

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

Request for Review by                    )  
  )  
AAA Academy of                            )     CC Docket No. WC 02-6  
Decision of the                            )  
Universal Service Administrator        )

REQUEST FOR REVIEW OF A DECISION OF THE  
UNIVERSAL SERVICE ADMINISTRATOR

Single Path LLC (“Single Path”), on behalf of Alternative Academic Achievement Academy ("AAA Academy") and pursuant to Section 54.721 of the Commission's Rules, seeks review of the decision of the Universal Service Administrator rejecting application for funding for AAA Academy’s Form 471 application number 921751 (Funding Request Number 2515154). The Universal Service Administrator (“USAC”) denied the funding request because USAC thought that the costs of the products and services in the funding request were significantly higher than the costs generally available in this marketplace for the same or similar products or services that could be delivered to AAA Academy. As demonstrated in the attached exhibits, the costs and services are in-line with market rates at the time of the original application in 2012, and there are extenuating circumstances regarding the need for build-out and the cost of that construction due to disputes with CN & Hawkeye Railroad corporations in the vicinity of AAA Academy

AAA Academy is a non-for-profit 14-7.02 private therapeutic day school. It has been approved by the Illinois State Board of Education to serve the needs of students ages 5 through

15 with emotional, behavioral, learning disabilities and other health impairments as well as those considered to be at-risk. AAA Academy provides a structured academic program for placement of students in grades k through 8, utilizing a unique 5-1 teacher to pupil ratio. AAA Academy's student enrollment can fluctuate year to year anywhere from 35 to 100 students. In light of the need for special construction and the fact that broadband capacity is provided in relatively large increments, AAA Academy's Form 471 application was designed to be able to accommodate all expected enrollment, based upon historical data, during the near term of the period for which services are to be provided.

AAA Academy's Form 471 application number 921751 (Funding Request Number 2515154) was originally submitted for an original monthly cost of \$9,350.00. Actual charges, including some ineligible charges, are closer to \$7,900.00 per month. Accompanying this appeal is a copy of the billing summary for invoice 20643891 (Exhibit A), which shows total charges of \$7,871.93. This is comprised of the following:

- 1) Hosted voice charges of \$1,418.70 – which includes 35 phone lines to accommodate phone lines in each office and classroom.
- 2) Secure 100MB Internet Access charges of \$4,815.00 – which includes amortized construction/build charges and \$2,815.00 in cost for 100MB.
- 3) WAN Service charges of \$1,245.00. For eligible on premise priority equipment required for secure Internet and hosted VoIP services. Equipment includes a Cisco 2951 security router/voice gateway, Cisco ASA5500 adaptive security appliance and Cisco 3900 series layer 3 switch for providing secure connectivity for voice and internet services.

4) Taxes/Fees/Surcharges of \$393.23.

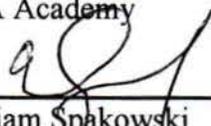
Based upon the enclosed independent cost study (Exhibit B, with quotes from XO, Windstream and Level3), we believe these charges appear to be in line with market rates for the Chicagoland area for delivery of fiber based bandwidth to AAA Academy for our student enrollment numbers when originally applied for in 2012, and secured in a 60 month contract. AAA Academy timely filed a Letter of Appeal with USAC, which was denied in a letter dated September 24, 2014 (a copy of that letter is attached – Exhibit C). AAA Academy is now seeking review by the Commission of that USAC decision, within the 60-day period specified in Section 54.720 of the Commission's Rules.

AAA Academy believes that the costs of the service are justified based on the market rates of the specific services to this specific location – see cost analysis (Exhibit B, with quotes from XO, Windstream and Level3), albeit with the somewhat higher rate for the 100 MB Internet Access service as a result of build-out costs for fiber due to the service having to cross three railroad tracks in the vicinity of the school. As reflected in the attached materials (Exhibit D), the Fiber construction team was advised that in order to access the school, it was necessary to cross several railroad tracks, and the owner of the railroad property -- Hawkeye Railroads -- demanded \$40,000 per track to cross the tracks (and there are three of them). This resulted in additional costs of \$120,000 to cross the three tracks, which were amortized over the 60 months of the initial contract, which result in an additional \$2,000 per month cost. This amortized build-out cost will no longer be part of the service fees once the initial 60 month contract completes. AAA Academy should not be penalized due to the construction costs. These extraordinary, but necessary, build-out costs were built into the monthly costs of the internet services over the life

of the 60 month contract instead of being paid upfront as a one-time fee. In addition, a temporary fluctuation in the number of students towards the lower end of the range resulted in a higher per student rate.

AAA Academy believes that the special circumstances here warrant review and reversal of the USAC decision denying the funding request.

Respectfully submitted,  
AAA Academy

By:   
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Dated: November 21, 2014

## CERTIFICATE OF SERVICE

I, William Spakowski, certify that in accordance with 47 C.F. R. § 54.721(c), I filed this Request with the Commission electronically via ECFS, and also served a copy of this Request on the USAC Administrator via U.S. mail consistent with the requirement for service of documents set forth in 47 C.F.R. § 1.47 on November 21, 2014 at the following address:

Letter of Appeal  
Universal Service Administrative Company  
Form 499 Data Collection Agent  
2000 L Street NW, Suite 200  
Washington, DC 20036



William Spakowski