

January 8, 2011

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: CC Docket No. 02-6 and CC Docket No. 96-45
Request for Waiver of “120-DAY 486 DEADLINE” rule cited on
Form 486 Notification Letter (Funding Year 2009: 07/01/2009 – 06/30/2010) dated
November 10, 2010 for
THE LEARNING CHOICE ACADEMY, Billed Entity Number: 16037694
Form 471 Application Number: 681697, Funding Request Number: 1901967
Form 486 Application Number: 817335, Applicant’s Form 486 Identifier: tlc12sbc

Dear Ms. Dortch:

The Learning Choice Academy respectfully submits this formal request for waiver of the program rule invoked by the SLD that changed the Service Start Date on FRN 1901967, triggering a reduction in the funding commitment:

- Commitment Status has been changed from FUNDED to NOT FUNDED
- The Service Start Date submitted on the Form 486 was changed from 7/01/09 to 06/30/2010 based on “120-DAY 486 DEADLINE”
- The Committed Amount of \$3,349.77 has been reduced to \$0.00.

This is a request for waiver and follows the SLD website instructions for OPTION B - FILE AN APPEAL DIRECTLY WITH THE FCC. We appreciate that waivers are not granted often: only in special circumstances and when a deviation from the rules would ***serve the public interest***.

We believe:

- The situation that precipitated delayed filing of the Form 486 meets the waiver standard that generally requires a showing of circumstances that could not be avoided even with careful planning
- This school serves students in California with 37% free/reduced lunch eligibility, implying that the error is hurtful to some of the most economically disadvantaged students in our nation.

We hereby request that the “120-DAY 486 DEADLINE” program rule be waived in this one instance due to the extenuating circumstances detailed below. With this waiver, the SLD would be able to reverse its Service Start Date change, re-instating the initially submitted and actual, Service Start Date of 7/1/2009, revising the Commitment Status back to FUNDED, and re-instating the Committed Amount of \$3,349.77.

This request for waiver was prepared with the assistance of The Miller Institute for Learning with Technology (Letter of Agency attached).

Respectfully submitted,

A handwritten signature in cursive script that reads "Debi Gooding".

Debi Gooding

Ms. Debi Gooding, Director (Authorized Official)

861 Harold Place Suite 301, Chula Vista, 91914

(619) 656-4220 (619) 397-0221

dgooding@learningchoice.org

Appeals may also be submitted to the FCC electronically using the Electronic Comment Filing System (ECFS). The FCC recommends filing with the ECFS to ensure timely filing. Instructions for using ECFS can be found on the ECFS page of the FCC website. Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Time.

This request for waiver is submitted via ECFS.

Detailed contact information.

Applicant Name: THE LEARNING CHOICE ACADEMY
Applicant BEN: 16037694
Street Address: 861 Harold Place, Suites 301-303, Chula Vista, CA 91914
Authorized Person: Debi Gooding
Title of Authorized Person: Director
Telephone Number: (619) 656-4220
Fax Number: (619) 397-0221
Primary Applicant Contact: Jay Sayers
Title of Primary Contact: Technology Director
Telephone Number: (619) 656-8835
Fax Number: (619) 397-0221
Authorized Consultants: The Miller Institute for Learning with Technology
Mark L. Miller or Eileen Miller (LOA attached)
Telephone Number: 650-598-0105
Fax number: 866-801-8667
Preferred Contact Method: E-mail
E-mail Address for Reply: erate.tlc@learningtech.org

Explanation of special circumstances.

In general:

- The Form 486 must be postmarked or received no later than 120 days after the Service Start Date shown on the Form 486, or no later than 120 days after the date of the FCDL, whichever is later, to receive support retroactively to the Service Start Date.
- Schools that cannot afford the specified service without the committed funding wait for the FCDL before starting the service, taking advantage of the “*whichever is later*” accommodation.
- <http://www.usac.org/sl/applicants/step10/>: “To help USAC ensure that Universal Service Fund support is paid only for services that have *actually been delivered*, applicants must verify the start date of services and submit a Receipt of Service Confirmation Form (Form 486).”
- The Form 486 should be filed within the specified dates for services that *have been*, or *are planned to be*, or *are being provided*.
- USAC issues URGENT REMINDER letters when it appears that YOUR FORM 486 MAY BE LATE.
- Service Substitutions and SPIN changes require PRE-APPROVAL, and must be requested no sooner than receipt of 471 RAL and no later than last day to receive service for that FRN.
- A new FCDL is issued when a SPIN change is approved, but (as learned the hard way) only to the Service Provider.

Specifically for TLC:

- TLC applied for funding to upgrade its Internet access from the modest DSL lines currently installed to the CALNET2 Managed Internet Service [MIS] (4 Mbps per each of four locations). Due to significant installation costs and facilities uncertainties, TLC has not yet been able to execute on its plan to upgrade its Internet.
- TLC's FCDL for this FRN was not issued until 1/19/2010 (attached below).
- Therefore, the Form 486 should have been filed by 05/19/2010, *IF* the originally planned service had been started. The existing service that was eventually approved as a Service Substitution was in place as of 7/1/2009 and was continued through 6/30/2010 of the 2009-2010 funding year.
- All other services approved on the 1/19/2010 FCDL were started as originally described, so a Form 486 was submitted for all other FRNs on 4/23/2010.
- As the end of the 2009-2010 funding year approached, it was clear that the originally funded service would not be started within the current funding year, necessitating the request for a Service Substitution and associated Corrective SPIN change.¹
- USAC's Urgent Reminder letter dated 5/25/2010 (attached below) extended the Form 486 deadline for this FRN to 6/15/2010, but as of that date we were preparing a Service Substitution request with associated Corrective SPIN change.
- A Service Substitution with associated Corrective SPIN change was timely requested on 6/17/2010 (attached below). (A Service Substitution request and a Corrective SPIN change request are timely if submitted after receipt of 471 RAL and no later than last day to receive service for that FRN.)
- The Service Substitution was approved on 6/30/2010 (attached below).
- **But, the corrective spin change request was not yet approved.**
- On 8/10/2010, a status was requested of SLD regarding the SPIN change request via Case# 22-096065 (attached below).
- Then, the Corrective SPIN change was approved on 8/11/2010 (attached below) **with this notation: "The new Service Provider will receive a Funding Commitment Decision Letter (FCDL)."** Based on this notation, the Applicant did not submit the Form 486 since we were awaiting a new FCDL and believed a new FCDL must be issued before the corresponding Form 486 could be filed, and that another 120 days would be allowed after the new FCDL was issued.
- The 10/28/2010 invoicing deadline provoked a call to Client Service Bureau on 10/27/2010 (Case #22-125210) to find out when the new FCDL would be issued. The revelation that "no new Applicant FCDL will be issued" was shared by the Client Service Bureau representative during this call.
- Hence, within 24 hours, the Form 486 was filed on 10/28/2010 (attached below) showing 7/1/2009 as the Service Start Date for the substituted service and now approved Corrective SPIN change.
- The 11/10/2010 Form 486 Notification Letter (attached below) changed the Service Start Date to 06/30/2010, which also caused the entire FRN to become NOT FUNDED.

¹ Even though the service is actually from the same provider, because ATT/PacBell/SBC has so many SPINs, a Corrective SPIN change was necessary.

Summary:

- E-Rate funding rules, especially for the Form 486 and its interaction with Service Substitutions and Corrective SPIN changes, are complex under the best of conditions.
- Due to a complicated sequence of events, compounded by very confusing feedback (i.e., “a new FCDL will be issued”) and considerable delays from SLD, complying with the Form 486 “120-DAY 486 DEADLINE” rule became even more challenging and confusing.
- **Nothing improper was done by anyone.**
- Funding is being deprived to a highly needy, compliant Applicant due to an unusually confusing technicality.
- Denial of funding in this situation does not serve the public interest.
- Despite a conscientious effort to fully comply with the all program rules, a ministerial error has resulted in a costly reversal of funding for a needy Applicant.

Requested Outcome:

We seek the following outcome:

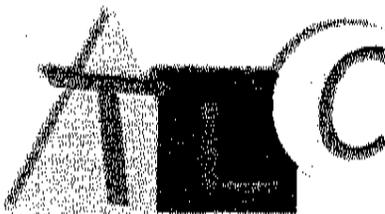
| Item | FROM: Data Retrieval Tool (1/2/2011) | TO: Requested Outcome |
|-------------------|---|------------------------------|
| Commitment Status | NOT FUNDED | FUNDED |
| 486 SSD | 6/30/2010 | 7/1/2009 |
| Committed Amount | \$0.00 | \$3,349.77 |

The Learning Choice Academy [TLC] asks FCC to waive the “120-DAY 486 DEADLINE” rule for Form 486, in this specific situation, due to unique circumstances that could not have been avoided merely by more careful planning. The Applicant planned for and budgeted for a significant upgrade in Internet access, but ongoing budget cuts at the state level led to an unavoidable decision to simply remain with a lower level of service -- from the same provider (modulo AT&T's many SPIN numbers). TLC properly requested a Service Substitution (which was approved) in good faith, after receipt of an approved FCDL, so that they could at least receive discounts on the lower level of service. A relatively late FCDL for Priority 1 services, SLD delays associated with the request for a Service Substitution, the additional requirement that a Corrective SPIN change also be done, just to remain at the existing service level, and confusing language on SLD's approval letter, all contributed to an understandable ministerial error. Even a consulting firm, whose personnel have up to 13 years of experience with the E-Rate program, was confused by this situation and by the advice provided by the Client Service Bureau on how to handle this matter.

No one did anything improper and there was no attempt to circumvent a single program rule. This was nothing more than a misunderstanding over a ministerial technicality as to the procedure for handling this type of situation. School children eligible for free and reduced lunch should not be penalized due to confusing subtleties in E-Rate program procedures.

Over \$3,000 in funding might seem small compared to large city school district applications, but it is a sizable setback for a tiny charter school serving the most disadvantaged students in our society.

Therefore, we respectfully ask FCC to allow and direct SLD to reset the Service Start date for FRN 1901967 to the actual date of 7/1/2009, thereby restoring previously approved funding for the basic Internet access services actually received under this FRN. It is our fervent hope that FCC will see fit to waive enforcement of the 120-day rule in light of these mitigating circumstances. We note, in closing that there is considerable precedent for this type of waiver. It best serves the public interest to not cancel approved funding for a school that followed all of the program rules but was merely tripped up by a subtle technicality when trying to manage through already painful statewide budget cuts.



The Learning Choice Academy

E-Rate Consultant Letter of Agency Funding Year 2009 - 2010

To Whom It May Concern:

The Learning Choice Academy (hereinafter, **Applicant**) hereby authorizes The Miller Institute for Learning with Technology and its authorized representatives (hereinafter, **Consultant**) to discuss, prepare, and submit all appropriate E-rate forms and to interact with the Schools and Libraries Division of the Universal Service Administrative Company on its behalf. This letter of agency shall remain effective through **10/30/2010** unless superseded or terminated sooner, with thirty written days notice, by either party.

This letter of agency authorizes Consultant to interact with the Schools and Libraries Division of the Universal Service Administrative Company, as well as eligible service providers, on behalf of Applicant. It authorizes all necessary and appropriate E-Rate application activities (such as solicitation of bids from prospective service providers) for the Funding Year shown above, as well as follow-up actions, as needed, relating to the prior two Funding Years. It authorizes preparation and submission of all appropriate forms (470, 471, 486, 472, 500, Letters of Appeal, and so on), and correspondence with Program Integrity Assurance (PIA) and SLD audit personnel. It applies to all categories of service (Telecommunications, Internet Access, Internal Connections, and Basic Maintenance of Internal Connections) that are eligible for the E-Rate discount program.

In preparing application materials and other responses on behalf of Applicant, it is understood that Consultant shall necessarily rely on the accuracy of information provided by Applicant (including the Applicant's employees, contractors, service providers, and other authorized representatives) including, but not limited to: enrollment data, free/reduced lunch eligibility, service provider agreements, compliance with the Child Internet Protection Act (CIPA) and local competitive bidding regulations and practices. Consultant will exercise reasonable diligence in documenting and verifying such information. It is further understood that the responsibility for E-Rate document certifications and for the veracity of certification statements remains with Applicant, regardless of the method used to certify such statements (such as paper signatures versus electronic submission using a PIN).

Applicant understands that, in submitting E-Rate forms on its behalf, Consultant is being authorized and directed to make certain material certifications on behalf of Applicant.

In executing this Letter of Agency, the authorized signer for Applicant, whose name and title appear below, hereby makes the following certifications:

- (a) I certify that Applicant's school(s) is/are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million dollars.
- (b) I certify that Applicant's schools has/have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that to the extent that the Applicant is passing through the non-discounted charges for the E-Rate services requested in conjunction with this Letter of Agency, that the entities represented by Applicant have secured access to all of the resources to pay the non-discounted charges for eligible services from funds to which access has been secured in the current funding year.
- (c) I certify that our school(s) is/are covered by a technology plan(s) that is/are written, that covers all 12 months of the funding year, and that has/have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service. The plan(s) is/are written at the following level(s):
 An individual technology plan for using the services requested in this application; and/or
 Higher-level technology plan(s) for using the services requested in this application; or
 No technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
- (d) I certify that the services the school, library or district purchases at discounts provided by 47 U.S.C. § 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the rules of the Federal Communications Commission (Commission or FCC) at 47 C.F.R. § 54.500 (et seq.).
- (e) I certify that our school(s) has/have complied with, and will continue to comply with, all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
- (f) I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- (g) I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to

demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I acknowledge that the Consultant's good faith efforts to maintain electronic archival backup copies of such records shall not in any way reduce the Applicant's obligation to maintain its own records.

(h) I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) covered by this Letter of Agency, that I have examined this Letter, that all of the information on this Letter is true and correct to the best of my knowledge, that the entities that will be receiving discounted services under this Letter pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

(i) I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities, or any person associated in any way with my entity and/or the entities, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

(j) I certify, on behalf of the entities covered by this Letter of Agency, that any funding requests for internal connections services, except basic maintenance services, applied for in the resulting FCC Form 471 application are not in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. § 54.506(c).

(k) I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

(l) I certify that Consultant is authorized to perform electronic certification of forms on behalf of Applicant, upon being provided with Applicant's PIN number, and that I understand that such authorized electronic certification shall be interpreted as legally equivalent to my own hand-written signature on a paper form.

(m) I certify that I am authorized to sign this Letter of Agency and, to the best of my knowledge, information, and belief, all information provided to Consultant for E-Rate

submission is true.

Consultant: The Miller Institute for Learning with Technology
Authorized Signature: *Mark L. Miller*
Printed Name: Mark L. Miller, Ph.D.
Title: President and Executive Director
Date: September 25, 2008
Applicant: The Learning Choice Academy
Authorized Signature: *Kathryn A. Bass*
Printed Name: Kathryn Bass
Title: Director
Date: September 25, 2008

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2009: 07/01/2009 - 06/30/2010)

January 19, 2010

Eileen Miller
THE LEARNING CHOICE ACADEMY
751 Laurel St., #411
San Carlos, CA 94070

Re: Form 471 Application Number: 681694
Billed Entity Number (BEN): 16037694
Billed Entity FCC RN: 0016055865
Applicant's Form Identifier: tlc_y12_471_p1

Thank you for your Funding Year 2009 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$38,544.72 is "Approved."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - Form 471 Application Number 681694 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2009," AND
 - The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

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

If you wish to appeal a decision in this letter to 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 by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. 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.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: THE LEARNING CHOICE ACADEMY
BEN: 16037694
Funding Year: 2009

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 681694
Funding Request Number: 1901673
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 267290000544188
SPIN: 143002665
Service Provider Name: Pacific Bell Telephone Company
Contract Number: CalNet 2 - MSA-1
Billing Account Number: 858 536 8388
Multiple Billing Account Numbers: Y
Service Start Date: 07/01/2009
Service End Date: N/A
Contract Award Date: 02/07/2008
Contract Expiration Date: 01/29/2012
Shared Worksheet Number: 1107366
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,918.92
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$10,918.92
Discount Percentage Approved by the USAC: 60%
Funding Commitment Decision: \$6,551.35 - FRN approved as submitted

FCDL Date: 01/19/2010
Wave Number: 036
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: THE LEARNING CHOICE ACADEMY
BEN: 16037694
Funding Year: 2009

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 681694
Funding Request Number: 1901826
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 267290000544188
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: CalNet 2 - MSA-2
Billing Account Number: 858-536-8388
Multiple Billing Account Numbers: Y
Service Start Date: 07/01/2009
Service End Date: N/A
Contract Award Date: 01/18/2008
Contract Expiration Date: 01/29/2012
Shared Worksheet Number: 1107366
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,197.60
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,197.60
Discount Percentage Approved by the USAC: 60%
Funding Commitment Decision: \$718.56 - FRN approved as submitted

FCDL Date: 01/19/2010

Wave Number: 036

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

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FUNDING COMMITMENT REPORT
Billed Entity Name: THE LEARNING CHOICE ACADEMY
BEN: 16037694
Funding Year: 2009

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 681694
Funding Request Number: 1901967
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 652710000648146
SPIN: 143002665
Service Provider Name: Pacific Bell Telephone Company
Contract Number: CalNet 2 - MSA-1
Billing Account Number: 858-536-8388
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2009
Service End Date: N/A
Contract Award Date: 02/07/2008
Contract Expiration Date: 01/29/2012
Shared Worksheet Number: 1107366
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$42,250.56
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$4,495.00
Pre-discount Amount: \$46,745.56
Discount Percentage Approved by the USAC: 60%
Funding Commitment Decision: \$28,047.34 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: MR1: The FRN was modified from \$43,865.56 to \$46,745.56 to agree with the applicant documentation.

FCDL Date: 01/19/2010
Wave Number: 036
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT
Billed Entity Name: THE LEARNING CHOICE ACADEMY
BEN: 16037694
Funding Year: 2009

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 681694
Funding Request Number: 1902211
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 286750000718689
SPIN: 143004769
Service Provider Name: Verizon California Inc.
Contract Number: MTM
Billing Account Number: 951-676-4200 070926
Multiple Billing Account Numbers: Y
Service Start Date: 07/01/2009
Service End Date: 06/30/2010
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1107366
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,379.12
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,379.12
Discount Percentage Approved by the USAC: 60%
Funding Commitment Decision: \$3,227.47 - FRN approved as submitted

FCDL Date: 01/19/2010
Wave Number: 036
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010



Schools and Libraries Division

**URGENT REMINDER: YOUR FORM 486 MAY BE LATE
(Funding Year 2009: 07/01/2009 - 06/30/2010)**

Date: May 25, 2010

Eileen Miller
THE LEARNING CHOICE ACADEMY
751 Laurel St., #411
San Carlos, CA 94070

**RE: Billed Entity Number: 16037694
Form 471 Application Number: 681694**

This letter is a reminder that you may have missed the deadline for submitting and certifying your FCC Form 486, Receipt of Service Confirmation Form, based on your FCDL Date and the Service Start Date indicated on your FCC Form 471, Block 5 Discount Funding Request(s).

You have 20 days from the date of this letter to submit and certify your Form(s) 486 with no penalty, if your services did start at least 120 days before the above date.

If you fail to submit and certify your Form 486 by 06/14/2010 your Service Start Date may be adjusted once you submit and certify your Form 486. USAC may reduce your commitment for recurring services if your Service Start Date is adjusted.

THIS IS YOUR ONLY REMINDER. If your services have not yet started or have started within the last 120 days, YOUR FORM 486 MUST BE POSTMARKED OR SUBMITTED ONLINE WITHIN 120 DAYS OF YOUR SERVICE START DATE.

Following this letter is a Form 486 Reminder Report (Report) that lists the Funding Request Number(s) for which either a Form 486 has not been submitted or a Form 486 has been submitted online, but not certified.

Form 486 is available in the Apply Online area of our website at www.usac.org/sl. We recommend that you use the Deadline Tool on our website to check the Form 486 deadlines for specific FRNs and other Program deadlines.

Complete Program information is available on our website. You may also contact our Client Service Bureau via email using the "Submit a Question" feature on our website, toll-free via fax at 1-888-276-8736 or toll-free via phone at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

Form 486 Reminder Report
Form 471 681694

We have not received your completed Form 486 and certifications - either online or on paper.

Funding Request Numbers(s)

1901967

Date: May 25, 2010

Eileen Miller
THE LEARNING CHOICE ACADEMY
751 Laurel St., #411
San Carlos, CA 94070

RE: Billed Entry Number: 16037694
Form 471 Application Number: 681694

This letter is a reminder that you may have missed the deadline for submitting and certifying your FCC Form 486, Receipt of Service Confirmation Form, based on your FCC Date and the Service Start Date indicated on your FCC Form 471, Block 5. Discount Funding Request(s).

You have 30 days from the date of this letter to submit and certify your Form 486 with no penalty, if your services did start at least 120 days before the above date.

If you fail to submit and certify your Form 486 by 05/14/2010 your Service Start Date may be advanced once you submit and certify your Form 486. USAC may reduce your commitment for recurring services if your Service Start Date is adjusted.

THIS IS YOUR ONLY REMINDER. If your services have not yet started or have started within the last 120 days, YOUR FORM 486 MUST BE FORWARDED OR SUBMITTED ONLINE WITHIN 120 DAYS OF YOUR SERVICE START DATE.

Following this letter is a Form 486 Reminder Report (Report) that lists the Funding Request Number(s) for which either a Form 486 has not been submitted or a Form 486 has been submitted online, but not certified.

Form 486 is available in the Apply Online area of our website at www.usac.org/si. We recommend that you use the Deadline Tool on our website to check the Form 486 Deadlines for specific PRNs and other Program Deadlines.

Complete Program Information is available on our website. You may also contact our Client Service Bureau via email using the "Submit a Question" feature on our website, toll-free via fax at 1-888-275-8736 or toll-free via phone at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

00034



June 16, 2010

| | |
|---|--|
| Service Substitutions, SLD - Correspondence Unit 100 S. Jefferson Rd, P.O. Box 902 Whippany, NJ 07981 | Corrective SPIN Change, SLD Box 125 - Correspondence Unit, 80 S. Jefferson Rd Whippany, NJ 07981 |
|---|--|

RE: **FRN 1901967**
App# 681694
BEN 16037694

Via: Submit-A-Question, Topic Inquiry, **Service Substitutions + SPIN Change**

This letter is to request continuation of the prior year Service Substitution and SPIN Change.

During 2009-2010, The Learning Choice Academy ["TLC"] had planned to upgrade its DSL lines currently delivered by AT&T Internet services (SPIN 143004610) to the Managed Internet Service provided by Pacific Bell Telephone Company (SPIN 143002665), but TLC did not implement the upgrade. All services are provided by ATT/PacBell, although some services are covered by different SPIN numbers owned by the same company.

TLC has not yet completed this upgrade that was requested and committed for funding year 2009-2010, and therefore requests a Service Substitution for 2009-2010 funding year from the intended Managed Internet Service to the existing DSL Internet services, with associated corrective SPIN changes. SPIN 143002665 has not yet provided the Managed Internet Service, however SPIN 143002665 has continued to provide DSL based Internet service.

Per SLD's web site instructions, we provide the following information.

| | | |
|----|-----------------------------|--|
| 1. | Applicant Name | THE LEARNING CHOICE ACADEMY-CONSORTIUM |
| 2. | Billed Entity Number | 16037694 |
| 3. | Form 471 Application Number | 681694 |
| 4. | Funding Request Number | 1901967 |
| 5. | Name of submitter | Kathy Bass |
| 6. | Title of submitter | Director |
| 7. | Submitter phone number | (619) 656-4220 |
| 8. | Submitter mailing address | 861 Harold Place, Suites 301-303, Chula Vista, CA 91914 |
| 9. | Submitter e-mail address | erate.tlc@learningtech.org |

| | | |
|-----|---|--|
| 10. | FROM: Managed Internet Service provided by ATT/Pacific Bell, SPIN 143002665 Contact: Pacific Bell Telephone Company, Dymea Craig-Riley, 2600 Camino Ramon, 4W750LLL , San Ramon, CA 94583 925-824-7318 Total Cost: \$46,745.56 Discount: 60% | TO: DSL Internet Service provided by AT&T Internet services, SPIN 143004610 Contact: SBC Internet Services, Inc., Michele Smith, 225 West Randolph Floor 22A, Chicago, IL 60606 877-689-3997 Revised Total Cost: \$5,582.94 Discount: 60% |
| 11. | Original committed amount for FRN: \$28,047.34 | |
| 12. | | Revised commitment amount for FRN: \$3,349.76 |

13. I certify:

- that the substituted products or services have the same functionality as that contained in the original proposal,
- that the substitution does not violated any contract provisions or state or local procurement laws,
- that the substitution does not result in an increase in the percentage of ineligible services or functions,
- that the requested change is consistent within the scope of the establishing controlling FCC Form 470, including and any Requests for Proposal for the original services.

To the extent that the requested service substitution provides a decreased cost, I authorize USAC to reduce my funding commitment.

Thank you,

A handwritten signature in cursive script, appearing to read "Kathy Bass".

Kathy Bass
Director



Schools and Libraries Division

ADMINISTRATOR'S DECISION ON SERVICE SUBSTITUTION REQUEST

July 30, 2010

Kathy Bass
The Learning Choice Academy-Consortium
861 Harold Place, Suites 301-303
Chula Vista, CA 91914

Form 471 Application Number: 681694

Dear Applicant:

This letter is your notification that the FCC Form 471, *Services Ordered and Certification Form* you submitted for **Minor Modifications** was received and approved. You are now authorized to make the changes identified in your submission.

This letter does NOT authorize any increase in funding of any Funding Request Numbers (FRNs) contained in your submission. If the changes represent a cost decrease from the original commitment amount for the Funding Request Numbers (FRNs) listed below, the Schools and Libraries Division (SLD) automatically adjusts the funding commitment for the affected FRNs. If applicable, the amount of the reduction and the revised funding commitment will be shown below for the affected FRNs.

Do NOT file FCC Form 500 to reflect any funding reduction from this service substitution request, as the funding reduction has already been taken.

Please keep this letter for your records. This is the only notification you will receive indicating the processing of the above-submitted form, and of a reduced funding commitment if a cost decrease is included.

The Funding Request Numbers (FRNs) listed below are the only changes to products or services authorized for this Minor Modification filing.

FRN: 1901967
Reduction: \$24,697.57
Revised Commitment: \$3,349.77

If you have any questions regarding the above information, please write to us at "Schools and Libraries Division - Correspondence Unit, 30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685"

TO APPEAL THIS DECISION

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - application or form number as assigned by the USAC
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter,
 - Name of letter and funding year – both are located at the top of the letter, and
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (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 by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. 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.

From: erate.tlc-bounces@learningtech.org on behalf of sldnoreply@sl.universalservice.org
Sent: Tuesday, August 10, 2010 1:57 PM
To: erate.tlc@learningtech.org
Subject: [erate.tlc] SLD Inquiry #: 22-096065 Received

Attachments: ATT00050.txt

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-096065.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at www.usac.org/sl.

Thank you.

Following is the information you submitted:

*[FirstName]=Eileen [LastName]=Miller [JobTitle]=Consultant
[EmailAddress]=erate.tlc@learningtech.org [WorkPhone]=6505980105252 [FaxPhone]=8668018667
[PreviousCaseNumber]=0 [FormType]=Spin Changes [Owner]=SPINCHANGES
[DateSubmitted]=8/10/2010 4:51:42 PM [AttachmentFlag]=N[BenOrSpinNumber]=16037694
[ApplicantName]=THE LEARNING CHOICE ACADEMY [ApplicationNumber]=681694 [FRN]=1901967
[OldSPIN]=143002665 [NewSPIN]=143004610 [Question2]=We have received the Administrator's
Decision on Service Substitution Request approving the Service Substitution for 2009-2010 funding year
from the intended Managed Internet Service to the existing DSL Internet services, with associated
corrective SPIN change from 143002665 to 143004610. Today's Data Retrieval pull does not reflect the
SPIN change. What is that status of the SPIN change?*



THE LEARNING CHOICE ACADEMY
861 HAROLD PLACE SUITES 301-303
CHULA VISTA, CA 91914

Attention: Eileen Miller

Phone: (650) 598-0105

Re: Universal Service Administrator's Confirmation of SPIN Change/Correction

The request to change / correct the Service Provider has been granted.

Form 471 Application Number: 681694

The new Service Provider will receive a Funding Commitment Decision Letter (FCDL). PLEASE NOTE: While this FCDL will contain more detailed information on the FRNs listed below, it will show the ORIGINAL COMMITMENT amount, rather than the amount that remains undisbursed for this FRN.

THIS E-MAIL IS FOR ADVISORY PURPOSES ONLY. REPLIES WILL NOT BE RECEIVED. IF YOU HAVE QUESTIONS REGARDING THE SUBJECT OF THIS ADVISORY E-MAIL, PLEASE CALL OUR CLIENT SERVICE BUREAU AT 1-888-203-8100.

| | |
|---|--------------------------------|
| Funding Request No. (FRN): | 1901967 |
| Original Service Provider: | Pacific Bell Telephone Company |
| Original SPIN: | 143002665 |
| New Service Provider: | SBC Internet Services, Inc. |
| New SPIN: | 143004610 |
| Original Commitment Amount: | \$3,349.77 |
| Disbursement Amount: | \$0.00 |
| CAP Remaining: | \$3,349.77 |
| Date of Change: | 8/11/2010 |
| A Form 486 has been filed for this FRN: | No |
| This FRN includes Non-Recurring Services: | Yes |

Need Help?

**Form 486****Receipt of Service Confirmation Form****Form 486 Status:** CERT RECEIVED**Applicant's Form Identifier:** tlc12sbc**Form 486 Number:** 817335

(create your own code to identify this Form 486)

Block 1: Billed Entity InformationNeed
Help?

| | | |
|-------------------------------|---------------------------------|-------------------------|
| 1. Billed Entity Name: | 2. Billed Entity Number: | 3. Funding Year: |
| THE LEARNING CHOICE ACADEMY | 16037694 | 2009 |

4. Complete Mailing Address of Billed Entity:

| | | | |
|-----------------------------------|---------------------------------|-------------------|----------------------------|
| Address Line 1: | 861 HAROLD PLACE SUITES 301-303 | Telephone: | (619) 463 - 6849 ext. |
| Address Line 2 (optional): | | Fax: | (619) 463 - 0052 |
| City: | CHULA VISTA | Email: | ERATE.TLC@LEARNINGTECH.ORG |
| State: | CA | | |
| Zip Code +4: | 91914 - | | |

5. Contact Person Information:**Contact Person Name:** Eileen Miller

Contact Information is the same as in Item #4

| | | | | |
|------------------------|---------------------|----------------------------------|-------------------|-----------------------------|
| Address Line 1: | 751 Laurel St. #411 | <input type="radio"/> | Telephone: | (650) 598 - 0105 ext. 252 |
| Address Line 2: | | <input type="radio"/> | Fax: | (866) 801 - 8667 |
| City: | San Carlos | <input checked="" type="radio"/> | Email: | erate.tlc@learningtech.org |
| State: | CA | | | |
| Zip Code +4: | 94070 - | | | |

* Select a radio button above next to the preferred method of contact.

Block 2: Early Filing Information and CIPA Waiver Requests

Need I

6a. Early Filing

CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING ON OR BEFORE JULY 31 OF THE FUNDING YEAR.

- The Funding Requests listed in Block 3 have been approved by USAC as shown in my Funding Commitment Decision Let (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.

6b. CIPA Waiver

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

- I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rule

regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

6c. CIPA Waiver for Libraries for Funding Year 2004

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR FUNDING YEAR 2004 IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY FOR THE LIBRARY(IES) REPRESENTED ON THIS FORM 486.

- I am providing notification that, as of the date of the start of discounted services in Funding Year 2004, I am unable to make certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with CIPA requirements before the start of the Funding Year 2005.

Block 3: Service Information

Need Help?

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named service provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below. Remember: The FRNs listed below must be from the same Funding Year as is listed in Block1, Item 3.

| | (A) 471 Application # From FCDL: | (B) Funding Request # (FRN) From FCDL: | (C) Service Provider Identification # (SPIN) From FCDL: | (D) Service Provider Name From FCDL: | (E) Funding Year Service Start Date (Earliest Date that Discounted Services Will Begin): | de |
|---|---|--|--|--|---|----|
| 1 | 681694 | 1901967 | 143004610 | SBC Internet Services, Inc. | 7/1/2009 | |

Block 4: Certifications

Need Help?

- 8. I certify that the entity(ies) receiving discounted services as indicated on this Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body – a USAC-certified technology plan approver – prior to the commencement of service and throughout all 12 months of the funding year. If applicable, provide the name(s) of the organization(s) that approved a technology plan for any eligible entity that is receiving services covered under this Form 486. If EVERY FRN listed in the Form 486 is for basic telephone service only, enter "NONE" here.

If all of the FRNs listed herein are for basic telephone service only, choose "Other" at the bottom of the drop down list and enter 'NONE' in the comment field.

California Department of Education

- 9. I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486, except for those services provided on a tariff or month-to-month basis. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity; that I have examined this request; and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
- 10. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.

NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11:

A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d. A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")
A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 2001 and who checks Item 11d or 11e must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")

IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.

11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

I certify that as of the date of the start of discounted services:

- a. the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requiremer Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b. pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in Funding Request Number(s) on this Form 486:

(FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.

(FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (a compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.

- c. the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications serv

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES ¹:

- d. I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members consortium.
- e. I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal servi support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements c Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply.

For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:

- f. I certify that some or all of the eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver, and upon from the Administrator I can provide this information; OR
- g. I certify that no eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver.

¹ See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities." The certification language above is not intended to fully set forth or explain all the requirements of the statute.

Block 4: Signature

Need
Help?

14. Printed name of authorized person: Debi Gooding**15. Title or position of authorized person: Director****16a. Street Address, P.O. Box, or Route Number:**

Address Line 1: 861 Harold Place Suite 301

Address Line 2 (optional):

City: Chula Vista

State: CA

Zip Code +4: 91914 -

16b. Telephone number of authorized person:

(619) 463 - 6849 ext.

16c. Fax number of authorized person:

(866) 801 - 8667

16d. Email address of authorized person:

erate.tlc@learningtech.org

Exit



Universal Service Administrative Company

Schools and Libraries Division

FORM 486 NOTIFICATION LETTER
(Funding Year 2009: 07/01/2009 - 06/30/2010)

November 10, 2010

Eileen Miller
THE LEARNING CHOICE ACADEMY
751 Laurel St. #411
San Carlos, CA 94070

Re: Form 486 Application Number: 817335
Applicant's Form 486 Identifier: tlc12sbc

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

NEXT STEPS

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.

Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685
Visit us online at: www.usac.org/sl

2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - Form 486 Number 817335 and ERN(s) as assigned by USAC,
 - "Form 486 Notification Letter for Funding Year 2009", AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC s decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC s decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

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

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (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 by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. 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.

A guide to the data reported in our letter reports is posted in the Reference Area of our website. Complete Program information, including invoice deadlines is also posted on our website. You may also contact our Client Service Bureau by email using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736, or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2009)

Funding Request Number: 1901967
Form 471 Application Number: 681694
Service Provider Name: SBC Internet Services, Inc.
Service Provider Identification Number: 143004610
Billing Account Number: 858-536-8388
Service Start Date: 06/30/2010*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$0.00

