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April 16, 2009

Paul C. Besozzi
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VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: Appeal of USAC Decision On FCC Remand Denying Funding
CC Docket No. 02-6**

Applicant Name:	Riverside Country Office of Education (also referred to as "R.O.P.-Riverside County")
Billed Entity Number:	14374
Funding Year	1999
Form 471 App. Number:	148309
Funding Request Numbers:	299355, 299356, 299359, 299361, 299363, 299365, 299367, 299368, 299370, 299371, 299372, 299373, 299376, 299377, 299378, 299379, 299381, 299382

Dear Ms. Dortch:

The Riverside County, California Office of Education ("RCOE"), acting through counsel and pursuant to Sections 54.719-54.721 of the Commission's rules, hereby timely files this Request for Review ("Appeal"), which requests Commission review of the adverse decision of the Administrator of the Universal Service Administrative Company ("USAC") denying certain funding requests for Funding Year 1999 and seeking recovery from RCOE of previously disbursed E-rate support funds.¹ See Exhibit 1 attached hereto.

¹ 47 C.F.R. §§ 54.719-54.721.

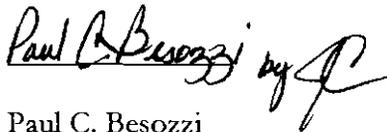
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More specifically, on February 17, 2009, USAC's Schools and Libraries Division ("SLD"), in response to a February 25, 2005 order of the Commission's Telecommunications Access Policy Division², issued a decision that RCOE was responsible for an E-rate program rule violation that required the applicant to return previously disbursed funds made available pursuant to the referenced Funding Request Numbers.

RCOE is aggrieved by USAC's decision and submits that for various reasons it is unwarranted and inconsistent with the rules, policies and requirements governing the E-rate Program applicable to the referenced Application and Funding Request Numbers.

Because RCOE only engaged our firm to represent it on this matter in the last week, and in order to timely exercise and preserve RCOE's right of appeal, RCOE is filing this initial letter Appeal.³ RCOE will supplement this Appeal with a full discussion of the facts, RCOE's position and supporting arguments.

Sincerely,



Paul C. Besozzi
Counsel to Riverside County Office of Education

cc: Bill Spires
Spectrum Communications Cabling Services, Inc.

² *In the Matter of Requests For Review of the Decision of the Universal Service Administrator – Riverside County Office of Education*, 20 FCC Rcd 4103 (Telecom. Access Policy Div. 2005)

³ 47 C.F.R. § 54.720(a).

Exhibit 1

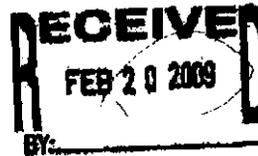


Schools and Libraries Division

Administrator's Decision on FCC Remand - Funding Year 1999-2000

February 17, 2009

Rina M. Gonzales
Best Best & Krieger LLP
3750 University Avenue
P.O. Box 1028
Riverside, CA 92502-1028



Re:	Applicant Name:	R O P - Riverside County
	Billed Entity Number:	143743
	Form 471 Application Number:	148309
	Funding Request Number(s):	299355, 299356, 299359, 299361, 299363, 299365, 299367, 299368, 299370, 299371, 299372, 299373, 299376, 299377, 299378, 299379, 299381, 299382
	FCC Order:	DA 05-498
	FCC Order Release Date:	February 25, 2005

The Federal Communications Commission (FCC) has directed the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) to further review your application consistent with the FCC Order referenced above.

After thorough review and investigation of all the relevant facts, USAC has made its decision in regard to the FCC Remand of USAC's Funding Year 1999 Administrator's Decision on Appeal Letter 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. If you included more than one Application Number in your appeal to the FCC, please note that you will receive a separate letter for each application.

Funding Request Number(s): 299355, 299356, 299359, 299361, 299363, 299365, 299367, 299368, 299370, 299371, 299372, 299373, 299376, 299377, 299378, 299379, 299381, 299382

Decision on FCC Remand: **Approved, Funding Denied**
Explanation:

- In accordance with the FCC decision in the released order (DA 05-498), your appeal to the FCC has brought forward persuasive information that additional reviews must be completed in order to determine compliance with the rules of the Schools and Libraries

Division Support Mechanism. However, after further review, funding will be recovered from the applicant for the reasons cited below.

- USAC had previously determined that the applicant did not pay the entire non-discounted portion. In accordance with the FCC's determination that "funds disbursed in violation of the statute or a rule should be directed to the party or parties responsible for the statutory or rule violation," USAC has determined that the party responsible for this statutory or rule violation is the applicant. Consequently, funding will be recovered from the applicant for the amounts specified in the previously issued ~~Recovery of Incorrectly Disbursed Funds (RIDF) Letter~~.

If the Administrator's Decision on FCC Remand Letter indicates that 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 FCC Remand review process.

Schools and Libraries Division
Universal Service Administrative Company

CC: Elliott Duchon
R O P - Riverside County
3939 Thirteenth Street
Riverside, CA 92502

CC: Pierre Pendergrass
Spectrum Communications Cable Services, Inc.
226 North Lincoln Avenue
Corona, CA 92882

CERTIFICATE OF SERVICE

I, Jennifer Cetta, certify on this 16th day of April, 2009, a copy of the foregoing has been served via first class mail, postage pre-paid, to the following:

Universal Service Administrative Company
Schools and Libraries Division -
Correspondence Unit
100 S. Jefferson Rd
P.O. Box 902
Whippany, NJ 07981

Pierre Pendergrass
Spectrum Communications Cable Services, Inc.
226 North Lincoln Avenue
Corona, CA 92882



Jennifer Cetta