



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

September 16, 2010

Robert W. Dubose
Carolina Friends School
4809 Friends School Rd
Durham, NC 27705-8193

Re: Applicant Name: CAROLINA FRIENDS SCHOOL
Billed Entity Number: 28534
Form 471 Application Number: 677459
Form 486 Application Number: 486 Not Certified
Funding Request Number(s): 1855001, 1855034, 1855085, 1855102, 1855128,
1855148, 1855169
Your Correspondence Dated: July 02, 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 Form 486 Rejection 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): 1855001, 1855034, 1855085, 1855102, 1855128,
1855148, 1855169

Decision on Appeal: **Denied**

Explanation:

- During the TPA review of FCC Form 486 (Application Number 648936) USAC contacted you on January 27, 2010 (via e-mail). USAC asked you to provide documentation regarding Carolina Friends School's Technology plan. You were instructed that the request was time sensitive and that a response was expected within fifteen calendar days. On February 4, 2010, you were contacted once again and reminded that the requested documentation due date was February 11, 2010. As this information was not forthcoming, USAC was unable to determine if your funding request was in compliance with Program Rules. Therefore, FCC Form 486 (Application Number 648936) failed the TPA review. On appeal you

state that you were asked to provide your Technology Plan approval letter but you were unable to do so at that time; however, you have since located the letter and provided it on appeal. On August 9, 2010, you provided Program Compliance with additional documentation. The documentation submitted in support of your assertion does not correct the problem that caused USAC to reject the Form 486. Consequently, your appeal is denied. In some cases, USAC may review a Form 486 for compliance with the program requirements for technology planning before the form can be successfully processed. USAC refers to this review as a Technology Plan Approval (TPA) review. If a Form 486 undergoes TPA review, USAC does not issue a Form 486 Notification Letter until all compliance issues have been resolved. Some services do not require a technology plan-i.e., basic telephone service, interconnected Voice over Internet Protocol (VoIP) services, and voicemail. These services are referred to as "basic" services. Services that do require a technology plan are referred to as "non-basic" services.

- FCC rules require applicants to certify on their FCC Form 470 and FCC Form 471 that the entities receiving products and/or services other than basic telephone service are covered by an individual and/or higher-level technology plan that has been, or is in the process of being approved. *See* 47 C.F.R. sec. 54.504(b)(2)(iii) and (iv); 47 C.F.R. sec. 54.504(c)(1)(iv) and (v). The applicants are required to obtain approvals of their technology plans from their state, the Administrator, or an independent entity approved by the Commission and certified by USAC as qualified to provide such approval. On their FCC Form 486, applicants confirm that their plan was approved before they began receiving services. Pursuant to the FCC's Fifth Report and Order (FCC 04-190, released August 13, 2004), FCC rules require technology plans to include five mandatory content elements relating to the applicant's educational development strategies. *See* 47 C.F.R. sec. 54.508 for technology plan requirements. In cases where an applicant provides technology plan documentation that is deficient (*e.g.* is outdated or will expire before the end of the relevant funding year), USAC shall: (1) inform the applicant promptly in writing of any and all deficiencies, along with a clear and specific explanation of how the applicant can remedy those deficiencies; and (2) permit the applicant to submit correct documentation, if any, within 15 calendar days from the date of receipt of notice in writing by USAC. *See* Requests for Review or Waiver of Decisions of the Universal Service Administrator by Brownsville Independent School District Brownsville, TX, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-482620, et al., CC Docket No. 02-6, Order, FCC Rcd 6045, FCC 07-37 para.12 (March 28, 2007).

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