

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Application for Review of Decision of)	
The Schools and Libraries Division of the)	CC Docket No. 02-6
Universal Service Administrative Company)	
)	
Appeal of Funding Year 2003-2004 Funding)	
Commitment Adjustment detailed in the USAC)	
Letter dated May 7, 2008 as presented on)	
July 22, 2011 and received on August 4, 2011)	
)	
Funding Year 2003)	
Form 471 Application Number: 370891)	
Funding Request Number: 1011977)	
Applicant: YouthBuild Columbus Community)	
School, Columbus OH)	
(BEN 233818))	

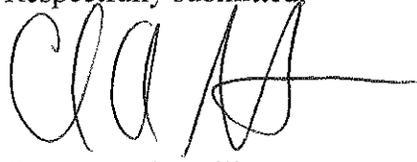
MOTION TO CONSIDER FILING AS TIMELY

- 1) USAC claims to have sent a Notification of Improperly Disbursed Funds Letter on May 7th, 2008. The attached, sworn affidavits¹, show the school's business manager, nor the person to whom the letter was addressed at the school, nor the service provider that was allegedly copied on the letter, actually received the original May 7th, 2008 letter. Said affidavits all show that the recipients only first saw the May 7th, 2008 letter attached to a letter dated July 22nd, 2011.
- 2) Because the July 22nd, 2011 letter was sent during the school's summer break, it was actually not received until August 4th, 2011.
- 3) Because the Notification of Improperly Disbursed Funds Letter wasn't received until August 4th, 2011, we assert that we would have until October 3rd, 2011 to file an appeal.

¹Included as Attachment A.

4) Therefore, in consideration of these facts, it is respectfully requested the Commission consider the attached documentation as being filed in a timely manner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C.A. Quintanilla', with a long horizontal flourish extending to the right.

Chris A Quintanilla
YouthBuild Columbus Community School
1183 Essex Ave
Columbus, OH 43201

September 29, 2011

ATTACHMENT A



Buckeye Community
Hope Foundation
YouthBuild Columbus
1183 Essex Ave
Columbus, Ohio 43201
614.291.0838
614.291.0893 fax
www.buckeyehope.org

YouthBuild Columbus Community School
c/o Chris A. Quintanilla
PO Box 7152
Wilmington, DE 19803-0152

Subject: Affidavit of non-receipt of USAC letter dated May 7th, 2008

Dear Mr. Quintanilla:

I, P. Gilbertson Barno, having been duly sworn, hereby make affidavit that:

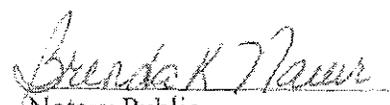
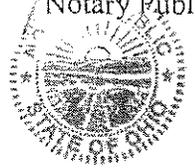
1. I have reviewed the "Notification of Improperly Disbursed Funds Letter" that you provided to me from the Universal Service Administrative Company, dated May 7th 2008.
2. I see that this letter was addressed to YouthBuild Columbus Community School and was sent to my attention.
3. I did not receive a copy of this letter via any electronic or postal means, or by any other means. The first time I saw this letter was when I received it attached to a "Demand Payment Letter" dated July 22, 2011.

Sworn and Subscribed to this 1st Day of September, 2011:


P. Gilbertson Barno
Executive Director
PGB:hs

State of Ohio
County of Licking, SS:

Before me, a Notary Public in and for the State of Ohio, personally appeared P. Gilbertson Barno and acknowledged the foregoing to be true to the best of his knowledge and belief, this first day of September, 2011.


Notary Public

BRENDA K. NAUER
Notary Public, State of Ohio
My Comm. Expires Mar. 19, 2015



Anthony English, Director

Derek L. Steward, Sr., Principal

August 31, 2011

Leigh Ann Morrison
YouthBuild Columbus Community School
1183 Essex Avenue
Columbus, OH 43201

YouthBuild Columbus Community School
c/o Chris A. Quintanilla
PO Box 7152
Wilmington, DE 19803-0152

Subject: Affidavit of non-receipt of USAC letter dated May 7th, 2008

Dear Mr. Quintanilla,

1. I have reviewed the "Notification of Improperly Disbursed Funds Letter" that you provided to me from the Universal Service Administrative Company, dated May 7th 2008.
2. I see that this letter was addressed to YouthBuild Columbus Community School and was sent to my attention.
3. I did not receive a copy of this letter via any electronic or postal means, or by any other means. The first time I saw this letter was when I received it from you on August 24, 2011.
4. Please let me know if I may provide any additional testimony regarding this matter.

Sincerely,

Leigh Ann Morrison
School Administrator EMIS/SOES
YouthBuild Columbus Community School
614-291-0805 x103 fax 614-291-0890

Sworn to and subscribed before me, in my presence
this 29th day of Sept 2011. A South Carolina
Notary Public. In and for the State at Large

Notary Public
Exp. 12/14/2019

September 7, 2011

Charles Skinner
543 Edgemont Ave
Lansdale, PA 19446

YouthBuild Columbus Community School
c/o Chris A. Quintanilla
PO Box 7152
Wilmington, DE 19803-0152

Subject: Affidavit of non-receipt of USAC letter dated May 7th, 2008

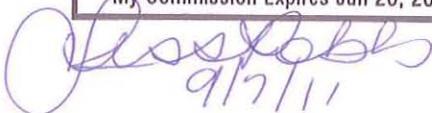
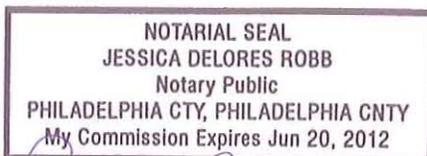
Dear Mr. Quintanilla,

1. I have reviewed the "Notification of Improperly Disbursed Funds Letter" that you provided to me from the Universal Service Administrative Company to Gil Barno of Youth Build Columbus Community School, dated May 7th 2008.
2. I see that I was listed as a cc: recipient on this letter.
3. I did not receive a copy of this letter via any electronic or postal means, or by any other means. The first time I saw this letter was when I received it from you on August 24, 2011.
4. Please let me know if I may provide any additional testimony regarding this matter.

Sincerely,



Charles Skinner



Jess DeLores Robb
9/7/11