

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Request for Review of a Decision of the	)	Administrator Correspondence Dated
Universal Service Administration Corp. for	)	December 9, 2013
Philadelphia Electrical and Technology	)	
Charter High School	)	
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism	)	

**Request for Review or Waiver**

**Form 471 Application Number: 486297**  
**FRN: 1349357, 1349370**  
**Billed Entity Number: 231630**  
**FCC Registration Number: 0012027363**

In accordance with sections 54.719 through 54.721 of the Commission's rules, Philadelphia Electrical and Technology Charter High School, Philadelphia, Pennsylvania (PETCHS) requests Federal Communications Commission (Commission) review of a decision of the Schools and Libraries Division of the Universal Service Administrative Company (Administrator).

In Funding Year 2005, PETCHS relied on their consultant, Martin Friedman, for all E-Rate related matters. Two FRNS were funded but it appears that Mr. Friedman neither filed the necessary Form 486 nor informed PETCHS that any further action was necessary on their part to collect their funding. PETCHS now requests a waiver of the Form 486 filing deadline so that they can file the Form 486 and secure previously committed funding.

Mr. Friedman, as President of his consulting firm, Alemar Consulting, Inc. has been under investigation since 2008 for allegedly taking kickbacks from service providers in exchange

for steering applicants to select those service providers<sup>1</sup>. PETCHS was one of the several Philadelphia Charter schools whose records were subpoenaed as part of this investigated into Mr. Friedman. As a result, all funding for applicants associated with Mr. Friedman has gone into the “black hole” within the Administrator system, and has been essentially put on hold for the duration of the investigation<sup>2</sup>.

The Commission has routinely granted waivers for the Form 486 deadline for numerous applicants<sup>3</sup> based on precedent in the Alaska Gateway Decision.<sup>4</sup> The Commission found good cause to waive the Form 486 procedural deadline, noting that the missed deadline does not involve violation of an FCC rule or regulation.

PETCHS hired and reasonably relied upon an E-Rate consultant to handle all aspects of filing their FY 2005 application. Based on this reliance, PETCHS was not aware that their Form 486 had not been timely filed. PETCHS now asks the Commission to grant a waiver of the Form 486 filing deadline so that badly need and previously granted funding can be collected.

Respectfully submitted this 23rd day of January, 2014



Leslie A. Saar, Esq.

Attorney for PETCHS

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<sup>1</sup>“School Consultant Target of Probe Martin Friedman, who heads a Broomall Consulting Firm, advised Schools in PA and NJ on Technology Services, by Martha Woodall. Posted January 4, 2009. [http://articles.philly.com/2009-01-04/news/25279487\\_1\\_e-rate-charter-schools-east-germantown](http://articles.philly.com/2009-01-04/news/25279487_1_e-rate-charter-schools-east-germantown)

<sup>2</sup> ID “As a result of the inquiry, the federal program has frozen E-Rate funding for three years for more than 20 charter schools in Philadelphia and some school districts in Cape May and Atlantic Counties.”

<sup>3</sup> Request for Review of Decision of the Universal Service Administrator by Bastrop Independent School District DA 12-2049, File Nos. SLD-745019, et al., CC Docket No. 02-6 (Order released December 26, 2012)

<sup>4</sup> Request for Review of Decision of the Universal Service Administrator by the Alaska Gateway School District, DA 06-1871, File Nos. SLD-412028, et al., CC Docket No. 02-6 (Order released September 14, 2006)