

**TIFERES
BNOS**

12 Boerum Street • Brooklyn, NY 11206



**תפארת
בנות**

Tel: (718) 599-2900 • Fax: (718) 599-9710

בס"ד April 13, 2010

To: Letter of Appeal
Schools and Libraries Division - Correspondence Unit
Fax: 973-599-6542

From: Joel Hartman
BEN # 16039322

Letter of Appeal

To Whom It May Concern

We are appealing the SLD decision to change the Service Start Date of Form 486 # 722255 to 12/10/2009 and therefore denying funding for FRN's 1659639, 1659642, and 1659641 of 471 Application # 602155, for funding year 2008.

When we called the SLD Help-Line (Case # 22-052167) we were advised the reason for this is because we did not file the form 486 in time.

We are appealing this decision because after we were approved we filed for an "Operational SPIN Change" and we did not get an approval until April 2010. We therefore did not file the form 486. We did not want to enter the original SPIN as this wasn't accurate and the system did not allow the new correct SPIN.

Also we would like to add another point. After the filing of the "Operational SPIN Change" we got reviews on these FRNs. It was apparent that SLD has retracted (at least for that time) the original funding commitment. USAC would have obviously not reimbursed any funds until the positive completion of those reviews. We therefore feel that in reality these FRNs were only approved in April of 2010. At least that was our understanding at that time.

Based on these two reasons we did not file the form 486. For these reasons we are respectfully requesting that the service start date for 486 Application # 722255 be changed to 07/01/2008.

Sincerely,

Joel Hartman



Universal Service Administrative Company
Schools & Libraries Division

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

April 22, 2010

Joel Hartman
Tiferes Bnos - Yeshiva
12 Boerum Street
Brooklyn, NY 11206

Re: Applicant Name: TIFERES BNOS - YESHIVA
Billed Entity Number: 16039322
Form 471 Application Number: 602155
Form 486 Application Number: 722255
Funding Request Number(s): 1659639, 1659641, 1659642
Your Correspondence Dated: April 13, 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 2008 Form 486 Notification 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): 1659639, 1659641, 1659642
Decision on Appeal: **Denied**
Explanation:

- USAC has determined that your FCC Form 486 was not filed within 120 days calculated from July 16, 2008, the date of the FCDL or July 1, 2008, the SSD indicated on the FCC Form 486, whichever date is later. On November 25, 2008, USAC mailed an "Urgent Reminder" letter providing you with additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was postmarked and certified on April 9, 2010 which is after the new deadline. Consequently, the SSD has been revised to December 10, 2009, 120 days before the FCC Form 486 postmark date. If the funding commitment includes recurring charges then the funding commitment has been reduced accordingly. It is the responsibility of the applicant to ensure that all forms are

submitted to USAC in a correct and timely manner. As a result, your appeal is denied.

- FCC rules require applicants to use recurring services within the relevant funding year, and to implement non-recurring services by the applicable deadline established by the Commission. *See* 47 C.F.R. sec. 54.507(d). The FCC Form 486 informs USAC when the applicant is scheduled to receive or has received services in the relevant funding year from the named service provider. The receipt of a properly completed FCC Form 486 triggers the process for USAC to receive invoices. In order for an applicant to receive discounts retroactively to the Service Start Date (SSD), the FCC Form 486 should be postmarked no later than 120 days after the SSD featured on the FCC Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter (FCDL), whichever is later. When an applicant has missed a deadline to file its FCC Form 486, it is given additional 20 calendar days from the date of receipt USAC's written notice to file or amend its FCC Form 486 and receive services retroactively to the SSD. *See* Request for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-412028, et. al., CC Docket No. 02-6, 21 FCC Rcd 10186-10187, DA 06-1871, para. 8 (rel. Sep. 14, 2006).

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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Universal Service Administrative Company

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בס"ד April 13, 2010

To: Letter of Appeal
Schools and Libraries Division - Correspondence Unit
Fax: 973-599-6542

From: Joel Hartman
BEN # 16020173

Letter of Appeal

To Whom It May Concern

We are appealing the SLD decision to change the Service Start Date of Form 486 # 722235 to 12/10/2009 and therefore denying funding for FRN 1659632 of 471 Application # 602147 and FRN 1659624 of 471 Application # 602139, for funding year 2008.

When we called the SLD Help-Line (Case # 22-052167) we were advised the reason for this is because we did not file the form 486 in time.

We are appealing this decision because after we were approved we filed for an "Operational SPIN Change" and we did not get an approval until April 2010. We therefore did not file the form 486. We did not want to enter the original SPIN as this wasn't accurate and the system did not allow the new correct SPIN.

Also we would like to add another point. After the filing of the "Operational SPIN Change" we got reviews on these FRNs. It was apparent that SLD has retracted (at least for that time) the original funding commitment. USAC would have obviously not reimbursed any funds until the positive completion of those reviews. We therefore feel that in reality these FRNs were only approved in April of 2010. At least that was our understanding at that time.

Based on these two reasons we did not file the form 486. For these reasons we are respectfully requesting that the service start date for 486 Application # 722235 be changed to 07/01/2008.

Sincerely,

Joel Hartman



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

April 22, 2010

Joel Hartman
Tiferes Bnos
12 Boerum Street
Brooklyn, NY 11206

Re: Applicant Name: TIFERES BNOS
Billed Entity Number: 16020173
Form 471 Application Number: 602139
Form 486 Application Number: 722235
Funding Request Number(s): 1659624
Your Correspondence Dated: April 13, 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 2008 Form 486 Notification 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): 1659624
Decision on Appeal: **Denied**
Explanation:

- USAC has determined that your FCC Form 486 was not filed within 120 days calculated from June 17, 2008, the date of the FCDL or July 1, 2008, the SSD indicated on the FCC Form 486, whichever date is later. On November 25, 2008, USAC mailed an "Urgent Reminder" letter providing you with additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was postmarked and certified on April 9, 2010 which is after the new deadline. Consequently, the SSD has been revised to December 10, 2009, 120 days before the FCC Form 486 postmark date. If the funding commitment includes recurring charges then the funding commitment has been reduced accordingly. It is the responsibility of the applicant to ensure that all forms are

submitted to USAC in a correct and timely manner. As a result, your appeal is denied.

- FCC rules require applicants to use recurring services within the relevant funding year, and to implement non-recurring services by the applicable deadline established by the Commission. *See* 47 C.F.R. sec. 54.507(d). The FCC Form 486 informs USAC when the applicant is scheduled to receive or has received services in the relevant funding year from the named service provider. The receipt of a properly completed FCC Form 486 triggers the process for USAC to receive invoices. In order for an applicant to receive discounts retroactively to the Service Start Date (SSD), the FCC Form 486 should be postmarked no later than 120 days after the SSD featured on the FCC Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter (FCDL), whichever is later. When an applicant has missed a deadline to file its FCC Form 486, it is given additional 20 calendar days from the date of receipt USAC's written notice to file or amend its FCC Form 486 and receive services retroactively to the SSD. *See* Request for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-412028, et. al., CC Docket No. 02-6, 21 FCC Rcd 10186-10187, DA 06-1871, para. 8 (rel. Sep. 14, 2006).

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We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

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

April 22, 2010

Joel Hartman
Tiferes Bnos
12 Boerum Street
Brooklyn, NY 11206

Re: Applicant Name: TIFERES BNOS
Billed Entity Number: 16020173
Form 471 Application Number: 602147
Form 486 Application Number: 722235
Funding Request Number(s): 1659632
Your Correspondence Dated: April 13, 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 2008 Form 486 Notification 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): 1659632
Decision on Appeal: **Denied**
Explanation:

- USAC has determined that your FCC Form 486 was not filed within 120 days calculated from July 16, 2008, the date of the FCDL or July 1, 2008, the SSD indicated on the FCC Form 486, whichever date is later. On November 25, 2008, USAC mailed an "Urgent Reminder" letter providing you with additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was postmarked and certified on April 9, 2010 which is after the new deadline. Consequently, the SSD has been revised to December 10, 2009, 120 days before the FCC Form 486 postmark date. If the funding commitment includes recurring charges then the funding commitment has been reduced accordingly. It is the responsibility of the applicant to ensure that all forms are

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