



Universal Service Administrative Company
Schools & Libraries Division

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

August 20, 2013

Abel Nofal
Andalusia School
380 Walnut Street
Yonkers, NY 10701

Re: Applicant Name: ANDALUSIA SCHOOL
Billed Entity Number: 16038314
Form 471 Application Number: 813220
Funding Request Number(s): 2233561, 2233881, 2233918, 2233966
Your Correspondence Dated: June 06, 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 Funding Commitment Decision 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): 2233561, 2233881, 2233918, 2233966
Decision on Appeal: **Denied**
Explanation:

- During the appeal review process on July 15, 2013, USAC Program Compliance sent you a letter via email with the competitive bidding questions. This was followed with a reminder letter on July 19, 2013 and a due date of July 29, 2013. Your response was received on July 23, 2013. You explained that your email was "hacked" and that vendor responses were lost. On July 29, 2013, USAC Program Compliance sent you a second letter, including an Information Request Checklist. This was followed by a reminder letter on August 6, 2013 with a due date of August 14, 2013. Your response was received on August 12, 2013. It was determined from your response that you were not able to provide the bids, vendor selection and contracts. USAC cannot determine if there was a fair and open competitive bidding process that was in compliance with program rules. Therefore, your appeal is denied.

- FCC rules require that the schools and libraries retain all documents related to the application for and receipt and delivery of discounted Telecommunications and other supported services for at least five years after the last day of service delivered in a particular funding year. Any document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. *See* 47 C.F.R. § 54.516(a). The applicants and service providers are further required to produce such records upon request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity. *See* 47 C.F.R. 54.516(b). For further guidance on the FCC's recordkeeping requirements *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC Rcd 15808,15824-15826 paras. 47-50 (rel. Aug. 13, 2004).

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: Dr. Alomari