

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

In the Matter of)	
)	
Schools and Libraries)	CC Docket No. 02-6
Universal Service Support Mechanism)	
)	
Request for Waiver by)	Application No. 161058956
Merit Network, Inc.)	
Regarding a Funding Decision by the)	
Universal Service Administrative Company)	

**REQUEST FOR WAIVER BY MERIT NETWORK, INC.
REGARDING A FUNDING DECISION BY THE
UNIVERSAL SERVICE ADMINISTRATIVE COMPANY**

Pursuant to sections 54.719 and 54.722 of the Commission's rules,¹ Merit Network, Inc.² (Merit) hereby respectfully requests a waiver of section 54.514(a) of the Commission's rules to allow it to receive payment for service it provided to the Detroit Public Library (Library).³

Merit, a non-profit network owned by Michigan's public university system, timely filed the invoice for FCC Form 471 #161058956,⁴ and then, after the original invoice was denied by USAC, timely filed an extension request. USAC had denied the initial invoice because the applicant, the Detroit Public Library, had not included all of its branch locations on its FCC Form 471.

When USAC and the Library had completed the correction, USAC did not inform Merit, even though Merit had opened a case to understand why part of the invoice had been denied.

¹ 47 C.F.R. § 54.719(b), (c); 47 C.F.R. § 54.722(a).

² SPIN 143004331.

³ BEN 130943.

⁴ The FCC Form 471 number is 161058956. The FRN is 1699137072.

Merit therefore was unable to resubmit its invoice for the newly added locations until after the one-time extension request had expired. The day Merit was notified of the addition of the locations, it resubmitted its invoice, but USAC rejected the invoice because by that time, the extended deadline had passed.

Merit respectfully seeks a waiver of the Commission's invoicing deadline. There was no negligence or delay on Merit's part, and Commission precedent supports a waiver of the invoicing rule under these circumstances.

I. BACKGROUND

Merit is a 501(c)(3) non-profit, owned and governed by Michigan's public universities, that has been supporting the research and education community for more than 50 years. Founded in 1966, Merit owns and operates America's longest-running regional research and education network.

Merit's 4,000 miles of fiber-optic infrastructure serves hundreds of organizations, including higher education, K-12, library, health care, government, research, and other nonprofit and service organizations, throughout the state of Michigan. Merit's networking and security services are used by its members across the United States.

Beyond its core multiple 10Gbps Ethernet backbone, Merit maintains metropolitan fiber rings in Detroit, Grand Rapids, Lansing and Chicago. Merit is also Michigan's GigaPoP operator, connecting Michigan universities to the Internet2 network. Merit also provides sponsored Internet2 access to Michigan government organizations, K-12 schools and libraries so students and government employees across the state may benefit from the programs offered.

In funding year 2016, Detroit Public Library requested funding for Category 1 services, including Internet access services.⁵ The Library had selected Merit as its service provider for these services. USAC issued the funding commitment decision letter (FCDL) on December 12, 2016, committing \$633,740.14 in funding to the Library.⁶ Services were provided, and Merit timely submitted invoice #2510575 to USAC on January 30, 2017, for the Detroit Public Library and for 22 of its branches.⁷ The invoice was for \$653,345.10.⁸

On April 13, 2017, USAC paid Merit \$222,101 for invoice #2510575—only about one-third of the invoiced amount.⁹ On June 15, 2017, Merit opened a case (Case #183211) with USAC to determine why it had not been paid the full amount.¹⁰ USAC responded that “the Branches of the Detroit Public Library were not listed as approved entities on the Form 471, and therefore the charges were removed from the invoice.”¹¹ USAC also attached a spreadsheet specifying the dollar amounts removed.¹²

Subsequently, in July 2017, the Library started the process to correct its FCC Form 471 to include all of the branches to which Merit had provided services.¹³ USAC added the branch locations to the Form 471, but then notified the Library that there was still an issue with the

⁵ *Id.*

⁶ Exhibit 1, FRN Status Tool, showing FCDL date of Dec. 12, 2016.

⁷ Exhibit 2, Invoice from Merit to USAC, Jan. 30, 2017.

⁸ *Id.*

⁹ Exhibit 3, Invoice response from USAC, April 6, 2017.

¹⁰ Exhibit 4, Case #183211. (Merit opened this case by speaking with the USAC help desk over the phone).

¹¹ *Id.*

¹² *Id.*

¹³ Exhibit 5, Case #184827 Case Thread at p. 6.

entity type of the parent billed entity number.¹⁴ USAC advised the Library to submit a RAL correction for funding year 2017.¹⁵ On July 13, 2017, USAC notified the Library that it was escalating the issue within USAC, as USAC was investigating “471 blockers,” which apparently was the source of the remaining problem. The next communication from USAC was on February 1, 2018. Because the “471 blocker” issue was a “known issue,” USAC notified the Library it was closing the case.¹⁶ The case closure did not resolve the issue.¹⁷

Merit, however, was unaware of this communication between USAC and the Library. Merit cannot see the communications between its customers and USAC unless USAC separately notifies Merit. As such, in order to ensure that there would be enough time for the Library to correct its FCC Form 471 and resubmit its invoice on time, Merit requested an extension of the invoicing deadline on October 27, 2017, pursuant to Commission rules.¹⁸

Merit received an extension for the invoicing deadline until February 26, 2018.¹⁹ At some point, but Merit still does not know exactly when, the Library’s issue was resolved by USAC and all locations of the Library were included on the application. Merit was not made aware that the Form 471 had been corrected until October 26, 2018, when the Library informed Merit that the Form 471 had been corrected at a meeting between the Library’s Victor Ibegbu, assistant director for information systems, and Merit’s Tracy Hamill, member engagement

¹⁴ *Id.* at p. 2.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Merit does not know when the issue with EPC was actually resolved.

¹⁸ 47 C.F.R. § 54.514(b) (authorizing a one-time, 120-day extension of the invoicing deadline); Exhibit 6, Merit’s request for extension with email confirmation.

¹⁹ Exhibit 6.

procurement and E-rate coordinator, and Kimberlee Conolly, assistant controller.²⁰ That very same day, Merit submitted an invoice to USAC for the unpaid amount of \$431,244,²¹ but USAC denied Merit's invoice again because the extended invoicing deadline had passed.²²

Requests for waiver are due within 60 days of action by the Administrator.²³ This request for waiver is therefore timely filed.

II. A WAIVER IS APPROPRIATE BECAUSE IT IS IN THE PUBLIC INTEREST AND IS CONSISTENT WITH THE POLICY ANNOUNCED IN THE *JEFFERSON-MADISON REGIONAL LIBRARY ORDER*

Merit respectfully seeks a waiver of the Commission's invoicing rule. Such waiver would be in the public interest. It would also be consistent with the Bureau's *Jefferson-Madison Regional Library Order*.²⁴

Any of the Commission's rules may be waived if good cause is shown.²⁵ The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.²⁶ In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.²⁷

²⁰ Affidavit of Kimberlee Conolly, attached.

²¹ Exhibit 7, USAC invoice denial, dated Oct. 30, 2018.

²² *Id.*

²³ 47 C.F.R. §§ 54.719(c), 54.720(a). USAC's invoice denial was dated October 30, 2018.

²⁴ *Petitions for Reconsideration by Jefferson-Madison Regional Library, et al.*, CC Docket No. 02-6, Order on Reconsideration, 32 FCC Rcd 4626 ¶ 1 (Wireline Comp. Bur. 2017) (*Jefferson-Madison Regional Library Order*).

²⁵ 47 C.F.R. § 1.3.

²⁶ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

²⁷ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

Waiver in this case would be in the public interest because Merit did nothing wrong, and, in fact, followed the rules exactly as it was supposed to. Merit does not have control over the application form. Further, USAC did not notify Merit, as the service provider, that the initial locations had been added, and the invoice could now be resubmitted. As we have explained, Merit resubmitted its invoice *the same day* it found out that the FCC Form 471 had been corrected. Merit was in no way responsible for the fact that its invoice had to be submitted twice. As far as Merit is aware, there is no automatic notification in EPC that notifies service providers when an error on a Form 471 has been corrected, so the service provider should be notified by USAC. It is contrary to the public interest to punish a completely blameless entity for an invoicing delay.

Further, it appears that an issue with EPC caused part of the delay in the correction of the issue. From Merit's understanding, the issue was still *not* resolved as of February 1, 2018 – only a few weeks before the invoice extension deadline at the end of the month. Even after USAC added the branch locations, it is unclear whether a resubmitted invoice would have been processed before the system glitch was corrected.

With that in mind, Merit respectfully argues that a waiver in this case would be consistent with the Bureau's *Jefferson-Madison Regional Library Order* precedent. While the facts in the instant request for waiver are not identical to those in the *Jefferson-Madison Regional Library Order*, the policy considerations in that *Order* apply equally here.

In the *Jefferson-Madison Regional Library Order*, the Bureau reversed USAC's decision to reject a timely filed invoice when the service provider had not certified the invoice prior to the

invoice filing deadline.²⁸ The Bureau granted relief to all other similarly situated applicants to resubmit invoice filings.²⁹ The Bureau found that the applicants in these circumstances were in compliance with section 54.514(a) of the E-rate program rules.³⁰ Specifically, these applicants had filed their BEAR invoices on time and only lacked the service provider's certification prior to the deadline.³¹ WCB found that the Commission's rule required the BEAR form to be filed prior to the deadline, but the rule did not require the submission of the BEAR certification prior to the deadline.³²

Similarly here, Merit timely filed its SPI invoice with USAC and even extended the deadline in a timely fashion. The only information that was missing was from the Library, just as in only one piece of information was missing in the case of the applicants in the *Jefferson-Madison Regional Library Order*. In essence, in that order, the Bureau found that an applicant should not be punished for an error or oversight by a service provider. Merit argues that this principle should also be true when the roles are reversed: Merit should not be punished for an inadvertent omission by the Detroit Public Library in failing to list all of its branches on its Form 471. Merit similarly should not be denied reimbursement when a USAC system problem added to the delay of the resolution of the issue. Merit timely provided its contractual services and timely filed its invoice for funding year 2016.

²⁸ *Jefferson-Madison Regional Library Order*, 32 FCC Rcd 4626 ¶ 1.

²⁹ *Id.*

³⁰ *Id.* ¶¶ 7-8.

³¹ *Id.* ¶ 6.

³² *Id.* ¶¶ 7-8.

III. CONCLUSION

For the foregoing reasons, Merit Network, Inc. respectfully requests that the Bureau grant this appeal and waive the invoicing deadline, so that Merit can resubmit its invoice and seek reimbursement from USAC.

Respectfully submitted,

A handwritten signature in black ink that reads "Gina Spade". The signature is fluid and cursive, with the first name "Gina" and last name "Spade" clearly distinguishable.

Gina Spade
Broadband Legal Strategies
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Washington, DC 20006
DC Bar # 452207
gina@broadbandlegal.com
202-907-6252

Counsel for Merit Network, Inc.

December 21, 2018

CERTIFICATE OF SERVICE

This is to certify that on this 21st day of December, 2018, Theresa Schrader sent a true and correct copy of the foregoing Request for Review via email to the Schools and Libraries Division, Universal Service Administrative Company at the Appeals@USAC.org address.

/s/ Theresa Schrader

Theresa Schrader


Affidavit of Kimberlee Conolly

STATE OF MICHIGAN)
) SS
COUNTY OF WASHTENAW)

I, Kimberlee Conolly, swear:

1. That I am the Assistant Controller for the Merit Network, Inc. I was hired for that position on October 31, 2016.
2. That in my position as Assistant Controller, I am responsible for maintaining the integrity of the internal general ledger system, managing month-end closing, preparing periodic financial reports, managing a portion of the accounts receivable and accounts payable of Merit Network and ad hoc reporting.
3. That I have read the foregoing appeal and avow the information stated therein is true and correct to the best of my knowledge and belief.

Further Affiant Sayeth Not.



Kimberlee Conolly
Assistant Controller
Merit Network, Inc.
1000 Oakbrook Drive, Suite 200
Ann Arbor, MI 48104


VERIFICATION

STATE OF MICHIGAN)

) SS


COUNTY OF WASHTENAW)

COMES NOW, Kimberlee Conolly, and being first duly sworn upon my oath, state that I have read the foregoing Affidavit, and that the facts contained therein are true and correct to the best of my knowledge, information and belief, and that I sign the same as my free act and deed.



Kimberlee Conolly

On this 21st day of December 2018, before me, a Notary Public in and for said state, personally appeared Kimberlee Conolly, known to me to be the person who executed the within Affidavit, and acknowledged to me that she executed the same for the purposes therein stated and that she executed the same as her free act and deed.



Notary Public

My Commission Expires:

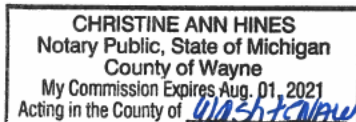


EXHIBIT 1

FRN	FRN Status	471 Application Number	BEN	Billed Entity Name	Applicant City	Applicant State	Service Provider Name	Fund Year	Orig Funding Request	Cmtd Funding Request	Orig FRN Service Type	Wave Number	FCDL Date	FCDL Comment for 471 Application	FCDL Comment for FRN	Invoicing Mode	Total Authorized Disbursement
1699137072	Funded	161058956	130943	DETROIT PUBLIC LIBRARY	DETROIT	MI	Merit Network, Inc.	2016	\$653,345.14	\$663,740.14	Data Transmission and/or Internet Access	25	12/12/2016	MR1:FRN(s) modified in accordance with a RAL request.	MR1:FRN modified in accordance with a RAL request. MR2:The FRN was modified from \$60,494.92/month to \$61,457.42/month to agree with the applicant documentation.	SPI	\$222,101.10

EXHIBIT 2

merit INVOICE

January 30, 2017

INVOICE DATE

INVOICE



75587

F.E.I. NO 38-2210903

D-U-N-S NO. 61-512-1324

ORIGINATING DEPT, INDIVIDUAL, AND TELEPHONE NO.

Merit Network, Inc.
K Conolly (734) 527-5709

DEPARTMENT
REFERENCE NO. 75587

Shipped VIA:

TERMS: NET 30 DAYS

BILL TO:

USAC

For Booking Revenue Only
UM: Do Not Send to Customer.

21840

CUSTOMER ORDER NO:

ID 2510575

SHIP TO:

SC 5941

1st Invoice

2nd Invoice

3rd Invoice
75587 B

4th Invoice
75587 C

ITEM DESCRIPTION	AMOUNT	TOTAL
Detroit Public Library FRN 1699137072	\$653,345.10	
Alpena County Library FRN 1699137334	\$3,905.60	
Detroit Community Schools FRN 1699054932	\$10,692.00	
ID: 2606785 SC: 22070		
ID: 2607170 SC: 13289		
ID: 2879344 SC: 57876		
Amount Due:		\$667,942.70

PRICES, EXTENSIONS	LEAVE THIS SPACE BLANK	REVENUE DISTRIBUTION			
		SHORTCODE	NAME (ABBREVIATE)	AMOUNT	M-P ACCOUNT
PASSED BY FINANCIAL		924182	Merit General	\$667,942.70	414090
990050	V				

(41-45)

(46-51)

MERIT DEPARTMENTAL COPY

(52-62)

(63-66)

EXHIBIT 3

143004331|Merit Network,
Inc.|usf@merit.edu|usacstatement@universalservice.org|6|\$290,569.37|Schools And Libraries|As of April 06, 2017

SPI|143004331|75587|1699137072|"SLD Invoice Number:2510575;Line Item
Detail Number:8400318;Amount Requested:653345.10;Service to Entity Not
Approved on 471;1223;"|062017|\$222,101.10

SPI|143004331|75587|1699137334|"SLD Invoice Number:2510575;Line Item
Detail Number:8400321;Amount Requested:3905.60;Upfront Payment not
approved for this FRN;1257;"|062017|\$3,600.47

SPI|143004331|75606|1699009670|"SLD Invoice Number:2517815;Line Item
Detail Number:8417095;Amount Requested:4320.00;"|062017|\$4,320.00

SPI|143004331|75606|1699069417|"SLD Invoice Number:2517815;Line Item
Detail Number:8417113;Amount Requested:6447.00;"|062017|\$6,447.00

SPI|143004331|75974|1699138442|"SLD Invoice Number:2559991;Line Item
Detail Number:8537100;Amount Requested:225.00;"|062017|\$225.00

SPI|143004331|75974|1699138442|"SLD Invoice Number:2559991;Line Item
Detail Number:8537130;Amount Requested:53875.80;"|062017|\$53,875.80

Your Total Actual Disbursement: \$290,569.37.

EXHIBIT 4

#183211

Summary News Related Actions

Case Details

Topic	FCC Form 474 - SPI - Other	Form Type	FCC Form 474
Status	Closed	Form Number	2510575
Priority	Medium	Created By	User has been deactivated
Inquiry Type	Phone	Created On	6/15/2017 3:21 PM EDT
		Organization	Merit Network, Inc.

Case Description

Description Invoice Partially Paid

Case Artifacts

Documents

Name	Uploaded By	Upload Date
Invoice 2510575	USAC	6/16/17 8:48 AM

Attachments

Attachment	Attachment Type
No items available	

Case Thread

User	Note	Date
USAC	Kimberlee, For Invoice 2510575, the Branches of the Detroit Public Library were not listed as approved entities on the Form 471, and therefore the charges were removed from the Invoice. I am attaching a spreadsheet that sows the dollar amounts removed.	6/16/2017 8:48 AM EDT

Case Contact

Case Contact Kimberlee Conolly

Applicant Name: Detroit Public Library	
SLD Invoice Number: 2510575	
Funding Request Number (FRN): 1699137072	
Description of Service for (FRN): IA	

Month	Billing Account #	Bill Date	CURRENT CHARGES	Ineligible \$	description of ineligible
			\$ 725,939.00		
				\$1,200.00	Bowen Branch- Dedicated Additional Attachment
				\$18,480.00	Bowen Branch- Network Access
				\$1,200.00	Campbell Branch- Dedicated Additional Attachment
				\$18,480.00	Campbell Branch- Network Access
				\$1,200.00	Chandler Branch- Dedicated Additional Attachment
				\$18,480.00	Chandler Branch- Network Access
				\$1,200.00	Chaney Branch- Dedicated Additional Attachment
				\$18,480.00	Chaney Branch- Network Access
				\$1,200.00	Chase Branch- Dedicated Additional Attachment
				\$30,030.00	Chase Branch- Network Access
				\$1,200.00	Conely Branch- Dedicated Additional Attachment
				\$18,480.00	Conely Branch- Network Access
				\$1,200.00	Douglass Branch- Dedicated Additional Attachment
				\$18,480.00	Douglass Branch- Network Access
				\$1,200.00	Duffield Branch- Dedicated Additional Attachment
				\$18,480.00	Duffield Branch- Network Access
				\$1,200.00	Edison Branch- Dedicated Additional Attachment
				\$18,480.00	Edison Branch- Network Access
				\$1,200.00	Elmwood Park Branch- Dedicated Additional Attachment
				\$18,480.00	Elmwood Park Branch- Network Access
				\$1,200.00	Francis Parkman Branch- Dedicated Additional Attachment
				\$30,030.00	Francis Parkman Branch- Network Access
				\$1,200.00	Franklin Branch- Dedicated Additional Attachment
				\$18,480.00	Franklin Branch- Network Access
				\$1,200.00	Hubbard Branch- Dedicated Additional Attachment
				\$18,480.00	Hubbard Branch- Network Access

EXHIBIT 5

Records / Customer Service Cases

#184827 - Status clarification

Summary News Related Actions

Case Details

Topic	System Problem Report - FCC Form 471	Form Type	FCC Form 474
Status	Closed	Form Number	2510575
Priority	Medium	Created By	User has been deactivated
Inquiry Type	Phone	Created On	6/28/2017 12:06 PM EDT
		Organization	DETROIT PUBLIC LIBRARY

Case Description

Description Caller is wanting to know what service was not approved on the Form 471 # 161058956 for invoice # 2510575

Case Artifacts

Documents

Name	Uploaded By	Upload Date
Squarefootage_letter	Victor Ibegbu	7/5/17 10:55 AM
DPL Square Footage_StateofMichigan	Victor Ibegbu	7/5/17 10:55 AM
DPL Site listings	Victor Ibegbu	7/5/17 10:41 AM
DPL_LOM_Letter	Victor Ibegbu	7/5/17 8:13 AM
Invoice 2510575	USAC	6/29/17 9:10 AM
5 items		

Attachments

Attachment	Attachment Type
No items available	

Case Thread

User	Note	Date
USAC	<p>Hello Victor,</p> <p>This is a known issue and we appreciate your patience while we continue to work on this issue. Please input notes in your narrative of your request and ensure you upload your RFP in the EPC Portal. The deadline for Form 470 is approaching and this is the only option to ensure the deadline is met. Your request of changes will be fixed during the review process. If you have any additional questions or concerns please contact CSB at (888)203-8100. This case is now closed.</p> <p>Thank you.</p>	2/1/2018 12:10 PM EST
USAC	<p>Hello Victor,</p> <p>Your case has been escalated to Customer Service Management at USAC. We appreciate your patience while we investigate 471 blockers. We are aware of the issue and are working diligently to get this fixed. You will receive an update as soon as we</p>	7/13/2017 9:58 AM EDT

	<p>identify a solution.</p> <p>If you have any further questions or concerns please contact CSB at (888)203-8100.</p>	
USAC	<p>Victor,</p> <p>After researching, we confirmed the existing BEN and have updated the square footage for the following:</p> <ul style="list-style-type: none">• 55056 - BOWEN BRANCH LIBRARY• 54957 - CAMPBELL BRANCH LIBRARY• 55007 - CHANDLER PARK BRANCH LIBRARY• 55166 - CHANEY BRANCH LIBRARY• 55249 - CHASE BRANCH LIBRARY• 54969 - CONELY BRANCH LIBRARY• 54941 - DOUGLASS BRANCH LIBRARY• 54930 - DUFFIELD BRANCH LIBRARY• 55195 - EDISON BRANCH LIBRARY• 54911 - ELMWOOD PARK BRANCH 54897 - FRANKLIN BRANCH LIBRARY• 55259 - HUBBARD BRANCH LIBRARY• 55141 - JEFFERSON BRANCH LIBRARY• 54990 - KNAPP BRANCH LIBRARY• 54857 - LINCOLN BRANCH LIBRARY• 55048 - MONTEITH BRANCH LIBRARY• 55307 - PARKMAN BRANCH LIBRARY• 55086 - REDFORD BRANCH LIBRARY• 55106 - SHERWOOD FOREST BRANCH LIBRARY• 55159 - SKILLMAN BRANCH LIBRARY• 55231 - WILDER BRANCH LIBRARY• 16021645 - DETROIT PUBLIC LIBRARY SERVICE BUILDING <p>Your inquiry has been received. In order to update the entity type for the parent BEN 130943, we will need to escalate to update the BEN. We will provide a response as soon as we have more information, in the interim submit RAL correction for funding year 2017. To reach the RAL Modification Request, follow these instructions:</p> <ol style="list-style-type: none">1. Click on the USAC logo on the top left of the page.2. Click on the Filing Entity.3. On the left hand side of the page, click on FCC Forms.4. Click on Category -> FCC Form 471.5. Click on Certified.6. Click on the FCC Form 471 that you would to update.7. On the left hand side of the page, click on Related Actions.8. Click on Submit Modification Request (RAL). <p>Then, to submit your document-based RAL correction, please follow these instructions:</p> <ol style="list-style-type: none">1. Click on Application.2. From the drop-down menu, select Application Details.3. Click Continue.4. Enter information into the Holiday Contact Information field. This is a necessary workaround for the system to recognize your document.5. Click Choose File below Supporting Documentation to upload a document detailing your requested changes.6. Navigate to your document.7. Click Open.8. Enter the Document Description.	7/5/2017 1:08 PM EDT

	<p>9. Click Continue. 10. Click Finish & Submit Request. 11. Verify that you wish to submit the requested changes.</p> <p>All RAL modification requests, including cancellation requests, are processed by PIA when the application is being reviewed. These changes will not be instantaneous.</p> <p>To view your Submitted Modification Requests (RAL), follow these instructions:</p> <ol style="list-style-type: none"> 1. Click Reports at the top of the page. 2. Click My Submitted Modification Requests (RAL) 3. To filter the list, enter an application number or entity name and press Enter. 4. To verify that any Supporting Documentation was uploaded successfully, click View on the far right. <p>Further guidance on using RAL corrections for your FCC Form 471 can be found in the Schools and Libraries Program News Brief published on 3/31/2017: http://www.usac.org/sl/tools/news-briefs/preview.aspx?id=763</p>	
USAC	<p>Victor,</p> <p>We will need some additional information in order to appropriately respond to your inquiry. Please update your case and provide the following information in a case note:</p> <ul style="list-style-type: none"> • Additional sub-type(s) (all that apply): Academic, Research, Tribal Library, Bookmobile, Kiosk, New Construction Library, Main Branch, State Library Agency - Library • Square Footage 	7/5/2017 10:49 AM EDT
USAC	<p>Victor,</p> <p>We need to receive the following information in order to create an entity number for a new library:</p> <ul style="list-style-type: none"> • Entity name • Physical address: Street address, City, State, Zip Code, County. Optional: Zip Code Extension (Zip +4) • Mailing address or PO Box, if different than physical address • Urban/Rural status • Telephone number • Optional: Email address, Website URL • FCC Registration Number (only required for independent libraries) • Library Sub-Type: Public or Private • Is this library part of a library system? If yes, entity number of the library system. If No, the name and entity number of the school district in which the library is located. • Additional sub-type(s) (all that apply): Academic, Research, Tribal Library, Bookmobile, Kiosk, New Construction Library, Main Branch, State Library Agency - Library • Square Footage • Optional: Locale Code, FSCS KEY, FCSC SEQ <p>For clarification on the requested codes please refer to the File Along With Me Blog: Post 29 Decoding the Codes: Learn About the Codes You Need to File here:</p>	7/5/2017 9:49 AM EDT

	http://filealongwitherate.org/decoding-the-codes/	
	<p>Victor,</p> <p>We do not show any annexes listed under his entity. An annex is a facility associated with an entity that will have the same entity number but a different physical address.</p> <p>You can view your current annexes, if any, by viewing your organization details in EPC and clicking Annexes from the left-hand menu.</p> <p>Note that parent entities (i.e. School Districts and Library Systems) are not themselves eligible entities and cannot have annexes.</p> <p>If a school has more than one location separated by a public right-of-way, but all of those locations together are considered one school by the state, those additional locations are annexes of that school. They are associated only with that school, they do not have an entity number, and they share the Category Two budget of that single school. For the purpose of the Category Two budget calculation, that school uses the total student counts for the school and its annexes combined.</p> <p>Similarly, if a library has more than one location separated by a public right-of-way, but all of these locations together are considered a single library by the state library administrative agency, those additional locations are annexes of that library. They are associated only with that library, they do not have an entity number, and they share the Category Two budget of that single library. For the purpose of the Category Two budget calculation, that library uses the total square footage for the library and its annexes combined.</p> <p>For more information on what constitutes an annex, please see the March 4th News Brief:</p> <p>https://usac.org/sl/tools/news-briefs/preview.aspx?id=670</p> <p>Full instructions including screenshots for managing annexes can be found in the Managing Your Organization document located here:</p> <p>https://usac.org/_res/documents/sl/pdf/e-rate-productivity-center/EPC-Applicant-Guide-Managing-Organization.pdf</p> <p>A partial or full rights user can access the Manage Organizations Annexes page by:</p> <ol style="list-style-type: none">1. Log into https://portal.usac.org/suite/. You will automatically be taken to your Landing Page.2. Select the name of the filing entity under My Entities. This will take you to the Summary Page.3. On the left hand side under the Universal Service Administrative Co. logo select Related Actions.4. Click Manage Annexes. <p>To add a new annex:</p> <ol style="list-style-type: none">1. Click Add New Annex.2. Enter the Name, Address, and Other Methods of Contact information.3. Select Add New Annex.	

USAC

4. Confirm you want to create the annex by selecting Yes.

To remove an existing annex:

1. Click Remove Existing Annex.
2. Place a check next to the name of the annex you want to remove.
3. Select Remove Annex.
4. Confirm you want to remove the selected annex by click Yes.

Any decision made by USAC or the Schools and Libraries Program regarding eligibility, funding, or payment recovery, can be appealed by the impacted party.

USAC must receive a complete appeal within 60 days of the issuance of the decision by USAC; e.g., a FCDL must be appealed within 60 days of the date of the FCDL. To allow sufficient time for review, USAC encourages applicants to submit appeals as soon as possible following USAC's decision. Failure to provide all required documentation within 60 days of USAC's decision will result in dismissal of the appeal. See 47 C.F.R. Section 54.719-54.725 for the FCC's rules on filing an appeal.

Additional information about appeals appears on the following page on the Schools and Libraries website: <http://www.usac.org/sl/about/program-integrity/appeals.aspx>. Please note: Appeals for FY2016 FRNs should not be submitted as instructed on this webpage. Appeals for FY2016 FRNs must be filed in EPC.

There are three paths to beginning an appeal in EPC:

1. You can reach it from the Landing Page. Click Appeal in the list of options at the top right, or
2. You can reach it from the top-right drop-down menu on the Entity Summary Page. Click Create Appeal, or
3. You can reach it from the Related Actions section of the Entity Summary Page. click Create Appeal.

The remaining steps are as follows:

1. Enter the application Nickname, Funding Year, and Main Contact Person
2. Click Continue.
3. Use the Search Filter to find the FRNs that you would like to appeal.
4. Place a checkmark next to the FRNs and click Add n FRNs.
5. To remove an FRNs, place a checkmark next to it and select Remove n FRNs
6. Click Continue.
7. Choose the Appeal Type from the drop-down menu.
8. Enter up to 2000 characters in the Narrative field.
9. Attach any supporting documentation using the Upload Document section.
10. Click Submit.
11. Confirm that you would like to submit an Appeal.
12. Click the link to continue to the Appeal.
13. From Related Actions, the applicant can Respond to Inquiries or Apply Summer or Winter

7/5/2017 8:50 AM EDT

	<p>Deferral.</p> <p>14. On the left hand side of the page, you can view the Associated FRNs for your appeal, Supporting Documents & Comments, or Review Inquiries for your appeal.</p>	
Victor Ibegbu	They are all annexes to the Detroit Public Library	7/5/2017 8:45 AM EDT
USAC	<p>Victor,</p> <p>Does each one of those branches have an entity number or are they annexes to the Detroit Public Library?</p>	7/5/2017 8:42 AM EDT
Victor Ibegbu	Per USAC's request, I have attached a letter from Library of Michigan that clarifies that Detroit Public Library System is one entity with 21 branches.	7/5/2017 8:13 AM EDT
USAC	<p>Victor,</p> <p>Here is the response I received:</p> <p>The Invoice was reduced because the individual Library Branches were not listed as ROS (Recipients of Service) for this FRN. Attached is a spreadsheet showing the amounts removed and the ineligible entities.</p> <p>Thank you Susan Budilowsky</p> <p>If you have any additional questions or concerns, please reopen the case and add a note. If the case cannot be reopened, you may create a new case or contact the Client Service Bureau at 888-203-8100.</p>	6/29/2017 9:10 AM EDT
10 items		

Case Contact

Case Contact Victor Ibegbu

EXHIBIT 6



Kathy Micheli <reedka@merit.edu>

Fwd: Invoice Deadline Extension Request for 1699137072 was approved

1 message

Kimberlee Conolly <kconolly@merit.edu>
To: Kathy Micheli <reedka@merit.edu>

Fri, Dec 21, 2018 at 9:19 AM

----- Forwarded message -----

From: **Karen Alberti** <kla@merit.edu>

Date: Fri, Oct 27, 2017 at 3:48 PM

Subject: Fwd: Invoice Deadline Extension Request for 1699137072 was approved

To: Kimberlee Conolly <kconolly@merit.edu>

Kimberlee,

Here is the confirmation for Detroit Public Library invoice deadline extension.

Karen

----- Forwarded Message -----

Subject: Invoice Deadline Extension Request for 1699137072 was approved**Date:** 27 Oct 2017 13:42:49 -0400**From:** no-reply@solixinc.com**To:** kla@merit.edu

Since this serves as approval, an invoice requesting payment must be submitted so that it is postmarked no later than the date found on the USAC website within the Search Tools in order for your request to be considered as timely filed.

Your new deadline is: 2/26/2018

--

Kimberlee Conolly, CPA

Assistant Controller

**MEMBERS ONLY DISCOUNTS
AVAILABLE IN THE MARKETPLACE**

[VIEW DEALS](#)

kconolly@merit.edu | 734.527.5709 p | 734.527.5900 f | www.merit.edu
1000 Oakbrook Drive, Suite 200 | Ann Arbor, MI 48104

**Upcoming Courses and Events**

EXHIBIT 7

143004331|Merit Network,
Inc.|usf@merit.edu|usacstatement@universalservice.org|1|\$0.00|Schools And
Libraries|As of October 30, 2018
SPI|143004331|75587C|1699137072|"SLD Invoice Number:2879344;Line Item
Detail Number:9388913;Amount Requested:431244.00;Invoice Received Date
[10/26/2018] Later Than FCC Extension Date [02/27/2018];80;"|062017|\$0.00

Your Total Actual Disbursement: \$0.00.