FCC Appeal – November 1, 2019

Monticello SD 882 (BEN 133611)

Category 2 Reimbursement amount for Pinewood ES

FY 2016-2017

Form 471 # 161024010

FRN 1699047233

**Overview**

This relates to a BEAR reimbursement shortfall issue that has been ongoing since FY 2016-2017. Given the amount of correspondence involved, we are uncertain how much detailed information you would need to evaluate this appeal. What follows and is attached will support the request to extend an invoice deadline extension request to complete this Category 2 reimbursement. Note that the invoices have already been sent to the USAC reviewers.

**Background**

The school district was funded for a number of Category 2 hardware items for (6) sites for FY 2016-2017. The service provider was CDWG. The work was done in stages and CDWG sent out a series of invoices that we needed to reconcile with the funding award expenses. Five (5) schools were properly reimbursed, while the 6th school (Pinewood ES) has been denied $14,849.66 in reimbursement funding for an invalid reason.

The Pinewood ES was awarded $82,460.55 in pre-discount funding, ($41,230.28 after their 50% discount). To date they have only been reimbursed $26,027.50 in funding, leaving a shortfall of $14,849.66 in after-discount funding. As noted, the shortfall is due to a misinterpretation of an invoice by USAC’s reimbursement rep.

**Explanation**

**BEAR #1 – SLD Invoice # 2525597 – submitted 2/10/2017**

For the Pinewood ES, after we submitted BEAR #1 we realized we had not included certain expenses. We asked the reimbursement rep if we could increase the BEAR request, and she said that would be problematic; best to cancel the original BEAR and resubmit a new BEAR with the correct amount, which we did. The BEAR was zeroed out.

**BEAR #2 – SLD Invoice # 2550108 – submitted 3/16/2017**

We submitted BEAR #2 with the correct, full amount $82,460.55, but when it was reimbursed it was for a lesser amount with an invalid reason for the shortfall.

* BEAR *submitted* for $ 82,460.55 – at 50% discount would be $41.230.28
* BEAR was only *reimbursed* for $52,055.50 ($26,027.50 after their 50% discount). So $29,699.32 was arbitrarily declared ineligible for reimbursement ($14,849.66 after 50% discount). Reason given: cabling is mentioned but was not listed on the Form 470. This related to $935.78 in connector cables contained within the $29,699.32 total.

**BEAR #3 – SLD Invoice # 2574244 – submitted 3/16/2017**

We submitted another BEAR for the shortfall with the explanation that the reason for the shortfall in the previous BEAR was not valid and that the entire amount should be reimbursed.

As noted, what the reimbursement rep erroneously cited as ‘cabling’ was only patch cables to install UPS units – the ‘associated hardware’ listed on the Form 470. It was not cabling in the sense of cabling a building. The PIA reviewers correctly understood the nature of the expense and approved funding for the patch cables for this and several other FRN’s for other schools in the district.

The BEAR was submitted for the shortfall of $14,849.66 and received yet another zero BEAR on July 7, 2017 with the same reason: “Service not approved on 471”, which was obviously not the case. USAC had already reimbursed about 60% of the request ($52,055.50).

Rather than submit a 4th BEAR right away, we contacted the reimbursement rep (Dadrianna Herah) on August 4, 2017 asking her to check with her Supervisor and get back to us.

**BEAR #4 – SLD Invoice # 2814020 – submitted 5/18/2018**

Having had no Supervisor response, we eventually submitted a 4th BEAR for the shortfall of $14,849.66. Our next correspondence was from a different rep (Flor Saenz) on June 27, 2018 who said the request was under review and they were processing invoices ‘as quickly as possible’.

We never received a BEAR Notification Letter – it was during the period when USAC was not sending them out…supposedly issued on 7/28/2018. So with no apparent resolution after yet another year from the reimbursement reps we submitted an appeal (Case # 153954) to check on the status of the reimbursement request. The CSR rep responded by asking a seemingly non-relevant question about the enrollment verification of a school that was not included in the original funding requests. We did provide the information, and clarified that all we needed to complete the reimbursement and submit the BEAR #5 for the balance of the reimbursement was to extend the last date to invoice from 5/29/2018.

The appeal response on 9/23/2019 was then yet another denial with the explanation this time that it was past the date to submit a BEAR reimbursement request.

**Summary and Request**

This has been in progress for over two years now, and with no resolution from USAC we are appealing to the FCC to waive any deadline limits and to extend the last date to invoice so that the school can finally receive the balance of the funding reimbursement that they are owed for the hardware upgrades to the Pinewood ES.

Thank you for your help.

Robert Beck

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