PATCHCORD LLC
2 Malka Way
Lakewood, NJ 08701
(866) 848-7779 Fax (866) 848-7679

August 12, 2013

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

We would like to appeal the decision by USAC to rescind funding for FRNs 1909288 1909322 of form 471 695206 and FRN 2044953 of form 471 756629. The name of school is BNOS DEVORAH, Entity # 16050379.

In the Notification of Commitment Adjustment Letter that we received it states " After a thorough review, it was determined that the funding commitment for this request must be rescinded in full. During a review, it was determined that funding was provided for the following ineligible items: ineligible redundant Bogen Quantum Multicom equipment. FCC rules provide that funding may be approved only for eligible products and/or services. The USAC web site contains a list of eligible products and/or services. See the web site, www.usac.org/sl/about/eligible-services-list.aspx for the Eligible Services List.

We would like to appeal this decision as we don't believe that the Bogen is redundant. The Bogen system was chosen by numerous schools in areas of the school that that the main PBX is not practical and efficient. They believe that is not practical in a class room environment to use handsets to communicate. The primary PBX therefore only provides the capability for advanced multiline telephone instruments, IP Telephones, voicemail and standard and advanced telephone line interface such as PRI or SIP Trunks. But for the class rooms the Bogen offers a more practical and conducive solution the PBX needs.

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The Bogen System and the main PBX are integrated in a way that they function as one system, station-to-station calls and calls to the public switched network flow freely between the two systems.

If not for the Bogen System there would in most cases be a need to add additional analog ports to the PBX. The Bogen system added these analog ports instead.

We would also like to point out that at the time when the schools applied for the Bogen PBX Expansion Unit it was listed as an eligible product on the Schools and Libraries Web Site.

Additionally, when USAC approved the Bogen systems USAC was fully aware that the schools are using a Bogen system in combination with a standard PBX. During PIA USAC questioned the need of the Bogen but nevertheless accepted the schools explanation that the Bogen is being used for PBX in the classrooms. It seems that USAC simply changed their own rules after the Bogen was approved and installed.

Mark Patchen

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