

4/11/18

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Rd  
P.O. Box 902  
Whippany, NJ 07981

Re: Letter of Appeal of Invoice Deadline Extension Request for funding Year 2016

Dear Sir or Madam:

I am submitting this letter of appeal regarding denial of E-rate FY 2016 funding request for a COMAD adjustment based on the ground that USAC has not sufficiently verified the discount percentage for this entity.

Appellant Name:	e2e exchange, LLC
Applicant Name:	Montvale Public School District
471 Application Number:	161001916
Billed Entity Number:	122925
FRN:	1699002335
Service Provider:	Cablevision Lightpath,

**Funding Commitment Adjustment Explanation:** After a thorough investigation, it was determined that the funding commitment for this request must be reduced by \$7,440.00 (pre-discount commitment amount \* (discount percentage approved on the FCC Form 471 less the discount rate the applicant is actually eligible to receive)) and USAC will seek recovery of any improperly disbursed funds from the applicant. On the original FCC Form 471, the applicant was approved at a 40% discount. FCC rules indicate that the level of poverty shall be measured by the percentage of the student enrollment that is eligible for a free or reduced price lunch under the National School Lunch Program or a federally-approved alternative mechanism. The applicant is only eligible to receive a 20% percent discount. This determination was based on applicant provided data shows less than 1% of their students are eligible for a free or reduced price lunch under the National School Lunch Program or a federally-approved alternative mechanism.

The issue in this case boils down simply to this: The USAC verification process has been insufficient in regards to the E-rate discount for FY 2016 for Montvale Public Schools. The USAC determination stating less than 1% of total students at Montvale Public are eligible for Free and or Reduced Lunch is wholly incorrect.

The New Jersey Department of Education listing of FY 2016 Enrollment and F&R eligibility reflects the ASSA reports submitted by Montvale Public Schools to the NJ DOE. Supported by the attached NJ DOE documentation, the spreadsheet reports the following enrollment data:

Fieldstone Middle School  
Enrollment: 477  
F&R Eligible: 17

Memorial Elementary School:  
Enrollment: 523

The total enrollment is 1000 students with 30 being eligible for Free and Reduced Lunch. This number has also clearly been verified and clear by the NJ DOE. With 30 eligible students verified, this is a raw discount of 3%. Based on USAC's Discount Matrix, a 3% raw discount correlates to a 40% E-rate discount.

Given that the denial of funding in this case was based on merely an unsubstantiated USAC administrative error, regarding the verification of the E-rate discount, the Parties respectfully request that the SLD process this Letter of Appeal, dismiss any forthcoming Demand Payment Letters, Red Light Rulings etc. and restore full funding to this FRN. The denial of funding for an administrative error places a particular hardship on a school district such as Montvale Public Schools that otherwise should have been approved for and received E-rate funding for its application.

We refer USAC to the Bishop Perry Order which protects applicants from being denied funding in the event of administrative errors. The Order should be applied to these funding requests to enforce the invoice deadline extensions in the best interest of the applicant and the integrity of the E-rate program.

We respectfully request that you apply the invoice deadline extensions to the FRNs listed above.. Thank you for reviewing this appeal. Please use the contact information below.

Sean Cuskey, Director of Operations, e2e exchange llc, LLC, PO Box 451, Syracuse, NY 13206, Tel. 315.422.7608, Fax 866.283.9332, stc@e2eexchange.com

Sincerely,  
**E-rate Exchange, LLC**

Sean Cuskey  
Director of Operations

CC:

Enclosures – **Enrollment Data from NJ DOE**