Administrator's Decision on Appeal – Funding Year 2011-2012

August 06, 2013

David Klein
Wolfson Communication Networking, Inc.
9 Suffern Place
Monsey, NY 10952

Re:	Applicant Name:	YESHIVA ZICHRON MAYIR
	Billed Entity Number:	194832
	Form 471 Application Number:	791908
	Funding Request Number(s):	2142564
	Your Correspondence Dated:	July 11, 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 appeal of USAC's Funding Year 2011 Notification of Commitment Adjustment Letter for the Application 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 Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2142564
Decision on Appeal: **Denied**
Explanation:

- After a thorough review, it was determined that funding was provided for the following ineligible products and/or services: Redundant Bogen PBX, "New PBX Expansion Maintenance for Classrooms." The pre-discount cost associated with the ineligible products and/or services is $7,893.48. At the applicants 90 percent discount rate, it resulted in an improper commitment of $7,104.13. FCC rules provide that funding may be approved only for eligible products and/or services. Therefore, USAC has determined that the service provider is responsible for the rule violation. Accordingly, the commitment was rescinded in full. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.

- FCC rules provide that funding may be approved only for eligible products and services. *See* 47 C.F.R. secs. 54.502. The USAC website contains a list of eligible products and services. *See* USAC website, www.usac.org/sl, Eligible Services List. FCC rules further require that if 30% or more of the applicant's funding request includes ineligible products and/or services, then the funding request must be denied, otherwise the funding request will be reduced accordingly. *See* 47 C.F.R. sec. 54.504(b). The FCC's Aiken County Public Schools Order directed USAC to permit the applicant 15 calendar days from the date of receipt of notice in writing by USAC to revise its funding request to remove the ineligible services or allow the applicant to provide additional documentation to show why the services are eligible. *See* Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools Aiken, SC, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-397612, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8735, FCC 07-61 para. 11 (May 8, 2007).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. 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. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Shrage Rosenblum

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Billed Entity Number: 194832
Form 471 Application Number: 791908
Form 486 Application Number: