

**A. Notification of Commitment Adjustment Letters, Funding  
Years: 07/01/2011-06/30/2012, 2012-2013 and Funding  
Commitment Decision Letter for 07/01/2013-06/30/2014**



Notification of Commitment Adjustment Letter

Funding Year 2011: July 1, 2011 - June 30, 2012

May 29, 2014

Doug Brubaker  
MANSFIELD INDEP SCHOOL DIST  
1522 North Walnut Creek Drive  
Mansfield, TX 76063 1766

Re: Form 471 Application Number: 788976  
Funding Year: 2011  
Applicant's Form Identifier: 2011y14-471  
Billed Entity Number: 140867  
FCC Registration Number: 0011728615  
SPIN: 143004662  
Service Provider Name: Southwestern Bell Telephone Company  
Service Provider Contact Person: Mike Swisher

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

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Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road, P.O. Box 902, Whippany, NJ 07981  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

TO APPEAL THIS DECISION:

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the
  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Rd.  
P. O. Box 902  
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

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FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letter Reports" posted at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Mike Swisher  
Southwestern Bell Telephone Company

Funding Commitment Adjustment Report for  
Form 471 Application Number: 788976

Funding Request Number: 2134845  
Services Ordered: TELCOMM SERVICES  
SPIN: 143004662  
Service Provider Name: Southwestern Bell Telephone Company  
Contract Number: T  
Billing Account Number: 817-164-5256-406  
Site Identifier: 140867  
Original Funding Commitment: \$1,600.56  
Commitment Adjustment Amount: \$1,600.56  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$1,600.56  
Funds to be Recovered from Applicant: \$1,600.56  
Funding Commitment Adjustment Explanation:

After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. During the course of a review it was determined that the FCC Form 470 does not comply with the statutory mandate that applicants submit bona fide requests for services. Per the FCCs Ysleta Order, an applicants FCC Form 470 must be based upon its carefully thought-out technology plan and must detail specific services sought in a manner that would allow bidders to understand the specific technologies that the applicant is seeking. Thus, a FCC Form 470 that sets out virtually all elements that are on the eligible services list would not allow a bidder to determine what specific services the applicant was seeking. A FCC Form 470 should not be a general, open-ended solicitation for all services available on the eligible services list, with the hope that bidders will present more concrete proposals. We find that the FCC Form 470 that established the bidding for this FRN is encyclopedic and does not list only those services for which funding was actually sought. Furthermore, a Request for Proposal was not issued to narrow the scope of the desired services to only those that you actually applied for in this funding request. Because you relied on an encyclopedic FCC Form 470, your funding commitment will be rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

Notification of Commitment Adjustment Letter

Funding Year 2012: July 1, 2012 - June 30, 2013

May 29, 2014

Doug Brubaker  
MANSFIELD INDEP SCHOOL DIST  
1522 North Walnut Creek Drive  
Mansfield, TX 76063 1766

Re: Form 471 Application Number: 871961  
Funding Year: 2012  
Applicant's Form Identifier: 2012y15-471 Cogent  
Billed Entity Number: 140867  
FCC Registration Number: 0011728615  
SPIN: 143035907  
Service Provider Name: COGENT COMMUNICATIONS, INC. dba PSINet,  
Service Provider Contact Person: Ried Zulager

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

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1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the
  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
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5. Provide an authorized signature on your letter of appeal.

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Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Rd.  
P. O. Box 902  
Whippany, NJ 07981

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FUNDING COMMITMENT ADJUSTMENT REPORT

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Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Ried Zulager  
COGENT COMMUNICATIONS, INC. dba PSINet, Inc.

Funding Commitment Adjustment Report for  
Form 471 Application Number: 871961

Funding Request Number: 2380833  
Services Ordered: INTERNET ACCESS  
SPIN: 143035907  
Service Provider Name: COGENT COMMUNICATIONS, INC. dba PSINet  
Contract Number: 1-89870742 1-93774020  
Billing Account Number:  
Site Identifier: 140867  
Original Funding Commitment: \$54,720.00  
Commitment Adjustment Amount: \$54,720.00  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date \$46,482.57  
Funds to be Recovered from Applicant: \$46,482.57  
Funding Commitment Adjustment Explanation:

After multiple requests for documentation and application review, it has been determined that this funding commitment must be rescinded in full. During the course of a review it was determined that the FCC Form 470 does not comply with the statutory mandate that applicants submit bona fide requests for services. Per the FCC's Ysleta Order, an applicant's FCC Form 470 must be based upon its carefully thought-out technology plan and must detail specific services sought in a manner that would allow bidders to understand the specific technologies that the applicant is seeking. Thus, a FCC Form 470 that sets out virtually all elements that are on the eligible services list would not allow a bidder to determine what specific services the applicant was seeking. A FCC Form 470 should not be a general, open-ended solicitation for all services available on the eligible services list, with the hope that bidders will present more concrete proposals. We find that the FCC Form 470 that established the bidding for this FRN is encyclopedic and does not list only those services for which funding was actually sought. Furthermore, a Request for Proposal was not issued to narrow the scope of the desired services to only those that you actually applied for in this funding request. Because you relied on an encyclopedic FCC Form 470, your funding commitment will be rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

Jane Kellogg or Debi Sovereign  
MANSFIELD INDEP SCHOOL DIST  
1101 Stadium Drive  
Ada, OK 74820 8459

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2013: 07/01/2013 - 06/30/2014)

May 22, 2014

Debi Sovereign or Jane Kellogg  
MANSFIELD INDEP SCHOOL DIST  
1101 Stadium Drive  
Ada,, OK 74820

Re: FCC Form 471 Application Number: 906722  
Billed Entity Number (BEN): 140867  
Billed Entity FCC Registration Number (FCC RN): 0011728615  
Applicant's Form Identifier: 2013y16-471-cog

Thank you for your Funding Year 2013 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the FCC Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$73,837.32 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Guide to USAC Letter Reports in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full.
- Review technology planning approval requirements.
- Review Children's Internet Protection Act (CIPA) requirements.
- File FCC Form 486.
- Invoice USAC using the FCC Form 474, Service Provider Invoice (SPI) Form, or FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, - as products and services are being delivered and billed.

**TO APPEAL THIS DECISION:**

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.

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Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - FCC Form 471 Application Number 906722 and the Funding Request Number (FRN) or Numbers as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2013," AND
  - The exact text of the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
 Schools and Libraries Division - Correspondence Unit  
 30 Lanidex Plaza West  
 PO Box 685  
 Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the Schools and Libraries section of the USAC website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in Appeals in the Schools and Libraries section of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company



FUNDING COMMITMENT REPORT  
Billed Entity Name: MANSFIELD INDEP SCHOOL DIST  
BEN: 140867  
Funding Year: 2013

Comment on RAL corrections: RAL change implemented on your FCC Form 471, Block 1  
Contact Information, is in accordance with your RAL  
request.

FCC Form 471 Application Number: 906722  
Funding Request Number: 2467811  
Funding Status: Not Funded  
Category of Service: Internet Access  
FCC Form 470 Application Number: 595840000980192  
SPIN: 143035907  
Service Provider Name: COGENT COMMUNICATIONS, INC. dba PSINet, Inc.  
Contract Number: 1-93774020  
Billing Account Number: MANSFIEL00002  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2013  
Service End Date: N/A  
Contract Award Date: 03/19/2012  
Contract Expiration Date: 03/19/2015  
Shared Worksheet Number: 1552376  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$48,000.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$48,000.00  
Discount Percentage Approved by the USAC: 59%  
Funding Commitment Decision: \$0.00 - Encyclopedic or Generic Form 4  
Funding Commitment Decision Explanation: This FRN is being denied because the FCC  
Form 470 does not comply with the statutory mandate that applicants submit "bona fide  
requests for services." Per the FCC's Ysleta Order, an applicant's FCC Form 470 must  
be based upon its carefully thought-out technology plan and must detail specific  
services sought in a manner that would allow bidders to understand the specific  
technologies that the applicant is seeking. Thus, a Form 470 that sets out virtually  
all elements that are on the eligible services list would not allow a bidder to  
determine what specific services the applicant was seeking. A Form 470 should not be  
a general, open-ended solicitation for all services available on the eligible  
services list, with the hope that bidders will present more concrete proposals. We  
find that the Form 470 that established the bidding for this FRN is encyclopedic and  
does not list only those services for which funding was actually sought. Furthermore,  
a Request for Proposal was not issued to narrow the scope of the desired services to  
only those that you actually applied for in this funding request. Because you relied  
on an encyclopedic FCC Form 470, the FRN is denied.

FCDL Date: 05/22/2014  
Wave Number: 052  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2015  
Consultant Name:  
Consultant Registration Number (CRN):  
Consultant Employer: