



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2012-2013**

January 17, 2013

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Chicago, IL 60606

Re: Applicant Name: ST THOMAS THE APOSTLE SCHOOL  
Billed Entity Number: 70222  
Form 471 Application Number: 842430  
Funding Request Number(s): 2286051  
Your Correspondence Dated: December 25, 2012

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 2012 Administrator's Decision on SPIN Change Request 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): 2286051  
Decision on Appeal: **Denied**  
Explanation:

- You submitted an Operational Service Provider Identification Number (SPIN) change request for the above funding request on September 26, 2012. You requested a SPIN Change for FRN 2286051 from AT&T Mobility, SPIN: 143025240 to Sprint Spectrum, L.P., SPIN: 143006742. You stated that the reason for the SPIN change was due to fact that the School administrator obtained better pricing, further reducing telecommunication cell phone costs. It was determined that your reason for a SPIN change was not considered a legitimate reason to change providers (e.g. breach of contract between the applicant and its original service provider or the original service provider's inability to perform the requested service). On appeal, you have not provided any additional information

to show that USAC erred in its initial determination. Therefore, the appeal is denied.

- In its Copan Order, the FCC determined that SPIN change requests would be granted when the applicant certifies that (1) the changes are allowed under state and local procurement rules and under the terms of the contract between the applicant and the service provider, and (2) the applicant has notified the original service provider of the intent to change. *See* Request for Review by Copan Public Schools, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, 15 FCC Rcd 5498, FCC 00-100 (rel. Mar. 16, 2000). *See also* SPIN Change Guidance under Reference area at [www.usac.org/sl](http://www.usac.org/sl). Once a contract for products or services is signed by the applicant and service provider, the applicant may not change to a different service provider unless (1) there is a legitimate reason to change providers (e.g., breach of contract or the service provider is unable to perform); and (2) the newly selected service provider received the next highest point value in the original bid evaluation, assuming there was more than one bidder. *See* In the Matter of Schools and Libraries Universal Service Support Mechanism, A National Broadband Plan For Our Future, Sixth Report and Order, CC Docket No. 02-6; GN Docket No. 09-51, FCC 10-175 para. 91 (rel. September 28, 2010).

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  
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