

Technology Services



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May 28, 2010

Federal Communications Commission
Office of the Secretary
445 – 12th Street, S.W.
Washington, DC 20554



Erie 1 BOCES Education Campus
355 Harlem Road, West Seneca, NY 14224-1892
Tel. (716) 821-7046 Fax (716) 821-7204

“In the matter of: Request for Review by Erie 1 BOCES of Decision of Universal Service Administrator” reference CC Docket Nos. 02-6 and 96-45.

To Whom It May Concern:

We are writing to appeal a discount correction denial for (4) FRNs on FCC Form 471, Funding Year 2009. Although the discount rate for Belfast CSD, entity # 125008, is 80% for 471 applications 680384 and 646393, the SLD refuses to amend the discount rate for Belfast CSD to 80% for application 646393.

Vital Information

Contact Name: Patrick Doyle or Susan Melancon
Address: 355 Harlem Rd, West Seneca, NY 14224
Telephone number: (716) 821-7051 / 821-7455
Fax number: (716) 821-7394
E-mail address: pdoyle@e1b.org
Applicant Name: Erie 1 BOCES
Billed entity number: 149384
471 application number: 697025
FRN's: 1914379, 1914380, 1914508, 1914569

Explanation of Appeal

We are writing to appeal the decision by the Schools and Libraries Division (SLD) of the Universal Service Administration Co. to deny our appeal to correct the discount rate for the above referenced FRN's to 80%. The reason given for the denial was “Corrections can not be made to the Form 471 once an application has been committed unless there was an error on the part of USAC. Increasing the originally requested and approved discount is tantamount to requesting funds not included on the Form 471”.

Belfast CSD, Entity # 125008, appears on App #'s 680384, 646396, and 697025. A RAL correction for Entity 125008 on App # 680384 was submitted to the SLD on 2/26/09. A RAL correction for Entity # 125008 on App # 646393 was submitted to the SLD on 6/9/09.

Belfast CSD, Entity # 125008, is still listed on App # 697025 with a discount of 70%. Although a RAL correction was not submitted to correct the discount on this application, per past practice from the SLD, we expected the discount rate for entity 125008 to be corrected on App #697025 as well.

Based on this information we ask that you correct the discount for entity 125008 to 80% on application 697025 consistent with information submitted on those other 2 applications.

Thank you for your consideration in this matter.

Sincerely,

Patrick Doyle
Computer Support Technician, E-Rate Services

Patrick Doyle
Erie 1 Boces
355 Harlem Rd
West Seneca, NY 14224

Billed Entity Number: 149384
Form 471 Application Number: 697025
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

May 10, 2010

Patrick Doyle
Erie 1 Boces
355 Harlem Rd
West Seneca, NY 14224

Re: Applicant Name: ERIE 1 BOCES
Billed Entity Number: 149384
Form 471 Application Number: 697025
Funding Request Number(s): 1914379, 1914380, 1914508, 1914569
Your Correspondence Dated: April 22, 2010

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 2009 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): 1914379, 1914380, 1914508, 1914569
Decision on Appeal: **Denied**
Explanation:

- The record shows that on the Form 471: 697025, Erie 1 Boces identified the discount as being 70% for the above funding requests that are being provided to Belfast Central School District (BEN: 125008). On appeal, you state that the above funding requests should have been approved at the 80% discount level based upon your RAL correction that was submitted on February 26, 2009 for Form 471: 680384 and the fact that Form 471 646393 listed the BEN: 125008 as being eligible to receive 80% (which was approved by PIA within that application). Applicants can make data entry corrections, including an increase in the discount percentage during the RAL process. Corrections can not be made to the Form 471 once an application has been committed unless there was an error on the part of USAC. Increasing the originally requested and approved discount is tantamount to requesting funds not included on the Form 471.

The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al, Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54, para. 23 (May 19, 2006)(Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections of its FCC Form 471. USAC has published a list of ministerial and clerical errors that can be corrected on pending applications without violating the program rules and has advised applicants to review this list before submitting corrections. See SLD Section of USAC web site, Reference Area, "Bishop Perry Order, List of Ministerial and Clerical Errors" at www.usac.org/sl.

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.

Schools and Libraries Division
Universal Service Administrative Company



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Erie 1 BOCES Education Campus
355 Harlem Road, West Seneca, NY 14224-1892
Tel. (716) 821-7046 Fax (716) 821-7204

April 22, 2010

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

To Whom It May Concern:

We are writing to appeal the discount rate for one entity

Vital Information

Contact Name:	Patrick Doyle or Susan Melancon
Address:	355 Harlem Rd. West Seneca, NY 14224
Telephone number:	(716) 821-7051 / 821-7455
Fax number:	(716) 821-7394
E-mail address:	pdoyle@e1b.org
Applicant Name:	Erie 1 BOCES
Billed entity number:	125008
471 application number:	697025
FRN's	1914379, 1914380, 1914508, 1914569

Explanation of Appeal

We are writing to appeal the discount rate for Entity # 125008, Belfast CSD. The discount rate for entity # 125008 should be 80% and appears that way on 471 applications 646393 and 680384.

A RAL correction was sent in for application 680384 on 2/26/09 to correct the discount to 80%. This was completed and the discount is 80% on the FCDL for that application dated 6/9/09. The discount rate for entity 125008 is 80% on the FCDL for application 646393 dated 2/12/10.

Based on this information we ask that you correct the discount for entity 125008 to 80% on application 697025 consistent with information submitted on those other 2 applications.

Thank you for your consideration in this matter.

Sincerely,



Patrick Doyle
Computer Support Technician, E-Rate Services



Appeal
Patrick Doyle to: appeals

04/22/2010 02:17 PM

From: Patrick Doyle/Staff/E1BOCES/Erie1
To: appeals@sl.universalservice.org

Please see attached appeal



SLD-Belfast-Discout Appeal.pdf

Patrick Doyle
Computer Support Technician, Database Specialist
E-Rate Services
WNYRIC
Erie 1 BOCES
Phone: (716) 821-7051
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On November 2, 2009 www.wnyric.org will have a new look and navigation. Please note, on that date your bookmarks may need to be re-established.

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