



5 YALE DRIVE
MONSEY, NY 10952

PHONE 646-210-1876
FAX 845-738-1004

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW - Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

Request For A Waiver

RE: Entity: 16072100

School: SHIRAS CHAIM

Form 471 # 1051302, FRN 2871793

We would like to appeal and request a waiver for FRN 2871793. Initially all FRNs for entity 16072100 were denied because " **The FRN references a FCC Form 470 which has not been certified by the applicant. This is a violation of the competitive bidding Program rules. The FCC Form 470 Certification page must be completed to certify the entity's compliance with all Program rules**". All FRNs (besides FRN 2871793) were appealed because "the school was not aware of being asked to provide any documentation for the above applications" The appeal was approved by USAC. However FRN 2871793 was mistakenly omitted from the appeal letter.

We are requesting a waiver because it is standard USAC procedure that when a school has all its FRNs denied for the same reason and one FRN is not listed in the appeal, that USAC reaches out to the school to verify if it was omitted on purpose or it was mistakenly omitted and it should be added to the appeal.

In this case USAC did not reach out and one FRN was left off the appeal. We are therefore hopeful that the FCC can grant us a waiver.

We are including the original letter of appeal that was sent to USAC.

Thanks for your consideration.

A handwritten signature in black ink that reads 'Simon Goldbrener'.

Simon Goldbrener, Consultant



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Letter of Agency

Shiras Chaim authorizes Gold Consulting Team or any of its employees to file the required E-Rate applications for funding year 2015 on behalf of the school including, but not limited to Form 470, 471, 472, 486, 500 as well as any required appeals, extensions or any other relevant documentation.


_____ 12/31/14

Authorized Signature:

Date:


_____ 12/31/14

Consultant

Date:

Site Voucher For Voucher 1

Agreement Number: 03009758 Sponsor Name: Shiras Chaim
 Claim Month: January Claim Year: 2015
 Site Name: Shiras Chaim

Number of Students Eligible/Approved for Meal/Milk Benefits

| Category | Lunch/Breakfast | Regular After School Snack | Special Milk |
|---------------|-----------------|----------------------------|--------------|
| Free | 53 | 0 | 0 |
| Reduced Price | 15 | 0 | |

* Report the number of students with access to either lunch or breakfast, whichever number is higher.

Do not report the sum of breakfast and lunch participants.

Enter Participation Data for the Month

| | National School Lunch | Regular School Breakfast | Severe Need School Breakfast | After School Snack Area Eligible | Regular |
|--------------------------|-----------------------|--------------------------|------------------------------|----------------------------------|---------|
| Meal Service Days | 20 | 0 | 20 | 0 | 0 |
| Average Daily Attendance | 96 | 0 | 96 | 0 | 0 |
| Enrollment | 96 | 0 | 96 | 0 | 0 |

Special Milk Program

| # 1/2 Pints Milk Purchased | Cost of Milk | # 1/2 Pints of Carry Over Milk from prior month |
|----------------------------|--------------|---|
| 0 | 0 | 0 |

Report Number of Meals/Milk claimed for the Month

| Category | National School Lunch | Regular School Breakfast | Severe Need School Breakfast | After School Snack Area Eligible | Regular | Special Milk |
|----------|-----------------------|--------------------------|------------------------------|----------------------------------|---------|--------------|
| Free | 1041 | 0 | 1026 | 0 | 0 | 0 |
| Reduced | 289 | 0 | 286 | | 0 | |
| Paid | 547 | 0 | 541 | | 0 | 0 |
| Total | 1877 | 0 | 1853 | 0 | 0 | 0 |

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FCC Form 470

Universal Service Program Description of Services Requested and Certification Form

Approval by OMB
3060-0806**Entity Number: 16072100****Applicant's Form Identifier:****Contact Person: Rabbi Pearlstein****Phone Number: (732) 546-0495****470**

Schools and Libraries Universal Service
Program Description of Services Requested
and Certification Form

**FCC Form 470 Application Number: 834700001342798**

16. I certify that the applicant includes: (Check one or both.)

a. schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38)**, that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or

b. libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools (including, but not limited to elementary and secondary schools, colleges, and universities).

17. [Reserved]

18. I certify that I will post my FCC Form 470 and (if applicable) make any applicable RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.

19. I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

20. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

21. I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs.

22. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

23. I certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

24. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program

25. Signature of authorized person

26. Date 11/25/15

27a. Printed name of authorized person **Rabbi Pearlstein**

27b. Title or position of authorized person **Administrator**

Check here if the consultant in Item 7 is the Authorized Person.

27c. Street Address, P.O. Box, Route Number, City, State, Zip Code

**520 James Street
Lakewood, NJ 08701**

27d. Telephone Number of Authorized Person **(732) 987-5773**

27e. Fax Number of Authorized Person **(732) 987-5774**

27f. E-mail Address of Authorized Person **moreshesmy@gmail.com**

27g. Name of Authorized Person's Employer **Shiras Chaim**

FCC Form 470 Application Number: 834700001342798

SHIRAS CHAIM

1400 PINE ST

LAKWOOD, NJ 08701-0000

Service provider involvement with preparation or certification of an FCC Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the Schools and Libraries area of the USAC web site at www.usac.org/sl or call the SLD Client Service Bureau at 1-888-203-8100.

NOTICE: In accordance with Section 54.503 of the Federal Communications Commission's rules, certain schools and libraries ordering services that are eligible for and seeking universal service discounts must file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.503(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.503. Schools and libraries must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your form without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, *et seq.*

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

SLD-Form 470

6/1/2015

FY14 Block5c

**P.O. Box 7026
Lawrence, KS 66044-7026
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms
ATTN: SLD Form 470
3833 Greenway Drive
Lawrence, KS 66046
1-888-203-8100**

FCC Form 470
October 2014

Done

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FCC Form 470

Universal Service Program Description of Services Requested and Certification Form

Approval by OMB
3060-0806**Entity Number: 16072100****Applicant's Form Identifier: 470****Contact Person: Rabbi Perstein****Phone Number: (732) 546-0495****470**

Schools and Libraries Universal Service
Program Description of Services Requested
and Certification Form

FCC Form 470 Application Number: 739110001286098

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19. I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

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25. Signature of authorized person

26. Date 11/25/15

27a. Printed name of authorized person **Rabbi MD Perlstein**

27b. Title or position of authorized person **Dean**

Check here if the consultant in Item 7 is the Authorized Person.

27c. Street Address, P.O. Box, Route Number, City, State, Zip Code

1400 Pine St.

Lakewood, NJ 08701

27d. Telephone Number of Authorized Person **(732) 942-4530**

27e. Fax Number of Authorized Person **(732) 363-6104**

27f. E-mail Address of Authorized Person **sgreenberg@kewnet.com**

27g. Name of Authorized Person's Employer **Shiras Chaim**

FCC Form 470 Application Number: 739110001286098

SHIRAS CHAIM

1400 PINE ST

LAKEWOOD, NJ 08701-0000

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3833 Greenway Drive
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FCC Form 470
October 2014

Done