

Letter of Appeal  
 Federal Communications Commission  
 Office of the Secretary  
 445 12<sup>th</sup> Street, SW  
 Washington, DC 20554  
 CC Docket No. 02-6

Re: Letter of Appeal of Commitment Adjustment Letter for funding Year 2017, issued 07/23/2018.

Dear Sir or Madam:

I am submitting this letter of appeal regarding denial of E-rate FY 2017 reimbursement for FRN 1799042579, on the grounds that, a three-year contract was awarded for this service from FY 2015 Form 470 #108050001292436 per E-rate program requirements. All USAC and FCC rules and regulations were followed to procure the Managed Internal Broadband services.

Appellant Name:	e2e Exchange, LLC
Applicant Name:	Bishop Guertin High School
471 Application Number:	171014566
Billed Entity Number:	3264
FRN:	1799042579
Service Provider:	Red River Computer Co, Inc.

SLD Explanation for denial: *“Failure to post FCC Form 470 for the category of service for which the applicant sought funding on the FCC Form 471.”*

The issue in this case boils down simply to this: The denial of funding is based on an incorrect reasoning provided above. FRN 1799042570 on application 171014566 was awarded through a FY 2015 Form 470 which lists Managed Internal Broadband as a category of service and for which the applicant has sought funding for in FY 2015, 2016 and 2017. Bishop Guertin High School certified a 2015 Form 470 #108050001292436 on 01/23/2015, attached, which again included a request for Managed Internal Broadband services. The allowable contract date for this Form 470 was 02/20/2015. After the 28-day bidding window closed and submissions were evaluated, Red River Computer Co, Inc. was chosen to provide managed internal broadband services for a THREE-YEAR TERM. Please see attached proposal submission and Letter of Intent dated 02/27/15 for managed internal broadband services to be active from July 1, 2015 to June 30, 2018. The Form 471 was certified on 03/12/2015 and was approved on 09/14/15.

The 2016 Form 471 was subsequently filed correctly for Managed Internal Broadband services. FRN 1699005119 on application 161003827 is linked to the Red River Computer contract. The contract has #108050001292436 as the “User entered establishing FCC Form 470#” and February 27, 2015 as the “award date”. Please see the proposal and signed Letter of Intent for the three-year term, July 1, 2015 to June 30, 2018, attached. The 2016 application was approved with this information 09/09/2016.

The 2017 Form 471 was subsequently filed correctly for Managed Internal Broadband services. FRN 1799042579 on application 171014566 is linked to the Red River Computer contract. The contract has #108050001292436 as the “User entered establishing FCC Form 470#” and February 27, 2015 as the “award date”. Please see the proposal and signed Letter of Intent for the three-year term, July 1, 2015 to June 30, 2018, attached. The 2017 application was approved with this information 08/11/2017.

We have sufficiently shown that the category of service which was filed for on FRN #1799042579 for application #171014566 was obtained by following E-rate requirements to post a Form 470 for the same category of service on FY 2015 #108050001292436, for which a three contract was awarded. Therefore, the SLD explanation for denial is inaccurate and approved funding should be restored.

Given that the denial of funding in this case is based on an incorrect reasoning and all E-rate rules and requirements have been followed, including posting an FCC Form 470 for the category of service for which

the applicant sought funding for on the FCC Form 471, the Parties respectfully request that the SLD process this Letter of Appeal and approve the funding reimbursement for Bishop Guertin High School. The denial of funding for a false reasoning places a particular hardship on a school district such as Bishop Guertin High School that otherwise should have been approved for and received E-rate funding for its application.

We respectfully request that you overturn the denial and restore full funding of this FRN. Thank you for reviewing this appeal. Please use the contact information below.

Sean Cuskey, Vice President, e2e Exchange, LLC, PO Box 451, Syracuse, NY 13206, Tel. 315.422.7608, Fax 866.283.9332, [stc@e2eexchange.com](mailto:stc@e2eexchange.com)

Sincerely,  
**E2e Exchange, LLC**

Sean Cuskey  
Vice President

CC:

Enclosures: FY 2015 Form 470 #108050001292436  
- Approved copy and Paper Certification  
FY 2017 Form 471 #171014566 Certification  
2015 Red River Computer Proposal/Quote for 3 YR Term  
2015 Red River Computer Signed LOI for 3 YR Term