



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2008-2009

May 29, 2009

Patricia Walstra
Orchard View Schools
35 S. Sheridan Drive
Muskegon, MI 49442

Re: Applicant Name: ORCHARD VIEW SCHOOLS
Billed Entity Number: 131550
Form 471 Application Number: 604086
Funding Request Number(s): 1664869, 1664876, 1664880
Your Correspondence Dated: April 30, 2009

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 2008 Funding Commitment Decision 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 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): 1664869, 1664876, 1664880
Decision on Appeal: **Denied**
Explanation:

- The record shows that Orchard View Schools filed the Description of Services Requested and Certification Form 470: 978010000630659 to begin the competitive bidding process for specific products. It was determined that this Form 470 was listed as the establishing form for the above funding requests. It was also determined that Starr Garter was listed on Block 1, Item 6a of this 470 as the contact person authorized to answer specific questions from service providers about the services sought by the District. The record shows that on November 5, 2007, Starr Garter was contacted via e-mail by Jane Johnson of Dobson Cellular (CellularOne) expressing her interest in bidding on the cellular and wireless Internet portions posted for bid on USAC's web site. The record further shows that on November 13, 2007, Starr Garter responded to a CellularOne inquiry stating that "This client is not actively seeking bids on their cellular service, only

to comply with the program." The rules of this support mechanism dictate that all applicants must be ready to accept bids once the Form 470 is posted on the USAC website. Since the District informed a potential bidder that it was "not actively seeking bids on their cellular service" the District circumvented the competitive bidding process. On appeal, you have not provided any information to demonstrate that USAC erred in its initial decision. Consequently, your appeal is denied.

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.

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