

Gan Yisroel

גן ישראל

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June 6, 2014

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request For Review

From: Rabbi Aron Ginsberg
School Entity #: 228595

We would like to appeal the decision by USAC to rescind funding for FRN 2405608 and 2405611 of form 471 # 883027.

On the Notification of Commitment Adjustment Letter dated 03/26/2014 it states: After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. The applicant did not have a contract in place at the time of submission of the FCC Form 471. This determination was based on the contract provided by the applicant being signed on 7/1/13 which is after the Certified Post Marked Date of 1/16/13. FCC rules require applicants to have a valid contract as defined by the applicants state procurement laws and regulations at the time they submit the FCC Form 471. Since the applicant was unable to demonstrate that they had a contract in place at the time of submission of the FCC Form 471 that meets the state laws definition of a valid contract, the commitment has been rescinded in full.

This was previously appealed directly with USAC, but our appeal was denied without directly responding to our argument, that this service is actually received on a month-to-month basis thus no contract is needed. The rider was only meant to guarantee the vendor that the school will be responsible to pay the vendor the full 100% (not just the 10%) in the event that USAC does not pay the vendor in a reasonable timeframe. According to the USAC rules that is listed in the form 471 instructions, it states, if the billing arrangement signifies that you are receiving your services on a month-to-month basis than no contract is needed.



Rabbi Aron Ginsberg, Director