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

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January 24, 2001

CC Docket Nos. 96-45 and 97-21

Dear FCC People:

In spite of attempts from Montana Senators Burns and Baucus and Representative Hill to assist us, the Missoula Public Library still has not resolved a significant issue over e-rate funding with the Universal Service Administrative Company. In order to bring you up to speed, here is what has transpired so far:

1. In 1998 the library applied for e-rate funding according to USAC's specifications. We receive our telephone service via the Missoula County Communications Department. Per USAC's instructions, MCC applied for and received a SPIN number, which qualified them to receive e-rate funding. The amount granted was \$5561.40. That money was paid to MCC and refunded to the library.
2. In October 1999 I received a letter from USAC stating that MCC was not a bona fide telecommunications provider and we would be required to reimburse USAC for the amount paid.
3. After discussing this with several individuals in the Technical Client Service Bureau at USAC, I was encouraged to file an appeal. I did so on October 27, 1999 and copied it to your office.
4. In January 2000 I received a form letter from USAC stating that they had received my appeal and would begin an "in-depth review" in September 1999 (sic).
5. This past summer Mark Nadel from the FCC contacted me and wondered if this had been resolved. My reply was that I had heard nothing further from USAC.
6. Last week I received a "Commitment Adjustment Letter" from USAC stating that they would be making "adjustment" to our funding commitments and we should repay \$5562.40. Again they noted the appeals process.
7. Today I am appealing this subsequent "adjustment" and sending copies of all correspondence to your office.

While I realize that MCC does not qualify to receive e-rate discounts under FCC regulations, I believe that we should not be penalized for USAC's own error. The library received no funding for telephone service in FY 00 (only Internet and fax related services) and we have been approved to receive reimbursement for the US West (QUEST) portion of our MCC services for FY 01.

Thank you in advance for whatever assistance you can offer.

Sincerely,

Bette Ammon, Director
bammon@missoula.lib.mt.us

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A B C D E

MISSOULA PUBLIC
LIBRARY

October 27, 1999

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1st
Appeal

Universal Service Administrative Company
Schools and Library Division
Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

Application #: 58189
FRN#: 89346
Billed Entity: 135108
Funding year: 1998-1999

Gentlepeople:

Per instructions from several individuals in the Technical Client Service Bureau arm of USAC, I am appealing the enclosed Important Notice regarding Erate funds to Missoula Public Library. The notice details the ineligibility of Missoula County Communications (MCC) department to receive the Erate discount as applied for by Missoula Public Library.

MCC is the intermediary provider for Missoula Public Library's telephone service. Per instructions and directions from SLD, the MCC applied for and received a spin number in accordance with Erate policy. (See enclosed Approval notice) In February 1999, the MCC received a rebate of \$5561.40 for MPL telephone services. (see enclosed Reimbursement Form)

While I now understand that MCC does not qualify to receive Erate discounts under FCC regulations, I am hoping that the Library will not have to rebate the \$5551.40 already received. Because SLD approved MCC's application, SLD should stand behind the funds already disbursed.

Through your work with schools and libraries, you must be very aware of the budget constraints suffered by many libraries. Missoula Public Library not only has only one third the materials budget of most libraries serving a community our size, we also have half the staff. Needless to say, the Erate savings we applied for (and received) has enormous significance in our budget. Now we are faced with not receiving our Erate discount for the current year and also having to rebate money that was awarded for last year.

Please uphold the commitment made by SLD last year. Note that I am sending copies of this letter plus documentation to my senators and congressman. Thank you for your attention.

Sincerely,

Bette Ammon
Director

Cc: Senator Conrad Burns, Senator Max Baucus, Representative Rick Hill, and Missoula County Communications

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

January 3, 2000

Bette Ammon
Missoula Public Library
301 East Main
Missoula, MT 59802-4799

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence regarding the 1999-2000 funding decision on your application. Here are the steps that will now follow:

1. We will review your correspondence carefully to identify its specific focus, and to determine whether it is an inquiry (seeking further information about a decision) or an appeal (seeking a change in a decision).
2. In either case – an appeal or an inquiry – we will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. In the case of an appeal, once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decisions letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.
4. In the case of an inquiry, we may respond via telephone call, E-mail or written letter.

We plan to begin in-depth review of all appeals and inquiries in September 1999, after funding commitments have been completed for 1999-2000. Once the review process begins, our goal is to respond to you as quickly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division
Universal Service Administrative Company