

The
School
District
Of

Joplin R-VIII

1717 E. 15th Street • P.O. Box 128 • Joplin, MO 64802-0128 • (417) 625-5200 • FAX (417) 625-5210

June 14, 1999

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FCC MAIL ROOM

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

Dear Sir or Madam:

In the matter of: Request for Review by Joplin R8 School District of Decision of Universal Service Administrator. Reference FCC Docket Nos. 97-21 and 96-45.

This letter concerns both the Joplin R8 School District, The Schools and Libraries Division (SLD) and Empire Electric Co. The following information may be useful to you:

Applicant Name:	Joplin R8 Schools
SLD Form 471 Application No.:	82921
SLD Billed Entity No:	137286
Contact Information:	Angela Neria Director, Technology Services Joplin R8 Schools P.O. Box 128 Joplin, MO 64802 417.625.5200 417.625.5210 fax aneria@mail.joplin.k12.mo.us

SLD Funding Request No. being appealed:	82636
SLD Service Provider SPIN:	143008207
SLD Service Provider Name:	The Empire District Electric Company

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Joplin R8 School District applied for funding for the services provided by Empire District Electric Company under the category of telecommunication services. The Schools and Library Division (SLD) changed the category to internal connections. We appealed this change based on the belief that the appropriate category is telecomm services as this is the *lease* of fiber optics for our district's wide area network. This is very similar to the leasing of telephone lines for the same purpose. The lease of these fiber optics cables is the most economic way to provide internet and other wide area network services to the Joplin R8 facilities.

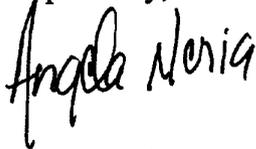
We received a letter from the SLD dated May 26, 1999 (enclosed) that stated that "...the request for leased fiber through Empire District Electric Company was inadvertently changed to Internal Connections. It will be placed in the Telecommunication Service category to reflect how it was originally submitted. Unfortunately, the status will still remain denied because Empire District Electric Company is not a registered telecommunications provider with regard to this program."

We are now sending this letter to you based on the last sentence the SLD's denial. We feel that Empire District is a registered telecommunications provider with regard to this program. We believe that the following information should lead you to investigate their decision to deny Joplin R8 Schools ERATE assistance.

1. Empire District Electric Company has been assigned a SPIN (143008207) by the SLD.
2. Empire District Electric Company has been approved as a service provider for another local school district by the SLD (see enclosed 3 page letter on USAC letterhead to Empire District regarding the approval of the Galena, KS school district)
3. Empire District is certified as both an interexchange telecommunications and local exchange telecommunications provider (see attached memorandum).

Please feel free to contact me if you have further questions or comments.

Respectfully,



Angela Neria
Technology Services

SCHOOLS AND LIBRARIES DIVISION

Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

Administrator's Decision on Appeal

May 26, 1999

Ross Lauck
Joplin R8 Schools
1717 E. 15TH Street, Post Office Box 128
Joplin, MO 64802

Re: Billed Entity Number: 137286
Application Number: 82921
Funding Request Number(s): 82636
Your Correspondence Dated: February 26, 1999

After thorough review and investigation of your appeal, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has resolved your appeal which seeks approval of additional discounts for the first program year. This letter addresses our decision concerning each Funding Request Number that was included in your letter of appeal for the above referenced Application Number. If your letter of appeal addressed more than one Application Number, a separate letter will be issued to inform you of our decision on the appeal of each Application Number included in your appeal.

Funding Request Number: 82636
Decision on Appeal: Denied in Full.

The following explanation is provided to inform you of the reason for our decision on appeal of this Funding Request Number.

Denial Reason:

- The request for leased fiber for through Empire District Electric Company was inadvertently changed to Internal Connections. It will be placed in the Telecommunication Service category to reflect how it was originally submitted. Unfortunately, the status will still remain denied because Empire District Electric Company is not a registered telecommunications provider with regard to this program.

If you feel further examination of your application is in order, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12TH Street, SW, Room TW-A325, Washington, DC 20554. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted to the

SLD Web Site at < www.sl.universalservice.org >. You must file your appeal with the FCC no later than 30 days from the date of the issuance of this letter, in order for your appeal to be timely filed.

Once this appeal decision letter is issued to you, we can and will process invoices that may be submitted for Funding Request Numbers approved for discounts in the Funding Commitment Decisions Letter that was originally issued to you.

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

Schools and Libraries Division
Universal Service Administrative Company



Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981
Phone: 888-203-8100

The Empire District Electric Co
Tina Gaines
PO BOX 127
JOPLIN MO 64802-0127

April 01, 1999

Subject: Approval of Billed Entity Applicant Reimbursement Form

The Empire District Electric Co.
Service Provider Identification Number: 143008207

471 Applicant:
GALENA UNIFIED SCHOOL DIST 499
Tim Marshall
702 East 7th Street
Galena, KS 66739

Billed Entity Number: 137714
Total Amount of Reimbursement Approved for Payment: \$580.80
Applicant Reimbursement Form Number: 9899A
SLD Applicant Reimbursement Form Number: 13375
Contact Name for Billed Entity Applicant Reimbursement Form: Tim Marshall
Preferred Mode of Contact: EMAIL
Contact Info: denise.b@greenbush.org

As you know from a "Funding Commitment Decisions" letter previously sent to you, the SLD has committed to reimbursing you for the discounted portion of eligible services provided to eligible entities pursuant to Form(s) 471 filed by the 471 Applicant named above. You also know from a "Form 486 Notification" letter also sent to you previously that this 471 Applicant has filed a Form 486 advising the SLD that service has begun to be delivered. You have also worked with the 471 Applicant to complete a Billed Entity Applicant Reimbursement Form seeking reimbursement to the 471 Applicant of the discounted portion of bills paid in full to you since the effective date of the discount.

The SLD has processed the Billed Entity Applicant Reimbursement Form and found it to be in compliance with Federal Communications Commission (FCC) rules. Pursuant to the Service Provider Acknowledgement page of the Billed Entity Applicant Reimbursement Form, which you signed, you must remit to the 471 Applicant as soon as possible the amount shown as "Total Amount of

Reimbursement Approved for Payment" above, but in no event later than 10 calendar days after receipt of payment of the approved discounts from the Universal Service Administrative Company. You also agreed not to tender or make use of the payment of the approved discounts issued by the Universal Service Administrative Company to you prior to remitting the discount to the Billed Entity Applicant. If the "Total Amount of Reimbursement Approved for Payment" is greater than the amount of the "Total Funding Commitment Decision", then the Universal Service Administrative Company will issue a check in an amount not to exceed the "Total Funding Commitment Decision".

To provide the discount amount, the "Total Amount of Reimbursement Approved for Payment", to the Form 471 Billed Entity Applicant, the service provider may (1) issue a check, or (2) issue a credit on the 471 Applicant's bill.

On the following page(s) is a list, by row of Items 15 and 16 of FCC Form 471, showing the Reimbursement amount billed for each FRN. For each item, there is the Funding Request Number (FRN), and several other identifying pieces of information. For each FRN, the SLD will deduct the amount approved for reimbursement from the Funding Commitment Decision it has made for the FRN, so that the maximum remaining amount to be paid will be the original commitment less the amount approved for reimbursement to the 471 Applicant.

Explanation of Information Provided in Approval of Billed Entity Applicant Reimbursement Form Letter

On the following pages we provide you with identifying information for the FRNs for which the 471 Applicant is seeking reimbursement. To help understand this synopsis the following definitions are provided:

- * **Funding Request Number (FRN):** A number assigned by the SLD that identifies a Funding Request. A Funding Request is a single row of Item 15 or 16.
- * **471 Application Number:** The Form 471 Application Number assigned by the SLD to the Form 471, from Item 3b of the Form 471.
- * **Funding Year:** The funding year for which discounts have been approved.
- * **Provider Contract Number:** The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.
- * **Total Funding Commitment Decision:** This represents the total amount of discounts for the funding year that the SLD has reserved to pay the discounted cost of this service.
- * **Reimbursement Amount for this FRN:** This is the amount of reimbursement to the 471 Applicant that has been approved for the FRN. This amount will be deducted from the Total Funding Commitment Decision.
- * **Reimbursement Request Decision Explanation (if applicable):** This is the reason(s) that a Reimbursement Request may be reduced or rejected.

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Synopsis of Approved Applicant Reimbursement Amounts by FRN

Funding Request Number: 107669
471 Application Number: 106672
Funding Year: 01/01/1998 - 06/30/1999
Provider Contract Number: T
Total Funding Commitment Decision: \$792.00
Reimbursement Amount for this FRN: \$580.80

CC: GALENA UNIFIED SCHOOL DIST 499

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BRYDON SWEARENGN

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FILED

JAN 14 1998

MISSOURI PUBLIC SERVICE COMMISSION

AMENDED Memorandum

TO: Missouri Public Service Commission Official Case File
Case No. TA-98-233 File No. 9800469
Applicant: The Empire District Electric Company

FROM: Philip M. Garcia
Telecommunications Department

Ben Vest... 1-13-98
Utility Operations Div./Date General Counsel's Office/Date

SUBJECT: Staff Amended Recommendation for Approval of Certificate Application/Tariff

DATE: January 12, 1998

Date Assigned: December 5, 1997,

Staff Deadline: January 14, 1998

The Telecommunications Department Staff (Staff) recommends the applicant be granted the following certificate(s), as indicated by check marks, to be effective on the same date the tariff becomes effective:

- certificate to provide interexchange telecommunications services.
 - certificate to provide local exchange telecommunications services.*
- *local exchange authority should be restricted to dedicated, private line services.

Staff recommends the applicant receive competitive classification. Furthermore, Staff recommends approval of the applicant's proposed tariff, PSC NO No. 1, with a proposed effective date of 01/26/98. In addition, Staff recommends approval of the waivers listed in the Notice.

Is there an attachment to this recommendation indicating any additional recommendations or special considerations? Yes No.

Amended Application submitted 1/02/98 to include Certificate of Corporate Good Standing.

THIS AMENDED MEMORANDUM INCORPORATES CORRECTED ORIGINAL SHEET #22

- copies:
- Director - Utility Operations Division
 - Director - Advisory & Public Affairs Division
 - Director - Utility Services Division
 - General Counsel
 - Office of the Public Counsel
 - Attorney for Applicant - Paul A. Boudreau

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JAN 15 1998
BRYDON, SWEARENGEN & ENGLAND PC