

HARLANDALE INDEPENDENT SCHOOL DISTRICT



Information Services/Student Assessment
102 Genevieve
San Antonio, TX 78214-2997
Phone: (210) 921-4365
Fax: (210) 977-9424
Albert Marten, Ph.D., Director

March 26, 2001

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

RECEIVED

APR - 3 2001

FCC MAIL ROOM

In the matter of:

Request for Review by Harlandale Independent School District of Decision of Universal Service Administrator dated March 2, 2001 addressed to, *Al Martin (last name should be Marten)*
Harlandale Independent School District
102 Genevieve
San Antonio, TX 78214

Reference: FCC Docket Nos. 97-21 and 96-45

Billed Entity Number: 141545
471 Application Number: 177001
Funding Request Number: 368081
Regarding Correspondence of: June 1, 2000, Letter of Appeal to SLD

The decision of Universal Service Administrator in regard to the above referenced appeal on Funding Request Number 368801 was "Partially Approved". We believe that our documentation provides the evidence necessary to support our appeal to the FCC for full approval of the funds requested.

Year 2 Documentation

- Exhibit A: Copy of signed 470 with Universal Service Control Number: 423020000225978. Establishes eligibility and USCN provides link to other Exhibits.
- Exhibit B: Copy of RFP from Southwestern Bell documenting the cost of Plexar Trunks (a tariffed service) and Plexar Custom Services.
- Exhibit C: Copy of Form 471 pages documenting eligibility.
- Exhibit D: Copy of Form 471 page documenting the cost of Plexar services requested.
- Exhibit E: Copy of Funding Commitment Report for Application Number 142527. This application number was assigned to 471 with USCN 423020000225978, providing proof of links between documents. This page also provides documentation of funding commitment for this request.
- Exhibit F: Copy of Bear Letter of 10/12/2000 documenting that SLD fully funded this FRN for this year.

Year 3 Documentation

- Exhibit G: Copy of 471 filed in error by us, the local education agency. Error 1 in Box 15: should not have been MTM, but should have been C, for a long term contract for tariffed and non-tariffed telecommunications services. Error 2 in Box 12: should not have been the USCN 423020000225978, but should have been 142527. The eligible monthly amount, however, is not in error and includes both tariffed and non-tariffed services. Because of these errors, SLD did not review this FRN properly. In addition, we failed to properly document our first appeal due to inexperience with the system. Improper documentation caused confusion and did not allow SLD to properly evaluate our appeal.

No. of Copies rec'd 0
List A B C D E

Exhibit H: Copy of Southwestern Bell Plexar Custom Service Arrangement. This contract is for non-tariffed costs and cannot be implemented without the Plexar Trunks which is a tariffed service for which we do not sign a contract. Cost of Trunks is documented in Exhibit B.

Exhibit I: Copy of Southwestern Bell fax document with pricing structure for Plexar Trunks.

Based upon our documentation we ask that the administrative decision to partially fund the telecommunications FRN # 368801 for Year 3 be amended to fully fund in the amount of \$169,112.40 for the year beginning 07/01/2000 and ending 06/30/2001.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink, appearing to read "Albert Marten", with a horizontal line extending to the right from the end of the signature.

Albert Marten, Ph.D.
Director of Information Services.

CC: Jack Jordan, Superintendent
John Burks, Assistant Superintendent
Richard Hernandez, Assistant Superintendent
Lloyd Kirkpatrick, Network Engineer

FCC Form

Exhibit A

Approval by OMB
3060-0806

470

Schools and Libraries Universal Service Program Description of Services Requested and Certification Form

I am sending in the list of individual billed entities (their zip codes and zip codes of their recipients of service) because I have more than 500 billed entities in Item 19, or in Item 20, or I have selected a state-wide check box in Item 19.

Yes • No

For applicants who check "Yes", the list is necessary to complete the certification process.

USCN: 423020000225978

- 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. 0001(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 school (including, but not limited to) elementary and secondary schools, colleges and universities.

- a. individual technology plans and/or
- b. higher-level technology plans for using the services requested in this application (if those services consist of other than voice services).

- 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 Division for approval.

24. 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.

25. I recognize that support under this program is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

26. I certify that I am authorized to submit this request on behalf of the above-named applicant, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

27. Signature of authorized person Justin C. Jordan 28. Date 3/4/99

29. Printed name of authorized person	Mr. Jack C. Jordan
30. Title or position of authorized person	Superintendent

USCN: 42302000225978

HARLANDALE INDEP SCHOOL DIST

102 GENEVIEVE DR

SAN ANTONIO, TX 78214-2902

Exhibit A

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, 583(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communications Commission's rules require all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator, themselves or as part of a consortium, 47 C.F.R. § 54.504. 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 47 C.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.

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.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal 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 of potential violation of a FCC 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.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other 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 this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, 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.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 6 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, D.C. 20534.

This form should be submitted to:
 SLD - Form 470
 P.O. Box 7026
 Lawrence, KS 66044-7026
 1-888-203-8100

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 Schools and Libraries Corporation, Inc.

Exhibit B

Hartlandale Independent School District
Response to Telecommunications Proposal
RFP # 98-022
Presented by: Southwestern Bell
April 1, 1999

Southwestern Bell is eager to continue provide a variety of telecommunication services to Hartlandale Independent School District. Per your bid requirements, we propose to provide:

- > Plexar Custom (District-wide system used for voice service)
- > HiCAP or T1 (DS1) to serve the data needs
- > Plain Old Telephone Services (POTS)
- > ISDN (BRI to serve the distance learning needs with PRI services ordered for remote access)

Note that Plexar includes Trunks which is a tariffed telecom service and does not require a signed, written contract.

Plexar Custom -

Southwestern Bell recommends Plexar Custom to serve the voice needs of all district users. This is the same service in-place today. With input from HISD personnel, we have proposed the following configuration:

60-Month Contract Term

Plexar Custom (1 up to 1100 stations @ \$ 9.50 per station)	\$ 10,459.50
118 Trunks @ \$ 48.92 per trunk	\$ 5,772.56
<hr/>	
Proposed Total Monthly Cost	\$ 16,232.06
Plexar Custom Service Establishment Charge	\$ 560.00

1 System provides up to 1101 station capacity over the 60-month contract term. HISD may choose to implement a lesser number of stations at initial cutover. You are guaranteed that the rate per station (up to 1101) will not increase over the contract term. 36-Month Contract Term Pricing is also available at \$ 9.75 per station.

2 This provides approximately a nine-to-one ratio to Plexar stations.

There will be no installation charge for any stations and trunks that already exist. An additional charge will only apply to install any Plexar Custom stations and additional trunks over and beyond the current installation. The one-time charges, if applicable are as follows: \$ 30.00 per station and a maximum \$ 75.25 per trunk. The installation charges per trunk decreases if more than one is ordered at the same time.

Hi-CAP or T1 Service -

Based on your requirement for T1 service, SWB proposes the following House Bill 2128 discounted rates:

12-Month Contract Term

3214	Point-to-Point T1	\$ 260.00
	Optional Clear Channel (B8ZS Format)	\$ 26.00

Southwestern Bell offers a number of Wide Area Network options for your future consideration. Some of these technologies are designed to support data only, others are designed to support the integration of multiple applications including voice, video and data. Some of these services are Call Relay (ATM), Frame Relay and Network Reconfiguration Service (NRS). If you would like to learn more about some of these options, please contact your Account Team.

471

Schools and Libraries Universal Service

Services Ordered and Certification Form

Exhibit C

Estimated Average Burden Hours Per Response: 6 hours

This form is to be completed by 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) Harlandale Indep School Dist		2. Funding Year July 1, 1999 - June 30, 2000	
3a. NCES School Code (if individual school) or NCES Library Code (if individual library)			
			3c. Billed Entity Number 141545
4a. Type of Applicant (Check only one box.) <input type="checkbox"/> school <input checked="" type="checkbox"/> school district <input type="checkbox"/> library or library consortium under the LSTA <input type="checkbox"/> consortium of multiple entities		4b. If applicant is a consortium, check all other boxes that apply: <input type="checkbox"/> includes non-governmental entities ineligible for support <input type="checkbox"/> region of a state <input type="checkbox"/> statewide <input type="checkbox"/> multi-state <input type="checkbox"/> state educational agency <input type="checkbox"/> local educational agency <input type="checkbox"/> educational service agency	
5. Applicant's Street Address, P.O. Box, or Route Number 102 Genevieve			
City San Antonio	State Tx	Zip Code 78214	Telephone Number (210) 821-4365
E-mail Address ezepeda@harlandale.k12.tx.us			
6. Contact Person's Name Edgar L. Zepeda			
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: <input type="checkbox"/> Telephone (210)821-4365 <input type="checkbox"/> FAX (210) 977-9424 <input checked="" type="checkbox"/> E-mail ezepeda@harlandale.k12.tx.us <input type="checkbox"/> 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 14470	8b. Number of library patrons
9. Number of buildings to be served 137	10. Number of rooms to be served 1216

Contact Person's Name Edgar L. Zapeda and Phone Number: (210) 821-4365

Exhibit C

	Existing Service	Total Services After Order
11. Telecommunications Services		
a. Number of phones that have or require service (See instructions concerning extension phones and fax machines.)	757	857
b. Number of computers that have or require service	3500	4500
c. Number of high bandwidth video conferencing links	0	1
12. Internal Connections		
a. Number of buildings with at least some rooms connected	127	137
b. Number of rooms connected	1075	1218
c. Highest speed of connection	100 Mbs	100 Mbs
13. Internet Access		
a. Number of dial up connections	0	0
b. Highest speed of such dial up connections	N/A	N/A
c. Number of direct connections	1	2
d. Highest speed of such direct connections	T-1	T-1

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.
Hariandale Independent School District (Detailed List Attached)		Urban	14,470	13,043	90	<input checked="" type="checkbox"/>
						<input 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 Edgar L. Zepeda and Phone Number (210) 821-4365

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 estimated cost for the entire funding year (calculated by administrator) **Exhibit C**
b. Amount for 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.) 1,500,000.00

20. Is your order solely for basic telephone service? Yes No

Block 6: Certifications and Signatures

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 John W. Burks 31. Date 04/02/1999

32. Printed name of authorized person John W. Burks

33. Title or position of authorized person Assistant Superintendent

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.

Contract Payment Name: Edgar L. Zepeda and Phone Number: (210) 921-4385

Block 5: Service Order

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.

		CONTRACT					Amount			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
S/LC 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 Pre-discount Cost	Percentage Discount (from Item 14)
143004682	423020000225 978		04/01/1999	04/30/2000	Telecommunication Services	07/01/1999	0.00	11,508.50	161,688.40	90
					Internet Access					
					Internal Connections (Shared)					
143004682	423020000225 978		04/01/1999	06/30/2000	Telecommunication Services	07/01/1999	4,398.00	13,023.45	160,790.50	90
					Internet Access					
					Internal Connections (Shared)					
143004682	423020000225 978		04/01/1999	06/30/2000	Telecommunication Services	07/01/1999	383.00	682.80	8,227.00	90
					Internet Access					
					Internal Connections (Shared)					

Note Universal Service Control Number linking to Year 2-470.

Exhibit D

Estimated cost includes tariffed and non-tariffed costs of Plexar system.

FUNDING COMMITMENT REPORT FOR APPLICATION NUMBER: 0000142527

Exhibit E

Funding Request Number: 0000228969 Funding Status: Funded
SPIN: 143004662 Service Provider Name: Southwestern Bell Telephone Company
Provider Contract Number: C
Services Ordered: Telecommunications Services
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: 06/30/2000
Pre-discount Cost: \$135,638.40
Discount Percentage Approved by the SLD: 89%
Funding Commitment Decision: \$120,718.18 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was corrected.

Funding Request Number: 0000228978 Funding Status: Funded
SPIN: 143004662 Service Provider Name: Southwestern Bell Telephone Company
Provider Contract Number: C
Services Ordered: Telecommunications Services
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: ~~06/30/2000~~
Pre-discount Cost: \$150,790.50
Discount Percentage Approved by the SLD: 89%
Funding Commitment Decision: \$143,103.55 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was corrected.

Funding Request Number: 0000228986 Funding Status: Funded
SPIN: 143004662 Service Provider Name: Southwestern Bell Telephone Company
Provider Contract Number: C
Services Ordered: Telecommunications Services
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: ~~06/30/2000~~
Pre-discount Cost: \$8,226.60
Discount Percentage Approved by the SLD: 89%
Funding Commitment Decision: \$7,321.67 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was corrected.

Funding Request Number: 0000228990 Funding Status: Funded
SPIN: 143007616 Service Provider Name: Education Service Center, Region 20
Provider Contract Number: 199-583-9-24
Services Ordered: Internet Access
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: ~~06/30/2000~~
Pre-discount Cost: \$7,200.00
Discount Percentage Approved by the SLD: 89%
Funding Commitment Decision: \$6,408.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The shared discount was corrected.

Funding Request Number: 0000228994 Funding Status: Funded
SPIN: 143000889 Service Provider Name: Nextel of Texas, Inc.
Provider Contract Number: C
Services Ordered: Telecommunications Services
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: 06/30/2000
Pre-discount Cost: \$334,000.00
Discount Percentage Approved by the SLD: 89%
Funding Commitment Decision: \$315,060.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The dollars requested were reduced to remove: the ineligible product PURCHASE OF PCS UNITS. The shared discount was corrected.

Exhibit F

Synopsis of Approved Applicant Reimbursement Amounts by FRN

Funding Request Number: 228969
471 Application Number: 142527
Funding Year: 07/01/1999 - 06/30/2000
Contract Number: C
Funding Commitment Decision: \$120718.18
Reimbursement Amount for this FRN: \$120718.18

SLD reimburses for Plexar services, including Plexar Trunks and Custom Services in Year 2.

Funding Request Number: 228978
471 Application Number: 142527
Funding Year: 07/01/1999 - 06/30/2000
Contract Number: C
Funding Commitment Decision: \$143103.55
Reimbursement Amount for this FRN: \$143103.55

Funding Request Number: 228986
471 Application Number: 142527
Funding Year: 07/01/1999 - 06/30/2000
Contract Number: C
Funding Commitment Decision: \$7321.67
Reimbursement Amount for this FRN: \$7321.67

CC: HARLANDALE INDEP SCHOOL DIST

Exhibit G

Our error: Should have had a contract number (C), not MTM. This is on a long-term contract and includes tariffed services (Plexar Trunks). Note the Year 2 470 Universal Control Number: 423020000225978, should have been Year 2 - 471 Application Number: 142527.

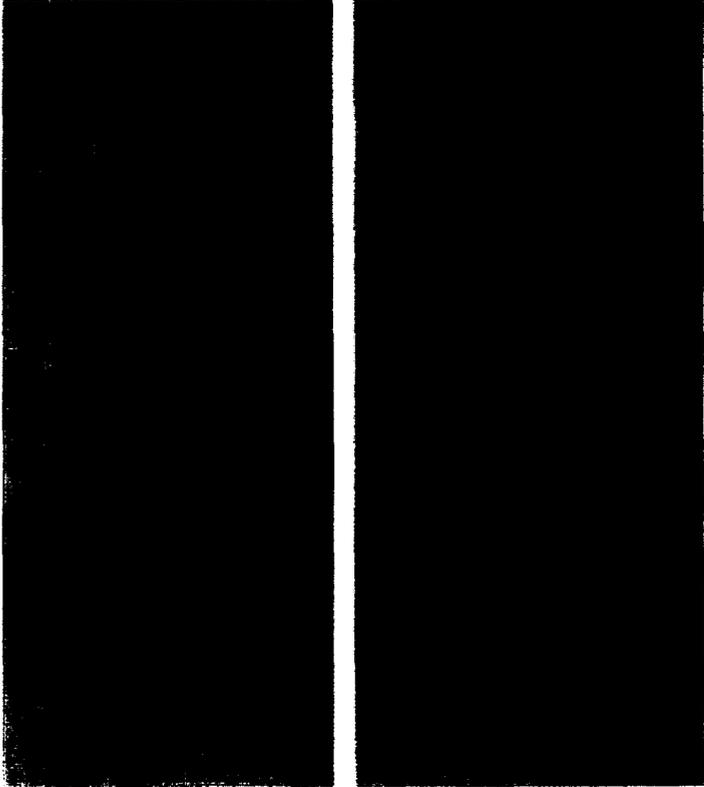


Exhibit I

HARLANDALE ISD
PLEXAR CUSTOM

SWB Tariff reference for Trunk
Charges documenting the charges
for Trunk Lines.

TARIFF REFERENCE FOR TRUNK CHARGES

USOC	RATE	TARIFF
9ZR (EUCL)	6.85	FCC 73 PAGE 4-11
TCPCX	35.20	LOCAL EXCHANGE SEC. 1 SHEET 20
TSW	1.95	GENERAL EXCHANGE SEC 33 SHEET 2
SBH1X	.26	LOCAL EXCHANGE SEC. 3 SHEET 9
NSREX	(.33 X 9) = 2.97	FCC 73 PAGE 34-11