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Respond to Atlantic City

October 28, 2011

CERTIFIED MAIL RRR#7011 0470 0002 4897 0813
Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: In the Matter of Request For Review By Relcomm, Inc.
Of Decision of Universal Service Administrator
471# 621163
FRN#s: 1711964, 1711946, 1711941, 1711969, 1711973, 1711976, 1711979, 1711986, 1711989, 1711999, 1712007, 1712009, 1712017, 1712029, 1712035, 1711937, 1712044, 1712038
CC Docket No. 02-6
Billed Entity: Richard Allen Prepartory Charter School ("Richard Allen");
Billed Entity No.: 22836

Dear Sir/Madam:

This office represents Relcomm, Inc. Relcomm is in the business of designing, installing and maintaining computer networks, including both hardware and software for, among others, public entities, including various school boards. Relcomm is an aggrieved party in connection with the above-referenced bid. Relcomm responded to the referenced RFP for the 2008 funding year, but was not the successful bidder. Relcomm requested copies of the bids and the rankings, but was ignored. Alemar Consulting was the E-Rate consultant for Richard Allen as well as Franklin Towne Charter High School (Billed Entity No. 221240), Imani Education Circle (Billed Entity No. 221548), Maritime Academy Charter School (Billed Entity No. 16021089), Nueva Esperanza Academy (Billed Entity No. 209999), World Communications Charter School (Billed Entity No. 191163), The People Charter School, Inc. (Billed Entity No. 228829) and Eugnio Maria De Hostos Charter School (Billed Entity No. 220623). The bid specs were the same for all of the above schools. Moreover, the awards were given to the same companies for all of the above schools.

I. Question Presented for Review.

Whether the conduct and award of the bid in this matter warrant a reversal of the SLD's Decision to fund the above-referenced applications.

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II. Analysis.

The FCC regulations require a fair and open competitive bidding process and strict adherence to state bidding law. 47 C.F.R. §54.503. The FCC defines a "fair" binding process as one where "all bidders are treated the same." See http://www.universalservice.org/sl/applicants/step03/run-open-fair-competition.aspx.

The bid process was improper for the following reasons:

1. The equipment requested was identical to each bid and awarded to the same vendor at each school suggesting the vendor participated in the construction of the 470 specifications that determined the schools request.

2. That cost was not the primary determination for the awards and the SLD itself concluded that on several FRNs in bid decisions made by this consultant.

3. That a pattern has emerged among all of the bids awarded by this consulting firm over a 11 year period that awarded contracts to the same vendors of internal connections, each and every year and for the same equipment.

4. It appears that a symbiotic relationship exists between the vendors (in support of the consultants business through trade show meetings etc.) and the consulting firm that causes the continued skewing if bids to the particular vendors in violation of FCC fair and competitive bid rules.

5. That the consultant did not choose based on cost effectiveness, may have ordered excessive equipment, and requested technologies proffered by vendors rather than required by the schools in a violation of the waste fraud and abuse rules of the FCC.

III. Conclusion.

For the above reasons, Relcomm requests a review of the SLD's decision to fund Imhotep's E-Rate application.

Respectfully submitted,

JOHN M. DONNELLY

JMD/klp
c: Richard Allen Prepartory Charter School
Martin Friedman

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VERIFICATION OF REQUEST FOR REVIEW

I, Michael Shea, am the president of Relcomm, Inc., the aggrieved party that has filed the attached Request for Review. I certify that I have read the Request for Review and that the foregoing factual statements made in support thereof are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Michael Shea, President
Relcomm, Inc.