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Robert H. Becker Ph. D.

1422 Aldridge Road
 Cortez, CO 81321
 970 564 0146
 bobbecker@charter.net

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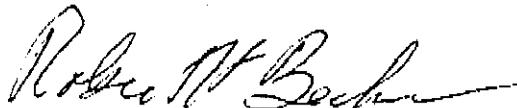
Phone: **Date:** 3/21/2005

Re: CC Docket No. 02-6, Request for Review **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Attached please find a letter of appeal concerning the March 15, 2005 denial, by USAC, SLD, of my appeal for the Service Start Date change and funding commitment adjustment indicated in the Form 486 Notification Letter dated November 17, 2004 concerning Form 486 Application Number 277978 for Funding Year 2003.

I am filing this appeal on behalf of the Diocese of Gallup Schools, EN 143255, as the contact person for that entity.



Robert H. Becker, Ph. D., Consultant
 Diocese of Gallup Schools
 1422 Aldridge Road
 Cortez, CO 81321
 970-564-0146
 bobbecker@charter.net

Federal Communications
 Commission
 Office of the Secretary
 445 - 12th Street, SW
 Washington, DC 20554

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Robert H. Becker Ph.D.
 1432 Aldridge Road
 Gallup, NM 87301
 970-564-0146
 bobbecker@fcom.fcc.gov

Re: CC Docket No. 02-6 Request for Review

March 19, 2005

I wish to appeal the March 15, 2005 denial, by USAC, SLD, of my appeal for the Service Start Date change and funding commitment adjustment indicated in the Form 486 Notification Letter dated November 17, 2004 concerning Form 486 Application Number 277978 for Funding Year 2003.

The relevant information concerning Form 486 AN 277978:

- Funding Year 2003
- Form 471 AN 355457
- Funding Request Number 958223
- Billed Entity Name Diocese of Gallup Catholic Schools
- Billed Entity Number 143255
- Service Provider Name GCI Communications Corp.
- Service Provider Identification Number 143001199
- Billing Account Number Gallup
- Service Start Date (Change) 05/21/2004
- Adjusted Funding Commitment \$32,168.80

The FCDL for this 471 AN was issued 12/02/2003 and the Form 486 was originally filed by the then contact person, Mrs. Liz Sparks, within the 120 day deadline, on 3/02/2004.

In the summer of 2004, Mrs. Sparks determined that she could no longer serve as contact person for the Diocese of Gallup Schools because of other commitments. Since I had previously offered to assist Mrs. Sparks with e-rate matters, I was contacted about taking over as contact person. I agreed to do so and Mrs. Sparks filed a Change of Contact request with SLD on 9/05/2004.

When I took over the files from Mrs. Sparks, I discovered a Form 486 Return Letter issued on 8/10/2004, which indicated that Block 1, Item 3 (Funding Year) was blank and that I should contact the Client Service Bureau ASAP. I did this on 9/16/2004 and was informed by Kelly to: "fill in missing date and return Form 486", Case # 21-138948. I did this and returned the Form 486 on 9/18/2004 and it was received at SLD on 9/22/2004.

On the basis of the following two issues, I feel that the Form 486 277978 should have been considered as having been received within the required 120 day window and that the Service Start Date of 7/01/2003 and the Funding Commitment Decision of \$191,037.80 be approved.

1.) Since the 486 Form was submitted within the 120 day deadline (3/02/2004) and referred directly to FRN 958223 of 471 AN 355457 for Funding Year 2003, I feel that the SLD had information to determine that the Form 486 277978 also applied to Funding Year 2003 and that it could be processed pending confirmation of the date.

2.) The Form 486 Return Letter was issued on 8/10/2004, over 5 months (160 days) after the original Form 486 was submitted. With that delay, there was no way we could meet the 120 day deadline. A timelier issuance would have allowed Mrs. Sparks to fill in the missing date and return the Form 486 before the 120 day deadline passed.

Respectfully submitted,



Robert H. Becker, Ph. D., Consultant
Diocese of Gallup Schools
1422 Aldridge Road
Cortez, CO 81321
970-564-0146
bobbecker@charter.net