

Mike Cason
Troup County School System
100 North Davis Road Building A
LaGrange, GA 30241-1562

Billed Entity Number: 127310
Form 471 Application Number: 845112
Form 486 Application Number:



Administrator's Decision on Appeal – Funding Year 2012-2013

February 10, 2015

Mike Cason
Troup County School System
100 North Davis Road Building A
LaGrange, GA 30241-1562

Re: Applicant Name: TROUP COUNTY SCHOOL SYSTEM
Billed Entity Number: 127310
Form 471 Application Number: 845112
Funding Request Number(s): 2337012
Your Correspondence Dated: November 12, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2012 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2337012
Decision on Appeal: **Denied**
Explanation:

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- The documentation provided along with the appeal letter, does not overcome the original determination by USAC to rescind the funds approved on the above listed funding request in full. On FCC Form 470 for FY 2012, you certified all bids received would be carefully considered and the bid selected would be for the most cost-effective service or equipment offering and you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. It was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements because there was no bidding process involved with your vendor selection. FCC rules require that the applicant submits a "bona fide" request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested

so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to consider all bids received (2) and choose the most cost-effective solution, you violated the competitive bidding process. Accordingly, the commitment was rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant. You have not demonstrated on appeal that USAC's determination was incorrect. Consequently, USAC denies your appeal.

- FCC rules require that applicants select the most cost-effective products and/or services offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. *See* 47 C.F.R. sec. 54.511(a); also, Request for Review by Ysleta Independent School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45, 97-21, Order, 18 FCC Rcd 26407, 26429, FCC 03-313 para. 50 (rel. Dec. 8, 2003). Ineligible products and services may not be factored into the cost-effective evaluation. *See* Common Carrier Bureau Reiterates Services Eligible for Discounts to Schools and Libraries, CC Docket No. 96-45, Public Notice, 13 FCC Rcd 16570, DA 98-1110 (rel. Jun. 11, 1998).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. 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. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company