

**Before the  
Federal Communications Commission  
Washington DC 20554**

**In the Matter of:**

	)	
	)	
Request for Review of a Decision by the	)	
Schools and Libraries Division for	)	
Fauquier County Schools, Virginia	)	USAC Letter February 20, 2014
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism	)	

**Request for Review or Waiver**

Form 471 Number: 879484  
Funding Request Numbers: 2474733  
Billed Entity Number: 126350  
Applicant Name: Fauquier County Public Schools  
Vendor: Blackboard, Inc.  
SPIN: 143027682

Contact: Greg Weisiger, Consultant to Fauquier  
14504 Bent Creek Court  
Midlothian, VA 23112  
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Fauquier County Public Schools (Fauquier) requests the Federal Communications Commission review and overturn the funding denial and Commitment Adjustment for the above referenced FRN. Reason for denial: "Thirty percent or more of this FRN includes a request for Angel Learning Management Solution (LMS) which is an ineligible product based on Program rules."

This is the third year that the Administrator has denied Web Hosting funding for this service. Blackboard, a Web Hosting company that also owns Edline provides eligible Web Hosting service to schools and libraries and is routinely funded. It appears however that the fact that documentation provided during review containing the word "Angel" resulted in denial. To be clear, The Angel product is virtually identical to the Blackboard product is routinely funded.

Fauquier has three appeals now before the Commission concerning identical denials in 2011, 2012 and a COMAD from 2010. Fauquier seeks to enjoin pervious appeals with this filing, as the issues and arguments are identical. <sup>1</sup>

Fauquier is at a loss to understand how the Administrator could possibly conclude the entire Angel Learning/Blackboard service is ineligible when more than half of the charges are related to hosting of eligible Web Hosting services.

In the 2013 appeal, Fauquier requested that the previous appeals be consolidated for review. Fauquier now requests that this appeal be considered with the previous appeals. Fauquier will request a meeting with the Commission's delegated authority to demonstrate the eligibility of the Angel Web Hosting product and its similarity to Web Hosting products routinely funded by the Administrator.

We believe Blackboard and Angel Web Hosting services have been incorrectly reviewed by the Administrator and should be wholly or significantly more eligible than presently calculated when utilized as an eligible Web Hosting service, as Fauquier does.

Fauquier does not provide any distance learning classes or utilize any services beyond what is now considered eligible under the Web Hosting category of service. Fauquier will demonstrate to the Commission how the Angel product is used within the division. We are confident the Commission will conclude that the majority of the Angel product should be eligible for E-Rate discounts.

Sincerely,

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Greg Weisiger

Consultant to Fauquier County Schools

March 28, 2014

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<sup>1</sup> ECFS Filing Receipt - Confirmation number: 2013210939461 (2013) and ECFS Filing Receipt - Confirmation number: 2012621670670 (2012) submitted June 21, 2012.