



October 25, 2011

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OCT 28 2011

FCC Mall Room

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

RE: CC Docket No. 02-6: Letter of Appeal FRN 1861941

Applicant Name:	City of Lowell
Billed Entity Number:	120392
Form 471 Application Number:	678522
Funding Request Number:	1861941

To whom it may concern:

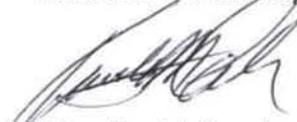
This letter is to appeal a Decision on Appeal made by USAC with respect to FRN Number 1861941, Funding year 2009 - 2010.

USAC initially denied payment on a line item stating the item was removed in service substitution, and the USAC Decision on Appeal also states that RetroFit invoiced for products/services that were removed during the product/service substitution request. USAC states these products/services include: J8437A Procurve 10 GBE X2-SC LR Optic; however, as you can see in the attached copy of the service substitution request, model J8437A is not one of the items removed in the service substitution request for this FRN. We are writing to request further examination of our appeal by the FCC so final payment may be made on invoice number 1526988 in the amount of \$2,794.50.

Please do not hesitate to contact us if additional information is required. Thank you for your consideration, and we look forward to your response to our appeal.

Very truly yours,

RetroFit Technologies, Inc.



Timothy M. Lawlor
President and CEO

Enclosures

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List ABCDE



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

October 19, 2011

Timothy Lawlor
RetroFit Technologies Inc.
455 Fortune Boulevard
Milford, MA 01757

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FCC Mail Room

Re: Applicant Name: CITY OF LOWELL
Billed Entity Number: 120392
Form 471 Application Number: 678522
Funding Request Number(s): 1861941
Your Correspondence Dated: September 09, 2011

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 Remittance Statement 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): 1861941
Decision on Appeal: **Denied**
Explanation:

- During the invoice review, reimbursement can only be issued for products/services that were approved during the Form 471 review process, and/or products/services that were approved on a product/service substitution request. It was determined that you invoiced for products/services that were removed during the product/service substitution request. These products/services include: J8437A Procurve 10 GBE X2-SC LR Optic. Therefore, your appeal is denied.

If you believe there is a basis for further examination of your application, 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 POSTMARKED within 60 days of the above 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

Robinson

Service Substitutions
Schools and Libraries Division – Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

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To Whom It May Concern:

The Lowell School District (Billed Entity Number 120392) is requesting a service substitution for application number 678522 and Funding Request Number 1861941. The specific change requested is as follows:

FROM:				
Qty.	Description	Function	Unit Cost	Extended Costs
1	J8708A	Switch	\$4,002.22	\$4,002.22
2	J8715A	Switch	\$18,664.50	\$37,329.00
2	J9329A	Access Controller	\$2,341.40	\$4,682.80
			TOTAL:	\$46,014.02

TO:				
Qty.	Description	Function	Unit Cost	Extended Costs
✓ 1	J9309A	Switch	\$4,002.22	\$4,002.22
✓ 2	J8715B	Switch	\$18,664.50	\$37,329.00
✓ 2	J9421A	Access Controller	\$2,341.40	\$4,682.80
			TOTAL:	\$46,014.02 ✓

I Certify:

- that the substituted products or services have the same functionality as contained in the original proposal;
- that the substitution does not violate 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, and;
- that the requested change is within the scope of the controlling FCC Form 470, including any associated Requests for Proposal for the original services.

Sincerely,

Michael Cassidy
Business Manager
Lowell Public Schools
43 Highland St.
Lowell, MA 01852
(978) 970-5471
mcassidy@lowell.k12.ma.us