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FEDERAL COMMUNICATIONS COMMISSION

1 June 1999

Federal Communications Commission
Office of the Secretary
445 - 12th Street SW
Room TW-A325
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

In the matter of: **Request for Review by Bremerton School District 100-C of Decision of Universal Service Administrator**
Reference: **FCC Docket Nos. 97-21 and 96-45**

Dear Administrator:

Appeal 1

Contact Information: Walter S. Draper, Director of Finance and Operations
Bremerton School District 100-C
134 N. Marion Avenue
Bremerton, WA 98312
Telephone: 360-478-5113
Fax: 360-478-5022
E-Mail: walt@orca.esd114.wednet.edu

Applicant: Bremerton School District 100-C
Application Number: 00110954
Funding Request Number: 00140696
Billed Entity Number: 145248

Reference: Appeal #1 - Dimensional Communications

Precise Language from the USAC Administrator's Decision on Appeal:

Ineligible service - Your funding request number 140696 included more than 50% of ineligible services including maintenance of Intercom/PA Systems which resulted in the denial of the entire amount of the FRN.

Bremerton School District's Response:

The original Dimensional Communications contract provided telecommunication and intercom systems maintenance services for the PBX equipment for most of the school locations within the Bremerton School District. Attachment A contains a letter from the vendor, Dimensional Communications, Inc. and supporting work orders documenting that portion of the contract service that specifically pertained to intercom maintenance. Only \$3,551.08 out of a total contract amount of \$40,187.25, or 8.8%, was attributable to the "ineligible services", not "more than 50%" as alleged by the USAC.

In addition, Attachment B is a separate purchase order that covers ineligible charges for telephone changes, repairs or replacements. These costs for ineligible services are contracted separately by the District and were never submitted to the USAC for reimbursement.

9

Appeal 2

Contact Information: Walter S. Draper, Director of Finance and Operations
Bremerton School District 100-C
134 N. Marion Avenue
Bremerton, WA 98312
Telephone: 360-478-5113
Fax: 360-478-5022
E-Mail: walt@orca.esd114.wednet.edu

Applicant: Bremerton School District 100-C
Application Number: 00110954
Funding Request Number: 00140698
Billed Entity Number: 145248

Reference: Appeal #2 - Tri-Tec Communications, Inc.

Precise Language from USAC Administrator's Decision on Appeal:

Ineligible service - Your funding request number 140698 included more than 50% of ineligible services including maintenance of 86 multi-button phones resulted in the denial of the entire amount of the FRN.

Bremerton School District's Response:

The original Tri-Tec Communications, Inc. contract provides telecommunication systems maintenance services for the Toshiba PBX equipment for some locations within the Bremerton School District.

Attachment C is a memorandum from the vendor, Tri-Tec Communications, Inc. clarifying the discrepancies with the wording in the contract. In fact, the reference to the 86 multi-button phones is for Tri-Tec Communications inventory purposes only. It served to give the vendor an estimate of the size of the phone system. There was never any intent for instruments themselves to be repaired under this contract, and no instruments were repaired under this contract. No ineligible services were claimed for reimbursement by the District to the USAC.

In addition, Attachment D is a separate purchase order that covers ineligible charges for telephone changes, repairs or replacements. These costs for ineligible services are contracted separately by the District and were never submitted to the USAC for reimbursement.

If you require additional information, please do not hesitate to contact me @ 360-478-5113, fax 360-478-5022.

Sincerely,


Walter S. Draper IV

Director of Finance and Operations

WSD:jas

Attachments

cc Jennette Stevens

C:\MYFILES\ERATE\FCC APPEALS.WPD



April 13, 1999

DIMENSIONAL COMMUNICATIONS, INC.

Bremerton School District
 134 N. Marion Avenue
 Bremerton, WA 98312

Dear Jennette:

In regards to the Bremerton School District's appeal for funding from Dimensional Communications, the original maintenance contract was written, it had included maintaining intercom systems. The Bremerton School District and Dimensional Communications did not realize that the intercom systems would be an ineligible service for the E-Rate funding. In fact the contract was specifically awarded to be able to utilize the E-Rate funding. The original contract amount that has been paid by the Bremerton School District for the first twelve months of funding is \$40,187.25 (including WA tax). Of that amount, the only part attributable to intercom maintenance is \$3,551.08 (including WA tax). This amount is detailed below. The remaining amount of \$36,636.17 is for telecommunication maintenance only.

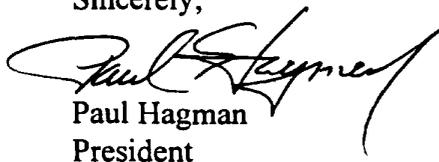
Under this Maintenance Agreement, no other charges for the intercom maintenance are covered or charged under the contract, only PBX maintenance on the one Mitel and eleven Comdial systems. Furthermore, any future contracts for intercom maintenance will be contracted separately and not submitted to the SLC.

Attached please find copies of all of the work orders for maintenance, repair and material replacement/repair performed on the Bogen, Dukane, Rauland intercom systems currently installed in the schools within the Bremerton School District, that were covered under the Maintenance Agreement, January 1, 1998 to December 31, 1998.

Listed below is an itemized accounting of all of the locations, total man-hours and Dimensional Communications hourly rate for technicians that should be deducted from the overall Maintenance Agreement in regards to the PBX/intercom maintenance.

01/28/98 - Bremerton High School - 21.0 Hours @ \$55.00/Hour	\$1,155 00
02/12/98 - Bremerton High School - 26.0 Hours @ \$55.00/Hour	\$1,430.00
03/09/98 - Kitsap Elementary School - 4.25 Hours @ \$55.00/Hour	\$ 233.75
11/23/98 - Renaissance High School - 4.75 Hours @ \$55.00/Hour	<u>\$ 261.25</u>
Subtotal	\$3,080.00
Total Materials	\$ 205.00
WA State Tax 8.1%	<u>266.08</u>
TOTAL	\$3,551.08

Sincerely,


 Paul Hagman
 President

306

WORK ORDER: 22223
TYPE:

BREMSD

Service BREMERTON SCHOOL DISTRICT 100
Address KITSAP LAKE ELEMENTARY
1111 CARR BLVD

Bill BREMERTON SCHOOL DISTRICT 100
To 134 N. MARION AVENUE
ATTN: BUSINESS OFFICE

BREMERTON, WA 98312
Contact: YVONNE DEAN
(360)478-5175

BREMERTON, WA 98312
(360)478-5112

ORD DATE: 03/09/1999 TIME IN: 8:04 AM ASSIGNED: DATE REQ: 03/09/1999

Customer P.O. Number

work to do:

HAD POWER OUTAGE LAST WEEK. REPLACED MASTER CLOCK. SINCE THEN
ANALOG AND DIGITAL CLOCKS NOT RESPONDING, SECRETARY CAN'T DO
AN ALL CALL. THEY HAVE SHUT POWER DOWN.

memo:

equipment:

DESCRIPTION OF FOLLOW-UP	TRUCK
NONE	TOTAL LABOR
	TOTAL MATERIALS
	SUB TOTAL
	TAX
	TOTAL AMOUNT

DESCRIPTION OF MATERIALS USED	QUANTITY	PRICE	TOTAL
NONE			

TECH #	DATE	LABOR	TRAVEL	TOTAL
306	3-9-99	2.5	1.75	

Work Performed:
 CHECKED POWER TRANSFORMERS, CONNECTED LAYHEM BATTERY, POWER UP,
 PROGRAMMED, TESTED

SIGNATURE

DIMENSIONAL COMMUNICATIONS INC

BILL TO : BREMERTON SCHOOL DISTRICT 100
 JOB SITE: RENAISSANCE HIGH SCHOOL
 3400 1ST STREET
 BREMERTON WA 98312
 CONTACT : JENETTE
 BILL/COD: BILL/OUT

ORDER DATE : 11/23/98
 ORDER NUMBER: 21124
 REQUEST DATE: 11/23/1998
 P.O. NUMBER :
 ORDER TAKEN BY: jeff

DESCRIPTION OF WORK
 CAN'T CALL ROOMS ON MULITCOM.

MEMO :

DESCRIPTION OF FOLLOW-UP	TRUCK
DONE	
	TOTAL LABOR
	TOTAL MATERIALS
	SUB TOTAL
	TAX
	TOTAL AMOUNT

SYSTEM :

DESCRIPTION OF WORK DONE

11-20 TROUBLESHOOT
 12-8 RESEATED CARDS, TESTED STATIONS, PROGRAMMED PALE ZONES, SPEAKER CABLE FOR OFFICE TRAILER, CUT AT CORNER OUTSIDE

DESCRIPTION OF MATERIALS USED	QUANTITY	PRICE	TOTAL

TECH #	306	306	TOTAL
DATE	11-20-98	12-8-98	
LABOR	1.5	2.5	
TRAVEL	.5	.25	

Handwritten signature/initials

RM 226 ?
234 ?

DIMENSIONAL COMMUNICATIONS INC

BILL TO : BREMERTON SCHOOL DISTRICT 100
JOB SITE: ~~AT FERRIS~~ HIGH SCHOOL

ORDER DATE : 02/12/98
ORDER NUMBER: 18080
REQUEST DATE: 02/12/1998
P.O. NUMBER :

174 N MARION
BREMERTON WA 98312
CONTACT : JENNETTE STEVENS (360) 478-5187
BILL/COD: BILL OUT

ORDER TAKEN BY: jeff

DESCRIPTION OF WORK
INTERCOM SYSTEM IS EXPERIENCING CROSS-TALK THROUGHOUT THE SCHOOL.

RM #111, NO BELLS OR INTERCOM (SPEAKER PROBLEM?) CA-1 PR 12

RT-5 TRK PHD 2-2-1^{IS} - TG-2 CDW-1
911-915 RT 86 = TG-4-TI 2-2^{TE} COS-1
X = RT 2

DIAL 8+XXXXXX RT2 Room 111 - 12th Pos 1st CARD BK/OR PR-12

MEMO : RT 5 = TG 3

DESCRIPTION OF FOLLOW-UP	TRUCK
MOVE ROOM 111 TO ANOTHER CIRCUIT, RE PROGRAM AND TEST	TOTAL LABOR
	TOTAL MATERIALS
	SUB TOTAL
	TAX
	TOTAL AMOUNT

SYSTEM :
DESCRIPTION OF WORK DONE
8+911-915 GOES OVER T1 ?? RT 86
8+XXXXXX GOES TO ICM RT-2 = TG2 MON 50 (DELETE THE X)
CHANGED ICM TRUNKS TO COS 50, REMOVING TRK TO TAKE ABILITY
TRK-1 SHOT ICM 111. FOUND NO SPK PROBLEM, THEY ARE RECEIVING
BOOK PAGE & ALL-CALL. TRACED BELL PROBLEM TO BAD RELAY ON
SWITCH BANK.
Checked out ICM lockup & installed PAR INTERRUPT SWITCH for
line reset of system.
3-2 CHANGED FDM RM 111

DESCRIPTION OF MATERIALS USED	QUANTITY	PRICE	TOTAL
Jerry Ticket	4	5.90	

TECH #	3031	318	306	303	306	TOTAL
DATE	2-20	2-18	2-25-98	3-3-98	3-2-98	
LABOR	3 1/4	2	2	3 1/4	2.75	
TRAVEL	3	5	2.25	2 1/4	.25	

SIGNATURE

DIMENSIONAL COMMUNICATIONS INC

BILL TO : BREMERTON SCHOOL DISTRICT 100
 JOB SITE: BREMERTON HIGH SCHOOL
 1500 13TH ST.
 BREMERTON WA 98337

ORDER DATE : 01/28/98
 ORDER NUMBER: 17933
 REQUEST DATE: 01/28/1998
 P.O. NUMBER : 61199

CONTACT : JENNETTE STEVENS (360) 478-6033
 BILL/COD: BILL OUT

ORDER TAKEN BY: jeff

DESCRIPTION OF WORK

ALL CALL HAS A HUMMING NOISE.
 IN THE MORNING THE INTERCOM SYSTEM IS NOT OPERATIONAL AND MUST BE REBOOTED
 SYSTEM HAS AUTOMATIC SHUT-OFF @ NITE, MAY NOT BE WORKING PROPERLY.

ROOMS 213 & 209 TELEPHONE/INTERCOM SYSEM HUMS.

MEMO :

DESCRIPTION OF FOLLOW-UP

TRUCK
TOTAL LABOR
TOTAL MATERIALS
SUB TOTAL
TAX
TOTAL AMOUNT

SYSTEM :

DESCRIPTION OF WORK DONE

ISOLATE HUMMING NOISE

Replaced 3 of 4 Power Supplies (+5v +12v) + (+24v)

DESCRIPTION OF MATERIALS USED

QUANTITY

PRICE

TOTAL

MCZR STZ P.S
 Duranc 24 VDC & SUPPLY

4 5.90

TECH #	DATE	LABOR	TRAVEL	TOTAL
306	2-6-98	3.75	1.75	
318	2-6-98	3.84	1.74	
318	2-9-98	3	44c	

Handwritten signature/initials

SIGNATURE _____

PURCHASE ORDER

Attachment B

FILE COPY

Gen Fund

Purchase Order No. 61597

Bill To: BREMERTON SCHOOL DISTRICT ADMIN
 Date: 10/26/1998 134 N MARION AVE.
 BREMERTON WA 98312

Page: 1 of 1

P.O. No. 61597

PURCHASING PHONE (360) 478-5114
 ACCOUNTS PAYABLE (360) 478-5112

Vendor No. 28000

DIMENSIONAL COMMUNICATIONS
 1601 WILLIAM WAY
 MOUNT VERNON WA 98273

- *****
 * 1. SHIP FRT PREPAID,CHEAPEST MEANS*
 * 2. PURCHASE ORDER NUMBER MUST *
 * APPEAR ON ALL INVOICES,PACKAGES*
 * AND CORRESPONDENCE *
 * 3. PLEASE INCLUDE TWO COPIES OF *
 * PACKING SLIP WITH EACH SHIPMENT*
 * 4. SEND MSDA WHERE APPLICABLE *

Ship To: BREMERTON SCHOOL DISTRICT WA
 53 200 BRUENN AVENUE
 BREMERTON WA 98312

Mark For: TELECOMM
 Purchase Order No. 61597

Item	Quant Ordered	Unt Mea	Description	Unit Cost	Total Cost
1 *	1		FOR NEW/ADDITIONS/MODIFICATIONS TELECOMMUNICATION & INTERCOM SYSTEMS FOR 98-99SY	4,000.0000	4,000.00

PAYMENT DATE	INVOICE NO.	PAY	BALANCE

Item No 1 Account Code 97-00-65-718-83 Encumbered 4000.00

* = Tax not Computed on Item
 Page Sub-Tot 4000.00
 PO Sub-Total 4000.00
 Add'l .00
 Tax .00
 PO Total 4000.00

 * AUTHORIZED SIGNATURE *
 *
 *
 *

 * BETTY MATTHEWS *
 * PURCHASING AGENT *

TRI-TEC
Communications, Inc.

DATE: April 2, 1999

To: Jennette Stevens

From: Scott Grieben

Re: SLC Appeal

Regarding semi-annual invoices # N10615 and 21945 for 1998 and 25643 are contractual agreement for Maintenance of the internal connections for Maintenance of the internal connections of the Toshiba PBX system as previously and currently installed in the Bremerton School District.

The referenced phones on above mentioned invoices are for inventory purposes only. Any telephone repairs or replacements are covered under a separate contract not submitted to the SLC for reimbursement consideration.

This equipment is not computer Maintenance as determined by the SLC FRN:00140698.

Sincerely,

Scott Grieben

PURCHASE ORDER

Attachment D

FILE COPY

Gen Fund

Purchase Order No. 61593

Bill To: BREMERTON SCHOOL DISTRICT ADMIN
 Date: 10/26/1998 134 N MARION AVE.
 BREMERTON WA 98312

Page: 1 of 1

P.O. No. 61593

PURCHASING PHONE (360) 478-5114
 ACCOUNTS PAYABLE (360) 478-5112

Vendor No. 19

TRI-TEC COMMUNICATIONS, INC.
 25510 - 74TH AVE. S.
 KENT WA 98032

Ship To: BREMERTON SCHOOL DISTRICT WA
 53 200 BRUENN AVENUE
 BREMERTON WA 98312

Mark For: TELECOM
 Purchase Order No. 61593

- *****
 * 1. SHIP FRT PREPAID,CHEAPEST MEANS*
 * 2. PURCHASE ORDER NUMBER MUST *
 * APPEAR ON ALL INVOICES,PACKAGES*
 * AND CORRESPONDENCE *
 * 3. PLEASE INCLUDE TWO COPIES OF *
 * PACKING SLIP WITH EACH SHIPMENT*
 * 4. SEND MSDA WHERE APPLICABLE *

Item	Quant Ordered	Unt Mea	Description	Unit Cost	Total Cost
1	1		TELECOMMUNICATION SYSTEM ADDS/CHANGES FOR 98-99SY	4,000.0000	4,000.00

PAYMENT DATE	INVOICE NO.	PAY	BALANCE

Item No 1 Account Code 97-00-65-718-83

Encumbered 4000.00

* = Tax not Computed on Item
 Page Sub-Tot 4000.00
 PO Sub-Total 4000.00
 Add'l .00
 Tax .00
 PO Total 4000.00

 * AUTHORIZED SIGNATURE *
 *
 *

 * BETTY MATTHEWS *
 * PURCHASING AGENT *

Attachment