

Records / Appeals

## Appealing Post Commitment Request 53451 - #85928

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In-Review

Outreach

Wave Ready

Committed

## ▼ Appeal Information

View Statuses (+)

**Funding Year** 2017**Submitting Organization** NEW BRAUNFELS PUBLIC LIBRARY (BEN: 16057285)**Created By** Miranda Valdez**Created On** 12/6/2017 11:48 AM EST

## ▼ Main Contact

**Name** Miranda Valdez**Email** mvaldez@nbtexas.org**Phone Number** 830-221-4320

## ▼ Narrative

1. Miranda Valdez: 700 E Common St, New Braunfels, TX 78130; mvaldez@nbtexas.org

2. This letter is an appeal for the denial of Post Commit Request - 53451 - NEW BRAUNFELS PUBLIC LIBRARY.

BEN: 16057285

SPIN: 143048275

FRN: 0020714564

3. "Funding Commitment Decision Letter for Funding Year 2016." I called a USAC consultant to ask why we were denied and it's because I made a mistake and put the wrong 470 # for our contracted services. I entered number-170078036 as a Category 1 on our 2017 Form 470, when I should have entered 747510001326956 for Category 2 for our 2017 Form 470. I have attached a copy of our Form 470 from the year 2015. We were granted contracted services on April 6, 2015 and it is set to expire June 1, 2020.

4. I have attached a copies of all relevant documentation. Please let me know if there is any other information I can provide. I apologize for making a mistake, but I am just trying to enter the same information as was entered last year, as none of our services have changed.

## ▼ Appeal Details

**Decision appealed by applicant** Funding Commitment Decision Letter**Type** FCC Referral**Category** Data Entry Errors

If you wish to modify or cancel your appeal, or, if you have any questions about your appeal, please contact the E-rate Program's Client Service Bureau (CSB) at (888) 203-8100.

## FY 2017 Erate Appeal Information Request

Today's Date: Oct 19, 2017

Response Due Date: **10/30/2017**

Requestor Name: **Miranda Valdez**

Applicant Name: **NEW BRAUNFELS PUBLIC LIBRARY**

Case Number: **53451**

Dear Appellant:

You were recently sent a request for additional information needed by the Appeals team to review your Funding Year <Insert Year> appeal(s) for Erate discounts. This is a reminder that your response due date is approaching. The documentation we received regarding your funding request number(s)(FRN(s)) was incomplete. Please respond to the following questions in their entirety. If you feel you have responded to the question already or you need a further explanation, please feel free to contact me.

**Please respond in the EPC System.**

### **I. Eligibility of Products and Services**

#### **Issue**

USAC's Program Compliance Appeals team is currently reviewing your FCC Form 471 application, and we have identified an issue that we need you to help us resolve.

#### **What is the issue?**

On your form, your FRN Product and Service detail was not sufficient to determine if the requested amount for FRN 1799025671 can be supported. This is an issue because before we can proceed with processing your form, we must validate the eligibility of your request.

The Product and Service Details for 2017 471 list the product as Access Point, Make: Meraki, Model: MR32-HM, Installation included? Yes. Is the hardware leased: No. Is this Correct?   X   Yes No     .

Please read all of the questions, descriptions, and requests below. Please give enough detail, insight, and clarity to help the reviewers fully understand your specific situation.

Check the boxes for statements that apply, and where applicable, type the information requested into the text boxes. If your information is too detailed for the text box, or if you need to provide additional documentation, click "Browse" to upload relevant files or documentation.

#### **Question:**

Please provide vendor documentation which supports the funding request amount of \$920.00 Requested Recurring Charges.

**Note: Any vendor documentation (e.g. contracts, vendor quotes, vendor bills, invoices, etc.) provided should clearly identify any ineligible charges that were cost allocated out of your request. Also, please be sure to explain any discrepancies between the amount requested and amount supported.**

*Response Reminders*

Please email or fax the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review of your appeal(s). **If we do not receive the requested information by 10/30/2017, your appeal(s) will be reviewed using the information currently on file. Failure to send all of the information requested may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Should you wish to cancel your appeal(s), please clearly indicate in your response that it is your intention to cancel your appeal(s); along with the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

A copy of this correspondence is being forwarded to your State Erate Coordinator for informational purposes only.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

***Donna M. Cromie***

**Associate Manager, Program Compliance—Appeals  
Schools & Libraries**

30 Lanidex Plaza West – N236 | Parsippany, NJ 07054

Ph: 800-200-0818 | Direct: 973-581-5263 | Fax: 973-599-6525

Email: [Donna.Cromie@sl.universalservice.org](mailto:Donna.Cromie@sl.universalservice.org)

CC: <insert Erate Coordinator's name>

New Braunfels Public Library

**BEN:** 16057285

**FRN:** 1799025671

**FCC Form 471 Application #:** 161062243

**Applicant Name:** New Braunfels Public Library

**Contacts:**

Travis Cochrane

Gretchen Pruett

Miranda Valdez

[tcochrane@nbtexas.org](mailto:tcochrane@nbtexas.org)

[gpruett@nbtexas.org](mailto:gpruett@nbtexas.org)

[mvaldez@nbtexas.org](mailto:mvaldez@nbtexas.org)

830-221-4000

830-221-4322

830-221-4320

**Original Filed SPIN:** 143028428, Time Warner Cable Information Services (Texas), LLC

**Contact:** David LaFrance, 703-561-8840, [david.lafrance@charter.com](mailto:david.lafrance@charter.com)

**Corrective SPIN/New service provider:** 143048275, Time Warner Cable Business, LLC

**Contact:** David LaFrance, 703-561-8840, [david.lafrance@charter.com](mailto:david.lafrance@charter.com)

**Reason for Change:** Time Warner Cable implemented SPIN 143048275 in 2016 through a Global SPIN change

**FCC Form 470**

## Universal Service Program Description of Services Requested and Certification Form

Approval by OMB  
3060-0806

Estimated Average Burden Hours Per Response: 3.0 hours

This form is designed to help you describe the eligible services you seek so that this data can be posted on the Fund Administrator Internet Site and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this form.

(To be completed by entity that will negotiate with Providers.)

**Applicant's Form Identifier:**(Create your own code to identify THIS Form 470)  
2015**FCC Form 470 Application #:**(To be assigned by Fund  
Administrator) 747510001326956**Block 1: Applicant Address and Identifications**

<b>1. Name of Applicant (30 characters max.)</b> NEW BRAUNFELS PUBLIC LIBRARY		
<b>2. Funding Year:</b> FY 2015: July 01, 2015 through June 30, 2016		<b>3a. Your Entity Number (up to 10 digits)</b> 16057285
<b>4a. Applicant's Street Address, P.O.Box, or Route Number</b> 700 E. COMMON ST.		
<b>City</b> NEW BRAUNFELS	<b>State</b> TX	<b>Zip Code</b> 78130 - 0000
<b>b. Telephone number</b> ( 830 ) 221 - 4300		<b>c. Fax number</b> ( 830 ) 608 - 2151
<b>5a. Type Of Applicant</b> <input checked="" type="radio"/> Individual School (individual public or non-public school) <input type="radio"/> School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools) <input type="radio"/> Library (including library system, library outlet/branch, or library consortium as defined under LSTA) <input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries) <input type="radio"/> Statewide application for (enter 2-letter state code) representing (check all that apply) <input type="checkbox"/> All public schools/districts in the state <input type="checkbox"/> All non-public schools in the state <input type="checkbox"/> All libraries in the state		

**5b. Recipient(s) of Services – Please check all boxes that apply to any recipients of service on this Form 470.**

- ☐ Private    ☐ Charter    ☐ Head Start  
☒ Public    ☐ Tribal    ☐ State Agency

**5c. Number of Eligible Entities for which services are sought 2****6a. Contact Person's Name:** Gretchen Pruett

Copy 4a-c above to 6b-d below

First, if the Contact Person's Street Address is the same as in **Item 4** above, check this box. ☐ If not, please complete the entries for the Street Address below.

**6b. Street Address, P.O.Box, or Route Number**

700 E. COMMON ST.

City

NEW BRAUNFELS

State

TX

Zip Code

78130 - 0000

Check the box next to your preferred mode of contact and provide your contact information. One box **MUST** be checked and an entry provided.

☐ **6c. Telephone Number** ( 830 ) 221 - 4300 ext.☐ **6d. Fax Number** ( 830 ) 608 - 2151☒ **6e. E-mail Address** gpruett@nbtexas.org

Reenter E-mail Address gpruett@nbtexas.org

**7. Consultant Information**

Consultant Registration Number:

Search

Consultant Name

Name of Consultant's Employer:

Consultant's Street Address:

City:

State:

Zip Code:

Consultant's Telephone Number:

Ext:

Consultant's Fax Number:

Consultant's Email Address:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

FCC Form 470  
October 2014

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Questions about the SLD Program? Call our Client Service Bureau at (888) 203-8100.

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# ***FCC Form 470***

Universal Service Program Description of Services Requested and Certification Form



**Entity Number: 16057285**

**Applicant's Form Identifier: 2015**

**Contact Person: Gretchen Pruett**

**Phone Number: (830) 221-4300**

**Please Record This Form 470 Application Number For Future Reference:  
This Number Must Be Used To Complete Your Application,  
If You Leave This Process Before The Application Is Completed.**

Form 470 Application#: **747510001326956**

Next >>



## Description of Services Ordered and Certification Form 471

### FCC Form 471

#### Application Information

Nickname	NBPL_FCC471_2017	Application Number	171013363
Funding Year	2017	Category of Service	Category 2

#### Billed Entity

NEW BRAUNFELS PUBLIC LIBRARY  
700 E. COMMON ST. NEW BRAUNFELS TX 7813  
0  
830-221-4300

#### Contact Information

Miranda Valdez  
830-221-4320  
mvaldez@nbtexas.org

Billed Entity Number	16057285
FCC Registration Number	0020714564
Applicant Type	Library System

Holiday/Summer Contact Information	Gretchen Pruett; 830-221-4322; GPruett@nbtexas.org Travis Cochrane; 830-221-4339; TCochrane@nbtexas.org
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#### Entity Information

##### Library System - Details

BEN	Name	FSCS Code	Urban/ Rural	School District Name	School District BEN	Library System Attributes
16057285	NEW BRAUNFELS PUBLIC LIBRARY		Urban	NEW BRAUNFELS INDEP SCH DIST	348370	Public Library System

#### Related Entity Information

##### Related Child Library Entity - Details

BEN	Name	FSCS Code	Locale Code	Urban/ Rural	Total Square Footage	School District Name	School District BEN	Library Attributes
16068934	NEW BRAUNFELS PUBLIC LIBRARY WESTSIDE BRANCH	TX0199		Urban	9000	NEW BRAUNFELS INDEP SCH DIST	141519	Public Library; Main Branch

#### Discount Rate



Associated School District Full-time Enrollment	Associated School District NSLP Count	Associated School District NSLP Percentage	Library Urban/Rural Status	Category One Discount Rate	Category Two Discount Rate	Voice Discount Rate
8610	3051	36.0%	Urban	60%	60%	0%

## Funding Request for FRN #1799025671

Funding Request Nickname: Internal Connections

Service Type: Internal Connections

### Agreement Information - Contract

Contract Number 130569251PRO1

Account Number

Establishing FCC Form 470 160042929

Service Provider Time Warner Cable Information Services (Texas), LLC (SPN: 143028428)

Was an FCC Form 470 posted for the product and/or services you are requesting? Yes

Based on State Master Contract? No

Award Date April 16, 2015

Based on a multiple award schedule? No

How many bids were received for this contract? 3

Includes Voluntary Extensions? No

What is the service start date? July 01, 2016

Remaining Voluntary Extensions

Total Remaining Contract Length

What is the date your contract expires for the current term of the contract? June 01, 2020

### Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

### Narrative

Wireless APs to replace existing hardware, 5 years of a web-based dashboard management subscription, and time & installation.

## Line Item # 1799025671.001

### Product and Service Details

Type of Internal Connection      Wireless Data Distribution      Type of Product      Access Point

Make      Meraki      Model      MR32-HM

Is installation included in Price? Yes      Is the hardware for this FRN line item leased? No

### Cost Calculation for FRN Line Item # 1799025671.001

Monthly Cost	
Monthly Recurring Unit Cost	\$920.00
Monthly Recurring Unit Ineligible Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$920.00
Monthly Quantity	x 1
Units	0
Total Monthly Eligible Recurring Costs	= \$920.00
Months of Service	x 12
Total Eligible Recurring Costs	= \$11,040.00

One-Time Cost	
One-time Unit Cost	\$0.00
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$0.00
One-time Quantity	x 0
Total Eligible One-time Costs	= \$0.00
Summary	
Total Eligible Recurring Costs	\$11,040.00
Total Eligible One-time Costs	+ \$0.00
Pre-Discount Extended Eligible Line Item Cost	= \$11,040.00

## Recipients of Services

BEN	Name	Amount
16068934	NEW BRAUNFELS PUBLIC LIBRARY WESTSIDE BRANCH	\$11,040.00

**FRN Calculation for FRN #1799025671**

Monthly Charges	
Total Monthly Recurring Charges	\$920.00
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$920.00
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$11,040.00

One-Time Charges	
Total One-Time Charges	\$0.00
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$0.00

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$11,040.00
Total Eligible Pre-Discount One-Time Charges	+ \$0.00
Total Pre-Discount Charges	= \$11,040.00
Discount Rate	60%
Funding Commitment Request	= \$6,624.00

## Connectivity Questions

### District/System-wide Internet Access Questions

Does your library system currently aggregate Internet access for the entire system(as opposed to buying Yes Internet access on a building-by-building basis)?

Download Speed 7.00 Download Speed Units Mbps

Upload Speed 18.00 Upload Speed Units Mbps

### Per Entity Basis Questions

Entity Name NEW BRAUNFELS PUBLIC LIBRARY Entity Number 16057285

BEN	Entity Name	Download	Units	Upload	Units	Connection	Wifi Sufficient	Barriers to Robust Network
16068934	NEW BRAUNFELS PUBLIC LIBRARY WESTSIDE BRANCH	7.00	Mbps	18.00	Mbps	Fiber	Sometimes	Outdated equipment

## Certifications

I certify that the entities listed in this application are eligible for support because they are libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.

I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

### Total Funding Summary

Below is a summary of the total line item costs on this FCC Form 471:

Summary	
Total funding year pre-discount eligible amount on this FCC Form 471	\$11,040.00
Total funding commitment request amount on this FCC Form 471	\$6,624.00
Total applicant non-discount share of the eligible amount	\$4,416.00
Total budgeted amount allocated to resources not eligible for E-rate support	\$0.00
Total amount necessary for the applicant to pay the non-discount share of eligible and any ineligible amounts	\$4,416.00
Are you receiving any of the funds directly from a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year?	No
Has a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds needed to pay your non-discounted share?	No

I certify an FCC Form 470 was posted and that any related RFP was made available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology goals.

I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500 and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, as prohibited by the Commission's rules at 47 C.F.R. § 54.503(d), other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts or other legally binding agreements covering all of the services listed on this FCC Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to USAC.

I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

I certify that if any of the Funding Requests on this FCC Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504.

## Notice

Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to submit an application for such discounts by filing this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the application requirements for universal service discounts contained in 47 C.F.R. § 54.504. Schools and libraries must file this form themselves or as part of a consortium. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving your application for universal service discounts is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application for universal service discounts may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public. If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized. If you do not provide the information we request on the form, the FCC or the Universal Service Administrator may delay processing of your application for universal service discounts or may return your application without action. The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq. Public reporting burden for this collection of information is estimated to average 4.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

## Authorized Person

<b>Title:</b>	Digital Services Librarian	<b>Name:</b>	Miranda Valdez
<b>Phone:</b>	830-221-4320	<b>Email:</b>	mvaldez@nbtexas.org
<b>Address:</b>	700 E. COMMON ST. NEW BRAUNFELS TX 78130	<b>Employer:</b>	Miranda Valdez

## Certified Timestamp

04-Apr-2017 11:40:45 EDT