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BERKSHIRE ELEMENTARY SCHOOL

FAX TRANSMITTAL FORM

Date: October 26, 2006 Time: 2:00 No. of pages: 4
(including this page)

To: Federal Communications
Commission

FAX #: 202-418-0187

Tel #: _____

From: Lynn Cota-Catoria

FAX #: (802) 933-2812

Tel #: (802) 933-2290

Message: Please confirm receipt.
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lynnex2@yahoo.com
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Berkshire Elementary School

4850 Water Tower Road
Richford, VT 05476
802-933-2290

Lynn Cota-Caforia-Principal
(Lynncx2@yahoo.com)

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October 26, 2006

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

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Re: Applicant Name:	Berkshire Elementary School
Billed Entity Number:	4843
Form 471 Application Number:	534800
Funding Request Number(s):	1478780, 1478781
Case Number:	21-469951
CC Docket Number(s):	96-45, 02-6

To Whom It May Concern:

Please accept this waiver request on behalf of the Berkshire Elementary School. We have been denied E-Rate funding by the USAC due to the clerical error of a former employee. Beverly Youree is our former Librarian; she left our school in June without notifying any current employees regarding the quandary she left us in. According to the USAC, they attempted to contact her electronically three times in the spring of 2006. Ms. Youree was out of the building off and on throughout the spring for varying medical conditions, and apparently either never received the request for additional information, or never responded to the requests for additional information.

Our small, rural school relies on this E-rate funding in order to provide our 208, K-8 students with high-speed Internet access through our local Internet provider. At this time, our elementary budget has been frozen in many areas, due to increased special education expenditures. Therefore, our ability to function without E-Rate funding is quite limited and the technology programming in our school may be at risk.

We ask that you please consider this request to accept our additional information for the Funding Year 2006-2007 and grant us E-Rate funding. If you have any additional questions, I would be more than happy to discuss this matter with you further.

Sincerely,

Lynn Cota-Caforia

Lynn Cota-Caforia
Principal

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Cc: Robert Gervais, FNESU Technology Coordinator



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

September 11, 2006

Beverly Youree
Berkshire Elementary School
4850 Water Tower Road
Richard, VT 05476-9712

Re: Applicant Name: BERKSHIRE ELEMENTARY SCHOOL
Billed Entity Number: 4843
Form 471 Application Number: 534800
Funding Request Number(s): 1478780, 1478781
Your Correspondence Dated: April 06, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Rejection for Non-Receipt of Requested Information for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1478780, 1478781

Decision on Appeal: Denied

Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, USAC has determined that you failed to respond to the Pearson Government Solutions (PGS) inquiries in a timely manner. PGS made initial contact with you on March 2, 2006, via email, requesting you to provide specific Form 471 corrections (Block 5 item 13 SPIN does not match the provider names on pages 1 and 2, Block 6 item 25 was left unchecked, Block 6 items 25C and 25E need to be recalculated, and Block 6 items 31-37 were left unchecked) within 7-days. With no response to that inquiry, PGS initiated a second request on March 10, 2006, via email, requesting you to provide the same specific Form 471 corrections within 7-days. As of March 21, 2006, you failed to provide a complete response to PGS. Per Program Rules, if there is insufficient documentation to determine the eligibility of an application, the application is deemed ineligible. You have failed

to provide evidence on appeal that USAC erred in its original decision. Consequently, the appeal is denied.

- USAC reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. sec. 54.500 et. seq. To conduct these reviews, USAC has put in place administrative measures to ensure the prompt resolution of applications. See *Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, 18 FCC Rcd. 4520, 4522, Order, DA 03-764 para. 6 (rel. Mar. 13, 2003)*. (Marshall County) One such measure is that applicants are required to respond to USAC's requests for the additional information necessary to complete their application within 7 days of being contacted. *Id.*; SLD section of the USAC website, Reference Area, "Deadline for Information Requests," www.usac.org/sl This procedure is necessary to prevent undue delays during the application review process. See *Marshall County para. 6*. If applicants do not respond within this time period, USAC reviews the application based on the information before it.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company