

9/11/18

Regarding: USAC Appeal Denial of Extension of Service Delivery.

On 1/9/2017 we received a Funding Commitment Decision Letter approving funding for a fiber upgrade .

On 5/4/2017 our vendor notified us that they could not complete the job by the 9/30/2018 deadline.

On 5/8/2017 we filed Form 500 to extend the service delivery date using the reason that the vendor could not complete project due to reasons beyond their control (see screenshot of USAC web page showing valid reasons for a service delivery date extension).

On 12/26/2017 we received an email notification that said the Form 500 was processed and that further detail would be in the News section of our EPC account. There was nothing in our News section so we looked up the detail of the Form 500 and it showed that it was "Committed". Again, there was nothing on the email or the Form 500 that indicated that we were denied and there was nothing in our Newsfeed. Committed indicated to us that the funds were committed to be paid.

We proceeded with the project. Once the project was completed the vendor requested payment from USAC and was denied. We were contacted by the vendor saying that our Form 500 was denied and we would need to file an appeal.

On 4/26/2018 we called USAC to find out the reason and notification process of the denial. We worked for 45 minutes with their customer service representative who could not find a reason for the denial. Several times during this call she reached out to other representatives to try to find out the reason of the denial. Finally, she was able to guide us in requesting and downloading the file that contained the documentation. This process was not explained in the email notification and was not even understood by several customer service representatives that work for USAC.

At this point we were able to see that the reason we were denied was based on "current deadline guidelines and procedures do allow approval for the reason stated". The reason stated is one of the reasons that is posted on their website as a valid reason for a service delivery extension.

We submitted an appeal on 4/26/18 stating that we did not receive adequate information to advise us that our request was denied and that the vendor could not complete the project in the original timeframe requested.

On 8/1/2018 we received a denial of our appeal based on "appeal was filed more than 60 days after the date your decision letter was issued".

We are requesting a reversal of this decision based on inadequate notification that the service delivery date extension was denied and the valid reason that the project could not be completed due to reasons beyond the vendor's control. We appreciate your consideration of this request.

