



CITY OF SOMERVILLE, MASSACHUSETTS
LAW DEPARTMENT

November 17, 2014

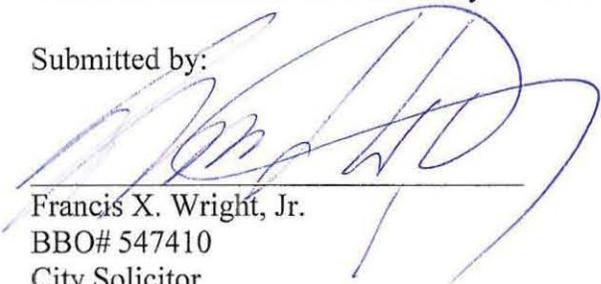
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CC Docket 02-6

TO THE FEDERAL COMMUNICATIONS COMMISSION:

The attached is a response by the City of Somerville to Ryan B. Palmer, Chief, Telecommunications Access Policy Division dated October 17, 2014.

Submitted by:



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LAW DEPARTMENT

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Ryan B. Palmer, Chief
Telecommunications Access Policy Division
Wireless Competition Bureau
WCB-5A528
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: **CC Docket No. 02-6**

"Supplement to the Request for Review By Somerville, Massachusetts School District" in connection with three (3) Decisions of the Administrator of the Schools and Libraries Division of the Universal Service Administrative Company filed by the City of Somerville, Massachusetts, Public Schools, for E-rate fundings years 2004-2005, 2005-2006 and 2006-2007.

Dear Mr. Palmer:

Thank you for your letter dated October 17, 2014. After a review of the additional documents provided, please be advised that the District again reiterates and reaffirms the arguments enumerated in its 2010 filings (Docket No. 02-6) that the District had no knowledge of any partnership, or inappropriate relationship, or guarantee arrangement between Achieve and USDLA, where Achieve never guaranteed a "no cost" service to the District, and where the District reasonably believed the grant from USDLA covering the District's non-discount share was legitimate and consistent with USAC policy.

To the extent there may still not be clarity, it is my understanding and belief that former City Solicitor John Gannon misstated the facts based on his initial understanding that certain city officials anticipated that there would be no cost to the city. I believe that Mr. Gannon's initial opinion, that Achieve had made such a representation, was based not on a guarantee but rather on an expectation that the City of Somerville School District would seek and be awarded grants to cover its share of the related costs, the facts surrounding which are included in my filing of June 24, 2010.

For the reasons set forth in previous filings, the District respectfully requests that should the FCC determine there were FCC rule violations or USAC program rule violations based on an improper relationship between Achieve and USDLA, that the District be excluded from any



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Telecommunications Access Policy Division
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punitive action or demands for reimbursement in connection with these grants, in that the District had no knowledge of, or participation or complicity in, any such violations.

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cc: Regina Brown, Esq., FCC (by email to: regina.brown@fcc.gov)
Anthony Pierantozzi, Somerville Superintendent of Schools
Honorable Joseph A. Curtatone, Mayor, City of Somerville
Honorable Michael E. Capuano, U.S. House of Representatives