

# **Revised Funding Commitment Decision Letter**

## **Funding Year 2016**

**Contact Information:**

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**SPIN:** 143022950**Post Commitment Wave:** 55

## **Totals**

Original Commitment Amount	\$898,592.13
<b>Revised Commitment Amount</b>	<b>\$898,592.13</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. **FCC Form 486.** If your applicant(s) has not already filed the **FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, please make sure they review CIPA requirements and file the form(s).



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2. **Make sure your applicant(s) file the FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, if they have not already done so. Please make sure they 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).
3. **Invoice USAC**, if you or your applicant(s) have not already done so. Work with your applicant(s) to determine if you will bill them at a discounted rate or if they will request reimbursement from USAC after paying their bills in full.
  - **If the applicant is invoicing USAC:** They must pay you (the service provider) the full cost for the services they receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
  - **If you (the service provider) are invoicing USAC:** You 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, you must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and 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.



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- **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.



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## Revised Funding Commitment Decision Overview

### Funding Year 2016

Funding Request Number (FRN)	BEN Name	Request Type	Revised Committed	Review Status
1699094476	VIRGINIA BEACH CITY SCH DIST	Appeals	\$898,592.13	Denied



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<b>Post Commitment Request Number:</b> 115856	<b>Post Commitment Request Type:</b> Appeals	<b>Post Commitment Decision:</b> Denied
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<b>FRN:</b> 1699094476	<b>Service Type:</b> Internal Connections	<b>Original Status:</b> Funded	<b>Revised Status:</b> Funded
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Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	3		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$1,497,653.55
			5
Total Pre-Discount Charges		\$1,497,653.55	
Discount Rate		60.00%	
Revised Committed Amount		\$898,592.13	

Dates	
Service Start Date	4/24/2017
Contract Expiration Date	6/30/2019
Contract Award Date	5/18/2016
Service Delivery Deadline	9/30/2017
Expiration Date (All Extensions)	6/30/2021

Service Provider and Contract Information	
Service Provider	ABS Technology Architects
SPIN (498ID)	143022950
Contract Number	4638-3
Account Number	
Establishing FCC Form 470	160024544

Billed Entity Information	
BEN Name	VIRGINIA BEACH CITY SCH DIST
BEN	126526
FCC Form 471	161039047

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

**Revised Funding Commitment Decision Comments:**

**Post Commitment Rationale:**

FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the USAC website at: <http://www.usac.org/sl/applicants/before-youre-done/delivery-extension.aspx>. Your request did not provide information that satisfied those conditions. Your appeal has not brought forth clear information establishing that those conditions were met but not considered. Therefore, your appeal is denied.