



CITY OF SOMERVILLE, MASSACHUSETTS
LAW DEPARTMENT

August 26, 2014

By Electronic Filing

CC Docket 02-6

TO THE FEDERAL COMMUNICATIONS COMMISSION:

The attached is a "Supplement to the Request for Review By Somerville, Massachusetts School District" in Connection with Three (3) Decisions of the Administrator of the Schools and Libraries Division of the Universal Service Administrative Company filed by the City of Springfield (Mass.) Public Schools, for E-Rate Funding Years 2004-2005, 2005-2006 and 2006-2007.

Submitted by:

Francis X. Wright, Jr.

BBO# 547410

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CITY OF SOMERVILLE, MASSACHUSETTS
LAW DEPARTMENT

August 26, 2014

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: **CC Docket No. 02-6**

"Supplement to the Request for Review By Somerville, Massachusetts School District" in connection with three (3) Decisions of the Administrator of the Schools and Libraries Division of the Universal Service Administrative Company filed by the City of Somerville, Massachusetts, Public Schools, for E-rate fundings years 2004-2005, 2005-2006 and 2006-2007.

Dear Secretary Dortch:

On August 12, 2014 the City of Somerville MA ("District") received an August 5, 2014, email from the Federal Communications Commission ("FCC") containing redacted copies of documents obtained by the FCC's Office of Inspector General via subpoena, which the FCC is considering in addressing the above-referenced appeals. The email stated the District's response to the documents, if any, should be filed electronically by August 26, 2014.

Please note that Atty. Regina Brown's original email, sent August 5, 2014, was sent to an incorrect email address intended for the former IT Director James Halloran. I learned last evening from Mr. Halloran that he received a telephone call from Dana Bradford of the FCC regarding this matter more than a week later. Mr. Halloran informed Dana Bradford that he vacated the IT Director position several years ago. Thereafter, Acting IT Director Bruce Desmond was forwarded the email on August 12, 2014, which email he forwarded to me. Previous filings related to this matter had been made by me as counsel for the City of Somerville, so my contact information was readily available. Due to the delay in receiving the email from the FCC, and the fact that I was scheduled to have several vacation days, and did not know the availability of others who may need to be consulted before the August 26, 2014 filing date, I immediately replied to Atty. Brown and requested an extension to reply. To date, despite a telephone conference and exchange of emails, I have not received confirmation of an extension being granted. As a result, the City of Somerville files today to comply with the August 26th deadline; and reserves all of its rights to supplement this response.

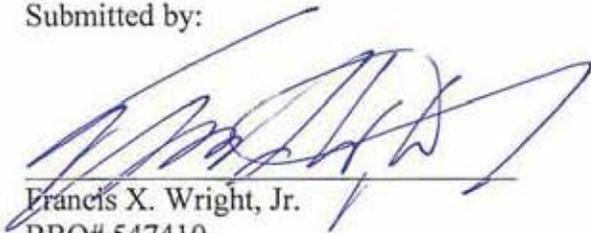


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After a review of the documents, please be advised that the District reiterates and reaffirms the arguments enumerated in its 2010 filings (Docket No. 02-6) that the District had no knowledge of any partnership, or inappropriate relationship, or "guarantee" arrangement between Achieve and USDLA, where Achieve never guaranteed a "no cost" service to the District, and where the District reasonably believed the grant from USDLA covering the District's non-discount share was legitimate and consistent with USAC policy.

For the reasons previously set forth, the District respectfully requests that should the FCC determine there were FCC rule violations or USAC program rule violations based on an improper relationship between Achieve and USDLA, that the District be excluded from any punitive action or demands for reimbursement in connection with these grants, in that the District had no knowledge of, or participation or complicity in, any such violations.

Submitted by:



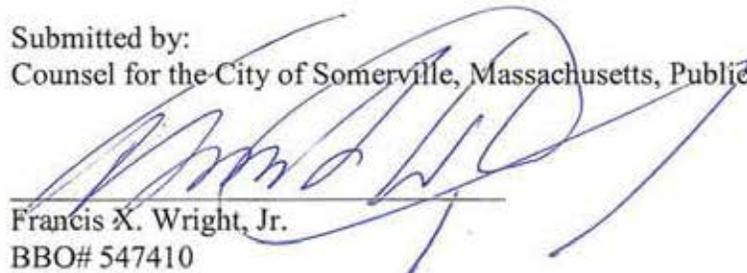
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cc: Regina Brown, Esq., FCC (by email to: regina.brown@fcc.gov)
Anthony Pierantozzi, Somerville Superintendent of Schools
Honorable Joseph A. Curtatone, Mayor, City of Somerville
Honorable Michael E. Capuano, U.S. House of Representatives

CERTIFICATE OF SERVICE

I, Francis X. Wright, Jr., City Solicitor, counsel for the City of Somerville MA Public Schools, hereby certify that on this 26th day of August, 2014, I served a true copy of the above-referenced "Supplement to Request for Review and Waiver" to the Administrator of the USAC as required by 47 CFR 54.721, and to counsel for Achieve Telecom Network of MA, LLC, by mailing copies of same by first class mail, postage prepaid to: USAC Administrator, Schools and Libraries Division, Universal Services Administrative Company, PO Box 7026, Lawrence, KS 66044-7026 and Paul F. Saba, Esq., KPR Associates, 304 Newbury Street, #542, Boston, MA 02115 and via email to Regina.Brown@fcc.gov the date the same was filed electronically with the Federal Communications Commission.

Submitted by:
Counsel for the City of Somerville, Massachusetts, Public Schools:



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