

AMELIA COUNTY PUBLIC SCHOOLS  
16410 Dunn Street  
AMELIA, VIRGINIA 23002

Office of  
Superintendent  
Phone 804/561-2621  
FAX 804/561-3057

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November 19, 1999

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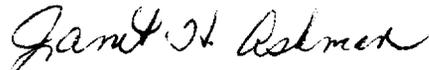
Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, D.C. 20554

Dear Ms. Salas:

Enclosed for your consideration are an original and five copies of a Letter of Appeal and Petition for Rulemaking from Amelia County Public Schools, Virginia.

Should you have any questions, please contact me at (804)561-2621.

Sincerely,

  
Janet H. Ashman  
Finance Department

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November 19, 1999

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
)  
Request for Review of the Decision )  
Of the Universal Service Administrator by )  
Amelia County Public Schools )  
Amelia, Virginia )  
)  
Federal-State Joint Board on )  
Universal Service ) CC Docket No. 96-45  
)  
Changes to the Board of Directors of the )  
National Exchange Carrier Association ) CC Docket No. 97-21

Letter of Appeal  
And Petition for Rulemaking

Form 471 application number 142799  
Funding request numbers 0000227011, 0000273622

Amelia County Public Schools  
16410 Dunn Street  
Amelia, Virginia 23002

Amelia County Public Schools requests Federal Communications Commission review of the above funding denials and subsequent Administrator denial of Amelia's initial appeal.

Amelia county received funding during e-rate program year one for services provided by TDS Net through a contract awarded on March 27, 1998, after having posted a form 470 on the then SLC website, Universal Service control Number 55594000002614. We applied for funding in year two on the above form 471 after submitting another form 470, as required by program rules of the time, listing existing contracts for which we desired discounts. This contract was listed on the year two form 470, Universal Service Control

Number 8365700000173811. Funding for the request, number 0000227011, was incorrectly denied by the Administrator. We ask the Commission to overturn this decision.

We also seek Commission review of the Administrator's denial of services provided by Amelia Telephone Corporation, Funding Request Number 0000273622.

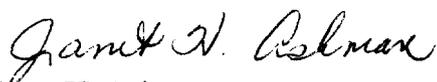
In its denial of our appeal, the Administrator indicated that our appeal was received more than 30 days after the issuance of the Funding Commitment Letter. The technology coordinator and e-rate contact for Amelia County Schools resigned on June 30, 1999 and, to date has not been replaced. Amelia County Schools is a small school division with limited administrative staff performing the many day-to-day tasks of running a school system. When we were unable to secure a qualified individual to take the vacant technology post, the duties of this position were assigned to various staff members. I was given the responsibilities for the e-rate program in October 1999. It was at this time that we discovered the Funding Commitment Letter and these denials. We immediately took steps to file our appeal.

We ask the Commission to overturn this error made by the fund Administrator and authorize these discounts to Amelia County Public Schools as legislated under the Telecommunications Act of 1996.

In light of these denials, Amelia County has submitted another form 471 requesting discounts on the above services for the 1999-2000 funding cycle. As we have submitted this application outside of the filing window, we also petition the Commission to earmark any year one carryover funds for this and other form 471 applications that were submitted outside the year two filing window that closed on April 6, 1999.

We understand a significant amount of money, collected from telecommunications providers during funding year one was not used by schools and libraries during year one. We also understand that there are sufficient funds from unspent year one collections to fund all applications received outside the year two filing window. We ask the Commission to correct mistakes made by the Administrator by either funding this appeal and/or funding all applications received outside the year two filing window.

Respectfully submitted,



Janet H. Ashman  
Amelia County Public Schools  
804/561-2621

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Office of  
Superintendent  
Phone 804/561-2621  
FAX 804/561-3057

*Original Appeal*

October 27, 1999

SLD  
Appeal Services  
Box 125-Correspondence Unit  
100 South Jefferson Road  
Whippany, NJ 07981

Gentlemen:

We wish to submit this letter of appeal for denial of two of our funding requests for 1999-2000 E-Rate discounts. This appeal references the following:

Applicant Name:	Amelia County School District
Form 471 Application Number:	142799
Billed Entity Number:	126487
Funding Request Number:	0000227011 & 0000273622
Amounts Requested:	0000227011 = \$9,813.60; TDS Net 0000273622 = \$28,380; TDS Telecom

Both of these requests were denied by SLD for the same reason as denoted below:

“...Item 10 was checked on the Form 470, thereby not meeting the 28 day competitive bidding requirement.”

The TDS Net service is a contracted service to provide internet access for our school system. The TDS Telecom is a tariffed service with our local phone company to provide telephone services for our system. We included both of these, along with our long distance service (Qwest, Inc.), on the same Form 471. Interestingly enough, the long distance service provided by contract from Qwest was approved by the SLD for funding. However, the two services noted above were not.

We are at a loss to understand the reason for the denial of our basic telephone and internet services. We completed our Form 471 for the 1998-99 school year in the exact same way as this Form 471 was completed, and received full funding. We, therefore,

respectfully request that you review this matter, and approve these two denied services for funding.

We look forward to hearing from you at your earliest convenience. Please don't hesitate to contact me if you have further questions regarding this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janet Ashman".

Janet H. Ashman  
Finance Dept.

Attachments – Form 471

**471**

# Schools and Libraries Universal Service Services Ordered and Certification Form

Estimated Average Burden Hours Per Response: 6 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Schools and Libraries Corporation can set aside sufficient support to reimburse providers for services.

**Please read instructions before completing.** (To be completed by each Billed Entity)

**Block 1: Applicant Address and Identifications** (School, library, or consortium desiring Universal Service funding.)

1. Name of Applicant (Billed Entity) Amelia County School District 2. Funding Year July 1, 1999 - June 30, 2000

3a. NCES School Code (if individual school) or NCES Library Code (if individual library)

3b. 471 Application Number (Administrator will insert this)

3c. Billed Entity Number

4a. Type of Applicant  
(Check only one box.)

- school
- school district
- library or library consortium under the LSTA
- consortium of multiple entities

4b. If applicant is a consortium, check all other boxes that apply:

- includes non-governmental entities ineligible for support
- region of a state
- statewide
- multi-state
- state educational agency
- local educational agency
- educational service agency

5. Applicant's Street Address, P.O. Box, or Route Number

16410 Dunn Street

City Amelia

State VA

Zip Code 23002

Telephone Number 804-561-2621

E-mail Address suptool@pen.k12.va.us

6. Contact Person's Name Lola S. TORNABENE

Street Address, P.O. Box, or Route Number (if different from Item 5)

City

State

Zip Code

Fill in all of the following (if available), and check the preferred mode of contact:  Telephone 804-561-2621  
 FAX 804-561-3057  E-mail lolat@hsc.edu  Mail

**Block 2: Purpose of Request**

7. Purpose of Request: (Check all that apply, if any.)

- a.  Discount on contract(s) signed prior to a request being posted on the Administrator's website.  
Was an FCC Form 470 filed with regard to all the contract(s)?  Yes  No
- b.  Discount on contract(s) signed after a request being posted on the Administrator's website.
- c.  Minor modification or supplement to existing contract(s) for which a Form 471 was already filed.  
471 Application Number \_\_\_\_\_

**Block 3: Characteristics of Applicant and Applicant's Service Order (derived from FCC Form 470 Blocks 2 & 3)**

8a. Number of students

1779

8b. Number of library patrons

9. Number of buildings to be served

4

10. Number of rooms to be served

109

	Existing Service	Total Services After Order
<b>11. Telecommunications Services</b>		
a. Number of phones that have or require service (See instructions concerning extension phones and fax machines.)	51	51
b. Number of computers that have or require service	350	350
c. Number of high bandwidth video conferencing links	0	1
<b>12. Internal Connections</b>		
a. Number of buildings with at least some rooms connected	4	4
b. Number of rooms connected	109	109
c. Highest speed of connection	T1	T1
<b>13. Internet Access</b>		
a. Number of dial up connections	0	0
b. Highest speed of such dial up connections	NA	NA
c. Number of direct connections	1	2
d. Highest speed of such direct connections	T1	T1

**Block 4: Determining Discount Percentage**

14. Fill in one line per school, library, or library consortium and calculate in the last line, an average discount rate for the billed entity. Attach additional pages if necessary. *Note: If the applicant has already completed this chart for all of the same entities with data that is current, provide the "471 Application Number" (Item 3b), from that previous FCC Form 471 here:*

(1) Name of Individual School or Library	(2) NCES or Comparable Code for School or Library (Obtain from Administrator)	(3) Urban or Rural	(4) <i>For Schools:</i> Number of Students <i>For Libraries:</i> NCES Code of a School in its District	(5) <i>For Schools:</i> Number of Students Eligible for National School Lunch Program	(6) Discount Calculated from Discount Matrix	(7) Check if School or Library will use "Shared Services" listed in Item 15.
Amelia County Elementary School	510018000062	R	781	341	70	<input checked="" type="checkbox"/>
Amelia County Middle School	510018000063	R	436	141	70	<input checked="" type="checkbox"/>
Amelia County High School	510018001828	R	561	133	60	<input checked="" type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
FOR SHARED SERVICES ORDERED BY BILLED ENTITY (attach worksheet of calculations)						

Contact Person's Name Lola S. TORNAENE and Phone Number: 804-561-2621

**Block 5: Services Ordered**

15. "Shared" services: All EXCEPT site-specific, internal connections and dedicated ("private line") connections from only one school or library to an ISP or other end-user.

(1)	(2)	CONTRACT			(6)	(7)	Amount		(10)	(11)
		(3)	(4)	(5)			(8)	(9)		
SLC Service Provider Number or Full Legal Name of Service Provider	Universal Service Control Number for Form 470 on which this is based	Contract Number (if applicable)	Award Date	Expiration Date	Services or Products	Service Start Date	Estimated One Time Pre-discount Cost	Estimated Monthly Pre-discount Cost	Estimated Total Annual Prediscount Cost	Percentage Discount (from Item 14)
TDS Telecom 143 001 402	83657 00000 173811	Sect 13 Page 22	T	T	Telecommunication Services	07/01/1999	Ø	2365	28,380	67%
					Internet Access					
					Internal Connections (Shared)					
TDS Net 143 00 6001	83657 00000 173811				Telecommunication Services					
		C	03/27/ 1998	06/30/ 2000	Internet Access	07/01/1999		954.28	9813.60	67%
					Internal Connections (Shared)					
Qwest 143 001 262	83657 00000 173811	C	04/06/ 1998	04/06/ 2000	Telecommunication Services	07/01/1999		300	2700	67%
					Internet Access					
					Internal Connections (Shared)					

Contact Person's Name Lola S. TORNAFFLE and Phone Number: 804-561-2621

16. "Site Specific" Services: Internal connections not shared by multiple schools or libraries and dedicated ("private line") connections from only one school or library to an ISP or other end-user.

(1)	(2)	CONTRACT			(6)	(7)	Amount (See instructions about rounding)			(11)	(12)
		(3)	(4)	(5)			(8)	(9)	(10)		
SLC Number of Service Provider <i>(Obtain from Service Provider)</i>	Universal Service Control Number for Form 470 on which this is based	Contract Number (if applicable)	Award Date	Expiration Date	Services or Products	Service Start Date	Estimated One Time Pre-discount Cost	Estimated Monthly Pre-discount Cost	Estimated Total Annual Pre-discount Cost	Percentage Discount (from Item 14)	School or Library Code <i>(Listed on website)</i>
143001422 Bell Atlantic	7464 00000 117260	6-96- BELLAT	06/12/ 1996	06/30/ 2000	Dedicated Services	07/01/ 1999	500	420	5540	60	51001800 1828
					Internal Connections						
143005695 Sprint	7464 00000 117260	6-96- SPRINT	06/12/ 1996	06/30/ 2000	Dedicated Services	07/01/ 1999		650	7800	60	51001800 1828
					Internal Connections						
					Dedicated Services						
					Internal Connections						
					Dedicated Services						
					Internal Connections						
					Dedicated Services						
					Internal Connections						

17.  Check this box to confirm that, for each service provider listed in 15 and 16, above, a list is attached (as an appendix to this form) of all of the services that each service provider is providing to the billed entity. Service providers should provide these lists on request.

18. a. Total dollars of support allocated for this application for the entire funding year (calculated by administrator)	
b. Amount of support set aside for this application for the first six months of the year (calculated by administrator)	
19. Provide the total estimated cost (pre-discount price) for the services you expect to order in the funding year following the one for which you are applying here. (This figure is not binding.)	
20. Is your order solely for basic telephone service? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Block 6: Certifications and Signature**

21. The applicant is eligible for support because it includes: (Check one or both.)
- a.  schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), 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 and secondary schools, colleges, or universities.
22. The school(s) or library(ies) I represent have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
23. All of the individual schools, libraries, and library consortia listed above in items 15 and 16 are covered by:
- a.  an individual; and/or
  - b.  higher-level technology plan(s) for using the services requested in this application (if those services consist of other than voice services).
24. Status of technology plans (check one):
- a.  Technology plan(s) has/have been approved; or
  - b.  Technology plan(s) will be approved by a state or other authorized body; or
  - c.  Technology plan(s) will be submitted to Schools and Libraries Corporation for approval.
25. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.
26. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
27. I understand 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.
28. I recognize that I may be audited pursuant to this application and will retain for five years any and all worksheets and other records that I rely upon to fill out this application.
29. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

30. Signature <u>Lola S. Tornabene</u>	31. Date <u>4/2/99</u>
32. Printed name of authorized person <u>Lola S. TORNABENE</u>	
33. Title or position of authorized person <u>Coordinator of Technology / Gifted</u>	

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.