



**Yeshiva Ohr Elchonon Chabad**  
**West Coast Talmudical Seminary**  
HIGH SCHOOL AND RABBINICAL COLLEGE  
7215 Waring Avenue • Los Angeles, CA 90046  
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June 07, 2016

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

From: Ohr Elchonon Chabad  
Mendel Spalter

471 Application 860057  
FRN 2341049

Introduction and Background

Ohr Elchonon Chabad was approved for a Video Distribution system for funding year 2012 under FRN 2341049. After filing and getting approved for a SPIN change we had the system delivered and installed in June of 2014. At the time of the installation the service provider brought along extra parts that was not included in our contract. That was done so as a precaution. However, after the system was installed and configured these items was left behind in our school to be picked up at a later date. After proper staff training the system was utilized from the beginning of 2015. The school has been using the system on a regular basis and thoroughly enjoying the equipment. Video Distribution makes lessons much more alive and interesting. It creates a more engaging learning environment that gratefully benefits our students.

In April and May of 2015 we had two items, the MM-1281/ Codec Video Encoder and the APC Smart-UPS SC 450VA 120V-1U SC450RM1U that malfunctioned and we requested that it should be checked out. After service

calls on these parts it was determined that these parts have to be replaced. The service provider had shipped us these two parts to be installed before the start of



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new school year. Even with the malfunctioning of these two parts the system was operational (besides some features) and utilized.

On June of 2015 (towards the end of the school year) USAC conducted a site visit in our school. At the time of the site visit the MM-1281/ Codec Video Encoder and the APC Smart-UPS SC 450VA 120V-1U SC450RM1U that was shipped by the vendor to replace the original ones that malfunctioned was still in boxes and so was the extra parts that was left behind. However, as mentioned the system was operational streaming educational videos to class rooms.

On December of 2015 we received an email from USAC questioning if we had utilized Video System in accordance with program rules. As the reviewer who conducted the site visit was under the impression that the system was not operational as he saw the closed boxes. The email asked us to confirm that it was used and to provide supporting documentation such as service logs. We responded to that email and provided the supporting documentation.

#### USAC Decision and Appeal

On March of 2016 we received a Revised Funding Decision Letter rescinding funding for FRN 2341049. The reason given was:

“During a Payment Quality Assurance (PQA) review, it has been determined that funds were improperly disbursed for this funding request. The equipment for which you requested discounts has not been utilized in accordance with program rules. FCC rules require that applicants have secured all the necessary resources to make effective use of the equipment and that the equipment is utilized for an educational purpose. YESHIVA OHR ELCHONON CHABAD WEST COAST TALMUDICAL did not install all of the funded equipment (MM-3000-D/PVBX -MCU Master Control Unit, MM-1272/ HD IP Enhanced Multimedia Interface, MM-1280/ MPEG-2 Encoding Station, MM-1281/ Codec Video Encoder, DELL 5224 Switch/24 Port Full GB Managed Switch w/fiber Uplink, DRK 19-44-36/RACK, SUA3000RM2U/APC Smart-UPS 3000VA USB, 24 Port Power Over Ethernet Copper Gigabit Ethernet Layer 3 Switch, APC Smart-UPS SC 450VA 120V-1U SC450RM1U, and Powerconnect 6224 Elite). Additionally, most of the remaining equipment was not functional in the absence of the equipment that was not installed; the only equipment potentially functional was located in the offices and not used for an instructional purpose. Since a review has revealed that been utilized according to program rules, USAC will seek recovery of disbursed that are associated with the equipment not being utilized. Accordingly, USAC will seek recovery of \$135,156.87 of improperly disbursed funds from the applicant.

We appealed this decision directly with USAC as we had confirmed and sent in supporting documentation that shows that the system was utilized.



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On April 15 of 2016 we received an Administrator's Decision on Appeal denying our appeal without addressing directly why the reviewer who asked to confirm the usage of the system and to provide supporting documentation did not accept our response.

### Conclusion

We are appealing this decision as we had actually utilized the system from January of 2015. Although in April and May of 2015, we had issues with two of the components; nevertheless the system was operational and utilized the entire time, streaming educational videos to class rooms. The statement made in the Revised FCDL that "the only equipment potentially functional was located in the offices" is entirely inaccurate, as that main equipment that was located in the office supported and allowed the video streaming to all classrooms. We would also like mention that by September of 2015, at the beginning of the school year, the two replacement parts was already installed.

We are including all above mentioned correspondence.

We appreciate this opportunity.

  
Mendel Spalter



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אלחנן  
חב"ד

APPEAL

**YESHIVA  
OHR  
ELCHONON  
CHABAD**

To: Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West - PO Box 685  
Fax: 973-599-6542

West Coast  
Talmudical Seminary

**Ohr Elchonon Chabad**

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Entity #199398

We would like appeal the decision by USAC to rescind funding for FRNs 2341049 and 2341124 of form 471 860057.

Rabbi E. Schochet  
Rosh Yeshiva/Dean

On the FCDL dated February 29, 2016

Mr. M. Weiss  
President  
Chairman  
of the Board

**USAC wants to rescind funds stating that Our routine review of SLP funding commitments has revealed certain applications where funds were disbursed in violation of SLP rules"**

Rabbi C. Citron  
Principal  
Rabbinical College

We are appealing this decision, as we received a review from USAC to confirm that above FRNs was fully installed and used by the school. We responded to that review and we included maintenance logs that confirm that the above FRNs are being used by the school. We tried numerous times contacting the reviewer to confirm that he received our response but we were unsuccessful. We are including all our correspondence.

Rabbi D. Thaler  
Principal  
High School

Thank You for the Opportunity

Rabbi A. Farkash  
Rosh Mesivta

Dr. Y. Blumenstein  
Principal  
General Studies

Mendel Spalter

Rabbi M. Spalter  
Administrator



1 International Plaza, Suit 550 | Philadelphia, Pennsylvania 19113

Tel: 215-800-0035 • Fax: 215-800-0036 • Email: [ben@bandzsolutions.com](mailto:ben@bandzsolutions.com)

December 3, 2015

Work Order: OE12032015

Ohr Elchonon  
7215 Waring Avenue  
Los Angeles, CA 90046

**Work Order Notes:**

Create/change playlists

Work done on 12/03/2015



1 International Plaza, Sult 550 | Philadelphia, Pennsylvania 19113

Tel: 215-800-0035 • Fax: 215-800-0036 • Email: [ben@bandzsolutions.com](mailto:ben@bandzsolutions.com)

November 10, 2015

Work Order: OE11102015

Ohr Elchonon  
7215 Waring Avenue  
Los Angeles, CA 90046

**Work Order Notes:**

Add new users

Work done on 11/10/2015



1 International Plaza, Suit 550 | Philadelphia, Pennsylvania 19113

Tel: 215-800-0035 • Fax: 215-800-0036 • Email: [ben@bandzsolutions.com](mailto:ben@bandzsolutions.com)

September 21, 2015

Work Order: OE9212015

Ohr Elchonon  
7215 Waring Avenue  
Los Angeles, CA 90046

**Work Order Notes:**

Edit Zones for Media System

Work done on 09/21/2015



1 International Plaza, Suit 550 | Philadelphia, Pennsylvania 19113

Tel: 215-800-0035 • Fax: 215-800-0036 • Email: [ben@bandzsolutions.com](mailto:ben@bandzsolutions.com)

October 28, 2015

Work Order: OE10282015

Ohr Elchonon  
7215 Waring Avenue  
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**Work Order Notes:**

Create/modify classroom media schedules

Work done on 10/28/2015