

From: **Joy Griffith** <[jgriffith@portaleschools.com](mailto:jgriffith@portaleschools.com)>  
Date: Wed, Jul 12, 2017 at 3:18 PM  
Subject: COMAD LETTER APPEAL  
To: [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org)

Billed Entity Name: Portales Municipal Schools  
Billed Entity Number: 143338  
FCC Registration #: 0012057717

Dear Sir or Madam:

I am writing this letter to appeal the decision made to rescind the full funding commitment amount of \$94,417.07, stated on the Funding Commitment Adjustment Report for Form 471 Application number: 432673 Funding Year 2004 dated June 16, 2017 for the following FRNs:

FRN	SPIN	Service Provider
1204781	143001087	New Mexico RSA4 East-Limited Partnership
1204850	143001173	NTS Communications, Inc.
1204455	143006210	Yucca Telecommunications Systems, Inc.
1204609	143006210	Yucca Telecommunications Systems, Inc.
1204572	143005231	Centrylink Qwest Corporation
1204646	143005231	Centrylink Qwest Corporation
1204716	143005231	Centrylink Qwest Corporation

The decision to rescind funding in full was made based on the request to provide a copy of the RFP to the Administrator and was not provided. During the 2004 Funding year the Director of Technology Bill Jones filed this application. In the documentation I was able to locate it appears he used the Form 470 Application number 935690000475495 as the RFP. If an RFP other than the 470 was used, we no longer have that documentation on file.

I was able to locate the 5 year contract with Centrylink Qwest Corporation signed in 2002, which did not expire until February of 2007. Please see attached "Qwest Private Line Transport Service Contract"

In funding year 2004 the documentation retention mandates were only 5 years. Last date of service for the FRNs listed above would have been June 30, 2005. We are now 12 years past that date which exceeds both past and current retention mandates, limiting my abilities to retrieve the necessary documentation.

I kindly request that the decision to rescind funding in full be reconsidered due to the negative impact it would have on our rural school district and its' kids because of our limited budget for school technology needs.

*Joy Griffith*

Technology Coordinator  
Portales Municipal Schools  
501 South Abilene  
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Universal Service Administrative Company  
Schools & Libraries Division

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Administrator's Decision on Appeal – Funding Year 2004-2005

October 13, 2017

Joy Griffith  
Portales Municipal Schools  
501 S Abilene Ave  
Portales, NM 88130-6380

Re: Applicant Name: PORTALES MUNICIPAL SCHOOLS  
Billed Entity Number: 143338  
Form 471 Application Number: 432673  
Funding Request Number(s): 1204455, 1204572, 1204609, 1204646, 1204716,  
1204781, 1204850  
Your Correspondence Dated: July 12, 2017

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2004 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1204455, 1204572, 1204609, 1204646, 1204716,  
1204781, 1204850

Decision on Appeal: **Denied**

Explanation:

- During the appeal review of your FCC Form 471# 432673 you requested reversal of the decision to seek recovery of improperly disbursed funds. You stated that you longer have the documentation on file. At this point, we do not have any indication that the FRNs were incorrectly modified or that any additional documentation exists which would reverse the modification. In your appeal, you did not demonstrate that USAC's determination was incorrect. Since you were unable to provide a copy of the RFP, USAC could not determine if an RFP was issued to allow potential bidders to formulate their bids. Therefore, you violated the competitive bidding process. Accordingly, your appeal is denied.

FCC rules require applicants to submit a complete description of services they seek so that it may be posted for competing service providers to evaluate and formulate bids. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, FCC 97-157, paras. 570, 575 (rel. May 8, 1997). The applicant's FCC Form 470 should inform potential bidders if there is, or is likely to be, an RFP relating to particular services indicated on the form. See Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District, El Paso, Texas, et al., Federal-State Joint Board of Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., SLD Nos. 321479, et al., CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd 26407, FCC 03-313 para. 39 (rel. Dec. 8, 2003).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

Joy Griffith  
Portales Municipal Schools  
501 S Abilene Ave  
Portales, NM 88130-6380

Billed Entity Number: 143338  
Form 471 Application Number: 432673  
Form 486 Application Number: