



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

August 3, 2012

Andy Eisley
E-Rate Central
10238 Squire's Way
Cornelius, NC 28031

Re: Applicant Name: ALAMOGORDO PUBLIC SCHOOL DIST
Billed Entity Number: 143365
Form 471 Application Number: 659321
Funding Request Number(s): 1841899
Your Correspondence Dated: December 10, 2010

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 Funding Year 2009 Funding Commitment Decision Letter 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): 1841899
Decision on Appeal: **Denied**
Explanation:

- USAC is in receipt of your appeal letters dated December 10, 2010 and March 3, 2011 regarding the Funding Commitment Decision Letter for FY 2009 FCC Form 471# 659321 FRN 1841899, FY 2010 FCC Form 471# 735508 FRN 1988956 and Commitment Adjustment Letter for FY 2008 FCC Form 471# 613214 FRN 1762179, between Alamogordo Public School District (Alamogordo) and Trillion Partners, Inc. (Trillion) SPIN 143025872.

In your appeal letter you indicate that it is your position that:

In your December 10, 2010 letter, you indicated that you disagreed with USAC's decision to deny FY 2009 FCC Form 471# 659321 FRN 1841899 and FY 2010 FCC Form 471# 735508 FRN 1988956 based on the following reason: "Program rules require an applicant have a signed and dated contract at the time the Form

471 certification is filed. You indicated you signed a contract with Trillion on February 4, 2007. However, additional documentation provided to USAC indicated that contract terms were not finalized and negotiations continued after February 4, 2007, therefore this FRN is denied."

You referenced the July 23, 2010 response from Mr. Tony Korwin, Alamogordo's Former IT Director, which included the following statement in response to the discrepancy between the contract signature date and the date of the actual submitted proposal:

Mr. Korwin: ? to be perfectly honest, I can't remember specific dates at this point, but would point back to the documents. In thinking about this, I do remember taking documents to Dr Knight for signing at his house. The other side of this is Gary Gaessler was not always the only person I dealt with at Trillion. I also dealt with a Roger Clague who is no longer there. I was never one to let grass grow under my feet if I felt I wasn't getting what I needed out of folks and was probably pressing several folks at Trillion to get me a finite proposal I could use (especially if the USAC due date was looming), and something in the back of my memory tells me that is exactly what happened. I think I got a version from someone at Trillion that we moved forward with. Gary was always a tough one to pin down for things (typical salesperson).

APS: We would also observe that the contract that was signed on 2/4/07 had a great deal of detail including services and prices. It is the equivalent of a proposal, if not the actual proposal.

Lastly, you indicated that Alamogordo had a legally binding contract in place with Trillion on February 4, 2007 and that no subsequent contract was signed despite e-mail correspondence showing on-going discussions between Tony Korwin and Gary Gaessler regarding "finalizing design and quote."

You raised these same arguments in your March 3, 2011 Letter of Appeal in response to the Commitment Adjustment Letter (CAL) rescinding the commitment of FY 2008 FCC Form 471# 613214 FRN 1762179.

However, no additional supporting documentation was provided with either appeal.

USAC disagrees with your position that a valid contract was in place at the time the FCC Form 471 was certified. This decision was made based on the following:

On June 30, 2009, Alamogordo provided a response to a Special Compliance Review that included a copy of Trillion Partner's Managed VoIP Proposal dated February 7, 2007.

Additionally, you provided the associated agreement signed by Alamogordo on February 4, 2007.

During our Special Compliance Review it was discovered that e-mail correspondence illustrates that negotiations, to an extent, were not finalized and

still on-going after the Contract Award Date (CAD) of February 4, 2007, which is a violation of the program's competitive bidding process.

The documentation clearly illustrates the agreement being signed prior to the actual proposal being submitted by Trillion. Consequently, supporting that, the actual terms of the proposal and services were not finalized at the time that the agreement was signed on February 4, 2007.

Both the proposal dated 2/7/07 and the agreement signed 2/4/07 request 466 ports for VOIP, however, the Item 21 for the FY2007 application 581531 request 500 ports. This further supports that the actual contract requests were not finalized until after the signed agreement date.

Review of the appeal letters did not provide any new information or cause to justify overturning the denial decision. The response by Mr. Korwin did not provide clarity for why the actual proposal was dated after the CAD. Therefore, in accordance with program rules, the document signed on February 4, 2007 is deemed invalid and all related funding requests will be denied and/ or rescinded in full. Upon further review, FY 2007 FCC Form 471# 581531 FRN 1623567 will be denied in addition to the appealed FRNs; FY 2008 FCC Form 471# 613214 FRN 1762179, FY 2009 FCC Form 471# 659321 FRN 1841899 and FY 2010 FCC Form 471# 735508 FRN 1988956.

In summary, USAC's decision to deny FY 2009 FCC Form 471# 659321 FRN 1841899 and FY 2010 FCC Form 471# 735508 FRN 1988956 and rescind in full the commitments of FY 2008 FCC Form 471# 613214 FRN 1762179 for the reasons cited in the Funding Commitment Decision Letter (FCDL) and Commitment Adjustment Letter (CAL), respectively, will stand. Consequently, the related appeals are also denied. Lastly, USAC will seek full recovery of disbursed funds related to FY 2007 FCC Form 471# 581531 FRN 1623567 which our records show as the initial year of the agreement signed February 4, 2007.

- USAC has determined, that at the time you submitted your FCC Form 471 application, you did not have a contract with your service provider(s), which meets your state and local or the FCC's definition of a contract. Additionally, the services you requested are not tariff or month-to-month services. Except for services to be delivered under non-contracted tariff or month-to-month arrangements, FCC rules require that applicants submit a completed FCC Form 471 "upon signing a contract for eligible services." See 47 C.F.R. sec. 54.504(c). In your appeal, you did not demonstrate that USAC's decision was incorrect. As USAC does not have authority to waive the FCC rules of the program, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, 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 received or postmarked within 60 days of the 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

cc: Ramona Becker
Alamogordo Public School District
1211 Hawaii Avenue
P.O. Box 650
Alamogordo, NM 88310



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2010-2011

August 3, 2012

Andy Eisley
E-Rate Central
10238 Squire's Way
Cornelius, NC 28031

Re: Applicant Name: ALAMOGORDO PUBLIC SCHOOL DIST
Billed Entity Number: 143365
Form 471 Application Number: 735508
Funding Request Number(s): 1988956
Your Correspondence Dated: December 10, 2010

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 Funding Year 2010 Funding Commitment Decision Letter 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): 1988956
Decision on Appeal: **Denied**
Explanation:

- USAC is in receipt of your appeal letters dated December 10, 2010 and March 3, 2011 regarding the Funding Commitment Decision Letter for FY 2009 FCC Form 471# 659321 FRN 1841899, FY 2010 FCC Form 471# 735508 FRN 1988956 and Commitment Adjustment Letter for FY 2008 FCC Form 471# 613214 FRN 1762179, between Alamogordo Public School District (Alamogordo) and Trillion Partners, Inc. (Trillion) SPIN 143025872.

In your appeal letter you indicate that it is your position that:

In your December 10, 2010 letter, you indicated that you disagreed with USAC's decision to deny FY 2009 FCC Form 471# 659321 FRN 1841899 and FY 2010

FCC Form 471# 735508 FRN 1988956 based on the following reason: "Program rules require an applicant have a signed and dated contract at the time the Form 471 certification is filed. You indicated you signed a contract with Trillion on February 4, 2007. However, additional documentation provided to USAC indicated that contract terms were not finalized and negotiations continued after February 4, 2007, therefore this FRN is denied."

You referenced the July 23, 2010 response from Mr. Tony Korwin, Alamogordo's Former IT Director, which included the following statement in response to the discrepancy between the contract signature date and the date of the actual submitted proposal:

Mr. Korwin: ? to be perfectly honest, I can't remember specific dates at this point, but would point back to the documents. In thinking about this, I do remember taking documents to Dr Knight for signing at his house. The other side of this is Gary Gaessler was not always the only person I dealt with at Trillion. I also dealt with a Roger Clague who is no longer there. I was never one to let grass grow under my feet if I felt I wasn't getting what I needed out of folks and was probably pressing several folks at Trillion to get me a finite proposal I could use (especially if the USAC due date was looming), and something in the back of my memory tells me that is exactly what happened. I think I got a version from someone at Trillion that we moved forward with. Gary was always a tough one to pin down for things (typical salesperson).

APS: We would also observe that the contract that was signed on 2/4/07 had a great deal of detail including services and prices. It is the equivalent of a proposal, if not the actual proposal.

Lastly, you indicated that Alamogordo had a legally binding contract in place with Trillion on February 4, 2007 and that no subsequent contract was signed despite e-mail correspondence showing on-going discussions between Tony Korwin and Gary Gaessler regarding "finalizing design and quote."

You raised these same arguments in your March 3, 2011 Letter of Appeal in response to the Commitment Adjustment Letter (CAL) rescinding the commitment of FY 2008 FCC Form 471# 613214 FRN 1762179.

However, no additional supporting documentation was provided with either appeal.

USAC disagrees with your position that a valid contract was in place at the time the FCC Form 471 was certified. This decision was made based on the following:

On June 30, 2009, Alamogordo provided a response to a Special Compliance Review that included a copy of Trillion Partner's Managed VoIP Proposal dated February 7, 2007.

Additionally, you provided the associated agreement signed by Alamogordo on February 4, 2007.

During our Special Compliance Review it was discovered that e-mail correspondence illustrates that negotiations, to an extent, were not finalized and still on-going after the Contract Award Date (CAD) of February 4, 2007, which is a violation of the program's competitive bidding process.

The documentation clearly illustrates the agreement being signed prior to the actual proposal being submitted by Trillion. Consequently, supporting that, the actual terms of the proposal and services were not finalized at the time that the agreement was signed on February 4, 2007.

Both the proposal dated 2/7/07 and the agreement signed 2/4/07 request 466 ports for VOIP, however, the Item 21 for the FY2007 application 581531 request 500 ports. This further supports that the actual contract requests were not finalized until after the signed agreement date.

Review of the appeal letters did not provide any new information or cause to justify overturning the denial decision. The response by Mr. Korwin did not provide clarity for why the actual proposal was dated after the CAD. Therefore, in accordance with program rules, the document signed on February 4, 2007 is deemed invalid and all related funding requests will be denied and/ or rescinded in full. Upon further review, FY 2007 FCC Form 471# 581531 FRN 1623567 will be denied in addition to the appealed FRNs; FY 2008 FCC Form 471# 613214 FRN 1762179, FY 2009 FCC Form 471# 659321 FRN 1841899 and FY 2010 FCC Form 471# 735508 FRN 1988956.

In summary, USAC's decision to deny FY 2009 FCC Form 471# 659321 FRN 1841899 and FY 2010 FCC Form 471# 735508 FRN 1988956 and rescind in full the commitments of FY 2008 FCC Form 471# 613214 FRN 1762179 for the reasons cited in the Funding Commitment Decision Letter (FCDL) and Commitment Adjustment Letter (CAL), respectively, will stand. Consequently, the related appeals are also denied. Lastly, USAC will seek full recovery of disbursed funds related to FY 2007 FCC Form 471# 581531 FRN 1623567 which our records show as the initial year of the agreement signed February 4, 2007.

- USAC has determined, that at the time you submitted your FCC Form 471 application, you did not have a contract with your service provider(s), which meets your state and local or the FCC's definition of a contract. Additionally, the services you requested are not non-contracted tariff or month-to-month services. Except for services to be delivered under non-contracted tariff or month-to-month arrangements, FCC rules require that applicants submit a completed FCC Form 471 "upon signing a contract for eligible services." *See* 47 C.F.R. sec. 54.504(c). In your appeal, you did not demonstrate that USAC's decision was incorrect. As USAC does not have authority to waive the FCC rules of the program, your appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, 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 received or postmarked within 60 days of the 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

cc: Ramona Becker
Alamogordo Public School District
1211 Hawaii Avenue
P.O. Box 650
Alamogordo, NM 88310



Notification of Commitment Adjustment Letter
Funding Year 2007: July 1, 2007 - June 30, 2008

September 06, 2012

Tony Korwin
ALAMOGORDO PUBLIC SCHOOL DIST
1211 HAWAII AVE
ALAMOGORDO, NM 88310 0650

Re: Form 471 Application Number: 581531
Funding Year: 2007
Applicant's Form Identifier: APS07voip
Billed Entity Number: 143365
FCC Registration Number: 0011621257
SPIN: 143025872
Service Provider Name: Trillion Partners, Inc
Service Provider Contact Person: Virginia Bryant

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: Virginia Bryant
Trillion Partners, Inc

Funding Commitment Adjustment Report for
Form 471 Application Number: 581531

Funding Request Number:	1623567
Services Ordered:	TELCOMM SERVICES
SPIN:	143025872
Service Provider Name:	Trillion Partners, Inc
Contract Number:	na
Billing Account Number:	
Site Identifier:	143365
Original Funding Commitment:	\$83,083.20
Commitment Adjustment Amount:	\$83,083.20
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$46,626.97
Funds to be Recovered from Applicant:	\$46,626.97
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During a review, it was determined that the applicant did not have a contract in place at the time of submission of the Form 471. You indicated you signed a contract with Trillion on February 4, 2007. However, additional documentation provided to USAC indicated that contract terms were not finalized and negotiations continued after February 4, 2007. FCC rules require an applicant have a signed and dated contract at the time of the Form 471 certification is filed. Since the applicant was unable to demonstrate that they had a contract in place at the time of submission of the Form 471 that meets the state laws definition of a valid contract, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.



Demand Payment Letter

(Funding Year 2008: July 1, 2008 - June 30, 2009)

September 7, 2012

Andy Easley

ALAMOGORDO PUBLIC SCHOOL DIST

10238 Squire's Way
Cornelius, NC 28031

Re: Form 471 Application Number: 613214
Funding Year: 2008
Applicant's Form Identifier: P1
Billed Entity Number: 143365
FCC Registration Number: 0011621257
SPIN: 143025872
Service Provider Name: Trillion Partners, Inc
Service Provider Contact Person: Virginia Bryant
Payment Due By: 10/7/2012

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this 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.

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America
c/o Universal Service Administrative Company (105056)
1075 Loop Road
Atlanta, GA 30337
Phone 404-209-6377

If you are located in the Atlanta area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company
P.O. Box 105056
Atlanta, GA 30348-5056
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

Payment is due within 30 days from the date of this letter.

Complete Program information is posted to the SLD section of the USAC website at www.usac.org/sl/. You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company
Schools and Libraries Division

cc: Virginia Bryant
Trillion Partners, Inc

Funding Commitment Adjustment Report
Form 471 Application Number: 613214

Funding Request Number: 1762179
Services Ordered: TELCOMM SERVICES
SPIN: 143025872
Service Provider Name: Trillion Partners, Inc
Contract Number: MTM
Billing Account Number:
Site Identifier: 143365
Original Funding Commitment: \$80,399.43
Commitment Adjustment Amount: \$80,399.43
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$76,415.27
Funds to be Recovered from Applicant: \$76,415.27
Funding Commitment Adjustment Explanation:

This letter replaces the one dated 2/9/2011 in its entirety and the date of this letter is now the effective date for all future processes.

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, it was determined that the applicant did not have a contract in place at the time of submission of the Form 471. Program rules require an applicant have a signed and dated contract at the time the Form 471 certification is filed. You indicated you signed a contract with Trillion on February 4, 2007. However, additional documentation provided to USAC indicated that contract terms were not finalized and negotiations continued after February 4, 2007. Since the applicant was unable to demonstrate that they had a contract in place at the time of submission of the Form 471, the commitment has been rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING