



Mrs. Susan H. Dworken JKHA Head of School
Mrs. Barbara Deutsch RKYHS Middle School Principal

Rabbi Moshe Brand RKYHS Principal

Mr. Michael Grad Executive Director



RECEIVED & INSPECTED
JUL - 7 2006
FCC - MAILROOM

6/30/2006

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

Re: CC Docket No. 02-6

Dear Sir:

As per the instructions of the USAC appeal process, I am writing regarding a demand letter to collect money that was paid under the USAC program. We have two FRN's that were approved; Internet and Telephone.

It seems there was a misunderstanding regarding an appropriate technology plan. We do not contest the demand letter for the internet service. We are appealing the telephone service though Cooperative Communications. This is a telephone company which does not need an approved technology plan.

As per the directions of USAC I appealed the decision, and received a letter that this is not something that can be appealed. When I telephone that men spoke with them about the problem they told me I needed to send a direct appeal to you.

Please let me know how I should proceed with this matter. Enclosed is the correspondence that relate to this matter.

Sincerely,

Michael Grad
Executive Director

No. of Copies rec'd _____
LIST REC'D _____



From the desk of

Michael Grad
Executive Director

faxed to
Lacey on 6/29

Case # 21-439573

~~800~~ (888) 203 8100

Has to go to FCC for
Appeal

888 276-8736

A77: 21-439573

A77: Lacey

As per our conversation.



Administrator's Acknowledgement Letter
Unappealable Issues

June 20, 2006

Michael Grad
Joseph Kushner Hebrew Academy
110 South Orange Avenue
Livingston, NJ 07039-4904

Michael Grad,

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence on **June 14, 2006**, regarding the **FY2004** funding decision of your Form 471 Application Number(s).

Re: Applicant Name: Joseph Kushner Hebrew Academy
 Billed Entity Number: 6698
 Form 471 Application Number: 392135
 Funding Request Number(s): 1074271, 1073854
 Decision Letter: Demand Payment Letter
 Original Decision Letter Date: June 12, 2006

We have reviewed your correspondence carefully. Unfortunately the specific issues raised are not appealable under current program rules.

Please Note:

If there are other decisions related to this application that you wish to appeal, please follow the appeals procedure defined in the decision letter or refer to the Appeals Procedure on our website at <http://www.universalservice.org/sl/about/appeals/default.aspx>.

Schools and Libraries Division
Universal Service Administrative Company

Grad, Michael

From: appeals [appeals@sl.universalservice.org]
Sent: Wednesday, June 14, 2006 4:59 PM
To: Grad, Michael
Subject: Appeal

Thank you for submitting your correspondence by e-mail to the Schools & Libraries Division (SLD) of the Universal Service Administrative Company.
This message serves as a receipt confirmation of your submission.

Confidentiality Notice: *The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.*

6/14/2006

Grad, Michael

To: appeals@sl.universalservice.org

Subject: Appeal 471: 392135

Dear Sir

The purpose of this e-mail is to appeal the demand letter received on June 12, 2006. I received two demand letters one for Monmouth Communications and the other for Cooperative Communications. I had discussions in the past regarding the issue with our Internet services and the lack of a technology plan. We will be returning these funds to you as soon as possible.

In regards to Cooperative Communications I was surprised to receive a demand letter. Cooperative communications is basic telephone service which does not need a an approved technology plan. In addition, this is the first time I've been notified about a problem with Cooperative Communications

Please let me know what I need to do to resolve this matter.

Sincerely,

Michael Grad
Executive Director

Michael Grad

Executive Director

Joseph Kushner Hebrew Academy

Rae Kushner Yeshiva High School

973-597-1115 x1112

www.jkha.org

6/14/2006



**Universal Service Administrative Company
Schools & Libraries Division**

Demand Payment Letter

Funding Year 2004: 7/01/2004 - 6/30/2005

June 12, 2006

**Michael Grad
JOSEPH KUSHNER HEBREW ACADEMY
110 S ORANGE AVE
LIVINGSTON, NJ 07039 4904**

case

21-434531

888-641-8722

01710144

**Re: Form 471 Application Number: 392135
Funding Year: 2004
Applicant's Form Identifier: 221520392
Billed Entity Number: 6698
FCC Registration Number: 13408307
SPIN Name: Cooperative Communications, Inc.
Service Provider Contact Person: Louis Lombardi, Jr.**

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter. Immediately preceding the Report, you will find a guide that defines each line of the Report.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

If the Schools and Libraries Division (SLD) has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), the SLD will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If the SLD has determined that both the applicant and the service provider are responsible for a program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If the SLD is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be

debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Universal Service Administrative Company
1259 Paysphere Circle
Chicago, IL 60674

If you are located in the Chicago area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company
Lockbox 1259
540 West Madison 4th Floor
Chicago, Il 60661

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

Payment is due within 30 days from the date of this letter.

Complete program information is posted to the SLD section of the USAC web site at www.universalservice.org/sl/. You may also contact the SLD Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company
Schools and Libraries Division

cc: Louis Lombardi, Jr.
Cooperative Communications, Inc.

A GUIDE TO THE FUNDING COMMITMENT ADJUSTMENT REPORT

A report for each E-rate funding request from your application for which a commitment adjustment is required is attached to this letter. We are providing the following definitions for the items in that report.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each individual request in your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the applicant and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This number will only be present for "site specific" FRNs.

ORIGINAL FUNDING COMMITMENT: This represents the original amount of funding that SLD had reserved to reimburse you for the approved discounts for this service for this funding year.

COMMITMENT ADJUSTMENT AMOUNT: This represents the amount of funding that SLD has rescinded because of program rule violations.

ADJUSTED FUNDING COMMITMENT: This represents the adjusted total amount of funding that SLD has reserved to reimburse for the approved discounts for this service for this funding year. If this amount exceeds the Funds Disbursed to Date, the SLD will continue to process properly filed invoices up to the new commitment amount.

FUNDS DISBURSED TO DATE: This represents the total funds that have been paid to the identified service provider for this FRN as of the date of this letter.

FUNDS TO BE RECOVERED FROM APPLICANT: This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

FUNDING COMMITMENT ADJUSTMENT EXPLANATION: This entry provides an explanation of the reason the adjustment was made.

Funding Commitment Adjustment Report
Form 471 Application Number: 392135

Funding Request Number:	1074271
Services Ordered:	TELCOMM SERVICES
SPIN:	143003877
Service Provider Name:	Cooperative Communications, Inc.
Contract Number:	MTM
Billing Account Number:	9735971115
Site Identifier:	6698
Original Funding Commitment:	\$18,000.00
Commitment Adjustment Amount:	\$18,000.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$10,265.97
Funds to be Recovered from Applicant:	\$10,265.97

Funding Commitment Adjustment Explanation:

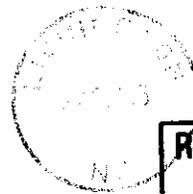
After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a site visit it was determined that the technology plan for this entity was not approved at the time of submission of the Form 486. Program rules require applicants to obtain approval of technology plans by parties qualified to approve technology plans, prior to submitting the Form 486, for services other than basic telecommunications service. Since this is not a request for basic telecommunications service, the technology plan needed to be approved prior to submitting the Form 486 or the start of services, whichever was earlier. Since this requirement was not been met the commitment has been rescinded in full and SLD will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**



110 South Orange Avenue • Livingston, New Jersey 07039

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Washington, DC 20554



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