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4/16/13

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

Re: Letter of Appeal of Funding Commitment Decision Letter for funding Year 2012, issued 2/5/13.

Dear Sir or Madam:

I am submitting this letter of appeal regarding denial of E-rate FY 2012 funding requests for Telecommunications and Internet Access, on the grounds that, correct documentation was not provided.

Appellant Name:	Erate Exchange, LLC
Applicant Name:	Gestalt Community Schools
471 Application Number:	840119
Billed Entity Number:	16068392
FRN:	2348365, 2348371, 2348383, 2348395
Service Provider:	Comcast Business Services Comm., Verizon Wireless, Business Comm., XO Comm.

SLD Explanation for denial: *"Applicant has not provided sufficient documentation needed to determine the eligibility of the following item(s): applicant failed to provide requested vendor support docs."*

The issue in this case boils down simply to this: The denial of funding was based on an administrative error and lack of communication during Program Integrity Assurance (PIA). The requested documentation was prepared and ready to be sent in. However, an administrative error was made while transferring the documents from their folder to the email that was originally submitted. The PIA reviewer responded in order to clarify the documentation regarding the Free & Reduced lunch information, but said nothing about the documentation that was missing. *There was never any notification of an incomplete response.* Erate Exchange has worked on countless PIA reviews in the past, and we are always notified of incomplete responses. Attached is the missing documentation, along with an email chain showing that the reviewer only asked for clarification on one item of the review. Based on the Bishop Perry order, and because of this lack of communication, we request FRNs 2348365, 2348371, 2348383, and 2348395 be fully funded and USAC actions remain consistent with this order.

The original appeal request was sent to USAC within 60 business days of the FCDL being issued, citing precedent, I do not believe this should have been denied. Attached is confirmation of an approved appeal which was approved on the basis of a "business days vs. calendar days" argument. In addition, the FCDL was not received by the client until 4/24/2013 (case# 22-495122), which further complicated the identifying of the proper timeline.

Given that the denial of funding in this case was based on merely an administrative error, regarding the submission of documentation, the Parties respectfully request that the SLD process this Letter of Appeal and approve the funding commitment for Gestalt Community Schools. The denial of funding for an administrative error places a particular hardship on a school district such as Gestalt Community Schools that otherwise should have been approved for and received E-rate funding for its application.



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We respectfully request that you overturn the denial and restore full funding of this FRN. Thank you for reviewing this appeal. Please use the contact information below.

Mike Gibson, E-rate Exchange, LLC, PO Box 451, Syracuse, NY 13206, Tel. 315.422.7608, Fax 866.283.9332,
msg@erateexchange.com

Sincerely,
Mike Gibson
Project Team Specialist
E-rate Exchange, LLC

CC:

Enclosures – Vendor documentation to support funding requests for listed FRNs.