ERATE: 888-203-8100

Entity number 120240

In regards to our appeal being denied for a SPIN change to our Category 1 funding request, I am contacting the FCC to appeal the decision from the USAC. I believe the decision to deny our appeal was due to insufficient information. The USAC indicated that I did not give our current provider proper notification for terminating Internet service and did not have a quote for the new provider within the 28 day window of filing our 471 form (191017074). I have listed the timeline of all actions and submissions below.

At the time of filing our 470 form (190018685), we had Internet service with **Windstream Communication (SPIN 143030766)**. Our service was slow and I contacted this company to inquire about increasing our bandwidth. Another company submitted a bid for service with enhanced features and the bandwidth specs I was asking Windstream about. My main focus during this time frame was dealing with our current provider to get the service we needed. I ended up filing our 471 form on March 1 and then realized that the quote **New Horizon Communications (the new provider SPIN 143029113)** had submitted was actually cheaper and better. I contacted our current provider to review their offer and consequently discussed the process to terminate service with them. I then contacted New Horizon to discuss the transition in service and related hardware needed.

After getting all information from both providers, I contacted USAC to see how I could change the vendor on our 471 submission. USAC indicated all I had to do was submit a SPIN change. With that initiated, we proceeded to set up a disconnect from our Internet provider (Windstream) and plan the service switch to take effect on 7.1.19.

Our SPIN change was denied on 6.26.19 which was four days prior to switching Internet vendors and far too late to undo all the contractual and disconnect orders already in motion. I contacted USAC again and they suggested filing an appeal, which was denied on 10.30.19

The appeal denial stated that the funding is still there but it is only for the original Internet vendor. Even if we could switch back to our original vendor, we are over four months into a new contract. I am requesting an appeal to the denials. USAC rules state that I file a 470 form that opens up companies to offer bids for service. I am obligated to review all proposals and select the best vendor. I filed the 471 form in error and only ask that the SPIN change be granted in order to receive funding for category 1 service. The bids were all received during the 28 day window. I followed proper procedure in submitted a SPIN change to switch vendors that both agreed to the change and the new vendor’s bid was within the allowable time frame (see attached bid from New Horizon).

With this information, I am requesting a full review of the facts and hope for a positive decision to over- turn the denied appeal originally filed with USAC. I am providing screen shots of correspondence dates, SPIN Change filing and Appeal Letter. If you require any further details, please contact me.

**Our Timeline of events:**

470 form **number 190018685** filed 1.24.19 with a 28 day window ending 2.21.19

New Horizon Internet quote received on 1.28.19

Discussion with Windstream (current provider at the time) on increasing bandwidth.

**471 form number 191017074** filed 3.1.19

Discussion with Windstream to terminate service after I realized New Horizon Quote was less for service with added features.

Discussion with New Horizon on process for initiating service.

SPIN Change question to USAC 4.10.19

FDL posted on 4.27.19

**SPIN change** created on 4.29.19

SPIN change denied on 6.26.19

**Appeal number 152061** created on 6.26.19

Appeal Denied on 10.30.19

**Response to this denial** 10.31.19 with **follow up phone call** 11.6.19

**Filled FCC Appeal 11.6.19**