

Service Associates, Inc.

160 East Main Street
Brevard, North Carolina 28712
828.885.2832 – 828.885.5023 FAX

June 9, 2008

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

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

**Re: Request for Review of USAC-SLD Administrators Decision
On Invoice Deadline Extension Request Decision**

To whom it may concern:

This Request for Review is filed on behalf of the applicant. My letter of agency is attached. My contact information is as follows:

Oliver Frail, Compliance Analyst
Service Associates, Inc.
East Main Professional Plaza
160 East Main Street
Brevard, NC 28712
ofrail@serviceassoc.com
828.885.2832
828.885.5023 FAX

Applicant Contact: Brock Heron, Chief Financial Services Officer
School District 5 of Lexington & Richland Counties
1020 Dutch Fork Road
Irmo, SC 29063
lex5@serviceassoc.com
803.476.8130

**Service Associates, Inc. is an E-rate support services company
providing services exclusively to E-rate applicants.**

In addition, it was not possible for the applicant to file an invoice deadline extension request by the end of the invoice receipt period because no one in the District was aware that the funding had not been received.

In our examination of the District's files, we have found no evidence of any USAC-SLD outreach regarding this filing deadline, nor any evidence of any outreach by the service providers for these FRNs.

Discussion

The students and teachers of this District have been victimized by an unfortunate series of ministerial and procedural errors due to repeated staff turnover and the failure of several different consultants to follow through for the District.

In December 2007, our firm was retained for the first time by the District to guide their E-rate application process. While preparing them for FY2008 filing we have been back tracking through their records in attempting to determine why in the past, although they have received funding commitments, they have not received funding.

In our review of the District's files for FY2005 through FY 2007 we have identified five different District employees who have been contacts on one or more forms, and three different consultants who have assisted them at one time or another. No one of those persons was ever in position long enough to follow any application through to disbursement, and apparently letters and notices from USAC-SLD did not get routed to someone who knew what to do. It would be easy to imagine that some clerical and secretarial staff thought that the colorful USAC-SLD letters were a bulk mailing and tossed them out; in fact, at my initial onsite meeting with officers of the district, it came as a shock to district officers that although the district had received funding commitments, the district had never received a penny in reimbursements.

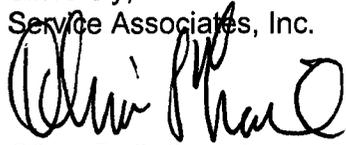
In our examination of the District's files for FY2005, we have found no evidence of any USAC-SLD outreach. We have found no evidence of any Service Provider outreach in this matter. And no one in the District was ever on the E-rate Desk long enough to learn the ropes.

The fact is that the District was eligible for this important funding, successfully applied for this funding, timely filed the FCC Form 486 for this funding, and then suffered ministerial staff collapse. We respectfully request that the Invoice Deadline be extended so that this District can claim these important funds. To do otherwise would contribute to unintended consequences of hardship and inequity for the students and teachers in this District.

Closing

We all thank you for your kind attention to this matter. Please contact me if you have any questions or need additional information.

Sincerely,
Service Associates, Inc.



Oliver Frail, Compliance Analyst

Attachment: USAC-SLD guidance "Invoice Deadlines and Extension Requests"

Attachment: USAC-SLD Administrator's Decision on Invoice Deadline Extension Request dated May 28, 2008

Attachment: USAC-SLD Administrator's Decision on Invoice Deadline Extension Request dated April 9, 2008



Step 11: Invoice Deadlines and Extension Requests

Invoicing Deadlines

After a *Receipt of Service Confirmation Form* (Form 486) has been properly filed, USAC must receive an invoice from either the applicant or the service provider in order to make payments for approved support on eligible services. The *Billed Entity Applicant Reimbursement (BEAR) Form* (Form 472) is filed jointly by the applicant and service provider. The *Service Provider Invoice (SPI)* (Form 474) is filed by the service provider.

Invoices must be postmarked no later than:

- 120 days after the last date to receive service, or
- 120 days after the date of the Form 486 Notification Letter, whichever is later.

If an invoice is postmarked after the deadlines listed above, payment will be denied.

Example 1. If your last date to receive service was June 30, 2007 and your Form 486 Notification Letter was dated October 26, 2006, then invoices must be postmarked no later than 120 days after the last date to receive services, the later of the two dates.

Example 2. If your last date to receive service was September 30, 2007 and your Form 486 Notification Letter was dated October 20, 2007, then invoices must be postmarked no later than 120 days after the date of the Form 486 Notification Letter, the later of the two dates.

USAC will base the billing mode (reimbursement using the BEAR form or discounting using the SPI form) on the first invoice type that it processes for payment. Applicants and service providers should work together, before the first invoice is submitted, to determine whether a BEAR or a SPI will be filed. That type of invoice must then be used for the remainder of that funding year.

Invoice Deadline Extension Requests

USAC provides for the extension of invoice deadlines under certain conditions. These conditions include:

- Authorized service provider changes
 - Authorized service substitutions
- No timely USAC notice (e.g., the service provider's Form 486 Notification Letter is returned as undeliverable)
 - USAC errors (for example, in data entry) that ultimately result in a late invoice
 - Documentation requirements that necessitate third-party contact or certification
 - Natural or man-made disasters that prevent timely filing of invoices
 - "Good Samaritan" BEARs
 - Circumstances beyond the service provider's control

Applicants can use the [FRN Extension Table](#) to determine if their deadline for postmarking an invoice to USAC has been extended. Applicants whose deadlines have been extended should locate the Funding Request Number (FRN) in the table and then look to the far right of the FRN to find the extended deadline for postmarking an invoice to USAC.

To request an invoice deadline extension, send a letter to USAC detailing your request and include the following information:

- Contact person name
- Contact information (including email address)
 - Form 471 Application Number
 - Funding Request Number (FRN)
 - Service provider name
- Service Provider Identification Number (SPIN)
- USAC-assigned Invoice Number (if known)
 - Amount of invoice
 - Reason for extension request

Requests may be filed electronically by email or by fax. Requests submitted by email will be considered filed on a business day if they are received by USAC at any time up to 12:00 a.m. (midnight) ET. Requests received after that time will be considered received on the next business day. Similarly, fax transmissions will be considered filed on a business day if the complete transmission is received by any time up to 12:00 a.m. (midnight) ET.

- Requests filed by email can be submitted in any widely used word processing format, such as Adobe Portable Document Format (PDF), Word, or WordPerfect. USAC will automatically reply to incoming emails to confirm receipt.
- Requests filed by fax must be faxed to 973-599-6526. The fax transmission should include a cover sheet listing contact name, phone number, and - if available - an email address.
 - Requests may also be filed by mail or other carrier. Send your letter to the following address:

Invoice Deadline Extension Request
Schools and Libraries Division - Correspondence Unit
100 S. Jefferson Rd
P.O. Box 902
Whippany, NJ 07981

For more information on deadlines for delivery of recurring and non-recurring services, see [Service Delivery Deadlines and Extension Requests](#).

For more information on deadlines for filing Form 486, see [Form 486 Deadlines](#).

For more information on other Program deadlines, see our [Schools and Libraries Deadlines Tool](#).

Step 10: Begin Receipt of Services

Last modified on 3/21/2008

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USAC

Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Invoice Deadline Extension Request

May 28, 2008

Oliver Frail
Service Associates, Inc.
East Main Professional Plaza
160 East Main Street
Brevard, NC 28712

Re: Lexington-Richland School District #5

Re: Your appeal of the denial of your invoice deadline extension request

471 Application Number: 478189
Funding Request Number(s) 1336273, 1336438, 1336653, 1336756
Correspondence Dated: May 06, 2008

After thorough review and investigation of all relevant facts, the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal.

Funding Request Number(s): 1336273, 1336438, 1336653, 1336756
Decision on Appeal: **Denied in Full**
Explanation:

Current deadline guidelines and procedures do not allow approval for the reason submitted. Invoice Deadline Extension requests should be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). You did not demonstrate in your appeal that you filed an extension request in a timely manner. Therefore, the appeal is denied

If you believe there is a basis for further examination of your application, 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 above 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 USAC/Schools and

Libraries web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Thank you for your continued support of and participation in the E-rate program.

Schools and Libraries Division
Universal Service Administrative Company

cc:

Fay Reed
BellSouth Telecommunications, Inc.
675 West Peachtree Street
Room 17M61 - AT&T Midtown Center
Atlanta, GA 30375

Christina Halley
Nextel South Corp.
12524 Sunrise Valley Drive
1st Floor – VARESF0102-1844
Reston, VA 20196-3438

Diane Reese
AllTel Communications
12110 Port Grace Boulevard
Suite 100
LaVista, NE 68128

Viola Baboola
Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921



Universal Service Administrative Company

Schools & Libraries Division**Administrator's Decision on Invoice Deadline Extension Request**

April 9, 2008

Tom Traywick
 Service Associates, Inc.
 160 East Main Street
 Brevard, NC 28712

Re: Lexington/Richland S.D. #5

Re: SLD Invoice #:	N/A	BEAR or SFR:	N/A
		Invoice Date:	N/A

SLD Line(s) #:	N/A
Vendor invoice #:	N/A
471 Application Number:	478189
Funding Request Number(s):	1336273, 1336438, 1336653, 1336756
Your Correspondence Dated:	January 11, 2008

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 invoice deadline extension request for the invoice number indicated above. This letter explains the basis of SLD'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 request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A	Line(s): N/A
Decision on Request:	Denied

Explanation:

Current guidelines and procedures require Invoice Deadline Extension requests to be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). The extension request was not filed in a timely manner, so it is denied.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name,
 - BEN and/or SPIN,
 - Form 471 and FRN
 - invoice number as assigned by the SLD,
 - "Administrator's Decision on Invoice Deadline Extension Request" dated 4/8/2008 **AND**
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at www.usac.org/sl/. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
100 South Jefferson Road
P.O. Box 902
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (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 by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. 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.

Schools and Libraries Division
Universal Service Administrative Company

cc: Fay Reed, BellSouth Telecommunications
Christina Halley, Nextel South Corp.
Diare Reese, AllTel Communications
Viola Baboola, Verizon Wireless