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Schools and Libraries News Brief

July 20, 2007

TIP OF THE WEEK: If you have entered all of your FRNs on the Form 486 Interview and you still see "Cancel" and "Continue" buttons on the next entry screen, click "Cancel" to move forward. These two buttons will appear if (1) you click "Yes" (I have more FRNs) when you meant to click "No" (I don't have more FRNs), or (2) you exit and re-enter your form and click "<<Back" to return to the FRN entry screens.

Commitments for Funding Year 2007

Funding Year 2007. USAC will release FY2007 Wave 12 Funding Commitment Decision Letters (FCDLs) July 26. This wave will include commitments for approvals of Priority 1 requests (Telecommunications Services and Internet Access) at all discount levels and approvals of Priority 2 requests (Internal Connections and Basic Maintenance) at 90%. This is also the first FY2007 wave that includes modifications to and denials of funding requests. As of July 20, FY2007 commitments total just over \$510 million.

On the day after the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

Fall Training Update

On Monday, USAC will post registration information for the fall training sessions in the [Latest News](#) section of the website. USAC will also send a copy of the announcement by email to all current News Brief subscribers. You will be able to register for a training session through the links in the announcement and find the reservation information for the appropriate conference hotel.

USAC will start a waiting list for each training session after 250 registrations have been processed for that session. If you find that you cannot attend a session after you have registered, please remember to cancel your registration to open a slot for someone else.

If you have questions, you can direct them to the email address or the telephone number provided on the announcement.

Writing an Appeal

USAC decisions can be appealed by program participants affected by those decisions. Appeals can be filed with USAC or with the Federal Communications Commission (FCC). Appeals must be received by USAC or the FCC or postmarked within 60 days of the date of the decision.

Most USAC decisions are communicated in letters. In general, the letters that contain these decisions also include information on how to file an appeal. In some cases — notably SPIN changes and service provider electronic notifications — decisions may be communicated by email and may lack this information. However, complete [information on filing an appeal](#) is available on the website.

If you are writing an appeal, you should clearly identify yourself and the reason(s) for your appeal and include the specific information that will help USAC or the FCC understand why you believe the original decision should be reviewed. Here are some tips to assist you with your preparations:

Mark your submission as an appeal. The word "appeal" should appear on the first page of a written appeal, the cover sheet of an appeal submitted by fax, or the subject line of an appeal submitted by email or online.

Requests of many types come to USAC regularly – SPIN change requests, Item 21 attachments, contact information changes, service delivery extension requests, etc. – and often they are not

submitted by the means requested in the relevant guidance material on the website. If the word "appeal" is prominent, we can direct your document to the appropriate place quickly.

Identify yourself. USAC will use the contact information you provide on your appeal to ask questions or to clarify information. If your contact information has changed since your original submission (form, request, etc.), please make a note of that as well.

The following information is helpful to appeal reviewers:

- The entity name and Billed Entity Number (BEN) of the applicant including an address and telephone number
- The name, address, telephone number, fax number, and email address of the contact person who understands and can discuss the appeal
- If the contact person is not an employee of the Billed Entity, the relationship of the contact person to the Billed Entity (consultant, consortium member, etc.)
- If available, an alternate contact person's name and contact information

You should carefully monitor the primary contact information (e-mail, fax, or telephone) for communications from USAC. If we attempt to contact you and do not receive a response, we may have to proceed with the information on hand and without the benefit of your responses to our questions.

Specify the USAC decision you are appealing. Start with the title and date on the communication that contains USAC's decision. In general, letters from USAC feature a title in capital letters at the top of the first page. Then specify the particular decision from that communication that you are appealing: a denial of one Funding Request Number (FRN) from a Form 471, a rejection of a service substitution request, the removal of an entity from a Form 471 Block 4 worksheet, etc. In addition, always include the following:

- A list of all affected FRNs
- A list of all affected Forms 471 by Form 471 application number
- A list of any other specific program forms involved, identified by form number, applicant form identifier, or other numbers assigned to the form by you or by USAC.

Beginning with FY2007, USAC will review Forms 471 in their entirety rather than stopping with the first denial reason. The comment field for each FRN in the FCDL has been expanded to contain:

- Additional information on the specific products or services that were removed if your funding request was reduced.
- All of the reasons your funding request was denied, if it was denied for more than one reason.

If you are appealing a denial, be sure your appeal addresses all of the denial reasons contained in the comment field. This will speed up the processing of your appeal.

State briefly but precisely why you feel the USAC decision is incorrect. Explain why you believe USAC reached the wrong conclusion in its decision. If the decision relates to a program rule or an FCC order, cite the rule or the order and the specific language that supports your argument.

Note any other information USAC should review. You have already included in your appeal the relevant form number, applicant form identifier, FRN, or other identifying information. This will assist USAC to quickly identify the materials at hand that should be reviewed in order to process your appeal. However, your appeal may rest on USAC's understanding of other materials submitted with your application or that relate to your application. You can provide copies of the relevant information or note where USAC should look to locate the information, such as an attachment to a previous year's form.

Retain all documentation. Program rules require that all documentation relating to an application be retained for five years after the last date to receive service. Some of the

questions that USAC may ask while reviewing an appeal may be answered by documentation that you have retained. If USAC needs to review that documentation and you can easily produce it, your appeal can proceed much more smoothly.

Refer to the [Appeals Procedure](#) for more information on filing an appeal with USAC or the FCC. extend your service delivery deadline.

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