



FALL RIVER PUBLIC SCHOOLS

OFFICE OF INSTRUCTION

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Fall River, Massachusetts 02720

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"Fall River the Scholarship City"

September 20, 2005

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

RE: Request for Review of USAC Decision on Appeal (CC Docket No. 02-6)

FCC Form 471 Application Number(s): 412158 (471Yr7-telecom)

Funding Year: 2004-2005

Billed Entity Number: 120720

Case#: SR-2004-120720

Applicant: Fall River Public Schools

To Whom It May Concern:

I am writing in response to the USAC's Administrator's Decision on Appeal – Funding Year 2004-2005 dated August 2, 2005 for **Form 471 Application Number 412158** that includes FRNs **1151347, 1151368, 1151387**. Please accept this letter as a formal request for review of the SLD decision to deny our first appeal.

In the Decision on Appeal, it is stated *"In your appeal, you did not demonstrate that at the time you submitted your Form 471 application, you had secured access to these funds."* It further states that *"FCC rules require applicants to certify that, at the time they submit the FCC Form 471, they have secured access to all of the resources...."*

This response seems to state that at the time we submitted the Form 471 #412158, we needed to have our share of phone service funding, local service, long distance and cellular, in our budget. The district has always budgeted for the full undiscounted amount for the telecommunication services listed in this Form 471 and receives its reimbursement via the Form 472 (BEAR Form). We can provide bills and a payment schedule showing that we paid these amounts during the time period from 7/1/04 – 6/30/05 from our regular budget.

It was also stated in the Decision On Appeal, *“to provide a copy of the operating budget for the Funding Year 2004 showing both revenue and expenses three times...the SLD also requested a summary of this information on 12/2/2004.”* As email correspondence shows, each request seemed to be for a modification of information that had been presented in a timely manner. In an email dated 12/15/04, reviewer Mr. Arauz acknowledges that he could see \$1,155,315.03 on the income side but can only account for \$446,000 on the expense side. In a response to the email and an ensuing phone conversation, it was again explained that *“the USDLA grant of \$471,366 and NCLB grant funds of \$80,000 do not show as line items in our regular budget”* because our grant budget is separate and has a different fiscal calendar (Sept-August) than our local fund budget (July-June). The reviewer seemed satisfied with the explanation in his final email response on 12/15/05: *“Thanks for your input. I’ll add your last two emails along with your faxed responses from the last few weeks and that should clear up my questions.”*

I respectfully request that you accept this letter as a formal request for review of the SLD Appeal decision to deny our previous appeal to set aside all funding related to the above mentioned 471 Application for the Fall River Public Schools. I look forward to working together with your team to resolve any discrepancies. Please feel free to contact me directly to discuss these very important issues.

Sincerely,

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Attachment