

**Before the
Federal Communications Commission
Washington DC 20554**

In the Matter of:

)	
Request for Review of a decision)	
by the Schools and Libraries Division)	Administrator Correspondence Dated
for New Kent County, Virginia)	November 12, 2009
Public Schools)	
)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

Request for Review or Waiver

In accordance with Sections 54.719 through 54.721 of the Commission's Rules, via its consultant, now comes New Kent County, Virginia Public Schools (New Kent) before the Federal Communications Commission (Commission) requesting review of a decision of the Universal Service Administrative Company (Administrator) denying an appeal of a Commitment Adjustment. This request comes before the Commission in a timely manner from the Administrator letter dated November 12, 2009.

New Kent County Public Schools
Billed Entity Number: 126502
FRN: 1033108
Funds to be Recovered from Service Provider: \$1,827

Administrator Correspondence Dated June 30, 2009
Administrator Decision Dated November 12, 2009.

Reason for Recovery: Telecommunications Service provided by Non-Telecommunications Carrier (Verizon Network Integration, Corp.)

New Kent County Public Schools appeals this decision through its consultant to preserve its rights as a party attached to the commitment adjustment issued by the Administrator.

New Kent is at a loss to understand why the Administrator would issue this commitment adjustment on the last day for records to be retained for this FRN (five years from the last date to

receive services). By the time this letter was delivered to New Kent (July 5, 2009), any records related to this FRN could have been destroyed and any evidence New Kent or Verizon may have had to rebut the Administrators assertions would no longer exist.

At the time of the filing of this application, New Kent believed Verizon Network Integration to be a telecommunications provider as the company's name indicates (Verizon). The application was reviewed by the Administrator and the service provider was deemed to be an eligible common carrier. Invoices were submitted to the Administrator and paid for this service – again after thorough review by the Administrator.

Had the apparent error been discovered during application review, where it properly should have been discovered, New Kent and Verizon would have clarified that the services would be provided by Verizon Telephone Company rather than Verizon Network Integration, Corp. We note that the Administrator did not make the SPIN Search Tool available during the application period here under review for applicants, service providers, or Administrator reviewers.

New Kent believes the amount designated for recovery should be considered De Minimis under FCC guidelines. Such level has not been set but considering the cost of investigation, assessment, appeal review and potential review at the Federal Communications Commission, certainly the administrative burden on Administrator and Federal resources far exceeds \$1,827.

New Kent also notes the Administrator has issued Demand Payment and Demand Payment Second Notice letters regarding this Commitment Adjustment even though the decision remains under active review.

Respectfully Submitted this Third day of January, 2010,

Greg Weisiger
Consultant to New Kent
E-Rate Central Mid-Atlantic Division
14504 Bent Creek Ct
Midlothian, VA 23112
(804) 302-4406