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Letter of Appeal

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

Re: Letter of Appeal of FRN 1645883 funding Year 2008, issued September 23, 2008.

Dear Sir or Madam:

I am submitting this letter of appeal regarding denial of E-rate FY 2008 for all funding requests associated with 471 application 596461, on the grounds that, during the Program Integrity Assurance (PIA) phase of the E-rate program the incorrect Form 470 number was provided. This incorrect Form 470 number (897130000620622) made it appear that the RFP was not available for 28 days after the filing of the Form and thus, the Schools & Libraries Division denied FRN 1645883.

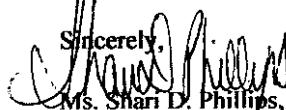
Appellant Name:	Erate Exchange, LLC
Applicant Name:	Newfound Area School District
471 Application Number:	596461
Billed Entity Number:	120948
FRN:	1645883

SLD Explanation for denial: "28-Day Waiting Violation, The Contract Expiration Date was changed from June 30, 2010 to June 30, 2009 to agree with the applicant documentation. DR1: The referenced RFP was not available for 28 days after the filing of the Form 470." The issue in this case boils down simply to this: The denial of funding was based on an administrative error, when the incorrect Form 470 number was provided during Selective Review. This incorrect Form 470 number was provided during a personnel change which only added to the confusion and incorrect response on behalf of the district during the Selective Review. The correct Form 470 number is 482360000600062 posted 11/30/2006 this coincides with the release of the RFP and the signing of the contract. Form 470 897130000620622 was created to condense previous Form 470's into one. However, this attempt to streamline the two forms only added to the confusion. Therefore, we would like to appeal the denial of funding and confirm the Form 470 number for FRN 1645883 is 482360000600062.

Given that the denial of funding in this case was based on merely an administrative error during the Selective Review, the Parties respectfully request that the SLD process this Letter of Appeal and approve the funding commitment for Newfound Area School District. The denial of funding for an administrative error places a particular hardship on a school district such as Newfound Area School District that otherwise should have been approved for and received E-rate funding for its application. We respectfully request that you overturn the denial and restore full funding of this FRN. Thank you for reviewing this appeal. Please use the contact information below.

Shari D. Phillips, President, E-rate Exchange, LLC, PO Box 451, Syracuse, NY 13206, Tel. 315.422.7608,
Fax 866.283.9333, sdp@erateexchange.com

Sincerely,



Ms. Shari D. Phillips,
E-rate Exchange, LLC

CC:

Enclosures:

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