



Commitment Adjustment Letter

David Neugent
DUVAL COUNTY SCHOOL
DISTRICT
1701 PRUDENTIAL DR
JACKSONVILLE, FL 32207

03/27/2018

Our review of your Schools and Libraries Universal Service Support Program (or E-rate) funding request has determined funds were committed in violation of Federal Communications Commission (FCC) rules. You have 60 days from the date of this letter to appeal the following decision(s). For more detailed information see below.

Total commitment adjustment:\$398,425.92

Total amount to be recovered:\$20,570.03

FCC Form 471	FRN	Commitment adjustment	Total amount to be recovered	Explanation(s)	Party to recover from
161006202	1699008464	\$309,120.34	\$0.00	Failure to competitively bid in accordance with information and/or certifications provided on the FCC Form 470	BEN
161013642	1699036313	\$89,305.58	\$20,570.03	Failure to competitively bid in accordance with information and/or certifications provided on the FCC Form 470	BEN

See Attached Adjustment Report for more information on the specific FRNs and Explanations listed above.

Commitment Adjustment

FCC rules require the Universal Service Administrative Company (USAC) to rescind commitments and recover funding when it is determined that funding was committed and disbursed in violation of the rules. This letter notifies you that USAC will be adjusting your funding commitment(s) and provides information on how to appeal this decision.

This is NOT a bill. If disbursed funds need to be recovered, USAC will issue a Demand Payment Letter. The debt referenced in the Demand Payment Letter will be due within 30 days of that letter's date. Failure to pay the debt may result in interest, late payment fees, and administrative charges and will invoke the FCC's "Red Light Rule."

FCC's Red Light Rule

The FCC Red Light Rule requires USAC to dismiss pending FCC Form 471 applications, appeals, and invoices or to net disbursements offsetting the debt if the entity responsible for paying the outstanding debt owed to the FCC has not paid the debt or made satisfactory arrangements to pay the debt within 30 days of the Demand Payment Letter. For information on the Red Light Rule, see

<https://www.fcc.gov/licensing-databases/fees/debt-collection-improvement-act-implementation>.



To Appeal This Decision

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- 3) Identify the problem and the reason for the appeal and explain precisely the relief sought. Please keep your appeal to the point, and provide supporting documentation. Be sure to keep a copy of your entire appeal, including any correspondence and documentation. A copy will automatically be saved for you in EPC. USAC will reply to your appeal submission to confirm receipt.

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Schools and Libraries Division



Adjustment Report

FCC Form 471 Application Number:	161013642
Funding Request Number:	1699036313
Commitment Adjustment:	\$89,305.58
Total Amount to Be Recovered:	\$20,570.03
Explanation(s):	Failure to competitively bid in accordance with information and/or certifications provided on the FCC Form 470
Party to Recover From:	BEN
Funding Year:	2016
Billed Entity Number:	127591
Services Ordered:	Voice
Service Provider Name:	BellSouth Telecommunications, LLC
SPIN:	143004824
Original Funding Commitment:	\$89,305.58
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$20,570.03

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On FY 2014 FCC Form 470# 257270001175099, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. However, it was determined that you failed to comply with all FCC competitive bidding requirements. FCC rules established in the Queen of Peace Order, released and adopted on December 7, 2011, prohibit applicants from including a particular manufacturers name, brand, product or service in an FCC Form 470 or request for proposal (RFP) unless they also use the words or equivalent in such a description. It was determined that a specific manufacturer/service provider was included in a RFP issued in conjunction with the FCC Form 470, without the proper indication that services from equivalent manufacturers/service providers would be considered and you have violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.



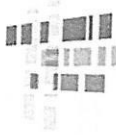
Adjustment Report

FCC Form 471 Application Number:	161006202
Funding Request Number:	1699008464
Commitment Adjustment:	\$309,120.34
Total Amount to Be Recovered:	\$0.00
Explanation(s):	Failure to competitively bid in accordance with information and/or certifications provided on the FCC Form 470
Party to Recover From:	BEN
Funding Year:	2016
Billed Entity Number:	127591
Services Ordered:	Voice
Service Provider Name:	BellSouth Telecommunications, LLC
SPIN:	143004824
Original Funding Commitment:	\$309,120.34
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$0.00

Funding Commitment Adjustment Explanation:

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Universal Service
Administrative Co.

Commitment Adjustment Letter

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4/6/2018

Our review of your Schools and Libraries Universal Service Support Program (or E-rate) funding request has determined funds were committed in violation of Federal Communications Commission (FCC) rules. You have 60 days from the date of this letter to appeal the following decision(s). For more detailed information see below.

Total commitment adjustment: \$161,738.07

Total amount to be recovered: \$161,738.07

<i>FCC Form 471</i>	<i>FRN</i>	<i>Commitment adjustment</i>	<i>Total amount to be recovered</i>	<i>Explanation(s)</i>	<i>Party to recover from</i>
959069	2604839	\$161,738.07	\$161,738.07	Comp. Bidding Violation	Applicant

See Attached Adjustment Report for more information on the specific FRNs and Explanations listed above.

Commitment Adjustment

FCC rules require the Universal Service Administrative Company (USAC) to rescind commitments and recover funding when it is determined that funding was committed and disbursed in violation of the rules. This letter notifies you that USAC will be adjusting your funding commitment(s) and provides information on how to appeal this decision.



Universal Service Administrative Co.

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FCC's Red Light Rule

The FCC Red Light Rule requires USAC to dismiss pending FCC Form 471 applications, appeals, and invoices or to net disbursements offsetting the debt if the entity responsible for paying the outstanding debt owed to the FCC has not paid the debt or made satisfactory arrangements to pay the debt within 30 days of the Demand Payment Letter. For information on the Red Light Rule, see

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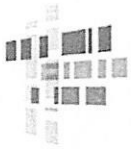
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**Universal Service
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Schools and Libraries Division

cc: Cheryl Revor
BellSouth Telecommunications, LLC



Universal Service
Administrative Co.

Adjustment Report

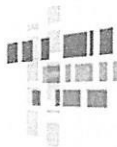
FCC Form 471 Application Number: 959069
Funding Request Number: 2604839
Commitment Adjustment: \$161,738.07
Total Amount to Be Recovered: \$161,738.07
Explanation(s): Comp. Bidding Violation

Party to Recover From: Applicant
Funding Year: 2014
Billed Entity Number: 127591
Services Ordered: TELCOMM SERVICES
Service Provider Name: BellSouth Telecommunications, LLC
SPIN: 143004824
Original Funding Commitment: \$161,738.07
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$161,738.07

Funding Commitment Adjustment Explanation

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4/6/2018

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Total commitment adjustment: \$445,183.20

Total amount to be recovered: \$330,911.56

<i>FCC Form 471</i>	<i>FRN</i>	<i>Commitment adjustment</i>	<i>Total amount to be recovered</i>	<i>Explanation(s)</i>	<i>Party to recover from</i>
996782	2720544	\$445,183.20	\$330,911.56	Comp. Bidding Violation	Applicant

See Attached Adjustment Report for more information on the specific FRNs and Explanations listed above.

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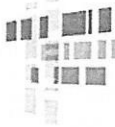
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Adjustment Report

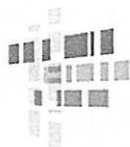
FCC Form 471 Application Number: 996782
Funding Request Number: 2720544
Commitment Adjustment: \$445,183.20
Total Amount to Be Recovered: \$330,911.56
Explanation(s): Comp. Bidding Violation

Party to Recover From: Applicant
Funding Year: 2015
Billed Entity Number: 127591
Services Ordered: VOICE SERVICES
Service Provider Name: BellSouth Telecommunications, LLC
SPIN: 143004824
Original Funding Commitment: \$445,183.20
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$330,911.56

Funding Commitment Adjustment Explanation

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On FY 2014 FCC Form 470# 429360001174407, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. However, it was determined that you failed to comply with all FCC competitive bidding requirements. FCC rules established in the Queen of Peace Order, released and adopted on December 7, 2011, prohibit applicants from including a particular manufacturers name, brand, product or service in an FCC Form 470 or request for proposal (RFP) unless they also use the words "or equivalent" in such a description. It was determined that a specific manufacturer/service provider was included in a RFP issued in conjunction with the FCC Form 470, without the proper indication that services from equivalent manufacturers/service providers would be considered and you have violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

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4/6/2018

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Total commitment adjustment: \$36,842.40

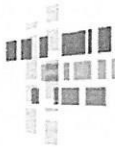
Total amount to be recovered: \$29,550.53

<i>FCC Form 471</i>	<i>FRN</i>	<i>Commitment adjustment</i>	<i>Total amount to be recovered</i>	<i>Explanation(s)</i>	<i>Party to recover from</i>
998583	2720890	\$36,842.40	\$29,550.53	Comp. Bidding Violation	Applicant

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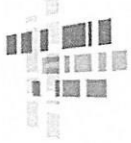
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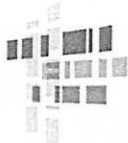
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Schools and Libraries Division

cc: Cheryl Revor
BellSouth Telecommunications, LLC



Universal Service
Administrative Co.

Adjustment Report

FCC Form 471 Application Number: 998583
Funding Request Number: 2720890
Commitment Adjustment: \$36,842.40
Total Amount to Be Recovered: \$29,550.53
Explanation(s): Comp. Bidding Violation

Party to Recover From: Applicant
Funding Year: 2015
Billed Entity Number: 127591
Services Ordered: VOICE SERVICES
Service Provider Name: BellSouth Telecommunications, LLC
SPIN: 143004824
Original Funding Commitment: \$36,842.40
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$29,550.53

Funding Commitment Adjustment Explanation

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8/10/2018

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Total commitment adjustment: \$526,153.37

Total amount to be recovered: \$525,408.04

<i>FCC Form 471</i>	<i>FRN</i>	<i>Commitment adjustment</i>	<i>Total amount to be recovered</i>	<i>Explanation(s)</i>	<i>Party to recover from</i>
958806	2604191	\$526,153.37	\$525,408.04	Comp. Bidding Violation	Applicant

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Commitment Adjustment

FCC rules require the Universal Service Administrative Company (USAC) to rescind commitments and recover funding when it is determined that funding was committed and disbursed in violation of the rules. This letter notifies you that USAC will be adjusting your funding commitment(s) and provides information on how to appeal this decision.



This is NOT a bill. If disbursed funds need to be recovered, USAC will issue a Demand Payment Letter. The debt referenced in the Demand Payment Letter will be due within 30 days of that letter's date. Failure to pay the debt may result in interest, late payment fees, and administrative charges and will invoke the FCC's "Red Light Rule."

FCC's Red Light Rule

The FCC Red Light Rule requires USAC to dismiss pending FCC Form 471 applications, appeals, and invoices or to net disbursements offsetting the debt if the entity responsible for paying the outstanding debt owed to the FCC has not paid the debt or made satisfactory arrangements to pay the debt within 30 days of the Demand Payment Letter. For information on the Red Light Rule, see

<https://www.fcc.gov/licensing-databases/fees/debt-collection-improvement-act-implementation>

To Appeal This Decision

If you wish to contest any part of this letter, you must first file an appeal with USAC to seek review of the decision. Parties that have filed an appeal with USAC and received an adverse decision may, if they choose, appeal USAC's decision to the FCC. Parties seeking a waiver of a codified FCC rule should file a request for waiver directly with the FCC because USAC cannot waive FCC rules. Your appeal to USAC or waiver request to the FCC must be filed within 60 days of the date of this letter.

All appeals filed with USAC must be filed in EPC by selecting "Appeal" from the menu in the top right hand corner of your landing page and providing the requested information.

Your appeal should include the following information. (Because you file the appeal through your EPC account, the system will automatically fill in some of these components for you).

- 1) Name, address, telephone number, and email address for the contact person for this appeal.
- 2) Indicate specifically that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., Commitment Adjustment Letter) and the decision you are appealing:
 - a. Appellant name;
 - b. Applicant name and service provider name, if different from appellant;
 - c. Applicant BEN and Service Provider Identification Number (SPIN);
 - d. FCC Form 471 Application Number and the Funding Request Number (FRN) or Numbers as assigned by USAC;
 - e. "Commitment Adjustment Letter," AND the exact text or the decision that you are appealing.



3) Identify the problem and the reason for the appeal and explain precisely the relief sought. Please keep your appeal to the point, and provide supporting documentation. Be sure to keep a copy of your entire appeal, including any correspondence and documentation. A copy will automatically be saved for you in EPC. USAC will reply to your appeal submission to confirm receipt.

For more information on submitting an appeal to USAC including step by step instructions on how to file the appeal through EPC, please see "Appeals" in the Schools and Libraries section of the USAC website.

As mentioned, parties seeking a waiver of FCC rules or that have filed an appeal with USAC and received a decision may file a request for waiver or appeal USAC's decision to the FCC. Waiver requests or appeals to the FCC must be made within 60 days of the issuance of USAC's decision and include all of the information referenced above for appeals to USAC.

The FCC recommends filing appeals or waiver requests with the Electronic Comment Filing System (ECFS) to ensure timely filing. Electronic waiver requests or appeals will be considered filed on a business day if they are received at any time before 11:59 PM ET. If you have questions or comments about using the ECFS, please contact the FCC directly at (202) 418-0193.

For more information about submitting waiver requests or appeals to the FCC, including options to submit the waiver request or appeal via U.S. mail or hand delivery, visit the FCC's website.

Schools and Libraries Division

cc: Cheryl Revor
BellSouth Telecommunications, LLC



Adjustment Report

FCC Form 471 Application Number: 958806
Funding Request Number: 2604191
Commitment Adjustment: \$526,153.37
Total Amount to Be Recovered: \$525,408.04
Explanation(s): Comp. Bidding Violation

Party to Recover From: Applicant
Funding Year: 2014
Billed Entity Number: 127591
Services Ordered: TELCOMM SERVICES
Service Provider Name: BellSouth Telecommunications, LLC
SPIN: 143004824
Original Funding Commitment: \$526,153.37
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$525,408.04

Funding Commitment Adjustment Explanation

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On FY 2014 FCC Form 470# 429360001174407, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. However, it was determined that you failed to comply with all FCC competitive bidding requirements. FCC rules established in the Queen of Peace Order, released and adopted on December 7, 2011, prohibit applicants from including a particular manufacturers name, brand, product or service in an FCC Form 470 or request for proposal (RFP) unless they also use the words "or equivalent" in such a description. It was determined that a specific manufacturer/service provider was included in a RFP issued in conjunction with the FCC Form 470, without the proper indication that services from equivalent manufacturers/service providers would be considered and you have violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.