BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC 20554

In the matter of	)	
	)	
	)	
Funding Commitment Adjustment	)	
regarding SPIN: 143031578	)	
	)	
Schools and Libraries Universal Service	)	
Support Mechanism	)	CC Docket No. 02-6
	)	

Service Provider:	Advanced Database Management
SPIN:	143031578
Applicant Name:	A. YESHIVA ORCHOS CHAIM; B. BAIS FAIGA SCHOOL FOR GIRLS
Billed Entity Number:	A. 227947; B. 16057828
Funding Request Numbers:	A. 1854275, 2162301; B. 2065496

Appeal of USAC Decision

Request for Review

1. Background Information
    a. Company Information:

Advanced Database Management LLC has been providing products and services to our clients deemed eligible for universal service support, under the "E-Rate" program for five years. During this time, we have strived to fill the communications needs of our clients, keeping it affordable by adhering to the guidelines to maintain USAC fund eligibility. At the same time we tried to reduce overall costs to minimize our impact on the fund.

b. Asterisk Based PBX:

One system we utilized to achieve this goal is an Asterisk based PBX. Asterisk, a leading open source IP telephony platform, has been at the forefront of innovation in the transformation of the PBX for modern communications.

Its open source architecture lends itself readily to the customization required to meet the needs of the education sector. It is more a framework than a PBX, providing an extensive toolset to allow a skilled programmer to develop a feature rich PBX for any specific market. It can be installed on almost any server hardware, and can be tightly integrated with other software and a variety of communications hardware.

c. Our Design:

While selecting components for our design, we focused on a basic concept. As a team of network engineers and computer programmers, we understand that a PBX is simply a sum total of all of the parts used, which are not necessarily all by the same manufacturer. This hold true especially in the evolving world of telephony today, where voice traverses analog circuits, digital lines, IP networks, and many forms of wireless signals.

Although we carefully selected each piece of hardware we use for the PBX, the choice was fairly simple for the voice interface cards. Digium, the company responsible for the invention, development, and maintenance of Asterisk, has an impressive line of interface cards to match. Additionally, they manufacture – and suggest the use of – modules to provide hardware echo cancellation on the communication circuits served. We have almost exclusively utilized their hardware to connect voice circuits to the PBX.

d. Recent Changes:

We have been installing this custom designed PBX for some time, each year checking it against new program guidelines, and occasionally undergoing a PIA review. The system has been approved countless times. Recently, USAC began to adjust our commitment requests to remove the cost of the echo cancellation, and even went so far as to adjust commitments for funding already provided, and products already delivered and installed. Relevant documentation is attached.

2. USAC Commitment Adjustment

a. Commitment Adjustment:

The Commitment Adjustment Letters are attached, and the wording for each FRN varied slightly, however, each referred to the "Echo Cancellation Cards" as "ineligible items". The letter urged us to "see the web site, www.usac.org/sl/about/eligible-services-list.aspx for the Eligible Services List."

Prior to receiving the Notification, we had been contacted by USAC suggesting that the echo cancellation was ineligible, and later requesting cost allocation. Most correspondence from them had the cards listed as "Hybrid IP PBX Echo Cancellation" or even "Panasonic Hybrid IP PBX Echo Cancellation". They suggested that the specific card we had chosen was not eligible, but mentioned that plenty of eligible alternatives exist.

3. Request for Review
    a. Classification as Ineligible
        i. Eligible by definition:

USAC has not bothered to explain why the card would be ineligible. According to the guidelines, "Circuit cards and related components, such as memory modules/Random Access Memory (RAM), are eligible if they are necessary for adequate performance of an eligible component, for example, an eligible PBX, router, or server." By this definition, the echo cancellation is eligible provided it is necessary for adequate performance.

Echo is inherent in almost every phone line today just as it always was. However; if the echo reaches your ear very shortly after the initial sound, your mind perceives it as comforting sidetone. Actually, the lack of sidetone (hearing oneself through one's own receiver) is quite uncomfortable and disconcerting. However; with the advent of VOIP, latency is introduced into the equation, delaying the ever present echo. It is then heard late enough to be distinguished by the mind, becoming an annoying repetition of everything spoken.

Our service area, due to many factors, has very high levels of echo. These largely affect only VOIP systems, such as the PBX we install. Based on customer feedback, we don't install a system without echo cancellation, as the echo would be beyond the realm of annoying and closer to unintelligible. We therefore consider these modules to be necessary for adequate performance. Attached is a whitepaper from the manufacturer supporting this claim.

        ii. Inclusion in list:

In an email correspondence, we were told that there are plenty of echo cancellation cards listed as eligible, but the specific one we had chosen is not. On the USAC website it clearly states about the Eligible Products list that "This tool contains a noncomprehensive list of products eligible for". Aside from the fact that the sentence is incomplete on the site, the intention is clear. An item does not need to be included in the list to be eligible. The Instructions state "Applicants are free to request funding for any eligible product or service, and are not limited to the products within the Eligible Products Database", and "The integrity of the Eligible Products Database depends on accurate submissions by participating manufacturers." Inclusion does not even guarantee eligibility.

iii. Inappropriate Classification:

Perhaps the most bothersome point of all is the lack of regard, on the part of USAC, to the facts. The same representative who claimed to be quite certain that the specific item we used was ineligible, had been assuming we were installing a Panasonic card. We are aware of the card to which they were referring, as many providers in the region use the Panasonic Hybrid IP PBX. However; our quotes were not for that system, as would be quite readily apparent to anyone studying them for long enough to determine eligibility. Only after pointing out the error multiple times did they finally sometimes get it straight. It would seem counterintuitive that they should have been able to determine that the echo cancellation we use is ineligible if they were unaware of the item we used.

iv. Precedent Approvals and PIA Reviews:

Additionally, the system was approved by USAC who had the opportunity to review our proposals which contained the echo cancellation. Some have even gone through the more rigorous PIA review, with approval.

4. Conclusion:

We request that you review the decision made by USAC to rescind funding for the relevant FRNs, and hope that, in light of the above, you will see the matter differently than they have, and reverse the decision.

Respectfully,

Advanced Database Management LLC

Sarah Becker

Sarah Becker

cc: Rabbi Censor; Yaacov Halperin