



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN EDUCATION
COVE DAY SCHOOL
P.O. DRAWER #2000
RED VALLEY, ARIZONA 86544
Telephone: 928.653.4457/4077 Fax: 928.653.4415



**Letter of Appeal - Request for Review
CC Docket No. 02-6**

Attn: Marlene H. Dorch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Dr
Capitol Heights, MD 20743

Decision Document: Administrator's Decision on Appeal – Funding Year 2011 – 2012 (3/28/13)
Funding Year: 14 (2011-2012)
BEN: 99261
471 #: 792466
FRN: 2144315
SPIN: CamNet, Inc. 143017447

Entity Information:

Cove Day School
PO BOX 3537
Shiprock, NM 87420
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Telephone: (928) 653-4457
Fax # 928-653-4415

Appeal Decision Date: 3/28/2013

Administrator's Decision on Appeal:

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.

This is a letter to contest the appeal decision of this appeal. This appeal was in fact submitted by email on the last allowable day, 3/25/2013 however the Principal at the time, Dr. Melanie Haskan, was unable to get it to go through via email due to a clerical error. Please see the attached documentation "Cove - Y14 - Proof of Appeal Submission on 3-25-13" of the original email from Dr. Haskan on 3/25/2013 which was the last day to submit the appeal.

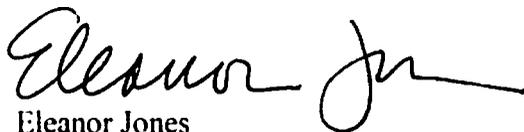
We are submitting the first proof of documentation submitted on 3/25/2013 along with the original appeal and supporting documentation. This FRN was denied purely by an error on the PIA Reviewers part. The reviewer was trying to deduct the cost of ineligible equipment from a Basic Maintenance funding request. This school pointed out to the reviewer multiple times that since a Basic Maintenance request is for services only, that we would be willing to deduct the appropriate labor hours devoted to this partially eligible equipment, but that we were not willing to deduct the cost of the equipment as well. The reviewer denied the funding request because we were unwilling to deduct the hardware cost – clearly an error on his part.

We appealed the reviewer's decision, and based on the obvious error on the PIA Reviewers part, Dr. Haskan was sure this would be approved quickly. Unfortunately a series of personnel changes over the next 3 months prevented any USAC communication from reaching the intended Point of Contact. Dr. Haskan was transferred to a different school soon after this appeal and any information sent to her regarding Cove was lost. We then had a temporary principal, Miss Deb Balone, who had started the process to change the Point of Contact to her and then we were re-staffed again to me, Miss Eleanor Jones. In order for us to get any information on the ruling on this appeal, we had to take many steps and follow the Schools & Libraries process to change the Point of Contact and submit written detailed documents requesting information which took a while to process.

By the time we finally were granted a copy of this letter it was a significant amount of time beyond the decision date. We were shocked to find that the appeal was denied due to it not being submitted on time when Dr. Haskan had also submitted the email showing she had not been able to get it to go through by email on 3/25/2013. Please take into account that this school is in need of these funds and all proper steps have been made on our part to get in all the documentation and follow all the steps required of us despite the fast turn-over rate of principals at this school.

In summary, the original denial of this funding request was due to an obvious error on the PIA reviewer's part, and had he made the proper decision, none of these appeals would have been necessary. In spite of his error, we responded to his requests completely and our appeal was submitted via email within the 60 day limit, but due to a clerical error - a trailing period at the end of the email address – the email was not delivered to the proper address. This mistake was recognized the next day and the email was resubmitted properly. We respectfully request that funding decision be approved with the correct reductions as outlined in the original appeal submitted on time by Dr. Melanie Haskan.

Thank you for your time and consideration.
Sincerely,



Eleanor Jones
Principal
Cove Day School