Franklin Township School District
1755 Amwell Rd.
Somerset, NJ 08873

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June 16, 2006

CC Docket No. 02-6
CC Docket No. 96-45

Request for Review
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Applicant Name: Franklin Township School District
Billed Entity Number: 123572
Form 471 Application Number: 474034
Funding Request Numbers: 1308328,1308335, 1308338, 1308345, 1308349, 1308354, 1308355, 1308359, 1308361, 1308367, 1308368, 1308376, 1308386, 1308392, 1308395, 1308397, 1308400, 1308412, 1308419, 1308427, 1308431, 1308435, 1308438, 1308441, 1308442, 1308445, 1308447, 1308451, 1308455, 1308463, 1338593, 1338604, 1338612

Contact Information:
Vincent LaForgia
E-Rate Consulting
Phone: (973) 338-1671
Fax: (973) 338-1673
Email: vincent@erateconsulting.us
PO Box 1168
Little Falls, NJ 07424

To Whom It May Concern:

This letter is being submitted to the FCC as an appeal of the SLD's decision to deny a previous appeal filed by the Franklin Township School District. The previous appeal letter was initially constructed to request a change in the denial of funding that originated with the Selective Review process. To the best of my ability, I will explain the circumstances that led to this current denial of funding, and the compelling logic behind granting Franklin Township School District a positive decision.

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In response to the SLD's denial letter:

- Franklin Township School District was contacted on August 23, 2005 to start the Selective Review process. Prior to this time frame the district hired a new technology director. This director, while excellent with regards to technology, had no previous experience with the E-Rate program. While the process certainly became elongated due to the districts learning curve, there were also some procedures not followed correctly by the SLD. The reviewer responsible for this application had previously granted the district extensions based on voice mails left for him. This statement is proven by Attachment # 1. As USAC protocol insists, this extension should be requested in writing and a written reply should be granted by the SLD. It does not take a stretch of the imagination to understand that the district would assume, that additional time would be allowed to file their response based on their verbal requests. Additionally, at no point was the district aware that a denial of funding would be issued if all the information was not provided by September 23, 2005. More importantly a response was submitted to the SLD shortly after this date. That documentation should be in the SLD's system.

- The statement provided by the SLD, that there is no proof of the documentation being submitted within the 7 day period mandated by USAC, is completely accurate. Unfortunately, there are no itemized phone bills or receipts of confirmation to verify that the information was submitted with in the given time frame. However, there seem to be two distinct reasons that the FCC would grant this appeal even if the information wasn't submitted during the proper period. The first being that, specific to this application, prior requests for information were delayed so that district could review and assemble the proper information. The SLD reviewer never requested any written statements to extend this application but consistently granted extensions for the district. Since the non-submission of information on the exact day requested had previously not lead to denial, the district continued to use the time provided to gather the correct information. I certainly do not believe that this process should continue for an undisclosed period of time. However, I will once again state that the district was going through a learning curve, with regards to this specific process, and was using the time to gather the correct information which was eventually submitted and remains in the SLD's system.

- The information provided to the SLD shows that the Franklin Township School District had already secured access to sufficient funds for paying all of the FRN's submitted on the Form 471. The district has gone ahead with all of the works and services applied for, and have paid for them with previously secured funding. Furthermore, the information submitted shows that the district does have adequate resources to use all of the requests made in these applications.

Another important item to discuss is the release of a FCC Order titled CC Docket No. 02-6. (http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-06-54A1.pdf) This order seems to provide the basis for why this appeal should be granted. While I fully understand the difference between responding to information requests in a timely manner, and filing signature pages one day late, I do believe the intent of the Order is in line with the facts represented in this case. The district had no intention of not providing the information to the SLD, and subsequently did so. It seems that proper process was not followed by either the applicant or the SLD, and assigning blame for the delay in providing this information, proves to be an ambiguous task. For this reason and the many provided above, I would politely request that the district be given the ability to prove, that even before this review took place, it had meet the requirements that the review was created to maintain.

Sincerely,

Vincent LaForgia
E-Rate Representative

Universal Service Administrative Company
Schools & Libraries

80 South Jefferson Road
Whippany, New Jersey 07981
Fax: 973-599-6515

FAX TRANSMISSION COVER SHEET

To:	B Bentrewicz
Fax:	19733381673
Subject:	Selective Review # 123572 for FY 2005-06
From:	PIAIntegrated
Date:	September 15, 2005
Time:	10:44:25 AM

YOU SHOULD RECEIVE 1 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

Mr. Bentrewicz,

Please note I have received your voicemail requesting an additional 7 days extension. Please note I have granted your request for an extension, your new deadline for materials is now: **September 22, 2005**.

Al Arauz

Selective Review

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Attachment # 1

V LaForgia
PO Box 1168
Little Falls, NJ 07424

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