2019

EdTechnologyFunds, Inc,
Beverly Sutherland

August 23, 2019

Request for Review and/or Waiver
Federal Communication Commission
445 12th Street SW
Washington, DC 20554

Entity & BEN	**Los Angeles Public Library System (BEN 16020848)**
Contact Mailing Address Phone Number Email	**Beverly Sutherland** **2400 N Lincoln Ave, Altadena, CA 91001** **(626) 296-6284** **bsutherland@edtechnologyfunds.com** **E-Rate Consultant Registration # - 16060507**
Application Number	**Form 471- Application # 181037523** **Appeal - 130691**
Reason for Review and/or Waiver Request	**Funding Year 2018 – USAC Appeal Denial**
Funding Request No.	**1899079292**
CC Docket No. 02-6	

I. SUMMARY:

On June 25, 2019, the Universal Services Administrative Company ("USAC") issued a decision denying Los Angeles Public Library System's request to review the Schools and Libraries Universal Service funding commitment decision that reduced the requested funding amounts for FY2018[1]. USAC's denial was a result of Los Angeles Public Library System's appeal, filed on December 6, 2018[2], of the funding decision being filed

[1] USAC's June 25, 2019 appeal decision issued through a revised Funding Commitment Decision Letter to Los Angeles Public Library System is attached as Exhibit 1. Los Angeles Public Library Systems' Request for Review and/or Waiver is timely, as it is filed within sixty (60) days of USAC issuing its decision to deny the review of the application.

[2] Los Angeles Public Library System's December 6, 2018 appeal for USAC to review the reduced funding commitment attached as Exhibit 2.

more than sixty (60) days after the issuance of the May 18, 2018 funding commitment decision letter[3] due to circumstances beyond their control. Los Angeles Public Library System respectfully requests a review of USAC's decision. As a result of USAC's decision, Los Angeles Public Library System, an urban library system which primarily services impoverished communities, faces the reduction of more than **$571,000** in E-rate reimbursement for services it purchased for upgrading its 73 library sites to 1 Gbps broadband speeds through Charter Communications Services.

For reasons set forth below, the Commission should grant any waivers necessary or warranted, and remand the relevant application to USAC for immediate review of the application for the original funding request.

II. BACKGROUND:

The Los Angeles Public Library System provides free and easy access to information, ideas, books and technology that enriches, educates and empowers every individual in the city's diverse communities. This includes being the only source of internet access for citizens located in impoverished areas including the homeless. They receive a 90% discount rate for the Category 1 telecommunication circuits filed with the E-rate Program. Los Angeles Public Library System relies on the connections to the internet through the telecommunication circuits discounted by the E-rate program to help serve the community by offering online learning courses, online High School Diploma programs, online resources to assist the homeless in finding food, jobs and shelters, online tutoring, online language learning, online practice exams, digital library books, online ESL, online Literacy programs for Spanish speakers, Veteran resources, Health workshops, and much more. Los Angeles Public Library System has been receiving E-rate discounts on Category 1 Services since 1998. A decrease in the amount of funding received by E-rate would significantly impact the services being provided to over 4 million residents.

[3] The Funding Commitment Decision Letter at issue in attached as Exhibit 3.

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III. WAIVER REQUEST EXPLANATION:

Los Angeles Public Library System is requesting a review and/or waiver of USAC's decision to deny an appeal for filing outside of the sixty (60) day appeal deadline due to an issue with a third party circumstance that was beyond their control which resulted in the late filing of their Appeal.

Los Angeles Public Library is seeking review of the decision as set forth in the Bureau's *Bishop Perry Order,* which granted waiver to applicants because the violation at issue was procedural, not substantive, and a denial of appeal review was not warranted, especially given that the error in this case was not the fault of the applicant[4].

Since 1998, Los Angeles Public Library System has filed for Category 1 Services through the City of Los Angeles' Information Technology Agency (ITA) which is a third party, not the Library System itself. In January 2018, one of the two ITA employees with E-rate knowledge, Anne Wu, announced retirement and condensed her schedule to three calendar days per week, leaving the only other employee capable of handling E-rate, Joe Quan, the city's E-rate case load as well as all of his other responsibilities at ITA. Between the two employees, Ms. Wu was responsible for guiding Mr. Quan in responding to USAC questions and keeping track of deadlines. With Ms. Wu being in the office less frequently and now solely focused on her other responsibilities with ITA, Mr. Quan was now the sole person responsible for E-rate on top of doing all his other responsibilities including high-priority projects for the city.

Mr. Quan's responsibilities were much more far reaching than just E-rate. After the time the Form 471 was filed, he was the lead on a major City initiative to migrate all City employees from desk phones to mobile phones as POTS lines were found to be obsolete. To that end, he was the City's representative with all the Mobile carriers, and for the project led all the implementations (the provisioning of the phones to City employees and the training in setting up security codes and installing City email), and oversaw the porting of

[4] *Requests for Review of Decisions of the Universal Service Administrator by Bishop Perry Middle School New Orleans, LA, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6

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phone numbers to the mobile devices. As Mr. Quan was the most knowledgeable and articulate about mobile device capabilities, he was also the liaison to elected offices providing support for their mobile device issues. He also managed the City's conversion to an improved call center tool. He did this for approximately a dozen departments, leading them through the phone tree configuration process, working with the vendor on the programming, and handling the staff training.

Mr. Quan's number one priority was completing these projects. There was no time to train a new employee in E-rate until after these projects were completed. He had an influx of emails coming into his account for the projects he was working, and he did not see any email indicating a USAC Program Integrity Assurance (PIA) review was sent on April 24, 2018[5]. This led to the 15-day deadline expiring without a response from ITA, and the PIA reviewer reducing the funding request to the amount found on an outdated contract loaded in EPC. The reduction led to a significant decrease in the funding awarded to Los Angeles Public Library System for FY2018. A Funding Commitment Decision Letter (FCDL) was issued on May 18, 2018 for **$502,924.80** which is less than half of the **$1,073,952.00** funding requested on the original Form 471.

The PIA review and the FCDL went unnoticed until the ITA's Management inquired at the end of November 2018 why there had not been any invoices submitted for E-rate funding for FY2018 thus far. At that time, Mr. Quan went into EPC to see the status of the application and saw the funding had been reduced, but he was unaware why. He then filed an appeal on December 6, 2018 immediately after discovering what happened. The appeal was not even reviewed by USAC and denied on June 25, 2019 for being filed after the sixty (60) day deadline. Mr. Quan, the only person with E-rate knowledge left at ITA, retired with his last day at work being January 25, 2019. Once the Revised Funding Commitment Decision Letter was received on June 25, 2019, consulting services were sought out by ITA to review why the appeal was denied, and why the original funding request was reduced.

[5] USAC's April 24, 2018 Program Integrity Assurance (PIA) Review questions attached as Exhibit 4.

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IV. RELIEF SOUGHT THROUGH THIS WAIVER REQUEST:

Los Angeles Public Library System was not aware of any of the issues and should not receive a reduction in their funding due to circumstances beyond their own control. It is Commission policy to waive the deadline in cases where the application is late filed due to procedural errors. The FCC has granted such appeals in *Alpaugh Unified School District* and *Brownsville Independent School District*[6]. These are two cases where relief was granted involving a procedural error on the part of the Petitioners, "not a failure to adhere to a core program requirement or a misuse of funds. As the Commission has noted previously, given that any violations that occurred were procedural, not substantive, the Commission found that rejection of these applications was not warranted. These appeals involved a processing deadline, not a program rule. Although deadlines are necessary for the efficient administration of the program, in these cases, the applicants have demonstrated that rigid adherence to such procedures does not further the purposes of section 254(h) of the Telecommunications Act of 1996 or serve the public interest".[7]

More similarly, *Ben Gamla Palm Beach*[8], granted a request for review that had been denied for not responding within the 60-day window due to a clerical error in not getting the letter into the mail on time. Findings in *Ben Gamla Palm Beach* are consistent with the FCC ruling in *ABC Unified School District*[9], where the FCC ruled that good cause exists to waive sections 54.720(a) and (b) of the Commission's rules, which require that

[6] *Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District, Alpaugh, CA, et al., and Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Requests for Review or Waiver of the Decision of the Universal Service Administrator by Brownsville Independent School District, Brownsville, TX, et al., and Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6*

[7] *Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District, Alpaugh, CA, et al., and Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Requests for Review or Waiver of the Decision of the Universal Service Administrator by Brownsville Independent School District, Brownsville, TX, et al., and Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6*

[8] *Requests for Review of Decisions of the Universal Service Administrator by Ben Gamla Palm Beach et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6

[9] *ABC Unified School District Order, et al.*; *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11019, para. 2 (WCB 2011)

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petitioners file their appeals within 60 days of an adverse USAC decision. Per *Bishop Perry*[10], the E-rate Process is complicated and results in applications being denied on clerical and procedural errors. The ruling in *Bishop Perry* states that the actions taken "here to provide relief from these types of errors in the application process will promote the statutory requirements of section 254(h) of the Communications Act of 1934, as amended (the Act), by helping to ensure that eligible schools and libraries actually obtain access to discounted telecommunications and information services. In particular, we believe that by directing USAC to modify certain application processing procedures and granting a limited waiver of our application filing rules, we will provide for a more effective application processing system that will ensure eligible schools and libraries will be able to realize the intended benefits of the E-rate program as we consider additional steps to reform and improve the E-rate program. Requiring USAC to take these additional steps will not reduce or eliminate any application review procedures or lessen the program requirements that applicants must comply with to receive funding. Indeed, we retain our commitment to detecting and deterring potential instances of waste, fraud, and abuse by ensuring that USAC continues to scrutinize applications and takes steps to educate applicants in a manner that fosters program participation."

Bishop Perry [11]in paragraph 6 also states "The Commission may waive any provision of its rules on its own motion and for good cause shown[12]. A rule may be waived where the particular facts make strict compliance inconsistent with the public interest[13]. In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.[14] In sum, waiver is

[10] *Requests for Review of Decisions of the Universal Service Administrator by Bishop Perry Middle School New Orleans, LA, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6

[11] *Requests for Review of Decisions of the Universal Service Administrator by Bishop Perry Middle School New Orleans, LA, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6

[12]47 C.F.R. §1.3.

[13]*Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

[14] *WAIT Radio v. FCC*, 418 F.2d 1153, 1157, (D.C. Cir. 1969), *affirmed by WAIT Radio v. FCC*, 459 F.2d 1203 (D.C. Cir. 1972), *cert. denied*, 409 U.S. 1027 (1972).

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appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.[15]"

V. CONCLUSION:

I believe that special circumstances have been demonstrated, as the library relies on the City of Los Angeles' ITA to file for E-rate services and to see the process through from beginning to end. Like other library systems throughout the country Los Angeles Public Library does not have the internal resources to manage their E-rate program. At no time was the Library System notified that there was a problem with their FY2018 E-rate funding requests where ITA did not see an email from the PIA reviewer and did not see the reduced FCDL until several months after it was issued. Los Angeles Public Library System should not be penalized for unforeseen procedural issues when the library system had no control over the situation or knowledge as to what happened with the funding it was seeking. Since 1998 Los Angeles Public Library System's E-rate Category 1 services have been filed and managed by the Information Technology Agency of the City of Los Angeles, enabling the library's staff to focus on delivering services to the patrons in the communities served. Deviation from the general rule is warranted in this case as the assistance that Los Angeles Public Library System receives from the E-Rate Program is vital to the Library System's operations and community outreach. Hence, I respectfully request that Los Angeles Public Library System is granted a waiver to the FY2018 sixty (60) day appeal deadline for the application listed above so that the appeal may be reviewed and documentation to support the original funding request can be submitted.

I am attaching my Letter of Agency for Los Angeles Public Library System as Exhibit 5 below.

[15] *Northeast Cellular*, 897 F.2d at 1166.

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VI. SUPPORTING DOCUMENTATION:

These documents are provided in support of the review of USAC's decision request for FY2018:

Exhibit 1: Revised Funding Commitment Decision Letter

Exhibit 2: USAC Appeal

Exhibit 3: Funding Commitment Decision Letter

Exhibit 4: Program Integrity Assurance Review

Exhibit 5: Letter of Agency

Respectfully,

Beverly Sutherland, CEMP*
President – EdTechnologyFunds, Inc. (a division of the Sutherland Consulting Group)
*Certified E-rate Management Professionals

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EXHIBITS

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Universal Service Administrative Co.

June 25, 2019

Revised Funding Commitment Decision Letter

Funding Year 2018

Contact Information:
Dan Tinajero
LOS ANGELES PUBLIC LIBRARY SYSTEM
630 WEST 5TH ST
LOS ANGELES, CA 90071
joe.quan@lacity.org

BEN: 16020848
Post Commitment Wave: 31

Totals

Original Commitment Amount	$452,632.32
Revised Commitment Amount	**$452,632.32**

What is in this letter?

Thank you for submitting your post-commitment request for Funding Year 2018 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).

- **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).
- **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,

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: LOS ANGELES PUBLIC LIBRARY SYSTEM
BEN: 16020848
Post Commitment Wave: 31

Revised Funding Commitment Decision Overview

Funding Year 2018

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Committed	Review Status
1899079292	Charter Communications Operating, LLC	Appeals	$452,632.32	**Denied**

BEN Name: LOS ANGELES PUBLIC LIBRARY SYSTEM
BEN: 16020848
Post Commitment Wave: 31

Post Commitment Request Number:	Post Commitment Request Type:	Post Commitment Decision:
130691	Appeals	Denied

FRN:	Service Type:	Original Status:	Revised Status:
1899079292	Data Transmission and/or Internet Access	Funded	Funded
FCC Form 471: 181037523			

Dollars Committed			
Monthly Cost		**One-Time Cost**	
Months of Service	**12**		
Total Eligible Recurring Charges	**$502,924.80**	Total Eligible One Time Charges	**$0.00**
Total Pre-Discount Charges		$502,924.80	
Discount Rate		**90.00%**	
Revised Committed Amount		**$452,632.32**	

Dates	
Service Start Date	**7/1/2018**
Contract Expiration Date	**6/30/2021**
Contract Award Date	**3/7/2013**
Service Delivery Deadline	**6/30/2019**
Expiration Date (All Extensions)	**6/30/2023**

Service Provider and Contract Information	
Service Provider	**Charter Communications Operating, LLC**
SPIN (498ID)	**143050436**
Contract Number	**C-121850**
Account Number	
Establishing FCC Form 470	**720390001069323**

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

Revised Funding Commitment Decision Comments:

Post Commitment Rationale:

Our records show that your appeal was filed more than 60 days after the date your decision letter was issued. Your appeal was filed on 12-6-2018. The Funding Commitment Decision Letter was issued on 5-18-2018. Federal Communications Commission (FCC) rules require appeals to be filed within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

Records / Appeals

FY 2018-19 Appeal - #130691

Summary Associated FRNs News Related Actions

In-Review Outreach Wave Ready Committed

Appeal Information

View Status (-)

Status USAC issued a revised funding decision on 06/25/2019. Check your Newsfeed for the decision.

Funding Year 2018

Submitting Organization LOS ANGELES PUBLIC LIBRARY SYSTEM (BEN: 16020848)

Created By Joe Quan

Created On 12/6/2018 8:18 PM EST

Main Contact

Name Dan Tinajero

Phone Number 213-978-4038

Email joe.quan@lacity.org

Narrative

In speaking with the USAC call center it appears our funding amount was not fully funded as requested. We were unclear when we received the FCDL that this was the case and continued to process the 486. We are asking why we did not receive the full funding as we had in the prior year, 2017-2018. We wish to receive the full funding requested.

Appeal Details

Decision appealed by applicant 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 (-)

Supporting Documentation

Document ID	Document	Description	Upload Stage	Uploaded By	Uploaded On
No Supporting Documents have been uploaded					

Universal Service Administrative Co.

May 18, 2018

Funding Commitment Decision Letter

Funding Year 2018

Contact Information:
Joe Quan
LOS ANGELES PUBLIC LIBRARY SYSTEM
630 WEST 5TH ST
LOS ANGELES, CA 90071
joe.quan@lacity.org

FCC Form 471: 181037523

BEN: 16020848
Wave: 6
Application Nickname: FY 2018-19 471

Totals

Total Committed	**$452,632.32**

What is in this letter?

Thank you for submitting your application for Funding Year 2018 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the funding statuses for the FCC Form(s) 471, Services Ordered and Certification Form, that you submitted and referenced above.

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. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying the full cost for the services you receive.

2. Review the Children's Internet Protection Act (CIPA) requirements and file the FCC Form 486 (Service Confirmation and CIPA Certification Form). **The deadline to submit this form is 120 days from the date of this letter or from the service start date (whichever is later).**

3. Invoice USAC
    - **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.

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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,** 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, 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 to assure that committed funds 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 of 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.

Funding Commitment Decision Overview

Funding Year 2018

Application Comments for FCC Form 471: #181037523

The applicant did not submit any RAL corrections.

Funding Commitment Decision Overview

Funding Request Number (FRN)	Service Provider Name	Amount Requested	Amount Committed	Status
1899079292	Charter Communications Operating, LLC	$966,556.80	$452,632.32	Funded

FRN	Service Type	Status
1899079292	Data Transmission and/or Internet Access	Funded

Dollars Committed			
Monthly Cost		**One-time Cost**	
Months of Service	12		
Total Eligible Recurring Charges	$502,924.80	Total Eligible One Time Charges	$0.00
Total Pre-discount Charges		$502,924.80	
Discount Rate		**90.00%**	
Committed Amount		**$452,632.32**	

Dates	
Service Start Date	**7/1/2018**
Contract Expiration Date	**6/30/2021**
Contract Award Date	3/7/2013
Service Delivery Deadline	6/30/2019
Expiration Date (All Extensions)	6/30/2023

Service Provider and Contract Information	
Service Provider	Charter Communications Operating, LLC
SPIN (498ID)	143050436
Contract Number	C-121850
Account Number	
Establishing FCC Form 470	720390001069323

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

Funding Commitment Decision Comments

MR1: The FRN was modified from one line item at $89,496.00 per month to two line items at $41,910.40 per month and $1000.00 per month to agree with the applicant documentation.

SAVE DRAFT

FY 2018-19 471 - 181037523

Eligibility of Products and Services

Issue

USAC's Program Integrity Assurance (PIA) team is currently reviewing your FCC Form 471 application, and we have identified an issue that we need you to help us resolve.

What is the issue?
On your form, your FRN Product and Service detail was not sufficient to determine if the requested amount for FRN 1899079292 can be supported. This is an issue because before we can proceed with processing your form, we must validate the eligibility of your request.

Please read all of the questions, descriptions, and requests below. Please give enough detail, insight, and clarity to help the reviewers fully understand your specific situation.

Check the boxes for statements that apply, and where applicable, type the information requested into the text boxes. If your information is too detailed for the text box, or if you need to provide additional documentation, click "Browse" to upload relevant files or documentation.

Question(s)

This page will timeout after an extended period of inactivity. Please periodically save your work using the 'Save & Close' button below. You may then use your browser's 'Back' button to return to your work.

Your response to PIA's questions:

#	Question	Response
1	Please provide vendor documentation which supports the funding request amount of $$89,496.00 Amount Requested Recurring Charges . Note: Any vendor documentation (e.g. contracts, vendor quotes, vendor bills, invoices, etc.) provided should clearly identify any ineligible charges that were cost allocated out of your request. Also, please be sure to explain any discrepancies between the amount requested and amount supported.	UPLOAD *Drop file here*
2	If you are requesting additional dollars to accommodate expected growth or increased usage, please provide any relevant documentation that you used when determining the estimate for expected growth or increased usage.	UPLOAD *Drop file here*
3	If you would like to provide any additional information about these issues that have not been addressed above: Use the text box to type information, or upload additional documentation using the "Browse" button.	
R1	Please provide all pages of bill	

+Add Document

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SAVE & CLOSE SUBMIT

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JOHN F. SZABO
CITY LIBRARIAN

LETTER OF AGENCY

This Letter of Agency (LOA) entered into on this 19 day of August 2019 by and between EdTechnologyFunds, Inc (E-Rate Consultant Registration # - 16060507), a California Corporation ("Consultant") and Los Angeles Public Library System (Billed Entity # 16020848 and all associated entities), a not-for-profit Library ("Library").

Consultant and Library determined it is necessary to prepare documentation, forms and applications regarding the Federal Communications Commission ("FCC") E-Rate program. Library grants to Consultant the authority to investigate and communication, in any form, with any service provider or the Schools and Libraries Division with regard to the E-Rate Program on Library's behalf for Category 1 (data transmission/internet access) and Category 2 (network equipment and related items) Services. Consultant shall provide the Library copies of all written communications between Consultant and any service provider or Schools and Libraries Division with regard to the E-Rate Program relating to the Library. Consultant acknowledges that nothing contained herein shall constitute a principal and agent relationship or be construed to evidence the intention of the Library to constitute such. Consultant shall not hold itself out to the public as the Library's agent or authorized representative in a manner that exceeds the specific authorization set forth above. Each party to the Agreement represents and warrants that the officer executing the Agreement has been duly authorized.

The term of this agreement is from the date of final execution (above) until all issues with filings for Funding Years 2018-2021 are resolved but under no circumstances should this assignment extend beyond June 30, 2022 unless extended in writing. When executed, this agreement is authorization for all employees of Consultant (listed below) to communicate on behalf of the Library in performance of duties outlined herein. The following is a list of EdTechnologyFunds, Inc. (ETF) employees who are authorized to speak on behalf of the aforementioned client:

Beverly Sutherland Ingrid Goodman Cindy Perez Karla Jenkins Diana Zarillo

LOS ANGELES PUBLIC LIBRARY SYSTEM
Signature: _____
Print Name: Susan Broman
Title: Assistant City Librarian

EDTECHNOLOGYFUNDS, INC.
Signature: _____
Print Name: Beverly Sutherland
Title: President