



## SUMMARY

This request relates to a waiver of the rules to allow for an extension of the date to file an invoice deadline extension for Stanly County School District (Stanly or District), a public school district in North Carolina, relating to Priority 1 services for Funding Year ("FY") 2011.

Stanly's IT Director, at the time surrounding the invoice deadline, was critically ill and hospitalized and through no fault of the IT Director or the District, the FCC Form 472 (BEAR) was not submitted in a timely manner.

It is our belief that the reason for the failure of the District to timely file the FCC Form 472 qualifies as "extraordinary circumstances" and in this case justifies a waiver of the rule to allow for an extension of the time to file. Additionally, there is no evidence of any intent to defraud or abuse the E-Rate Program. Denying the District the ability to recover these already expended funds, which were properly expended in accordance with USAC's approval, would only work a hardship on the District and under the circumstances would not serve the fundamental purposes of the E-Rate Program.

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
	)	<b>CC Docket No. 02-6</b>
Request for a Waiver of the Rules	)	
	)	
Stanly County School District	)	File Nos. SLD File No. 794048 (FY 2011)
Albemarle, North Carolina	)	FRN 2182233)
	)	
	)	
	)	
	)	

To: Chief, Wireline Competition Bureau

**REQUEST FOR REVIEW**

Stanly County School District ("Stanly" or the "District"), acting through its consultant and pursuant to and in accordance with Sections 54.719-54.721 of the Federal Communication Commission's ("FCC" or "Commission") rules, hereby requests a waiver of the rules contained in Paragraph 242 of the Report and Order and Further Notice of Proposed Rulemaking (the "Order") adopted July 11, 2014 by the FCC. Specifically Paragraph 242 states "With respect to ...requests to....the Commission seeking permission to submit invoices after USAC's invoicing deadline for earlier funding years, we direct the ....Bureau to consider....whether other extraordinary circumstances exist that supports such a request."

Further this request for a waiver of the rules is submitted directly to the Bureau in accordance with Paragraph 252 of the Order which directs "parties seeking only a waiver of our rules are not governed by this requirement [to first submit requests to USAC], but instead must seek relief directly from the Commission or the Bureau."

## **I. STATEMENT OF THE SCHOOL'S INTEREST IN THE REQUEST**

Stanly has standing to file this Request because Paragraph 252 of the Order directs “parties seeking only a waiver of our rules are not governed by this requirement [to first submit requests to USAC], but instead must seek relief directly from the Commission or the Bureau.”

## **II. KEY BACKGROUND FACTS**

### **A. Stanly County School District**

Stanly County School District is one of 115 public school districts in North Carolina and is in the South Central part of the state. It is comprised of 23 schools with 9,231 students of which 55% qualify for free and reduced meals. The District is situated in a former textile dependent county and has suffered enrollment decline as a result of the eroding economy. This decline has caused the District to suffer financially and some reduction in the number of schools is currently being debated.

### **B. Stanly and the E-Rate Program**

Stanly started participating in the E-Rate Program in 1998 and has always handled its E-Rate affairs in a responsible and careful manner. The District normally seeks E-Rate reimbursements using the BEAR methodology for Priority 1 services and SPI methodology for Priority 2 services.

### **C. The FY 2011 Form 471s and Funding Commitment**

Stanly submitted the FCC Form 471 containing FRN 2182233 on March 17, 2011 and received a Funding Commitment Decision Letter on October 11, 2013 which contained a last date to deliver service of September 30, 2014 and an invoicing deadline of January 28, 2015 (see attached Form 471 and FCDL). The District then filed a SPIN change request as the

service provider closed his business and another was selected to assume the contract (see attached SPIN change request). The SPIN change was approved on December 18, 2013. In the meantime the new service provider was performing other non-E-Rate eligible work for the District. Due to the new service provider being unfamiliar with the desire of the District to have their invoices discounted the service provider billed the District for both the non-E-Rate and E-Rate eligible services and the District paid the bills in their entirety.

The District then intended to seek reimbursement by filing a (BEAR) Form 472, but the IT Director whose responsibility it was to file the Form 472 became ill a month before the deadline and was absent from work for an extended period of time. It was not until well after the invoicing deadline that the fact that the (BEAR) Form 472 had not been filed was discovered.

### III. **ARGUMENT**

#### A. **The reason for the failure of the Form 471 (BEAR) not being filed by the invoicing deadline of January 28, 2015 should qualify as an extraordinary circumstance as defined in the "Order"**

Paragraph 242 of the Report and Order and Further Notice of Proposed Rulemaking (the "Order") adopted July 11, 2014 by the FCC specifically states "With respect to ...requests to...the Commission seeking permission to submit invoices after USAC's invoicing deadline for earlier funding years, we direct the ...Bureau to consider...whether other extraordinary circumstances exist that supports such a request." We contend that absence caused by a prolonged illness of the person responsible for completing the Form 472 would qualify as an "extraordinary circumstance".

Additionally the Commission's rules allow for the waiver of a Commission rule "for good cause shown."<sup>1</sup> The FCC has articulated the following guidance for determining whether a waiver is appropriate:

<sup>1</sup> 47 C.F.R. § 1.3.

A rule may be waived where the particular facts make strict compliance inconsistent with the public interest. In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. In sum, waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.<sup>2</sup>

In granting such waivers, the Commission has noted that, like the situation with Stanly, those responsible for understanding and complying with the E-Rate Program rules at individual schools or small school districts are not federal grants program experts. On more than one occasion the Commission has granted waivers for good cause, noting that:

[T]he primary jobs of most of the people filling out these forms include school administrators, technology coordinators and teachers, as opposed to positions dedicated to pursuing federal grants, especially in small school districts. Even when a school official has learned how to correctly navigate the application process, unexpected illnesses or other family emergencies can result in the only official who knows the process being unavailable to complete the application on time.... Notably, at this time, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. Furthermore, we find that denial of funding in these cases would inflict undue hardship on the applicants.<sup>3</sup>

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<sup>2</sup> *Requests for Review of Decisions of the Universal Service Administrator by Richmond County School District*, Order, 21 FCC Red 6570, 6572, <J[5 (2006) (internal references omitted) (citing *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) and *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969), *aff'd*, 459 F.2d 1203 (D.C. Cir. 1972)).

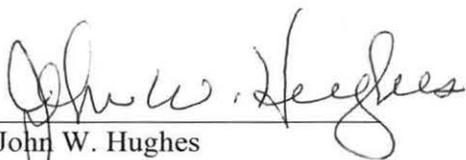
<sup>3</sup> *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al.*, Order, 21 FCC Red 5316, 5323, <J[14 (2006); see also *Request for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science*, Order, 25 FCC Red 9256, 9260, <J[9 (2010); *Request for Waiver of Decisions of the Universal Service Administrator by Children of Peace School*, Order, 25 FCC Red 5492, 5495- 96, <J[7 (Wireline Compet. Bur. 2010); *Request for Review of Decision of the Universal Service Administrator by Hazelwood School District*, Order, 24 FCC Red 12698, 12700, <J[5 (Telecom. Access Policy Div. 2009).

Stanly is a smaller school district with a declining enrollment and a small IT staff. There were no resources for a dedicated full-time E-Rate staff person. Such limited staffing and resources have also been noted as grounds for waiver of the Commission's rules in certain circumstances.<sup>23</sup>

#### **IV. CONCLUSION AND REQUEST FOR RELIEF**

Stanly has always made a good faith effort to comply with the USAC rules and guidelines. There is no evidence of waste, fraud, or abuse, or failure to comply with the core program requirements. The fact that the responsible person for completing the Form 472 (BEAR) was absent due to illness for an extended time which covered the invoicing deadline for this FRN should qualify as an “extraordinary circumstance” according to the Order. Imposing a penalty of the inability of Stanly to recoup the already extended expenses of this approved project would work a distinct hardship and the resulting inequities here would not support that action. Stanly respectfully submits for all the foregoing reasons that the invoicing deadline be extended so that it be allowed to submit the invoice relative to this FRN and accordingly be reimbursed for the already approved expense.

Respectfully submitted,



John W. Hughes  
New Hope Foundation  
One Valentine Lane  
Chapel Hill, North Carolina 27516  
(919)968-4332  
jhughes@newhopetech.org

*Consultant to Stanly County School District*

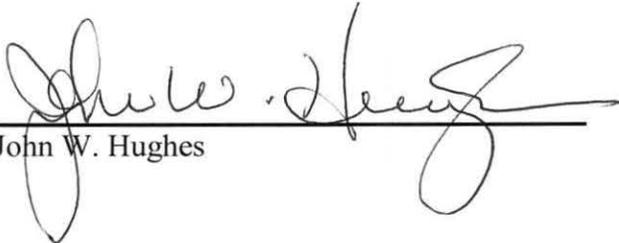
## CERTIFICATE OF SERVICE

I, John W. Hughes, certify on this 27th day of December, 2016, a copy of the foregoing Consolidated Supplement to Requests for Review has been served via electronic mail or first class mail, postage pre-paid, to the following:

Julie Veach  
Bureau Chief  
Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554  
[Julie.Veach@fcc.gov](mailto:Julie.Veach@fcc.gov)

Michael Jacobs  
Legal Advisor  
Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554  
[MichaelJacobs@fcc.gov](mailto:MichaelJacobs@fcc.gov)

Lisa Hone  
Deputy Division Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554  
[Lisa.Hone@fcc.gov](mailto:Lisa.Hone@fcc.gov)

  
\_\_\_\_\_  
John W. Hughes

FCC Form 471

Approval by OMB  
3060-0806

**Schools and Libraries Universal Service  
Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form is designed to help schools and libraries to list the eligible services they have ordered and estimate the annual

charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.  
Please read instructions before beginning this application. (You can also file online at [www.usac.org/sl](http://www.usac.org/sl).)  
The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier (Create an identifier for your own reference) 2011 P2	Form 471 Application #: 794048 (To be assigned by administrator)
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**Block 1: Billed Entity Address and Identifications**

1 Name of Billed Entity  
STANLY COUNTY SCHOOL DISTRICT

2 Funding Year 2011

3a Entity Number 126941

3b FCC Registration Number 0001915941

4a Street Address, P.O. Box, or Route Number  
1000-4 NORTH 1ST STREET

City ALBEMARLE State NC Zip Code 28001-

4b Telephone Number

4c Fax Number

5a Type of Application (check only one)

Individual School (individual public or non-public school)

School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)

Library (including library system, library outlet/branch or library consortium as defined under LSTA)

Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)

Statewide application for (enter 2-letter state code)  
representing (check all that apply)

All public schools/districts in the state

All non-public schools in the state

All libraries in the state

5b Recipient(s) of Services:

Private  Public  Charter

Tribal  Head Start  State Agency

Entity Number: 126941	Applicant's Form Identifier: 2011 P2
Contact Person: John Hughes	Contact Phone Number:

**Block 1: Billed Entity Address and Identifications (continued)**

6a Contact Person's Name  
John Hughes

If the Contact Person's Street Address is the same as Item 4 above, check here.  If not, complete Item 6b.

6b Street Address, P.O. Box, or Route Number  
NOTE: USAC will use this address to mail correspondence about this form.  
1 Valentine Lane

City Chapel Hill State NC Zip Code 27517-

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

6d Fax Number

6e E-Mail Address  
Re-enter E-mail Address

6f Holiday/vacation/summer contact information: please include name of alternate contact (if applicable) and alternate phone, fax or E-mail address

If a consultant is assisting you with your application process, please complete Item 6g below:

6g Consultant Name John Hughes  
Name of Consultant's Employer New Hope Technology Foundation  
Consultant's Street Address PO BOX 2418

City DURHAM State NC Zip Code 27715  
Consultant's Telephone Number Ext.  
Consultant's Fax Number  
Consultant's E-mail Address  
Re-enter E-mail Address

Consultant Registration Number 16054699

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Entity Number: 126941		Applicant's Form Identifier: 2011 P2	
Contact Person: John Hughes		Contact Phone Number:	
Complete this information on EVERY Form 471 you file for the services requested on that form. Please complete all rows that apply to services for which you are requesting discounts.			
Schools/school districts complete the left-hand column and libraries complete the right-hand column. Consortia complete all that apply.			
<b>Block 2: Impact of Services Ordered for Schools and Libraries from this Form 471</b>			
		<b>Schools</b>	<b>Libraries</b>
<b>7a</b> Number of students or patrons to be served		9613	0
<b>b</b> Telephone service: Number of classrooms or rooms with phone service		190	0
<b>c</b> Direct connections to the Internet: Number of drops		1	0
<b>d</b> Number of classrooms or rooms with Internet access		694	0
<b>e</b> Number of computers or other devices with Internet access		3100	0
<b>f</b> Number of dial-up Internet access and other connections of up to 200 kbps:		0	0
<b>g</b> High-speed Internet access services: Number of buildings served at the following speeds (please use advertised download speed coming into building, not actual speed in classroom or work area):	At or greater than 200 kbps and less than 1.5 mbps	0	0
	At or greater than 1.5 mbps and less than 3 mbps	0	0
	At or greater than 3 mbps and less than 10 mbps	0	0
	At or greater than 10 mbps and less than 25 mbps	0	0
	At or greater than 25 mbps and less than 50 mbps	0	0
	At or greater than 50 mbps and less than 100 mbps	0	0
	Greater than 100 mbps	27	0
<b>Block 3:</b>			
<b>8 [Reserved]</b>			

<b>Entity Number: 126941</b>	<b>Applicant's Form Identifier: 2011 P2</b>
<b>Contact Person: John Hughes</b>	<b>Contact Phone Number:</b>

**Block 4: Discount Calculation Worksheet** **Worksheet - 1336418**  
**Page 1 of 1**

The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.

Check here if this worksheet contains all eligible entities in the school district or library system.

9a List entities and calculate discount(s): (For Administrator's Use)  
**School District or Library System Name: MILLINGPORT ELEMENTARY SCHOOL** **School District or Library System Entity Number: 28843**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Name of Eligible Entity	Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	Urban or Rural U or R	Total Number of Students	Number of Students Eligible for NSLP	Percent of Students Eligible for NSLP (Col. 5 / Col. 4)	Disc. from Disc. Matrix	New Cons. Struct on	Admin Entity or NIF	Alt Disc Mech	Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	Insert appropriate codes(s) P= pre-K, H = Head Start, A = Adult Education, J = Juvenile Justice, E = ESA, D = Dormitory	Entity Number of School District in which Library Outlet/Branch is Located	Discount of Member Entity	Shared Discount
ALL ENTITIES		SCHOOLS AND LIBRARIES								Schools with shared services	Schools	Library Outlet/Branch	Consortia	
MILLINGPORT ELEMENTARY SCHOOL	28843 37 04320 01711	R	281	211	75.089%	90	N	N	Y	25290				
ALBEMARLE HIGH SCHOOL	28845 37 00060 00022	R	506	339	66.996%	80	N	N	N	40480				
CENTRAL ELEMENTARY SCHOOL	28848 37 04320 0002	R	361	292	80.886%	90	N	N	Y	32490				
NORTH STANLY HIGH SCHOOL	29079 37 04320 1713	R	686	515	75.073%	90	N	N	Y	61740				
STANLEY ACADEMY LEARNING CENTER	16035919 37 04320 00004	R	66	53	80.303%	90	N	N	N	5940				
RICHFIELD ELEMENTARY SCHOOL	29090 37 04320 01716	R	344	259	75.291%	90	N	N	Y	30960				
RIDGECREST ELEMENTARY SCHOOL	29140 37 04320 1717	R	282	141	50.000%	80	N	N	Y	22560				
SOUTH STANLY MIDDLE SCHOOL	224684 37 04320 0254	R	388	292	75.258%	90	N	N	Y	34920				
RUNNING CREEK SCHOOL	230407 37 04320 02649	R	461	235	50.976%	80	N	N	Y	36880				
SOUTH STANLY HIGH SCHOOL	29083 37 04320 0171	R	485	365	75.258%	90	N	N	Y	43650				

9b Shared Services

SCHOOL DISTRICTS: (Including groups of schools within school districts.) Calculate the totals of Columns 4 and 11. Divide the total of Column 11 by the total of Column 4. Enter the result in Column 15.	3860									334910				87%
LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by the number of outlets/branches. Enter the result in Column 15.														
CONSORTIA: Calculate the total of Column 14. Divide this total by the number of member entities. Enter the result in Column 15.														

Entity Number: 126941		Applicant's Form Identifier: 2011 P2			
Contact Person: John Hughes		Contact Phone Number:			
<b>Block 5: Discount Funding Request(s)</b> Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as needed, and number the completed pages to assure that they are all processed correctly.		Block 5, page 1 of 3 FRN 2182214 (to be assigned by administrator)			
10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:					
<b>11 Category of Service ( only ONE category should be checked)</b> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; vertical-align: top;">                     PRIORITY 1  <input type="checkbox"/> Telecommunications Service  <input type="checkbox"/> Internet Access                 </td> <td style="width:50%; vertical-align: top;">                     PRIORITY 2  <input type="checkbox"/> Internal Connections Other than Basic Maintenance  <input checked="" type="checkbox"/> Basic Maintenance of Internal Connections                 </td> </tr> </table>		PRIORITY 1 <input type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access	PRIORITY 2 <input type="checkbox"/> Internal Connections Other than Basic Maintenance <input checked="" type="checkbox"/> Basic Maintenance of Internal Connections	<b>23 Calculations</b>	
PRIORITY 1 <input type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access	PRIORITY 2 <input type="checkbox"/> Internal Connections Other than Basic Maintenance <input checked="" type="checkbox"/> Basic Maintenance of Internal Connections				
<b>12 Form 470 Application Number</b> 684010000890607		Recurring Charges	<b>A. Monthly charges (total amount per month for service)</b> \$12,960.00		
<b>13 SPIN – Service Provider Identification Number</b> 143025074			<b>B. How much of the amount in A is ineligible?</b> \$0.00		
<b>14 Service Provider Name</b> Professional Network Consultants, Inc.			<b>C. Eligible monthly pre-discount amount (A minus B)</b> \$12,960.00		
<b>15a</b> <input type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.			<b>D. Number of months service provided in funding year</b> 12		
<b>15b Contract Number</b> NA			<b>E. Annual pre-discount amount for eligible recurring charges (C x D)</b> \$155,520.00		
<b>15c</b> <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider). <b>15d</b> <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:		Non-Recurring Charges	<b>F. Annual non-recurring charges</b> \$0.00		
<b>16a Billing Account Number (e.g., billed telephone number)</b> 704-983-5151			<b>G. How much of the amount in F is ineligible?</b> \$0.00		
<b>16b</b> <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.			<b>H. Annual eligible pre-discount amount for non-recurring charges (F minus G)</b> \$0.00		
<b>17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing)</b> 03/10/2011		Total Charges	<b>I. Total funding year pre-discount amount (E + H)</b> \$155,520.00		
<b>18 Contract Award Date (mm/dd/yyyy)</b> 03/15/2011			<b>J. Discount from Block 4 Worksheet</b> 87.00		
<b>19 Service Start Date (mm/dd/yyyy)</b> 07/01/2011			<b>K. Funding Commitment Request (I x J)</b> \$135,302.40		
<b>20a Service End Date (mm/dd/yyyy)</b>					
<b>20b Contract Expiration Date (mm/dd/yyyy)</b> 06/30/2012					
<b>21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window.</b> Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided. Maintenance					
<b>22 Entity/Entities Receiving This Service:</b>		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): 1336418			

Entity Number: 126941		Applicant's Form Identifier: 2011 P2			
Contact Person: John Hughes		Contact Phone Number:			
Block 5: Discount Funding Request(s) Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as needed, and number the completed pages to assure that they are all processed correctly.		Block 5, page 2 of 3 FRN 2182225 (to be assigned by administrator)			
10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:					
11 Category of Service ( only ONE category should be checked)		23 Calculations			
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">                 PRIORITY 1  <input type="checkbox"/> Telecommunications Service  <input type="checkbox"/> Internet Access             </td> <td style="width:50%;">                 PRIORITY 2  <input checked="" type="checkbox"/> Internal Connections Other than Basic Maintenance  <input type="checkbox"/> Basic Maintenance of Internal Connections             </td> </tr> </table>		PRIORITY 1 <input type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access	PRIORITY 2 <input checked="" type="checkbox"/> Internal Connections Other than Basic Maintenance <input type="checkbox"/> Basic Maintenance of Internal Connections		
PRIORITY 1 <input type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access	PRIORITY 2 <input checked="" type="checkbox"/> Internal Connections Other than Basic Maintenance <input type="checkbox"/> Basic Maintenance of Internal Connections				
12 Form 470 Application Number 68401000890607		Recurring Charges	A. Monthly charges (total amount per month for service) \$0.00		
13 SPIN – Service Provider Identification Number 143033869			B. How much of the amount in A is ineligible? \$0.00		
14 Service Provider Name  PLANIT TECHNOLOGY GROUP			C. Eligible monthly pre-discount amount (A minus B) \$0.00		
15a <input type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.			D. Number of months service provided in funding year 12		
15b Contract Number NA			E. Annual pre-discount amount for eligible recurring charges (C x D) \$0.00		
15c <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider). 15d <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:		Non-Recurring Charges	F. Annual non-recurring charges \$237,177.47		
16a Billing Account Number (e.g., billed telephone number) 704-893-5151 16b <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.			G. How much of the amount in F is ineligible? \$0.00		
17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 03/10/2011			H. Annual eligible pre-discount amount for non-recurring charges (F minus G) \$237,177.47		
18 Contract Award Date (mm/dd/yyyy) 03/15/2011		Total Charges	I. Total funding year pre-discount amount (E + H) \$237,177.47		
19 Service Start Date (mm/dd/yyyy) 07/01/2011			J. Discount from Block 4 Worksheet 87.00		
20a Service End Date (mm/dd/yyyy)			K. Funding Commitment Request (I x J) \$206,344.40		
20b Contract Expiration Date (mm/dd/yyyy) 09/30/2012					
21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window. Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided. Wireless					
22 Entity/Entities Receiving This Service:		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service:  b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): 1336418			

Entity Number: 126941		Applicant's Form Identifier: 2011 P2																																						
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10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:																																								
<b>11 Category of Service</b> ( only ONE category should be checked)		<b>23 Calculations</b>																																						
PRIORITY 1 <input type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td rowspan="5" style="width:15%; vertical-align: middle;">Recurring Charges</td> <td style="width:15%;">A. Monthly charges (total amount per month for service)</td> <td style="width:15%; text-align: right;">\$0.00</td> <td style="width:15%;"></td> </tr> <tr> <td>B. How much of the amount in A is ineligible?</td> <td style="text-align: right;">\$0.00</td> <td></td> </tr> <tr> <td>C. Eligible monthly pre-discount amount (A minus B)</td> <td style="text-align: right;">\$0.00</td> <td></td> </tr> <tr> <td>D. Number of months service provided in funding year</td> <td style="text-align: right;">12</td> <td></td> </tr> <tr> <td>E. Annual pre-discount amount for eligible recurring charges (C x D)</td> <td style="text-align: right;">\$0.00</td> <td></td> </tr> <tr> <td rowspan="3" style="vertical-align: middle;">Non-Recurring Charges</td> <td>F. Annual non-recurring charges</td> <td style="text-align: right;">\$393,172.93</td> <td></td> </tr> <tr> <td>G. How much of the amount in F is ineligible?</td> <td style="text-align: right;">\$0.00</td> <td></td> </tr> <tr> <td>H. Annual eligible pre-discount amount for non-recurring charges (F minus G)</td> <td style="text-align: right;">\$393,172.93</td> <td></td> </tr> <tr> <td rowspan="2" style="vertical-align: middle;">Total Charges</td> <td>I. Total funding year pre-discount amount (E + H)</td> <td style="text-align: right;">\$393,172.93</td> <td></td> </tr> <tr> <td>J. Discount from Block 4 Worksheet</td> <td style="text-align: right;">87.00</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>K. Funding Commitment Request (I x J)</td> <td style="text-align: right;">\$342,060.45</td> </tr> </table>		Recurring Charges	A. Monthly charges (total amount per month for service)	\$0.00		B. How much of the amount in A is ineligible?	\$0.00		C. Eligible monthly pre-discount amount (A minus B)	\$0.00		D. Number of months service provided in funding year	12		E. Annual pre-discount amount for eligible recurring charges (C x D)	\$0.00		Non-Recurring Charges	F. Annual non-recurring charges	\$393,172.93		G. How much of the amount in F is ineligible?	\$0.00		H. Annual eligible pre-discount amount for non-recurring charges (F minus G)	\$393,172.93		Total Charges	I. Total funding year pre-discount amount (E + H)	\$393,172.93		J. Discount from Block 4 Worksheet	87.00				K. Funding Commitment Request (I x J)	\$342,060.45
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PRIORITY 2 <input checked="" type="checkbox"/> Internal Connections Other than Basic Maintenance <input type="checkbox"/> Basic Maintenance of Internal Connections																																								
12 Form 470 Application Number 684010000890607																																								
13 SPIN – Service Provider Identification Number 143025074																																								
14 Service Provider Name Professional Network Consultants, Inc.																																								
15a <input type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.																																								
15b Contract Number NA																																								
15c <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider).																																								
15d <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:																																								
16a Billing Account Number (e.g., billed telephone number) 704-983-5151																																								
16b <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.																																								
17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 03/10/2011																																								
18 Contract Award Date (mm/dd/yyyy) 03/15/2011																																								
19 Service Start Date (mm/dd/yyyy) 07/01/2011																																								
20a Service End Date (mm/dd/yyyy)																																								
Contract Expiration Date 20b (mm/dd/yyyy) 09/30/2012																																								
21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window. Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided. Switches																																								
22 Entity/Entities Receiving This Service:		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): 1336418																																						

Entity Number: 126941	Applicant's Form Identifier: 2011 P2
Contact Person: John Hughes	Contact Phone Number:

**Block 6: Certifications and Signature**

- 24  I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)
- a  schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38)**, that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
  - b  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.
- 25  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).

a Total funding year pre-discount amount on this Form 471 (Add the entries from Items 23I on all Block 5 Discount Funding Requests.)	785870.4
b Total funding commitment request amount on this Form 471 (Add the entries from Items 23K on all Block 5 Discount Funding Requests.)	683707.25
c Total applicant non-discount share (Subtract Item 25b from Item 25a.)	102163.15
d Total budgeted amount allocated to resources not eligible for E-rate support	
e Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	102163.15
f <input type="checkbox"/> Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 25e.	

- 26  I certify that, if required by Commission rules, all of the individual schools and libraries receiving services under this form are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body or an SLD-certified technology plan approver prior to the commencement of service.
- Or  I certify that no technology plan is required by Commission rules.
- 27  I certify that (if applicable) I posted my Form 470 and (if applicable) made any related RFP 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 plan goals.
- 28  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.
- 29  I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes 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. §§ 54.500, 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, 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.
- 30  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 covering all of the services listed on this 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.

Entity Number: 126941		Applicant's Form Identifier: 2011 P2	
Contact Person: John Hughes		Contact Phone Number:	
<b>Block 6: Certification and Signature (Continued)</b>			
<p>31 <input type="checkbox"/> 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.</p> <p>32 <input type="checkbox"/> I certify that I will retain required documents for a period of at least five years after the last day of service delivered. 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 the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.</p> <p>33 <input type="checkbox"/> 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.</p> <p>34 <input type="checkbox"/> 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.</p> <p>35 <input type="checkbox"/> I certify that if any of the Funding Requests on this 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(g)(1), (2).</p> <p>36 <input type="checkbox"/> I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years as required by the Commission's rules at 47 C.F.R. § 54.506(c).</p> <p>37 <input type="checkbox"/> I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.</p>			
38 Signature of authorized person <input checked="" type="checkbox"/>		39 Date 03/17/2011	
40 Printed name of authorized person			
41 Title or position of authorized person			
<input type="checkbox"/> Check here if the consultant in Item 6g is the Authorized Person.			
42a Street Address, P.O. Box, or Route Number			
City			
State Zip Code -			

<b>Entity Number: 126941</b>	<b>Applicant's Form Identifier: 2011 P2</b>
<b>Contact Person: John Hughes</b>	<b>Contact Phone Number:</b>
<p><b>42b</b> Telephone Number of authorized Person <span style="float: right;">Ext.</span></p> <p><b>42c</b> Fax Number of Authorized Person</p> <p><b>42d</b> E-mail Address of authorized Person  Re-enter E-mail Address</p> <p><b>42e</b> Name of Authorized Person's Employer</p>	
<p><b>NOTICE:</b> 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 file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504(c). 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 competitive bidding requirement contained in 47C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.</p> <p>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.</p> <p>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 this application 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 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.</p> <p>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.</p> <p>If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.</p> <p>The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.</p> <p>Public reporting burden for this collection of information is estimated to average 4 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.</p> <p><b>Please submit this form to:</b>                  SLD-Form 471                  P.O. Box 7026                  Lawrence, Kansas 66044-7026</p> <p><b>For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:</b>                  SLD Forms                  ATTN: SLD Form 471                  3833 Greenway Drive                  Lawrence, Kansas 66046                  (888) 203-8100</p>	
FCC Form 471 - October 2010	

FCDL

**USAC**

Universal Service Administrative Company

Schools and Libraries Division

**Revised Funding Commitment Decision Letter**  
Funding Year 2011: (07/01/2011 - 06/30/2012)

October 11, 2013

John Hughes  
STANLY COUNTY SCHOOL DISTRICT  
1 Valentine Lane  
Chapel Hill, NC 27517

486 Completed
FORM ID <u>986380</u>
SEC. CODE <u>18907</u>
DATE COMPLETED <u>10/28/13</u>

*Billed*

RE: Form 471 Application Number: 794048  
Billed Entity Number: 126941  
Applicant's Form Identifier: 2011 P2

This letter is your notification that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has completed its review of your request.

The Report that follows this Revised Funding Commitment Decision Letter (RFCDL) provides you with the dollar value and other details of the funding commitments made for the Form 471 identified above. This Report may have been updated to reflect the new total amount of discount for a funding request. A decision in this Revised Funding Commitment Decision Letter (RFCDL) supersedes a decision in the FCDL you may have received for the Funding Request Number(s) (FRN) in the Funding Commitment Report (Report) that follows this letter. An explanation of the items in the Report is in the "Guide to USAC Letter Reports" posted in the Reference Area of our website.

If FCC Form 486, Receipt of Service Confirmation Form, has not already been submitted, applicants should use THIS updated information when completing the Form 486.

We are also sending this information to the service provider(s) identified in the Report.

**NEXT STEPS**

- Work with your service provider(s) 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 CIPA requirements
- File and certify Form(s) 486 if not already submitted
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**IMPLEMENTATION TIMEFRAME**

Remember the deadlines for delivery and installation of non-recurring service. Non-recurring service for which funds are committed in this letter may be delivered and installed on or before September 30, 2014. Support for recurring services, however, is available only for services provided during the period July 01, 2011 through June 30, 2012.

Review any Contract Expiration Dates in the attached Report. Program rules allow contracts for non-recurring services to be extended in certain circumstances. If your contract will expire before non-recurring products/services are delivered or

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)

"Appeals Procedure" posted on our website.

#### 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 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 Universal Service Support Mechanism. 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 erroneously 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: STANLY COUNTY SCHOOL DISTRICT  
BEN: 126941  
Funding Year: 2011

Form 471 Application Number: 794048  
Funding Request Number: 2182232  
Funding Status: Funded  
Category of Service: INTERNAL CONNECTIONS  
Form 470 Application Number: 684010000890607  
SPIN: 143025074  
Service Provider Name: Professional Network Consultants, Inc.  
Contract Number: NA  
Billing Account Number: 704-983-5151  
Service Start Date: 07/01/2011  
Contract Expiration Date: 09/30/2012  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$393,172.93  
Pre-discount Amount: \$393,172.93  
Discount Percentage Approved by the SLD: 88%  
Funding Commitment Decision: \$345,992.18 - Modified by SLD  
Funding Commitment Decision Explanation: MR1: FRN modified in accordance with a  
RAL request. <><><><><> MR2: The shared discount percentage was increased to 88%  
based on third party data.

Revised FCDL Date: 10/11/2013  
Appeal Wave Number: A35  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2014

Consultant Name: John Hughes  
Consultant Number (CRN): 16054699  
Consultant Employer: New Hope Technology Foundation

*SLAIT 14 30 33 809 ~  
the Network Team 14 30 348 9 3*

# Service Substitution

November 24, 2013

Corrective SPIN Change  
Schools and Libraries Division  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

**Reference:**

Applicant Name: Stanly County School District  
Billed Entity Number: 126941  
Form 471 Application Number: 794048  
Funding Request Number(s): 2182232  
Funding Year: 2011

**E-Rate Administrators:**

We wish to change the SPIN number for the above FRN as the original service provider has merged with another company and the SPIN indicated on the FRN has changed.

The requested change is shown below:

Current: 143025074 Professional Network Consultants  
Contact: Jeffrey W. Gaura  
Telephone: 980-263-2860  
Address: 5101 Sugar & Wine Road  
Monroe, NC 28110

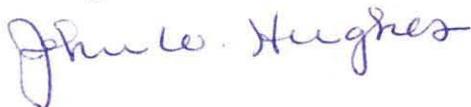
Request: 143034893 The Network Team  
Contact: Jeffrey W. Gaura  
Telephone: 980-263-2860  
Address: 5101 Sugar & Wine Road  
Monroe, NC 28110

The effective date of this SPIN change should be 7/1/2011.

I certify that (1) all SPIN changes requested in this letter are allowed under all applicable state and local procurement rules, (2) the SPIN changes are allowable under the terms of the contract, if any, between the applicant and its original service provider, and (3) the applicant has notified its original service provider of its intent to change service provider.

Thank you for your assistance.

Sincerely,



John Hughes  
Contracted Consultant to Stanly County School District