



9666 Olive Street Blvd., Suite 215
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July 30, 2013

Mrs. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Appellant: Richard Senturia, Consultant for the Applicant (CRN: 16040892)
Applicant: Diocese of Syracuse -Western Region
BEN: 232529

471#:	FRN#
726009	1965542, 1965544, 1965551, 1965555, 1965527, 1965634, 1965803, 1965820, 1965932, 1965937,
663936	1812711, 1812742
664190	1813350, 1813354
665776	1817578, 1817590, 1817598
597041	1666999
597042	1666722, 1666726, 1666727, 1666738, 1666743, 1666745, 1666748, 1697508, 1697514
554312	1569950, 1570000,
554321	1586536, 1586798, 1586837, 1586929, 1587063, 1587376, 1587531, 1587559,
511267	1406380, 1406381
474624	1326072, 1326257

Re: Request for Review

Administrator Denial for Invoice Deadline Extension Requests dated 06/18/13 and Earlier
CC Docket No. 02-6

Dear Mrs. Dortch:

We are appealing USAC's denial of invoice deadline extension requests and subsequent appeals for the above referenced FRNs in letters dated June 18, 2013 and later, having the following explanation(s):

- **Current invoice deadlines and procedures require that Invoice Deadline Extension requests be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension. The invoice receipt deadline is 120 days after the end of the service delivery date or 120 days after the date of the Form 486 Notification Letter whichever is later. USAC rejected your request for Invoice Deadline Extension because the request was not filed in a timely manner. Since USAC's decision was consistent with Invoice Deadline Extension guidelines, your appeal is denied.**

- **Current deadline guidelines and procedures do not allow approval for the reason submitted. Invoice Deadline Extension Deadline requests should be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date.) You did not demonstrate in your appeal that you filed an extension request in a timely manner. Therefore, the appeal is denied.**

In our original requests and subsequent appeals we explained to USAC that the applicant experienced administrative changes beyond its control in five (5) of six (6) years of its E-Rate program participation. We further explained that administrative turnover made it virtually impossible for the applicant to maintain internal controls which resulted in loss of applicant knowledge of E-Rate rules, regulations, policies, procedures, guidelines and deadlines and failure to file timely BEAR/SPI Election Letters resulting in loss of committed funds. New Leadership only recently discovered the anomalies.

In all Invoice Deadline Extension Requests submitted to USAC on behalf of the applicant, eRateProgram, LLC, consistently stated that the "Applicant has experienced key leadership turnover in five (5) of six (6) years of its E-Rate program participation. Leadership turnover has made it virtually impossible for the applicant to maintain internal controls which have resulted in the loss of applicant knowledge of E-Rate rules, regulations, policies, procedures, guidelines and deadlines and subsequent timely filing of BEAR/SPI Election Letters resulting in loss of committed funds. New Leadership only recently discovered the anomalies."

In fact, in letters to the applicant dated June 21st and June 24th, 2013, USAC approved nineteen (19) FRNS. In granting some Invoice Deadline Extension requests and denying some Invoice Deadline Extension requests we believe that USAC acted inconsistently. Copies of USAC submittals are attached.

There is precedence for waving procedural deadlines for "reason submitted."

There is precedence for waving procedural deadlines for reasons beyond the applicant's control.

Granting this waiver of a procedural deadline the serves the public interest.

Granting this deadline extension waiver does not promote waste, fraud or abuse.

We respectfully request approval of this invoice deadline extension appeal to allow the applicant to recover funds committed it that it has already paid for eligible services.

For the Applicant,

Richard Senturia, CEO
erp@erateprogram.com
eRateProgram, LLC

Attachments: Invoice Deadline Extension Request, 04/01/13, FRN 1965544
ADL on Invoice Deadline Extension Request, Denied, 05/31/13, FRN 1965544, et.al.
Invoice Deadline Extension Request, 05/28/13 FRN 2112989, 2112994
ADL on Invoice Deadline Extension Request, Approved, 06/24/13, FRN 2112989,
2112994



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INVOICE DEADLINE EXTENSION REQUEST

April 1, 2013

Schools and Libraries Division – Correspondence Unit
100 S. Jefferson Rd
PO Box 902
Whippany, NJ 07981

CONTACT PERSON NAME: Richard Senturia, Consultant for Applicant (CRN 16048902)
sfutrell@erateprogram.com
(314) 282-3994(o)
(314) 395-5882 (f)

APPLICANT: Diocese of Syracuse-Western Region Schools
BEN: 232529
FCC Form 471 APPLICATION NUMBER: 726009
FUNDING REQUEST NUMBER (FRN): 1965544
SPIN: 143030796
SERVICE PROVIDER NAME: Verizon Enterprise Solutions, LLC.
SERVICE TYPE: Telecom Services
AMOUNT OF INVOICE (if known):

REASON FOR REQUEST:

Applicant has experienced key leadership turnover in five (5) of six (6) years of its E-Rate program participation. Leadership turnover has made it virtually impossible for the applicant to maintain internal controls which have resulted in the loss of applicant knowledge of E-Rate rules, regulations, policies, procedures, guidelines and deadlines and subsequent timely filing of BEAR/SPI Election Letters resulting in loss of committed funds. New Leadership only recently discovered the anomalies.

Respectfully,

Steve Futrell
sfutrell@erateprogam.com
(314) 282-3994 (o)
(314) 395-5882 (f)



Schools and Libraries Division

Administrator's Decision on Invoice Deadline Extension Request

May 31, 2013

Steve Futrell
eRate Program
9666 Olive Blvd, Suite 215
St. Louis, MO 63132

RE: DIOCESE OF SYRACUSE-WESTERN REGION SCHOOLS

RE: SLD Invoice #:	N/A	BEAR or SPI:	N/A
		Invoice Date:	N/A
SLD Line(s) #:	N/A		
Vendor invoice #:	N/A		
FCC Form 471 Application Number:	726009		
Funding Request Number(s):	1965627, 1965544, 1965634		
Your Correspondence Dated:	April 1, 2013		

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 invoice deadline extension request for the invoice 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 request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number:	N/A	Line(s):	N/A
Decision on Request:			Denied

Explanation: Current guidelines and procedures require Invoice Deadline Extension requests to be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). The extension request was not filed in a timely manner, so it is denied

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 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 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 USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - appellant name
 - applicant and service provider names, if different than appellant
 - applicant BEN and service provider SPIN
 - **<insert application or form number>** as assigned by USAC
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
 - **<insert name of the letter and funding year - both are located at the top of the letter>** 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.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

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

To submit your appeal to us 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

For more information on submitting an appeal to USAC, please see "Appeals" in the "Schools and Libraries" section of the USAC 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 "Appeals" in the "Schools and Libraries" section of the USAC 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.

Schools and Libraries Division

Universal Service Administrative Company

cc: Julie Lane, Time Warner Cable Information Services (New York), LLC
Robert Kannegieser, Verizon Enterprise Solutions



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INVOICE DEADLINE EXTENSION REQUEST

May 28, 2013

Schools and Libraries Division – Correspondence Unit
100 S. Jefferson Rd
PO Box 902
Whippany, NJ 07981

CONTACT PERSON NAME: Richard Senturia, Consultant for Applicant (CRN 16048902)
sfutrell@erateprogram.com
(314) 282-3994(o)
(314) 395-5882 (f)

APPLICANT: Diocese of Syracuse-Western Region Schools
BEN: 232529
FCC Form 471 APPLICATION NUMBER: 780410
FUNDING REQUEST NUMBER (FRN): 2112989, 2112994
SPIN: 143019523
SERVICE PROVIDER NAME: Time Warner ResCom of New York, LLC
SERVICE TYPE: Telecom Services, Internet Access
AMOUNT OF INVOICE (if known):

REASON FOR REQUEST:

Applicant has experienced key leadership turnover in five (5) of six (6) years of its E-Rate program participation. Leadership turnover has made it virtually impossible for the applicant to maintain internal controls which have resulted in the loss of applicant knowledge of E-Rate rules, regulations, policies, procedures, guidelines and deadlines and subsequent timely filing of BEAR/SPI Election Letters resulting in loss of committed funds. New Leadership only recently discovered the anomalies.

Respectfully,

Steve Futrell
sfutrell@erateprogam.com
(314) 282-3994 (o)
(314) 395-5882 (f)

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Schools and Libraries Division

Administrator's Decision on Invoice Deadline Extension Request

June 24th, 2013

Steve Futrell
eRate Program LLC
9666 Olive Blvd, Suite 215
St. Louis, MO 63132

RE: DIOCESE OF SYRACUSE-WESTERN REGION SCHOOLS

RE: SLD Invoice #: N/A BEAR or SPI: N/A
Invoice Date: N/A

SLD Line(s) #: N/A
Vendor invoice #: N/A
FCC Form 471 Application Number: 780410
Funding Request Number(s): 2112968, 2112973, 2112978, 2112980, 2112987, 2112989, 2112994, 2113060
Your Correspondence Dated: May 28, 2013

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 invoice deadline extension request for the invoice number indicated above. This letter explains the basis of USAC's decision. If your request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A Line: N/A

Decision on Request: **Approved**

Since this Administrator's Decision approved your request, an invoice requesting payment must be submitted, so that it is postmarked no later than 120 days after the date of this letter in order for your request to be considered as timely filed. If you are resubmitting a FCC Form 472, please remember that you should forward the form to the Service Provider as soon as possible to ensure sufficient time to process your request. The invoice should be submitted in accordance with the instructions that are posted in the SLD Forms area of the SLD web site at www.usac.org/sl/ or are available by contacting the SLD Client Service Bureau at 1-888-203-8100.

Thank you for your continued support of and participation in the E-rate program.

Schools and Libraries Division
Universal Service Administrative Company