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August 6, 2014

FCC, Office of the Secretary
455 12th Street SW
Washington, DC 20554

CC Docket No. 02-6

Re: Funding Commitment Decision Letter for Funding Year 2012 Appeal

Appellant Name:	Mott Haven Academy Charter School, BEN 16050058
Applicant Name:	Melissa Garber, Garber Consulting Group LLC Consultant ID 16062944
Service Provider Name:	Verizon Wireless., SPIN 143000677 Windstream Communications, SPIN 143030766
Form 471 Application Number:	842517
Funding Request Numbers:	2286342, 2286317

Funding Commitment Decision Letter for Funding Year 2012
USAC states that they never received my appeal later dated June 2, 2014 sent via the US Postal Service. They have since rejected my appeal and have asked for me to submit to the FCC for review.

Mott Haven Academy Charter School is appealing the decision of Contract Violation based upon documentation that was sent to the Selective Reviewer on Friday, April 12, 2013 that included a spreadsheet with formulas with price as leading factor. I do not think this file was properly reviewed prior to the decision being made.

To whom it may concern:

The purpose of this letter is to appeal the decision of Mott Haven Academy Charter School's (Mott Haven) 2012-13 E-Rate application #842517. The program has determined that the school was in contract violation and not using price as the leading factor.

Mott Haven follows the USAC program rules in respect to the competitive bid process. They use a bid matrix to evaluate all bids incoming from the 470 Form. This school was in Selective Review and a bid matrix was sent that had some clerical text errors on it. However the formulas were correct counting price two times in the total calculation for the bid comparison. This updated information was sent to the reviewer as a follow-up on April 12, 2013 and I do not think it was considered while making the final decision.

The school has incurred substantial expense due to this delayed decision and could really use the funds retroactively to help support the major functions of their school.

The following pages include the documentation submitted on April 12, 2013 in hopes that the program will reverse its decision and provide funding to this deserving school.

Sincerely,

Melissa L. Garber
Garber Consulting Group LLC

	A	B	C	D	E	F	G
1			Priority 1				Educational Industry Background
2	Company Name	AT&T	Phone	Internet	Cell		
3	Contact Name	Dan Bowlin	Land line phone	15 Mbps+ Bandwidth	Cell phone monthly service cost		List Reference Information Here
4	Contact Email	db1270@att.com					None provided - National provider, local presence
5	Contact Number	205-869-4311	N/A	N/A	Gov't Bundle 300 - $48.75 per line includes 300 mins & 3000 night/weekend minutes		
6	SPIN	143006742					
7	Date Submitted:	40931					
8							
10	Ratings (Best Score = 20)	Price(1 - High bid to 4 - low bid)	0	0	4		
11		SPI Billing Option (1-No, 4-Yes)	0	0	1		
12		Prior Experience (1-Little to 4-Many)	0	0	3		
13		Cost of ineligibles (1-High to 4-Low)	0	0	4		
14		Local Vendor (1 - No, 4 - Yes)	0	0	4		
15		Total Score (auto calculated)	=C10+C10+C11+C12+C13+C14	=D10+D10+D11+D12+D13+D14	=E10+E10+E11+E12+E13+E14		
16	General Comments/Notes:						
17							
18							
19							

Typo, should had been 24, added factor and forgot to change txt box!

	A	B	C	D	E	F	G
20			Priority 1				Educational Industry Background
21	Company Name	Proficient Telecom	Phone	Internet	Cell		
22	Contact Name	Tom Jorden	Land line phone	15 Mbps+ Bandwidth	Cell phone monthly service cost		List Reference Information Here
23	Contact Email	tjorden@proficienttel.com					None provided
24	Contact Number	314-406-6000					
25	SPIN	143032068	N/A	6 Mbps = $799, 3 year term plus $799 install fee	N/A		
26	Date Submitted:	40959					
27							
28							
29	Ratings (Best Score = 20)	Price(1 -High bid to 4 - low bid)	0	2	0		
30		SPI Billing Option (1-No, 4-Yes)	0	1	0		
31		Prior Experience (1-Little to 4-Many)	0	2	0		
32		Cost of Ineligibles (1-High to 4-Low)	0	4	0		
33		Local Vendor (1 - No, 4 - Yes)	0	1	0		
34		Total Score (auto calculated)	=C29+C29+C30+C31+C32+C33	=D29+D29+D30+D31+D32+D33	=E29+E29+E30+E31+E32+E33		
35	General Comments/Notes:						
36							
37							
38							

	A	B	C	D	E	F	G
39			Priority 1				Educational Industry Background
40	Company Name	Sprint Communications	Phone	Internet	Cell		
41	Contact Name	Jasper Little	Land line phone	15 Mbps+ Bandwidth	Cell phone monthly service cost		List Reference Information Here
42	Contact Email	jasper.a.little@sprint.com					National Provider, local presence
43	Contact Number	1-866-414-3225	N/A	N/A	Sprint Custom Voice Plan 275 = $29.99/mo.		
44	SPIN	143006742					
45	Date Submitted:	40932					
46							
47		Price(1 -High bid to 4 - low bid)	0	0	2		
48		SPI Billing Option (1-No, 4-Yes)	0	0	4		
49		Prior Experience (1-Little to 4-Many)	0	0	3		
50	Ratings (Best Score = 20)	Cost of Ineligibles (1-High to 4-Low)	0	0	4		
51		Local Vendor (1 - No, 4 - Yes)	0	0	4		
52		Total Score (auto calculated)	=C48+C48+C49+C50+C51+C52	=D48+D48+D49+D50+D51+D52	=E48+E48+E49+E50+E51+E52		
53							
54	General Comments/Notes: plan not compatiable with current plan						
55							
56							
57							

	A	B	C	D	E	F	G
58			Priority 1				Educational Industry Background
59	Company Name	Earthlink/ChoiceOne Communications	Phone	Internet	Cell		
60	Contact Name	Brent Hertz	Land line phone	15 Mbps+ Bandwidth	Cell phone monthly service cost		List Reference Information Here
61	T1	bhertz@corp.earthlink.com					National Provider
62	Contact Number	716-521-5069					
63	SPIN		N/A	T1 = $915.43/mo.	N/A		
64	Date Submitted:	40935					
65							
66							
67	Ratings (Best Score = 20)	Price(1 -High bid to 4 - low bid)	0	1	0		
68		SPI Billing Option (1-No, 4-Yes)	0	4	0		
69		Prior Experience (1-Little to 4-Many)	0	3	0		
70		Cost of Ineligibles (1-High to 4-Low)	0	4	0		
71		Local Vendor (1 - No, 4 - Yes)	0	4	0		
72		Total Score (auto calculated)	=C67+C67+C68+C69+C70+C71	=D67+D67+D68+D69+D70+D71	=E67+E67+E68+E69+E70+E71		
73	General Comments/Notes:						
74							
75							
76							

	A	B	C	D	E	F	G
77			Priority 1				Educational Industry Background
78	Company Name	Verizon Wireless	Phone	Internet	Cell		
79	Contact Name	Sawsan Beeiso	Land line phone	15 Mbps+ Bandwidth	Cell phone monthly service cost		List Reference Information Here
80	T1	Sawsan.Beeiso@VerizonWireless.com					Existing Provider
81	Contact Number	914-589-8500					
82	SPIN	143000677	N/A	N/A	$49.99/mo per line.		
83	Date Submitted:	40935					
84							
85							
86	Ratings (Best Score = 20)	Price(1 -High bid to 4 - low bid)	0	0	3		
87		SPI Billing Option (1-No, 4-Yes)	0	0	4		
88		Prior Experience (1-Little to 4-Many)	0	0	4		
89		Cost of Ineligibles (1-High to 4-Low)	0	0	4		
90		Local Vendor (1 - No, 4 - Yes)	0	0	4		
91		Total Score (auto calculated)	=C86+C86+C87+C88+C89+C90	=D86+D86+D87+D88+D89+D90	=E86+E86+E87+E88+E89+E90		
92	General Comments/Notes:						
93							
94							
95							

	A	B	C	D	E	F	G
96			Priority 1				Educational Industry Background
97	Company Name	Windstream/Paetec	Phone	Internet	Cell		
98	Contact Name	Sawsan Bseiso	Land line phone	15 Mbps+ Bandwidth	Cell phone monthly service cost		List Reference Information Here
99	T1	Sawsan.Bseiso@VerizonWireless.com					Existing Provider, National provider, local presence
100	Contact Number	914-589-8500	PRI T1 = $275/mo. Local & LD Phone = $20/mo.	6Mbps = $600/mo.	N/A		
101	SPIN	143000677					
102	Date Submitted:	40935					
103							
104	Ratings (Best Score = 20)	Price(1 -High bid to 4 - low bid)	4	4	0		
105		SPI Billing Option (1-No, 4-Yes)	4	4	0		
106		Prior Experience (1-Little to 4-Many)	4	4	0		
107		Cost of ineligibles (1-High to 4-Low)	4	4	0		
108		Local Vendor (1 - No, 4 - Yes)	4	4	0		
109		Total Score (auto calculated)	=C105+C105+C106+C107+C108+C109	=D105+D105+D106+D107+D108+D109	=E105+E105+E106+E107+E108+E109		
110							
111	General Comments/Notes: Total Bill = $1860 with phone & internet charges						
112							
113							
114							

2/10/2012

Mott Haven Bid Matrix Discussion

Tina Martinez

Cell Phones

Received bids from AT&T & Sprint

AT&T
Many plans offered w/ range of mins & data

Sprint
offered one plan of 275 mins @ $20.99

VW
used existing bill since they are using them now
School anticipates # of lines to ↓ over time
pleased w/ service
400 mins
cost of purchasing new phones to move to Sprint & AT&T too great right now
* would like to stay w/ existing provider *

PRI / Phone

Earthlink / Choice One / Proficient Telecomm
→ many options available... difficult to determine perfect match (Proficient)
→ Provider auto generates bids, same for every School, provider non-responsive.

Choice One = $ 915.45 for PRI / T1
worried about add'l hidden costs w/ no detail behind quote

Windstream (* existing provider, used bill)

Phone Charges only $20/mo.
Again hard to compare
PRI
school would prefer to stay w/ existing
happy w/ service
like predisounting & credits

Melissa will update matrix
notify providers of decision

Melissa Garber

From: Melissa Garber <melissa@garberconsultinggroup.com>
Sent: Friday, April 12, 2013 3:44 PM
To: 'Santiago, Courtney'
Subject: RE: Mott Haven - USAC information request due 04.17.13
Attachments: MottHaven_HandwrittenNotes.pdf; MottHaven_BidMatrix_Formulas.pdf; MottHaven_CertForm_Signed.jpg

Courtney,

Thank you for the opportunity to respond to your email. I have addressed each item below separately.

1) **Bid Matrix** – The weighting was not obvious and I now realize that I should have noted it better on the matrix itself. The pricing rating was actually added in twice to the sum formula to give it a higher weight/percentage of the total sum. I have attached a copy of the spreadsheet showing the formulas for your review. With this calculation, the pricing carries 33% of the total and the other 4 categories are weighted at 17% each. It wasn't until you pointed it out that I realized that this was not noted on the spreadsheet. I will make sure that it is noted for all bid matrices from this point forward.

2) **Proficient Telecom Local/LD Rates** – This provider has bid on every 470 form that I submitted. I have 30 emailed bids for different schools in 2012-13 from this provider that I can share with you. Every quote is exactly the same and includes many options of services; none that are customized to the school's 470 form. It is extremely confusing to understand the bids and pricing. In addition, the provider is non-responsive which leads the schools to try to bundle the services with pricing options themselves. In this case the school was looking for a PRI. The vendor did not include the typical other charges outside of the nominal local and long distance rates. Mott Haven Academy and I spent a considerable amount of time last year discussing this bid. We could not find a comparable bundled rate to the two other bids submitted. With so many different options to choose from, none of which matched the school's needs, they decided it was too difficult to rate the phone charges and left it off of the matrix. I have included a copy of my hand written notes from our phone conversation on that day.

I hope that this information will clear up the concerns that you highlighted in your previous email. Please contact me if you have questions or require additional information.

Melissa Garber
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From: Santiago, Courtney [mailto:Courtney.SANTIAGO@sl.universalservice.org]
Sent: Wednesday, April 10, 2013 2:18 PM
To: melissa@garberconsultinggroup.com
Subject: Mott Haven - USAC information request due 04.17.13

Melissa,

Please see the attached. Please feel free to call me if you would like to discuss. I have attached a sample of vendor evaluation matrix which can be found on the USAC website.

Courtney Santiago
Associate Manager, Special Compliance
30 Lanidex Plaza West | Parsippany, NJ 07054
T: 973.581.7596 | F: 973.599.6552
Csantia@sl.universalservice.org

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No virus found in this message.
Checked by AVG - www.avg.com
Version: 2013.0.3272 / Virus Database: 3162/6227 - Release Date: 04/05/13