

Zach Wilson

From: Jeremy Matkovich <Jeremy.Matkovich@usac.org>
Sent: Wednesday, December 14, 2016 12:52 PM
To: Don McDaniel; katrina.burnett@arkansas.gov
Cc: RHC-HCP
Subject: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16931211

Date: 12/14/2016

Funding Year: 2016

Information Request Deadline: Thursday, December 29, 2016

Funding Request Number (FRN):	16931211
Health Care Provider (HCP) Number:	48720
Site Name/Consortium Name:	Arkansas Department of Health

Information Required / Correction Needed

As part of the initial review of the FCC Form 462 *Healthcare Connect Fund Funding Request Form* (Form 462) submitted by the consortium referenced above, the Rural Health Care (RHC) division of the Universal Service Administrative Company (USAC) identified issues or deficiencies in the form that must be addressed by the HCP before USAC can continue its review of the form.

The following issue(s) require clarification or additional information:

Duplicate Funding

Evidence of a viable source for the undiscounted portion of supported costs: Rule § 54.643(a)(6)(iii) Consortia are required to submit documentation to confirm that they possess a viable source of funding for the 35% of the undiscounted portion of their network costs that is not supported by the HCF.

The consortium has failed to provide this documentation.

ACTION: Submit documentation that verifies that the consortium has a viable source of funding for the 35% undiscounted portion of supported costs. The consortium may submit a letter signed by an officer, director or other authorized employee of the Consortium Leader. The letter should include the following:

1. The identity of the entity that will provide the 35% contribution.
2. The type of eligible source of funding (HCP Budget, grant/loan, etc).

If each member of the consortium will pay its contribution **directly to the service provider**, the consortium leader should (a) verify that each member will pay its contribution from an eligible source and (b) submit documentation (such as a membership agreement) that shows that each member has agreed to pay its own contribution from an eligible source.

Column K and N-O Upload Speed/Download Speed: Consortia are required to enter the correct bandwidth for their service on Columns N and O of the Form 462's Network Cost Worksheet.

The bandwidth entered on Column N/O (**All Sites**) for Line Number all for all HCP cannot be verified on the supporting document provided with the Form 462.

Column AE: Undiscounted cost per expense period. Consortia are required to enter the correct undiscounted cost per expense period for its member HCPs on Column AE of the Form 462's Network Cost Worksheet. The amount entered on Column AE for All Lines Numbers for All the HCPs does not match (or be identified the cost per expense period contained in the submitted supporting documentation.

ACTION: Submit a corrected amount for Column AE, or if the amount entered on Column AE is correct, submit an explanation of the discrepancy, or submit corrected documentation.

The HCP has 14 calendar days from the receipt of this notice to make any required corrections to the form, and to respond to all of the above action items. Based on the date of this email, the HCP must respond to this information request no later than the close of business on **Thursday, 12/29/2016**. A timely response to this inquiry is required; failure to respond by the deadline will result in a funding delay or denial.

After the information is received and any corrections made, the review of the form can continue.

For questions or assistance, or if this email has been received in error, contact Rural Health Care at 1-800-453-1546, between **9:00 a.m. and 5:00 p.m Eastern Time** Monday through Friday or by email at rhc-assist@usac.org.

All account holders will be copied on this and all correspondence from USAC related to this account.

Jeremy Matkovich
Rural Health Care Program
USAC
1 (800) 453-1546 Prompt 3, then 2, then 1
rhc-hcp@usac.org | [Health Care Connect Fund](#)

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Zach Wilson

From: RHC-HCP <RHC-HCP@usac.org>
Sent: Tuesday, January 10, 2017 1:39 PM
To: Don McDaniel
Cc: RHC-HCP
Subject: RE: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Hi Don,

I have reviewed the attachments and just about everything looks good to go.

For line 7, you indicated that the Corning sales tax is \$24.00 but according to the invoice it is \$14.00. I am making this change accordingly.

For lines 16 and 17, there is an "Arkansas County sales tax" of \$8.00 listed that I cannot find on the invoice. Please show me where this \$8.00 in taxes for these two lines comes from by the close-of-business tomorrow, Wednesday, 1/11/2017. If we cannot confirm this portion of the taxes for each of these two lines, we will simply remove it from the total cost of the circuit.

Thank you,
Seth

Seth Toplin
Rural Health Care Program
USAC
1(800) 453-1546 Prompt 3, then 2
rhc-hcp@usac.org | Health Care Connect Fund

From: RHC-HCP
Sent: Tuesday, January 10, 2017 1:56 PM
To: 'Don McDaniel' <Don.McDaniel@arkansas.gov>
Cc: RHC-HCP <RHC-HCP@usac.org>
Subject: RE: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Hi Don,

Good timing! I will review the attachments that you sent and let you know if I have any remaining questions.

Seth

Seth Toplin
Rural Health Care Program
USAC
1(800) 453-1546 Prompt 3, then 2
rhc-hcp@usac.org | Health Care Connect Fund

From: Don McDaniel [mailto:Don.McDaniel@arkansas.gov]
Sent: Tuesday, January 10, 2017 1:55 PM
To: RHC-HCP <RHC-HCP@usac.org>
Subject: RE: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Seth – I just sent the replace to HCP. Thanks for the reminder.

Don L. McDaniel P.E.
Division Director - Enterprise Network Services
Department of Information Systems
State of Arkansas
501-682-5027
don.mcdaniel@arkansas.gov

From: RHC-HCP [mailto:RHC-HCP@usac.org]
Sent: Tuesday, January 10, 2017 12:53 PM
To: Don McDaniel
Cc: RHC-HCP
Subject: RE: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Hi Don,

As a reminder, your deadline for this information request is tomorrow, Wednesday, 1/11/2017. If I do not hear from you by this deadline, we will not be able to provide funding for the items that we cannot confirm.

Thank you,
Seth

Seth Toplin
Rural Health Care Program
USAC
1(800) 453-1546 Prompt 3, then 2
rhc-hcp@usac.org | Health Care Connect Fund

From: RHC-HCP
Sent: Friday, January 06, 2017 1:36 PM
To: 'don.mcdaniel@arkansas.gov' <don.mcdaniel@arkansas.gov>
Cc: RHC-HCP <RHC-HCP@usac.org>
Subject: RE: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Hi Don,

Happy New Year! Thank you for following up on this information request.

While this information confirms that CenturyLink provides service to this site, it does not confirm that this circuit goes with this address. Please provide documentation from the service provider (this can include email confirmation) that this service exists at this site. They can simply confirm that this circuit ID is associated with this address.

Additionally, I still need confirmation on the taxes for the other 20 lines.

The deadline for this information request is Wednesday, 1/11/2017.

Thank you,
Seth

Seth Toplin
Rural Health Care Program
USAC
1(800) 453-1546 Prompt 3, then 2
rhc-hcp@usac.org | Health Care Connect Fund

From: Don McDaniel [mailto:Don.McDaniel@arkansas.gov]
Sent: Friday, January 06, 2017 9:26 AM
To: RHC-HCP
Subject: RE: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Seth – Here are the responses to you questions.

1. **Evidence of a viable source for the undiscounted portion of supported costs** – Attached is a letter for the Chief Financial Officer at the Arkansas Department of Health.
2. **Column W/X: Circuit Start/End Location** – The correct address is 1204 Main Street. The August CenturyLink invoice (attached) for circuit MEKD181530 at the bottom of page 7 does not show the address. I am including a Letter of Exemption from the Deputy Director of Administration at the Arkansas Department of Health which provides the address. The address is also shown on the Arkansas Department of Health's website
<http://www.healthy.arkansas.gov/programsServices/localPublicHealthOffices/Pages/huDetails.aspx?show=Poinsett%20County%20Health%20Unit%20-%20Trumann>.
3. **Column AE: Undiscounted cost Per expense period (Taxes and Fees)** – The August CenturyLink invoice for circuit MEKD181530 at the bottom of page 7 is attached. The taxes and fees are calculated and added to the basic contract cost of \$800 for a corrected total of \$942.34.

Circuit	MEKDFS181530CTNA
RHC site	ADH - POINSETT COUNTY HEALTH UNIT - Trumann
Address	1204 Main Street
City	Trumann. AR
Arkansas sales tax 6.5%	\$ 52.00
Arkansas High Cost Fund 6%	\$ 48.00
Trumann city franchise tax	\$ 34.00

Trumann city tax	\$	8.34
Total tax & fees	\$	142.34
Circuit cost	\$	800.00
Total	\$	942.34

The link to the Arkansas state sales tax is:

<http://www.dfa.arkansas.gov/offices/exciseTax/salesanduse/Pages/StateTaxRates.aspx>.

The link to the Arkansas High Cost Fund is: <http://www.ruraltelcom.com/Carrier Revenue Report - 2016 - APRIL 1 RATE CHANGE - Excel 97 - 2004.xls>

Please e-mail me if this doesn't answer your questions. Thanks

Don L. McDaniel P.E.
Division Director - Enterprise Network Services
Department of Information Systems
State of Arkansas
501-682-5027
don.mcdaniel@arkansas.gov

From: RHC-HCP [<mailto:RHC-HCP@usac.org>]
Sent: Wednesday, December 28, 2016 9:02 AM
To: Don McDaniel; katrina.burnett@arkansas.gov
Cc: RHC-HCP
Subject: Consortia Information Request – HCF Form 462, HCP#: 48720, FRN: 16928441

Date: 12/28/2016

Funding Year: 2016

Information Request Deadline: Wednesday, January 11, 2017

Funding Request Number (FRN):	16928441
Health Care Provider (HCP) Number:	48720
Site Name/Consortium Name:	Arkansas Department of Health

Information Required / Correction Needed

As part of the initial review of the FCC Form 462 *Healthcare Connect Fund Funding Request Form* (Form 462) submitted by the consortium referenced above, the Rural Health Care (RHC) division of the Universal Service Administrative Company (USAC) identified issues or deficiencies in the form that must be addressed by the HCP before USAC can continue its review of the form.

The following issue(s) require clarification or additional information:

Evidence of a viable source for the undiscounted portion of supported costs: Rule § 54.643(a)(6)(iii) Consortia are required to submit documentation to confirm that they possess a viable source of funding for the 35% of the undiscounted portion of their network costs that is not supported by the HCF. The consortium has failed to provide this documentation.

ACTION: Submit documentation that verifies that the consortium has a viable source of funding for the 35% undiscounted portion of supported costs. The consortium may submit a letter signed by an officer, director or other authorized employee of the Consortium Leader. The letter should include the following:

1. The identity of the entity that will provide the 35% contribution.
2. The type of eligible source of funding (HCP Budget, grant/loan, etc).

If each member of the consortium will pay its contribution **directly to the service provider**, the consortium leader should (a) verify that each member will pay its contribution from an eligible source and (b) submit documentation (such as a membership agreement) that shows that each member has agreed to pay its own contribution from an eligible source.

Column W/X: Circuit Start/End Location (119 N Main St/1204 West Main). Consortia are required to enter the correct circuit start and end locations for its HCP members on Columns W and X, respectively, of the Form 462's Network Cost Worksheet.

The supporting documentation submitted with the Form 462 does not clearly identify the address of the circuit's start and/or end location entered for Line Number **19** for HCP **16285**.

ACTION: Submit supporting documentation (i.e. Contract, Bill, Service Offer, Letter, or similar document) from the service provider that confirms the address where the HCP's circuit starts and/or ends.

Column AE: Undiscounted cost Per expense period (Taxes and Fees): Consortia may add taxes and fees to undiscounted cost per expense period for its member HCPs in Column AE of the Form 462's Network Cost Worksheet.

The amount entered to represent taxes and fees on Column AE for Line Numbers 1-21 cannot be easily matched with the taxes and fees contained in the submitted contract, bill, or other supporting documentation (**CenturyLink Rural Health Invoice 8-2016**). It seems that there might be some addition of different taxes; please indicate how this math was done.

ACTION: Submit a corrected amount for Column AE, or if the amount entered on Column AE is correct, **submit an explanation of the discrepancy**, or submit corrected documentation.

The HCP has 14 calendar days from the receipt of this notice to make any required corrections to the form, and to respond to all of the above action items. Based on the date of this email, the HCP must respond to this information request no later than the close of business on **Wednesday, 01/11/2017**. A timely response to this inquiry is required; failure to respond by the deadline will result in a funding delay or denial.

After the information is received and any corrections made, the review of the form can continue.

For questions or assistance, or if this email has been received in error, contact Rural Health Care at 1-800-453-1546, between **9:00 a.m. and 5:00 p.m Eastern Time** Monday through Friday or by email at rhc-assist@usac.org.

All account holders will be copied on this and all correspondence from USAC related to this account.

Seth Toplin
Rural Health Care Program
USAC
1(800) 453-1546 Prompt 3, then 2
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Zach Wilson

From: portal@usac.org on behalf of Ying Hong <ying.hong@sl.universalservice.org>
Sent: Thursday, December 22, 2016 3:01 PM
To: Don McDaniel
Subject: 161061043 - E-rate Review Information



E-rate Review Information

Today's Date: 12/22/2016
Response Due Date: 1/6/2017
Contact Name: Don McDaniel
Applicant Name: DIS STATE OF ARKANSAS
FCC Form 471 Application Number: 161061043

Dear Applicant

We are in the process of reviewing your Funding Year 2016 FCC Form 471 application(s) and we need additional information to complete our review. Please respond to the information requests below. Please note that EPC allows you to begin working on your answers and save your work for later by clicking "Save and Close." We advise you to provide responses to all of the questions before submitting your answers. Click "Submit" only when you have answered all the questions in their entirety.

- Eligibility of Products and Services

[Click here to respond to inquiries](#)

[USAC Homepage](#)

If you have any questions as you work through your responses to the PIA review inquiries, please feel free to contact me via the phone number or e-mail address provided below. Please do not use e-mail to submit your responses to the PIA review inquiries. USAC will not review responses to PIA review inquiries sent to the reviewer's email address. All PIA responses must be submitted in EPC. Again, please be sure to provide complete responses to all of the PIA questions. If you need additional time to prepare your response, you may request an extension. Click the "Request Extension" button, located at the top of the "Review Inquiries" page in EPC. Your first extension request will be automatically granted, and you will receive an additional seven days to respond. Be sure to meet the response due date and provide all of the information requested, otherwise your application(s) may receive reduced funding or a funding denial.

Ying Hong
Assoc Mgr
973-581-5047
Reviewer's E-Mail ying.hong@sl.universalservice.org

Do not reply to this e-mail

This message has been sent by EPC

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Requests for Review of the Decision of the
Universal Service Administrator by

Alpaugh Unified School District,
Alpaugh, CA, *et al.*

Schools and Libraries Universal Service Support
Mechanism

File Nos. SLD-523576, *et al.*

CC Docket No. 02-6

ORDER

Adopted: March 22, 2007

Released: March 28, 2007

By the Commission: Commissioner McDowell issuing a statement.

1. In this Order, we grant 78 appeals of decisions by the Universal Service Administrative Company (USAC) reducing or denying funding from the schools and libraries universal service support mechanism (also known as the E-rate program) on the grounds that applicants failed to respond to USAC's requests for information within the USAC-specified time frame.¹ As explained below, in each case we find good cause to grant the appeals and remand the underlying applications associated with these appeals to USAC for further action consistent with this Order. To ensure that the underlying applications are resolved expeditiously, we direct USAC to complete its review of each application listed in the Appendix and issue an award or denial based upon a complete review and analysis no later than 120 days from the release of this Order. In addition, we direct USAC to develop outreach procedures designed to better inform applicants of the additional information that may be needed and to provide applicants with a 15-day opportunity to respond to such request.

2. *Background.* Under the E-rate program, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.² USAC examines applications for discounted services to ensure that only eligible services are funded, and such scrutiny may result in requests by USAC for additional information from applicants. Absent the applicant providing such additional information, USAC may deny the application for failure to demonstrate that the services in question are eligible for support.

3. Given the volume of applications and other submissions that USAC processes and reviews each year, it is necessary for USAC to establish measures to ensure prompt resolution of applications. One such measure in place is an administrative procedure permitting USAC to request additional

¹ The list of Petitioners is attached in the Appendix. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

² 47 C.F.R. §§ 54.501-54.503.

information from applicants.³ USAC requires that a response to all of its requests for additional or clarifying information or documentation be made within seven days of the applicant being contacted, unless the deadline is explicitly extended by USAC.⁴ If this deadline is not met, or the response provided is incomplete, USAC makes a funding determination based on the information it has in its possession.

4. *Discussion.* In this Order, we grant 78 appeals of decisions reducing or denying requests for funding from the E-rate program and remand the underlying applications associated with these appeals to USAC for further action consistent with this Order.⁵ Petitioners' requests for funding were denied or reduced because applicants failed to respond to USAC's requests for information within the specified time frame. Petitioners generally argue that they did not actually receive the requests from USAC for additional information,⁶ that they submitted the requested information to USAC,⁷ that they requested a

³ See *Request for Review by Boone County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. USAC-220067, CC Docket Nos. 96-45 and 97-21, Order, 17 FCC Rcd 22467, 22469, para. 5 (Wireline Comp. Bur. 2002) (Boone County Order); *Request for Review by Henryetta Public Schools, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. USAC-268075, CC Docket Nos. 96-45 and 97-21, Order, 17 FCC Rcd 17423, 17424, para. 3 (Wireline Comp. Bur. 2002).

⁴ See SLD website, www.sld.universalservice.org/reference_deadline.asp, (visited December 11, 2006), see also *Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. USAC-220105, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd 4520, 4522, para. 6 (Wireline Comp. Bur. 2003).

⁵ See Appendix.

⁶ See *Request for Review by Alice Ward Memorial Library*; *Request for Review by Bais Yaakov High School of Chicago*; *Request for Review by Canon City Schools*; *Request for Review by Cleora Public School*; *Request for Review by Cotulla Independent School District*; *Request for Review by Diboll Independent School District*; *Request for Review by Evangelical Children's Home*; *Request for Review by Fairfax School District*; *Request for Review by Fairland Public Schools*; *Request for Review by Glassboro Public School District*; *Request for Review by Grass Lake Community School District*; *Request for Review by Lubavitch Yeshiva of Minnesota-Wexler Learning Institute*; *Request for Review by Marvin L. Winans Academy of Performing Arts*; *Request for Review by Pleasantville School District*; *Request for Review by Toras Imecha*; *Request for Review by Vicksburg Warren School District*; and *Request for Review by Yeshiva Beth Yitzchok D'Spinka*.

⁷ See *Request for Review by Beaver Area School District*; *Request for Review by Berrien County Schools*; *Request for Review by Boone County School District*; *Request for Review by Brewster Central School District*; *Request for Review by Charleston County School District*; *Request for Review by Cherry Creek Schools*; *Request for Review by Colegio Dr. Roque Diaz*; *Request for Review by Delta-Schoolcraft Intermediate School District*; *Request for Review by Devereux Foundation*; *Request for Review by DINE Southwest High School*; *Request for Review by District of Columbia Public Schools*; *Request for Review by East Cleveland School District*; *Request for Review by Eastern Upper Peninsula Independent School District*; *Request for Review by East Orange Community Charter School*; *Request for Review by Educational Institute Oholei Torah*; *Request for Review by Florence City School District*; *Request for Review by Franklin Township School District*; *Request for Review by Greater Johnstown AVTS*; *Request for Review by Jennings County Schools*; *Request for Review by Lake Erie Educational Computer Association*; *Request for Review by Leominster Public Schools*; *Request for Review by Long Valley Charter School*; *Request for Review by Lynd Public School*; *Request for Review by Madison-Oneida Board of Cooperative Educational Services*; *Request for Review by Madison-Plains Local School District*; *Request for Review by The Mesorah School*; *Request for Review by The Mill School*; *Request for Review by Milltown School District*; *Request for Review by Montezuma-Cortez School District RE-1*; *Request for Review by Oak Hills Local School District*; *Request for Review by Oakland Unified School District*; *Request for Review by Petersburg Independent School District*; *Request for Review by Point Pleasant Schools*; *Request for Review by Rylie Family Faith Academy Consortium*; *Request for Review by Silo Public Schools*; *Request for Review by St. John's County School District*; *Request for Review by Saint Martin de Porres Church*; *Request for Review by Taft School District*; *Request for Review by Wellsville Local School District*; *Request for Review by Winn Parish School District*; and *Request for Review by Youthbuild Albuquerque*.

deferral over the summer,⁸ or that a staffing problem prevented them from submitting the requested information.⁹

5. Balancing the facts and the circumstances of these specific cases as described below, we find that good cause exists to grant these appeals and remand them back to USAC for further processing. Importantly, these appeals involved 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, we find that the complete rejection of these applications is not warranted.¹⁰ Furthermore, 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.¹¹ We also note that grant of these appeals should have a minimal impact on the Universal Service Fund because the monies needed to fund the underlying applications, should they all be fully funded, have already been collected and held in reserve.¹² We therefore find that good cause exists to grant and remand these appeals. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services. To ensure these issues are resolved expeditiously, we direct USAC to complete its review of the applications listed in the Appendix and issue an award or a denial based on a complete review and analysis no later than 120 calendar days from release of this Order.

6. We emphasize the limited nature of this decision. As stated above, we recognize that filing deadlines are necessary for the efficient administration of the schools and libraries E-rate program. Although we grant the subject appeals before us, our action here does not eliminate USAC's deadlines for processing applications.¹³ In addition, this decision is not intended to reduce or eliminate any application review procedures or lessen the program requirements that applicants must comply with to receive funding. We continue to require E-rate applicants to submit, complete and accurate information to USAC

⁸ See Request for Review by Bethlehem Area School District; Request for Review by De Soto Unified School District 232; and Request for Review by University Academy.

⁹ See Request for Review by Alpaugh Unified School District; Request for Review by Crockett Independent School District; Request for Review by Cypress Heights Academy; Request for Review by Griffin Foundation Inc.; Request for Review by Jessamine County Schools; Request for Review by Oberlin Unified School District No. 294; Request for Review by Pelham City Public Schools; Request for Review by Perry Unified School District 343; and Request for Review by Scranton School District.

¹⁰ *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316, 5319, para. 9 (rel. May 19, 2006) (*Bishop Perry Middle School*).

¹¹ 47 U.S.C. § 254(h). The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, amended the Communications Act of 1934.

¹² We estimate that the appeals granted in this Order involve applications for approximately \$45 million in funding for Funding Years 2000-2006. We note that USAC has already reserved sufficient funds to address outstanding appeals. See, e.g., Universal Service Administrative Company, Federal Universal Service Support Mechanisms Fund Size Projections for the Second Quarter 2007 (dated Jan. 31, 2007).

¹³ We note that the Commission has initiated a proceeding to address whether particular deadlines should be modified. *Comprehensive Review of Universal Service Fund Management, Administration, and Oversight, Federal-State Joint Board on Universal Service, Schools and Libraries Universal Service Support Mechanism, Rural Health Care Support Mechanism, Lifeline and Linkup, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, WC Docket Nos. 05-195, 02-60, 03-109, CC Docket Nos. 96-45, 02-6, 97-21, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, FCC 05-124, para. 29 (2005) (*Comprehensive Review NPRM*).

in a timely fashion as part of the application review process. However, beginning with applications for funding year 2007, we require USAC in each instance to detail in writing and with specificity to the applicant any information or documentation USAC is seeking. In addition, USAC shall permit applicants to provide the information to USAC within 15 calendar days from the date of receipt of the written notice from USAC that additional information is required.¹⁴

7. Finally, we are committed to guarding against waste, fraud, and abuse, and to ensuring that funds disbursed through the E-rate program are used for appropriate purposes. Although we grant the appeals addressed here, this action in no way affects the authority of the Commission or USAC to conduct audits or investigations to determine compliance with the E-rate program rules or requirements. Because audits and investigations may provide information showing that a beneficiary or service provider failed to comply with the statute or Commission rules, such proceedings can reveal instances in which universal service funds were improperly disbursed or in a manner inconsistent with the statute or the Commission's rules. To the extent we find that funds were not used properly, we will require USAC to recover such funds through its normal process. We emphasize that we retain the discretion to evaluate the uses of monies disbursed through the E-rate program and to determine on a case-by-case basis that waste, fraud, or abuse of program funds occurred and that recovery is warranted. We remain committed to ensuring the integrity of the program and will continue to aggressively pursue instances of waste, fraud, or abuse under the Commission's procedures and in cooperation with law enforcement agencies.

8. Accordingly, IT IS ORDERED that, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, the Requests for Review as listed in the Appendix ARE GRANTED and REMANDED to USAC for further consideration in accordance with the terms of this Order.

9. IT IS FURTHER ORDERED that, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, USAC SHALL COMPLETE its review of each remanded application listed in the Appendix and SHALL ISSUE an award or a denial of each application based on a complete review and analysis no later than 120 calendar days from release of this Order.

10. IT IS FURTHER ORDERED that this Order SHALL BE EFFECTIVE upon release, in accordance with section 1.103 of the Commission's rules, 47 C.F.R. § 1.103.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

¹⁴ Applicants will be presumed to have received notice five days after such notice is postmarked by USAC. USAC shall continue, however, to work beyond the 15 days with applicants attempting in good faith to submit the necessary documentation.

APPENDIX

Applicant	Application Number	Funding Year
Alpaugh Unified School District Alpaugh, CA	523576	2006
Alice Ward Memorial Library Canaan, VT	487811	2005
Bais Yaakov High School of Chicago Chicago, IL	234381	2001
Beaver Area School District Beaver, PA	526862	2006
Berrien County School District Nashville, GA	426240	2004
Bethlehem Area School District Bethlehem, PA	532028, 532117, 534228, 534843, 534980, 535090	2006
Bethlehem Area School District Bethlehem, PA	533726, 533860, 533981, 534601, 534316	2006
Bethlehem Area School District Bethlehem PA	534078	2006
Boone County School District Madison, WV	338632	2003
Brewster Central School District Brewster, NY	398144	2004
Canon City School District RE-1 Canon City, CO	422001	2004
Charleston County School District Charleston, SC	399988, 400066, 400095, 400135, 400148, 400166, 400185, 400199, 420054, 420158, 420266, 421719, 421919, 423536, 424838, 429071	2004
Cherry Creek School District 5 Englewood, CO	226427	2001
Cleora Public School Afton, OK	466824	2005
Colegio Dr. Roque Diaz Yabucoa, PR	414245	2004
Cotulla Independent School District Cotulla, TX	320087	2002

Crockett Independent School District Crockett, TX	504311, 506302, 524164, 524195, 527805, 527831, 527849, 527885, 527903, 530689, 532849	2006
Cypress Heights Academy Baton Rouge, LA	533588, 537630, 537700	2006
Delta-Schoolcraft Intermediate School District	538357	2006
De Soto Unified School District 232 De Soto, KS	476682	2005
Devereux Foundation King of Prussia, PA	538789	2006
Diboll Independent School District Diboll, TX	430473	2004
DINE Southwest High School Winslow, AZ	398842	2004
District of Columbia Public Schools Washington, DC	393708	2004
East Cleveland School District East Cleveland, OH	4233380, 423397	2004
Eastern Upper Peninsula Independent School District Sault St. Marie, MI	471037, 469866	2005
East Orange Community Charter School East Orange, NJ	415781	2004
Educational Institute Oholei Torah Brooklyn, NY	382666	2003
Evangelical Children's Home St. Louis, MO	392392	2004
Fairfax School District Bakersfield, CA	477012	2005
Fairfax School District Bakersfield, CA	478082	2005
Fairfax School District Bakersfield, CA	478152	2005
Fairland Public Schools Fairland, OK	463624	2005
Fairland Public Schools Fairland, OK	466913	2005
Florence City School District Florence, AL	464775	2005
Franklin Township School District Somerset, NJ	474034	2005

Glassboro Public School District Glassboro, NJ	487609	2005
Grass Lake Community School District Tecumseh, MI	514283	2006
Greater Johnstown AVTS Johnstown, PA	533504	2006
Griffin Foundation Inc. Tucson, AZ	486140	2005
Jennings County Schools North Vernon, IN	522029	2005
Jessamine County Schools Nicholasville, KY	498994	2005
Lake Erie Educational Computer Association Elyria, OH	387075	2004
Leominster Public Schools Leominster, MA	372922	2003
Long Valley Charter School Doyle, CA	410086	2004
Lubavitch Yeshiva of Minnesota-Wexler Learning Institute St. Paul, MN	266085	2001
Lynd Public School Lynd, MN	393043	2004
Madison-Oneida Board of Cooperative Educational Services Verona, NY	312009	2002
Madison-Plains Local School District London, OH	524383	2005
Marvin L. Winans Academy of Performing Arts Detroit, MI	500983	2006
Milltown School District Monsey, NY	470851	2005
Montezuma-Cortez School District RE-1 Cortez, CO	414192	2004
Oak Hills Local School District Cincinnati, OH	463594	2005
Oakland Unified School District Novato, CA	263553	2001
Oakland Unified School District	327574, 327579, 327586	2002

Oakland, CA		
Oberlin Unified School District No. 294 Oberlin, KS	460015	2005
Pelham City Public Schools Pelham, GA	362302	2003
Perry Unified School District 343 Perry, KS	532787	2006
Petersburg Independent School District Petersburg, TX	446593	2005
Pleasantville School District Broomall, PA	484579, 485093, 485464	2005
Point Pleasant Schools Point Pleasant, NJ	457647	2005
Rylie Family Faith Academy Consortium Dallas, TX	425796	2004
Saint Martin de Porres Church Philadelphia, PA	359750	2003
Scranton School District Scranton, PA	530269	2006
Silo Public Schools Allen, OK	443976	2005
St. Johns County District St. Augustine, FL	409719, 411916	2004
St. Johns County School District St. Augustine, FL	409805	2004
Taft School District Lockport, IL	501995	2006
The Mesorah School Brooklyn, NY	382513	2003
The Mill School Baltimore, MD	354229	2003
Toras Imecha Lakewood, NJ	404918, 421609	2004
University Academy Lawrence, KS	486799, 486829	2005
Vicksburg Warren School District Vicksburg, MS	265505	2001
Wellsville Local School District Wellsville, OH	512851	2006
Winn Parish School District Winnfield, LA	427753	2004
Yeshiva Beth Yitzchok D'Spinka	262909	2001

Brooklyn, NY		
Youthbuild Albuquerque Philadelphia, PA	524250	2006
Youthbuild Albuquerque Philadelphia, PA	524253	2006

**STATEMENT
COMMISSIONER ROBERT M. McDOWELL**

*Re: Requests for Waiver of the Decision of the Universal Service Administrator by
Adams County School District 14, Commerce City, CO, et al., and
Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6*

*Re: 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*

*Re: 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*

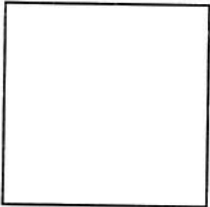
By adopting these three orders, we are granting 182 appeals of decisions taken by the Universal Service Administrative Company (USAC) that reduced or denied funding by applicants of the schools and libraries universal service mechanism. This program promotes the noble goal of assisting schools and libraries in the United States to obtain affordable telecommunications and Internet access. I support these decisions for several reasons. First, each of these appeals involves technicalities in the USAC procedures. Our actions here do not substantively alter the eligibility of the Schools and Libraries program. Furthermore, we find no indication of any intention to defraud the system on the part of any of these applicants. Also, our decisions and USAC's actions on appeal should have minimal effect on the level of the Universal Service Fund, because USAC has already reserved sufficient funds to take into account pending appeals. Finally, I am pleased that we impose reasonable time limits on USAC to address these cases on appeal so they can be resolved expeditiously.

Nicole Gillum

From: Don McDaniel
Sent: Friday, August 11, 2017 9:14 AM
To: Nicole Gillum
Subject: FW: Respond to Inquiries for Application

Follow Up Flag: Follow up
Flag Status: Flagged

From: portal@usac.org [mailto:portal@usac.org] **On Behalf Of** EPC Application Administrator
Sent: Wednesday, February 01, 2017 11:02 PM
To: Don McDaniel; johnny.haley@academicsplus.org
Subject: Respond to Inquiries for Application



E-Rate Application Information Request

You have one or more pending inquiries on this outreach. Please respond to all pending inquiries before deadline.

[Click here to view the letter details](#)

Do not reply to this e-mail

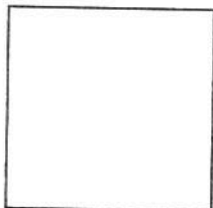
This message has been sent by EPC

Nicole Gillum

From: Don McDaniel
Sent: Friday, August 11, 2017 9:10 AM
To: Nicole Gillum
Subject: FW: 161061000 - E-rate Review Information

Follow Up Flag: Follow up
Flag Status: Flagged

From: portal@usac.org [mailto:portal@usac.org] **On Behalf Of** Son Luu
Sent: Thursday, June 08, 2017 6:14 AM
To: Don McDaniel
Subject: 161061000 - E-rate Review Information



E-rate Review Information

Today's Date: 6/8/2017
Response Due Date: 6/15/2017
Contact Name: Don McDaniel
Applicant Name: DIS STATE OF ARKANSAS
FCC Form 471 Application Number: 161061000

Dear Applicant

This is a reminder that the due date for your response to our request for additional information is approaching. To date, we have not received any of the information we requested, which is critical to our review of your application(s) for funding. The information we need is listed below. Please note that EPC allows you to begin working on your answers and save your work for later by clicking "Save and Close." We advise you to provide responses to all of the questions before submitting your answers. Click "Submit" only when you have answered all the questions in their entirety.

- Eligibility of Products and Services

[Click here to respond to inquiries](#)

[USAC Homepage](#)

If you have any questions as you work through your responses to the PIA review inquiries, please feel free to

contact me via the phone number or e-mail address provided below. Please do not use e-mail to submit your responses to the PIA review inquiries. USAC will not review responses to PIA review inquiries sent to the reviewer's email address. All PIA responses must be submitted in EPC. Again, please be sure to provide complete responses to all of the PIA questions. If you need additional time to prepare your response, you may request an extension. Click the "Request Extension" button, located at the top of the "Review Inquiries" page in EPC. Your first extension request will be automatically granted, and you will receive an additional seven days to respond. Be sure to meet the response due date and provide all of the information requested, otherwise your application(s) may receive reduced funding or a funding denial. If you are unable to respond due to summer break, please call or email me and provide the timeframe during which you will be available, so that we can adjust the response due date accordingly. Note: Your State E-rate Coordinator is copied on this reminder for informational purposes only.

Son Luu
Case Management Associate
973-581-7537
sluu@sl.universalservice.org

Do not reply to this e-mail

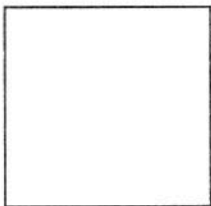
This message has been sent by EPC

Nicole Gillum

From: Don McDaniel
Sent: Friday, August 11, 2017 9:10 AM
To: Nicole Gillum
Subject: FW: 161061000 - E-rate Review Information

Follow Up Flag: Follow up
Flag Status: Flagged

From: portal@usac.org [mailto:portal@usac.org] **On Behalf Of** Son Luu
Sent: Wednesday, July 19, 2017 6:16 AM
To: Don McDaniel
Subject: 161061000 - E-rate Review Information



E-rate Review Information

Today's Date: 7/19/2017
Response Due Date: 7/27/2017
Contact Name: Don McDaniel
Applicant Name: DIS STATE OF ARKANSAS
FCC Form 471 Application Number: 161061000

Dear Applicant

This is a reminder that the due date for your response to our request for additional information is approaching. To date, we have not received any of the information we requested, which is critical to our review of your application(s) for funding. The information we need is listed below. Please note that EPC allows you to begin working on your answers and save your work for later by clicking "Save and Close." We advise you to provide responses to all of the questions before submitting your answers. Click "Submit" only when you have answered all the questions in their entirety.

- Eligibility of Products and Services

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[USAC Homepage](#)

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Son Luu
Case Management Associate
973-581-7537
sluu@sl.universalservice.org

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This message has been sent by EPC

Nicole Gillum

From: Don McDaniel
Sent: Friday, August 11, 2017 9:11 AM
To: Nicole Gillum
Subject: FW: 161060843 - E-rate Review Information

Follow Up Flag: Follow up
Flag Status: Flagged

From: portal@usac.org [mailto:portal@usac.org] **On Behalf Of** Son Luu
Sent: Wednesday, July 19, 2017 6:19 AM
To: Don McDaniel
Subject: 161060843 - E-rate Review Information



E-rate Review Information

Today's Date: 7/19/2017
Response Due Date: 7/27/2017
Contact Name: Don McDaniel
Applicant Name: DIS STATE OF ARKANSAS
FCC Form 471 Application Number: 161060843

Dear Applicant

This is a reminder that the due date for your response to our request for additional information is approaching. To date, we have not received any of the information we requested, which is critical to our review of your application(s) for funding. The information we need is listed below. Please note that EPC allows you to begin working on your answers and save your work for later by clicking "Save and Close." We advise you to provide responses to all of the questions before submitting your answers. Click "Submit" only when you have answered all the questions in their entirety.

- Eligibility of Products and Services

[Click here to respond to inquiries](#)

[USAC Homepage](#)

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Son Luu
Case Management Associate
973-581-7537
sluu@sl.universalservice.org

Do not reply to this e-mail

This message has been sent by EPC