Columbia-Brazoria
INDEPENDENT SCHOOL DISTRICT

P.O. Box 158, West Columbia, TX 77486 ★ 979-345-5147 ★ fax 979-345-4890 ★ www.cbisd.com

June 17, 2016

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

RE: In the Matter of Request for Review by Columbia-Brazoria School District of Decision of Universal Service Administrator ("USAC"), CC Docket No. 02-6

Dear Ms. Dortch:

The following information is provided to appeal the denial of BEAR invoices that were rejected by USAC due to being certified by the service provider, Brazoria Telephone Company and affiliate, HFT Communications, LP (hereinafter combined as "Service Provider") after the funding year 2014 invoicing deadline. Through this letter, Columbia-Brazoria School District ("C-BISD") provides required and explanatory information to show good cause for granting an extension of the 2014 invoicing deadline.

I. Applicant Information:

Applicant Name	Columbia-Brazoria School District
Billed Entity Number	141306
Contact Person	Greg Fields, Director of Technology

Contact Information	121 Roustabout Drive Brazoria, TX 77422 Tel: 979-799-1863 greg.fields@cbisd.com
Affected Form 471 Application Numbers and FRNs	471 No. 959367, FRNs 2605874, 2605894

II. Service Provider Contact Information:

Service Provider Name	Brazoria Telephone Company HFT Communications, LP
SPIN Number	Brazoria Telephone Company – 143002410 HFT Communications, LP - 143004029
Contact Person	Gilbert Rasco, Vice President of Operations
Contact Information	314 West Texas St. PO Box 2008 Brazoria, Texas 77422 979-798-2121 gil@btel.com

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III. Good Cause for Granting the Appeal:

1. This is the first time that C-BISD has requested an extension in its many years of participation in the E-rate program. USAC's procedures allow for applicants to request a single, one-time extension of up to 120 days past the invoice deadline; however C-BISD was not aware of this option. C-BISD did not believe they would need an extension as they submitted their BEAR invoice through E-rate's E-file system on September 21, 2015, prior to the invoice deadline of October 28, 2015. As had been the process in past years, C-BISD assumed that the Service Provider would receive a notification from USAC alerting them to the pending BEAR form and would certify the BEAR form before the October 28 deadline.

2. C-BISD relies on E-rate funding to support telecommunications and internet access service costs throughout its district. As reflected in Attachment A herein, the rejected invoices result in $35,248.80 in committed reimbursements for funding year 2014. Losing this amount of E-rate funding would cause significant financial harm to the C-BISD, at a time when C-BISD's budget is already strained.

3. Mr. Gilbert Rasco, the Vice President of Operations for the Service Provider, attests herein in Attachment B that he did not receive a notification from USAC of the pending BEAR form, and was not aware that a BEAR form was awaiting his certification. Per the Form 472 instructions, "[t]he system is designed so that once [the applicant] make[s] the appropriate certifications, the service provider featured is notified that the BEAR is available for their review and online certification or response to [the applicant]." However, due to unidentified problems in USAC's notification processes, Mr. Rasco did not receive the intended Form 472 notifications. The Service Provider has attempted to resolve this issue with USAC on more than one occasion, to no avail.

When the systems employed to alert affected parties to necessary tasks are not operating as intended, and the administrator for E-rate (USAC) cannot remedy the problems, the applicants and service providers should not be the parties to suffer the negative consequences of those failed systems.

4. Mr. Rasco learned of the pending BEAR forms when his Comptroller, Jonathan Champagne, was closing out the Service Provider's books for 2015 and realized that no E-rate monies had been received from USAC. At that time, the Comptroller inquired with C-BISD about

the missing payments and learned that the BEAR forms had not been certified (see emails from Mr. Champagne attached herein as Attachment C).

Upon receiving the information from the Comptroller, Mr. Rasco immediately certified the BEARs, as reflected in the screen shots of the BEAR forms included herein as Attachment D. Both BEAR invoices were rejected due to the late date (see Attachment E, Form 472 (BEAR) Notification Letter dated February 18, 2016).

Mr. Rasco then contacted USAC for assistance, and was advised to submit an Invoice Deadline Extension Request (IDER), despite the acceptable IDER window being expired. This led to the IDER being denied, as evidenced by the Administrator's Decision on Appeal – Funding Year 2014-2015 dated April 29, 2016, included herein as Attachment F. Once again, USAC's assistance was not helpful.

5. This request to appeal USAC's Decision on Appeal is timely filed, within sixty days of the aforementioned Administrator's Decision on Appeal letter dated April 29, 2016.

6. Due to the recent changes on USAC's website, including the creation of the E-Rate Productivity Center ("EPC"), applicants and service providers alike have experienced significant confusion about which online portals to utilize for current E-rate tasks. Throughout the period of the aforementioned invoicing issues, both C-BISD and the Service Provider were working to establish profiles within the EPC portal, as well as to understand and navigate its tedious menus. For this reason, C-BISD believes it is appropriate for the FCC to exercise leniency with the current form deadlines to accommodate the confusion within the industry.

IV. Relief Being Sought Through this Appeal:

Through this request, and for all the aforementioned reasons, C-BISD respectfully requests that the FCC issue an extension for C-BISD's 2014 invoices to allow its funding requests to be honored by USAC. C-BISD is aware of the recent FCC decisions to deny invoice extension requests by numerous E-rate applicants and service providers. Through this request, C-BISD implores the FCC to exercise leniency due primarily to the fact that the tools relied upon for notification of the pending BEAR invoices did not function properly. This malfunction is a problem within USAC's online systems, and is not attributable to either C-BISD or the service provider. As such, C-BISD should not suffer the loss of committed E-rate dollars.

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Your prompt and thorough attention to this request is greatly appreciated. Should you have any questions related to this appeal, please contact the undersigned via the above-listed contact information.

Sincerely,

Greg Fields, Director of Technology
Columbia-Brazoria School District

Enclosures

cc: Mr. Gilbert Rasco, Vice President - Operations
Brazoria Telephone Company

USAC – Schools and Libraries – Correspondence Unit
via Fax at (973) 599-6526