



Loretta Cannistraci, Director  
 Department of Information Systems  
**The Salem Public Schools**  
 City of Salem

Received & Inspected

APR 16 2013

FCC Mail Room

29 Highland Avenue • Salem, Massachusetts 01970

Tel. (978) 740-1158

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E-Mail: [lorettacannistraci@salemk12.org](mailto:lorettacannistraci@salemk12.org)

April 8, 2013

FCC  
 Office of the Secretary  
 445 12<sup>th</sup> Street SW  
 Washington, DC 20554

Reference to CC Docket No. 02-6

I am requesting review of an appeal denied by USAC dated March 26, 2013. Enclosed please find a copy of the appeal denial and a copy of the Funding Commitment Decision Letter to which it refers dated November 14, 2012.

Also enclosed please find a copy of the letter of appeal dated March 14, 2013 and submitted to the Schools and Libraries Division – Correspondence Unit. This letter explains the situation as follows:

Service substitution was processed incorrectly by USAC. I submitted a service substitution for one line item of my application. When USAC processed the substitution, they substituted all services on my application rather than the one line item. The service substitution clearly gave the Service to be substituted and only authorized a reduction of \$2,052.

The application being reduced \$157,486 represents a hardship to our district that we cannot overcome. Also, please note the instructions posted on the USAC website do specifically instruct how to handle a monthly service so the assumption was made to include 12 for the number of months of service not number of services.

The following documents have been attached for your review:

Document A: Service Substitution

Document B: Copy of Contract (and/or ITEM 21 attachment)

In summary, the service substitution was processed incorrectly by USAC. Please note also that during this time I was receiving multiple correspondence from USAC as part of a 5-year review. There was a large time lapse between when the service substitution was submitted and receipt of the FCDL: thus I did not immediately notice the change in the FCDL. Please review the denial of this appeal.

Sincerely,

*Loretta Cannistraci*

Loretta Cannistraci, Ed.D

No. of Copies rec'd 0  
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**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2011-2012**

March 26, 2013

Loretta Cannistraci  
Salem Public School District  
29 Highland Ave  
Salem, MA 01970-2116

Re: Applicant Name:	SALEM PUBLIC SCHOOL DISTRICT
Billed Entity Number:	120458
Form 471 Application Number:	793286
Funding Request Number(s):	2150720, 2150729
Decision Letter Date:	November 14, 2012
Date Appeal Postmarked:	March 14, 2013
Your Correspondence Dated:	March 14, 2013

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

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.

Schools and Libraries Division  
Universal Service Administrative Company



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NOV 15 2012

Schools and Libraries Division

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2011: 07/01/2011 - 06/30/2012)

November 14, 2012

Loretta Cannistraci  
SALEM PUBLIC SCHOOL DISTRICT  
29 HIGHLAND AVE  
SALEM, MA 01970-2116

Re: Form 471 Application Number: 793286  
Billed Entity Number (BEN): 120458  
Billed Entity FCC RN: 0011970878  
Applicant's Form Identifier: 1112\_471\_MEC

Thank you for your Funding Year 2011 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$33,753.72 is "Approved."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

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

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC 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 (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 793286 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2011," AND
  - The exact text or the decision that you are appealing.

3. 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 the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the 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 USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

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 in the Reference Area of 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.

#### OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

APR 16 2013

FUNDING COMMITMENT REPORT  
Billed Entity Name: SALEM PUBLIC SCHOOL DISTRICT  
BEN: 120458  
Funding Year: 2011

FCC Mail Room

Comment on RAL corrections: RAL change implemented on your Form 471, addition of SALEM PREP 16065958 to Block 4, is in accordance with your RAL request.

Form 471 Application Number: 793286  
Funding Request Number: 2150720  
Funding Status: Funded  
Category of Service: Internet Access  
Form 470 Application Number: 784100000634597  
SPIN: 143004624  
Service Provider Name: Merrimack Education Center  
Contract Number: ITT37  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2011  
Service End Date: N/A  
Contract Award Date: 07/01/2008  
Contract Expiration Date: 06/30/2012  
Shared Worksheet Number: 1317290  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$35,628.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$35,628.00  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$27,433.56 - FRN approved as submitted

FCDL Date: 11/14/2012  
Wave Number: 069  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2013  
Consultant Name:  
Consultant Number (CRN):  
Consultant Employer:



Loretta Cannistraci, Director  
Department of Information Systems  
**The Salem Public Schools**  
City of Salem

Received & Inspected

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29 Highland Avenue • Salem, Massachusetts 01970

Tel. (978) 740-1158

Fax (978) 825-5541

E-Mail: [lorettacannistraci@salemk12.org](mailto:lorettacannistraci@salemk12.org)

March 14, 2013

To: Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
100 S. Jefferson Road  
P. O. Box 902  
Whippany, NJ 07981

This letter is an appeal for the following application:

Commitment adjustment decision date:	11/14/2012
Form 471 Application Number:	793286
Form 486 Application Number:	935784
Funding Year:	202012
Applicant Form Identifier:	1112_471_MEC
FCC Registration Number:	0011970878
Billed Entity Number:	120458

Reason for appeal:

Service substitution was processed incorrectly by USAC. I submitted a service substitution for one line item of my application. When USAC processed the substitution, they substituted all services on my application rather than the one line item. The service substitution clearly gave the Service to be substituted and only authorized a reduction of \$2,052.

The application being reduced \$157,486 represents a hardship to our district that we cannot overcome. Also, please note the instructions posted on the USAC website do specifically instruct how to handle a monthly service so the assumption was made to include 12 for the number of months of service not number of services.

The following documents have been attached for your review:

Document A: Service Substitution

Document B: Copy of Contract (and/or ITEM 21 attachment)

Please note during this time I was also in the process of a 5-year review and handling multiple correspondence from USAC. This made it difficult to identify the error in a timely fashion.

Sincerely,

Loretta Cannistraci

APR 16 2013

FCC Mail Room



Loretta Cannistraci, Director  
 Department of Information Systems  
**The Salem Public Schools**  
 City of Salem

29 Highland Avenue • Salem, Massachusetts 01970

Tel. (978) 825-3608

Fax (978) 741-3053

E-Mail: [lorettacannistraci@salemk12.org](mailto:lorettacannistraci@salemk12.org)**March 23, 2012**

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

The Salem School District (Billed Entity Number 120458) is requesting a service substitution for application number 793286 and Funding Request Number 2150729. The specific change requested is as follows:

**FROM:**

Description	Function / Product Type	Monthly	Yearly
12 10Mbps SES	Telecommunication Service	\$855	\$10,260
	<b>TOTAL:</b>		\$10,260

**TO:**

Description	Function / Product Type	Unit Cost	Extended Cost
12 T1 Internet Service 1.5Mbps	Telecommunication Service	\$684	\$8,208
	<b>TOTAL:</b>		\$8,208

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.

To the extent that the requested service substitution provides a decreased cost, I authorize USAC to reduce my funding commitment.

*Loretta Cannistraci*

Loretta Cannistraci  
 Director of Information Systems  
 29 Highland Avenue, Salem MA 01970  
 978-740-1158  
[lorettacannistraci@salemk12.org](mailto:lorettacannistraci@salemk12.org)



COMMONWEALTH OF MASSACHUSETTS  
PURCHASE ORDER  
FOR COMMODITIES AND/OR SERVICES

Received & Inspected

APR 16 2013

FCC Mail Room

COMMODITY/EQUIPMENT	X SERVICE
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THIS PURCHASE ORDER CONFIRMS AN ORDER THAT WAS PREVIOUSLY PLACED. PLEASE DO NOT DUPLICATE.

<b>*Purchase Order Issue Date:</b>		<b>*Purchase Order Number:</b>	
		Contract Number: ITT37	
<b>Requested Delivery Date:</b> 07/01/11- 06/30/12	<b>Call to Schedule Delivery Appointment:</b> yes (tel.) X no	<b>Freight Terms:</b> N/A Freight on Board - Destination N/A Other (Specify)	
<b>Vendor Information</b>			
<b>*Name:</b> Merrimack Education Center <b>*Address:</b> 60 Carlisle Street <b>*City, State, Zip Code:</b> Chelmsford, MA 01824		<b>Contact Person:</b> Sharon Grover-Renda <b>Telephone:</b> 978-275-1602 <b>Fax:</b> 978-275-1699 <b>Email:</b> srenda@mecnet.net <b>Quote Number (if applicable):</b>	
<b>Department Information</b>			
<b>*Ship to Department Name:</b> Salem Public Schools <b>*Contact Person:</b> Loretta Cannistraci <b>*Address:</b> 29 Highland Ave. <b>*City, State, Zip Code:</b> Salem, MA 01920 <b>*Telephone:</b> 978-740-1158 <b>Email:</b> lorettacannistraci@salemk12.org <b>Delivery Instructions:</b>		<b>*Bill to Department Name:</b> Salem Public Schools <b>*Contact Person:</b> Loretta Cannistraci <b>*Address:</b> 29 Highland Ave. <b>*City, State, Zip Code:</b> Salem, MA 01920 <b>Telephone:</b> 978-740-1158 <b>Email:</b> lorettacannistraci@salemk12.org <b>Prompt Payment Discount (Terms &amp; %):</b>	
<b>Instructions to the Vendor:</b>			
<ol style="list-style-type: none"> <li>The vendor's invoice must include the following minimum information: Purchase order number, quantity and description of item(s) shipped, unit of measure, unit price, total dollar amount of any discount, total price and the vendor's invoice number.</li> <li>The purchase order number must appear on the vendor's packing list.</li> <li>See attached specifications, if any, related to this purchase order. If this purchase order is for services, please see the section entitled Engagement of Services below. Additional specifications are not necessary if the details of the performance are covered in the contract.</li> <li>Vendor assumes risk of loss for commodities in transit. All commodities are subject to inspection upon delivery. Commodities delivered after the Requested Delivery Date above may be rejected. Rejected commodities will be returned at the vendor's expense.</li> </ol>			

FUNDING COMMITMENT REPORT  
Billed Entity Name: SALEM PUBLIC SCHOOL DISTRICT  
BEN: 120458  
Funding Year: 2011

Comment on RAL corrections: RAL change implemented on your Form 471, addition of SALEM PREP 16065958 to Block 4, is in accordance with your RAL request

FUNDING COMMITMENT REPORT  
Billed Entity Name: SALEM PUBLIC SCHOOL DISTRICT  
BEN: 120458  
Funding Year: 2011

Comment on RAL corrections: RAL change implemented on your Form 471, addition of SALEM PREP 16065958 to Block 4, is in accordance with your RAL request.

Form 471 Application Number: 793286  
Funding Request Number: 2150729  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 784100000634597  
SPIN: 143004624  
Service Provider Name: Merrimack Education Center  
Contract Number: ITT37  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2011  
Service End Date: N/A  
Contract Award Date: 07/01/2008  
Contract Expiration Date: 06/30/2012  
Shared Worksheet Number: 1317290  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,208.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$8,208.00  
Discount Percentage Approved by the USAC: 77%  
Funding Commitment Decision: \$6,320.16 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The product/service substitution submitted has been reviewed and approved. <><><><><> MR2: The amount of the funding request was changed from a one-time charge of \$7,294 and \$13,200 monthly to \$634 monthly at the request of the applicant.

FCDL Date: 11/14/2012  
Wave Number: 069  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2013  
Consultant Name:  
Consultant Number (CRN):  
Consultant Employer:

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\* Engagement of Services (may be required for services): If this Purchase Order is for the provision of services which have been negotiated with the vendor, provide a brief description here of those services (attach detailed specifications, if appropriate). Also, include the dates of service, the number of hours and the hourly rates associated with this engagement. The vendor must sign this form for the engagement of services. Note: This form or additional specifications are not required if the RFR and contract contain all of the required Purchase Order information.

Line #	Vendor Item Number	Item Description	Unit of Measure	Quantity	Unit Price	Subtotal (Quantity x Unit Price)	** Discount	Total Price (Subtotal minus Discount)
1	Telecom	(5)MECnet 10Mbps SES (\$855/mo)	Month	12	\$4,275	\$51,300		\$51,300
2	Telecom	(5)MECnet 100 Mbps SES	Month	12	\$8,925	\$107,100		\$107,100
3	Internet Access	(30) Internet Bandwidth with Premium Internet Service Bundle (includes leased firewall: Make/Model: Joebox V3)	Month	12	\$2,969	\$35,628		\$35,628
4	Telecom	NRC	Unit	1	\$7,294	\$7,294		\$7,294

Department Approval  
 Signature: *James Pirove*  
 \*Printed Name: James Pirove  
 \*Date: 02/24/11

Subtotal: \$201,322  
 Note:  
 Internet Access:  
 -Recurring Yearly Total = \$35,628  
 -Recurring Monthly Total = \$2,969

\* Vendor Approval (only required for the Engagement of Services)  
 \*Signature: *Sharon Grover-Renda*  
 \*Printed Name: Sharon Grover-Renda  
 \*Date: 02/24/11

Telecom:  
 -Recurring Yearly Total = \$158,400  
 - NRC Total = \$7,294  
 -Recurring Monthly Total = \$13,200  
 Shipping and Handling: N/A  
 Total Order Amount: \$201,322

\* Indicates required field. \*\* Discount includes any Prompt Payment Discounts.