoice extension is allowed and there was no estimated resolution from USAC on the previous invoices. On 02/22/18, we asked for the original invoices that were not paid yet still under PIA review to be cancelled and to keep the new Invoice SLD # 2776600, 2776601 and 2776603 active. Unfortunately, this disassociated the original invoices with the new invoices with the USAC reviewer.

The new invoices were submitted on 02/19/18. We received a separate PIA review on 02/20/18 with a deadline of 02/27/18 for the new invoices. In order to give the applicant more time to respond with the required documentation, we asked for a PIA extension. This request was granted on 02/27/18 with a deadline of 03/07/18 (Please see Attachment 3). On 03/08/18, we followed up with USAC to let them know that we never received the completed certifications and all documents required from the applicant (Please see Attachment 3).

Overall, we have provided all of the required documentation within the required time frame (please see Attachment 4), yet some of the invoices were rejected by USAC for incorrect reasons. However, there was still no verdict on the remaining invoices as we approached the new invoice extension deadline. We were concerned that the deadline would pass without resolution which would negatively impact the applicant. Unfortunately we were unable to secure the funds re-invoicing despite having all of the supporting documentation. We seek full payment of $80,460.98 on the requested FRN(s) 1699114522, 1699114501 and 1699114517 so we are able to zero out the balances owed for FY2016.

Please do not hesitate to reach out regarding any question you have in reference to this request.

Attachments:

* Attachment 1 - Remittance denials.doc (Remittance denials for 7/16 and 11/16 through 6/17 SPI invoices)
* Attachment 2 - Charter Payment Worksheet.xlsx (Proof of customer making payments prior to invoicing (information sent to the PIA reviewer from applicant and service provider)
* Attachment 3 - RE ERate SLD Invoice #2776600.doc (USAC Granted PIA extension for SLD # 2776600, 2776601 and 2776603. Confirmation documents were never received from Applicant)
* Attachment 4 - RE Multiple SLD invoices Reply by 10 25 17.doc (PIA Review Response for FRN1699114501-10 25 17)