

Request For Review Letter Cheder at the Ohel
BEN 16040779 CC Docket No. 02-6 CC Docket 96-45

Received & Inspected

Request For Review

DEC 28 2011

FCC Mail Room

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

Re: Name: **Cheder At The Ohel**
BEN: **16040779**
Funding Year: **2010**
Application: **765964**
USAC NCAL: **10/19/2011**

December 17, 2011

Dear Sirs.

This is a letter for a request of a Review regarding the above captioned USAC Notification regarding the following FRN:

FRN#: 2070663 – “After a thorough investigation, it has been determined that this funding commitment must be reduced by \$9,828. During a review, it was determined that services were provided to, or installed at, an ineligible entity. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The documentation reviewed illustrates that Cheder at the Ohel, BEN 16040779 is located at 551 Brooklyn AVE, Suite 1A, Brooklyn, NY. These addresses have been identified as the personal residences of Levi Zarchi thereby making this funding request ineligible for funding based upon program rules. Accordingly, USAC will reduce the commitment by \$9,828.00 and seek recovery of any improperly disbursed funds from the applicant. “

The school submits during program year 2010 the school was located at 224-20 Francis Lewis Boulevard, Cambria Heights, NY 11411. See attached documentation. 551 Brooklyn Ave was just a place where some administrative mail was sent. In addition, the service requested

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for this FRN has its bills captioned " Cheder at the Ohel 22412 Francis Lewis Blvd, Cambria Heights, NY 111411-2137 which in 2010 was the legal and actual address of the school recognized by the New York State Department of Education.

In addition, the service request for this FRN is for cellular telephone service which is not site specific but person specific. The service secured under the above captioned FRN was for the exclusive use of educators and support staff at Cheder at the Ohel.

At worst school personnel should have updated the address of BEN 16040779 to the Cambria Heights address which the FCC has addressed under the Bishop Perry Order as being easily correctable and consistent with the actual facts.

Therefore the COMAD should be rescinded.

Sincerely,



Rabbi Levi Zarchai
Administrator



The New York State Administrators Listing for Public and Non-Public Schools and School Districts

District of Location: NYC Geog Dist #29 - Queens

School: Cheder At The Ohel

Code: 342900225541

Record Type: Non-Public Grade Organization: Elementary

Chief School Officer: Administrator - Mr. Levi Zarchi

**Mailing Address: 224-12 Francis Lewis Blvd
Cambria Heights, NY 11411-2137**

Phone: (718) 528-8989

[Return to the Administrators Listing Main Index](#)

If you have any questions, comments or suggestions about this data, please E-Mail them to DataQuest@mail.nysed.gov

This page last updated on Wednesday, 20-Apr-2011 at 10:25 am



Page: 1 of 47
 Billing Cycle Date: 02/03/10 - 03/01/10
 Account Number: 287019548730
 Foundation Account Number: 03336634
 Invoice Number: 287019548730X03092010



How To Contact Us:

- 1-800-331-0500 or 611 from your cell phone
- For Deaf/Hard of Hearing Customers (TTY/TDD) 1-866-241-6567

Wireless Numbers with Rollover

- 718-613-9089
- 718-613-9105
- 718-613-9127
- 718-613-9309
- 718-613-9347

* Not all wireless numbers are listed

Previous Balance	0.00
Payment Posted	0.00
PAID AMOUNT	0.00
Monthly Service Charges	1161.23
Usage Charges	3.50
Credits/Adjustments/Other Charges	9.49
Government Fees & Taxes	57.81
REPAYMENT AMOUNT	1232.03
Due Mar 24, 2010	
1-800-331-0500 or 611 from your cell phone	

Go Paperfree and Plant a Tree!

GO PAPERFREE AND PLANT A TREE! Visit att.com/tree now to learn about the many benefits of paperless billing. Going paperless is safe and secure, and saves you time and money each month. Plus, you can view, pay and store your bills online. And if you enroll today, AT&T and the Arbor Day Foundation will plant a tree on your behalf. Go paperless now. It's fast, easy and free! Visit att.com/tree

Return the portion below with payment only to AT&T Mobility.

P.O. Box 1809
 Paramus, NJ 07653-1809

#BWNJSZT
 #032870195487304#
 MB 04 003209 57505 H 36 A
 CHEDER AT THE OHEL
 22412 FRANCIS LEWIS BLVD
 CAMBRIA HEIGHTS, NY 11411-2137

Account Number:	287019548730
Total Amount Due:	\$1,232.03
Amount Paid:	\$

* Please do not send correspondence with payment.

Yes, enroll me in AutoPay
 Signature required on reverse

Total Amount
 Due by Mar 24, 2010

Please Mail Check Payable To:

AT&T Mobility
 PO Box 6463
 Carol Stream, IL 60197-6463



999002870195487300000000012320300000123203005



Page: 3 of 47
 Billing Cycle Date: 02/03/10 - 03/01/10
 Account Number: 287019548730
 Foundation Account Number: 03336634



Prior Activity	287019548730
Previous Balance	0.00
Current Balance	\$5.00

Wireless Detail		287019548730							
Wireless Number	Minutes Used	Msg/KB/MB Used	Monthly Service	Usage Charges	Credits, Adj & Other Charges	Government Fees & Taxes	Non-Comm Related Charges	Total	
347-260-3883	0	740	104.00	0.00	-2.34	3.77	0.00	105.43	
CHEDER AT THE OHEL			(See Page 7 for a list of individual charges.)						
718-613-9089	649	36,286	346.67	1.00	4.05	14.24	0.00	365.96	
CHEDER AT THE OHEL			(See Page 9 for a list of individual charges.)						
718-613-9105	524	474,933	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 13 for a list of individual charges.)						
718-613-9127	202	368	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 17 for a list of individual charges.)						
718-613-9309	0	176	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 21 for a list of individual charges.)						
718-613-9347	0	377	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 25 for a list of individual charges.)						
718-613-9356	0	399	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 29 for a list of individual charges.)						
718-613-9360	0	370	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 33 for a list of individual charges.)						
718-613-9370	0	364	156.00	0.00	0.12	7.16	0.00	163.28	
CHEDER AT THE OHEL			(See Page 37 for a list of individual charges.)						
718-613-9389	0	406	69.32	0.00	0.94	4.08	0.00	74.34	
CHEDER AT THE OHEL			(See Page 41 for a list of individual charges.)						
718-613-9501	349	1,141	69.32	2.50	1.08	4.08	0.00	76.98	
CHEDER AT THE OHEL			(See Page 45 for a list of individual charges.)						

Group Details

Note: The following information summarizes only the shared plan services for your account. For additional information and details relating to all other services for a subscriber, please refer to the subscriber's individual pages.

Group: 1- FT9NTN3000RUMMUNW

Shared Minutes Used

Wireless Number	Period	Monthly Service	Rollover Minutes	Other Shared Minutes	Billed Minutes	Billed Charges
718-613-9089	02/10-03/01	242.67	127	522	0	0.00



Notification of Commitment Adjustment Letter

Funding Year 2010: July 1, 2010 - June 30, 2011

October 19, 2011

Levi Zarchi
CHEDER AT THE OHEL
551 Brooklyn ave Suite 1A
Brooklyn, NY 11225

Re: Form 471 Application Number:	765964
Funding Year:	2010
Applicant's Form Identifier:	Cheder ohel 2
Billed Entity Number:	16040779
FCC Registration Number:	0000000000
SPIN:	143025240
Service Provider Name:	AT&T Mobility
Service Provider Contact Person:	Nora Rafferty

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at http://www.fcc.gov/debt_collection/faq.html.

TO APPEAL THIS DECISION:

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

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC your appeal must be received 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 email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the
 - Billed Entity Name,
 - Form 471 Application Number,
 - Billed Entity Number, and
 - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. 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 us on paper, send your appeal to:

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

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

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 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.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letter Reports" posted at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: Nora Rafferty
AT&T Mobility

Funding Commitment Adjustment Report for
Form 471 Application Number: 765964

Funding Request Number: 2070663
Services Ordered: TELCOMM SERVICES
SPIN: 143025240
Service Provider Name: AT&T Mobility
Contract Number: MTM
Billing Account Number:
Site Identifier: 16040779
Original Funding Commitment: \$9,828.00
Commitment Adjustment Amount: \$9,828.00
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date \$4,141.45
Funds to be Recovered from Applicant: \$4,141.45
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be reduced by \$9,828.00. During a review, it was determined that services were provided to, or installed at, an ineligible entity. FCC rules require that discounts are to be provided only to entities eligible to receive funding. The documentation reviewed illustrates that Cheder at the Ohel, BEN 16040779, is located at 551 Brooklyn Ave, Suite 1A, Brooklyn, NY and is the personal residence of Levi Zarchi thereby making this entity ineligible for funding based on program rules. Accordingly, USAC will reduce the commitment by \$9,828.00 and seek recovery of any improperly disbursed funds from the applicant.