

First Baptist Academy

A Ministry of First Baptist Church of U.C.

Educating Children  for Time and Eternity

DOCKET FILE COPY ORIGINAL

Cissy Stubblefield
Administrator

May 11, 2001

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

RECEIVED

MAY 18 2001

FCC MAIL ROOM

RE: CC Docket Nos. 96-45 & 97-21
Appeal of Administrator's Decision
Funding Year 2000/2001

Dear Sir/Madam:

Following instructions outlined in the Schools and Libraries Division letter dated April 16, 2001 (attached), we respectfully appeal their decision not to fund the request for First Baptist Academy for year four.

Our appeal is based on the following facts:

1. Our initial application for telecommunication services and internet access services omitted information required in Block 5, Items 11, 13, and 14. One form was correctly completed, while the other inadvertently omitted the referenced items. There was certainly no intent on our part to deceive, falsify or otherwise disrupt the flow of the application process. This was a simple administrative error. Further, we not given the opportunity to correct the omitted information but were required to appeal.
2. This is our third year to enjoy the benefits of the program and believe the omitted information may have been readily available for simple correction, had someone taken the time.
3. We are required to establish our financial programs in advance and have already set tuition prices (our only source of income) for the next school year which begins August 2001. Should our request be denied, over three hundred fifty students may not have access to the internet, as we do not have the funds to replace that lost from the Schools and Libraries Program.

No. of Copies rec'd 0
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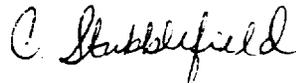
Following receipt of the letter from USAC SLD dated January 30, 2001, stating three items were omitted, we corrected the omissions and resubmitted the nine page document well within the established time frame. We now assume the guidelines do not allow for any errors or omissions. If this assumption is correct, the policy is very "applicant UN-friendly" and allows rejection without any consideration of impact on the applicant. Furthermore, it is extremely difficult for us to understand why our initial appeal was rejected "in full".

If there are absolutely no exceptions to later submissions for this type of clerical error, then information relative to an appeal is useless and without value as any appeal would be rejected.

Additionally, we were instructed to review the rules concerning the filing of an appeal on the Agency's web site, however this portion of the site is under revision and not available. We have attached correct applications for your consideration.

We are a small, private school with a very modest means of support. It is our hope that this unfortunate error can be corrected and that our entire student body not be punished for such a small administrative error. We shall look forward to your early favorable decision.

Sincerely,



C. Stubblefield
Administrator

attachments: Schools and Libraries Rejection Letter (01/30/01)
Schools and Libraries Decision on Appeal Letter (04/16/01)
First Baptist Academy - FCC Form 471

cc: Senator Phil Gramm
Senator Kay Bailey Hutchinson
Representative Lamar Smith



Fund Year 4 FORM 471-REJECTION LETTER

January 30, 2001

CISSY STUBBLEFIELD
FIRST BAPTIST ACADEMY
1401 PAT BOOKER ROAD
UNIVERSAL CITY, TX 78148

Re: Applicant's Form Identifier: FBA2001
Form 471 Application Number: 263731

RECEIVED

MAY 18 2001

FCC MAIL ROOM

Dear Applicant:

This letter is your notification that the entire FCC Form 471, *Services Ordered and Certification Form*, you submitted did not meet Minimum Processing Standards and cannot be processed. *Your Form 471 is enclosed with this letter, which means that the Schools and Libraries Division (SLD) could not process any portion of it.* Below is an explanation of the specific reason(s) your Form 471 did not meet the Minimum Processing Standards:

- **The Category of Service, Block 5, Item 11 is blank on the Form 471 submitted.**
- **Block 5, Items 13 and 14, SPIN (Service Provider Identification Number) and Service Provider Name on the Form 471 submitted are both blank.**

If you disagree with this decision and you wish to appeal to the SLD, your appeal must be made in writing and received by us within 30 days of issuance of this letter. In your letter of appeal, please include: correct contact information for the appellant, information on the decision you are appealing, the specific Funding Request in question, a copy of this letter and an original authorized signature. Appeals sent by fax, e-mail or phone call cannot be processed. Please mail your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125-Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. You may also call our Client Service Bureau at 888-203-8100. While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC), by sending your notice of appeal to: FCC, Office of the Secretary, 445 12th Street, SW; 12th Street Lobby, SW; Washington, D.C. 20554. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. If you choose to file an appeal with the FCC, your appeal must be received no later than 30 days from the date on this letter.

Schools and Libraries Division
Universal Service Administrative Company

Enclosure:

(1) Form 471



Administrator's Decision on Appeal - Funding Year 2000-2001

April 16, 2001

C. Stubblefield
First Baptist Academy
1401 Pat Booker Road
Universal City, Texas 78148

Re: Billed Entity Number: 199953
471 Application Number: 263731
Funding Request Number(s): 2 not assigned
Your Correspondence Dated: February 2, 2001

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Three Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 30-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 2 not assigned

Decision on Appeal: **Denied in full**

Explanation:

- Your appeal requests that the SLD consider these requests for funding. The basis of your appeal is that the Form 471, Block 5 missing information is now being re-submitted on appeal.
- Your requests did not meet the program's Minimum Processing Standards because Block 5 Items 11, 13, and 14 (category of service, SPIN, and vendor name) were left blank. Therefore, we were unable to process your request, and it was returned to you. The Minimum Processing Standards require that this information be included on the original Form 471, Block 5 documentation and cannot be submitted during the appeal process. Unfortunately, the SLD is unable to waive the Minimum Processing Standards. Consequently, your request will not be data entered and consider for funding, and your appeal is denied in full.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. 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 on the website at <www.universalservice.org>. **You must file your appeal with the FCC no later than 30 days from the date on this letter for your appeal to be filed in a timely fashion.**

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

Schools and Libraries Division
Universal Service Administrative Company

Schools and Libraries Universal Service Services Ordered and Certification Form 471

Estimated Average Burden Hours Per Response: 4 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 Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (See www.sl.universalservice.org for filing this form online)

Applicant's Form Identifier: FBA2001

(Create your own code to identify THIS Form 471)

(To be assigned by Fund Administrator)

Block 1: Billed Entity Information

(The "Billed Entity" is the entity paying the bills for the services listed on this form.)

1 Name of Billed Entity (30 characters max.) First Baptist Academy

2 Funding Year: July 1, 2001 through June 30, 2002 3 Entity Number (up to 10 digits) 199953

4a Street Address, P.O. Box, 1401 Pat Booker Road
or Route Number

City Universal City State Texas Zip Code 78148 - - - - -

b Telephone Number (10 digits + ext.) (210) 658-5331 ext. - - - - -

c Fax Number (10 digits) (210) 658-7024

d E-mail Address (50 characters max.)

- 5 Type of Application
- School (public or non-public school)
 - School District (LEA, public or non-public (e.g., diocesan) local district representing multiple schools)
 - Library (library (i.e. outlet/branch, system))
 - Consortium Check here if any members of this consortium are ineligible non-governmental entities.

6a Contact Person's Name Cissy Stubblefield, Administrator

First, fill in every item of the Contact Person's information below that is different from Item 4, above.

Then check the box next to the preferred mode of contact. (At least one box MUST be checked.)

b Street Address, P.O. Box, or Route Number

City State Zip Code - - - - -

c Telephone Number (10 digits + ext.) (210) 658-5331 ext. - - - - -

d Fax Number (10 digits) (210) 658-7024

e E-mail Address (50 characters max.)

f Holiday/vacation/summer contact information:

Block 2: Minor Modification to Existing Contract?

7 Check if this Form 471 represents a minor modification, such as a modification of services, to a Form 471 for which you already have a Receipt Acknowledgement Letter. Provide the data requested below, attach a Description of Services highlighting the modified service, and sign Block 6.

Form 471 Application #: Funding Request Number:

Minor modification requests can be filed MANUALLY only. Please see www.sl.universalservice.org for filing instructions.

Entity Number <u>199953</u>	Applicant's Form Identifier <u>FBA2001</u>
Contact Person <u>Cissy Stubblefield, Administrator</u>	Phone Number <u>(210) 658-5331</u>

Block 3: Impact of Services Ordered in THIS Application

8 Please provide your best estimate of the number of people who will be served by all of the services ordered in THIS Form 471. Schools/school districts complete 8a. Libraries complete 8b. Consortia complete 8a and/or 8b.

a Number of students to be served **b** Number of library patrons to be served

9 The following questions seek summary outcome information based on the services ordered in this Form 471 application. Please complete only those rows that are relevant to THIS application.

IF THIS APPLICATION INCLUDES...	BEFORE ORDER	AFTER ORDER
a <i>(Schools/districts/consortia only)</i> Telephone service: How many classrooms had phone service before and after your order?	0	0
b High-bandwidth voice/data/video service: How many buildings served before and after your order?	--	
c High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	--	
d Dial-up Internet connections: How many before and after your order?	n/a	--
e Dial-up Internet connections: Highest speed before and after your order?	n/a	--
f Direct connections to the Internet: How many before and after your order?	1	1
g Direct connections to the Internet: Highest speed before and after your order?	128	384
h Internet access (for schools): How many rooms have Internet access before and after your order?	3	3
i Internet access (for libraries): How many buildings have Internet access before and after your order?	n/a	
j Internet access: How many computers (or other devices) with Internet access before and after your order?	30	30
k Other technology outcomes: (please specify):	--	--

Block 4: Discount Calculation Worksheets (pages 3a, 3b, and 3c)

The following 3 pages (3a, 3b, and 3c) are Block 4 worksheets for use in calculating your discount for services. You will complete one or more depending on the type of application you are filing. Each worksheet has instructions.

- If you are filing as a school or a school district, use Worksheet A (page 3a).
- If you are filing as a library (i.e. outlet/branch, system), use Worksheet B (page 3b).
- If you are filing as a consortium, use Worksheet C (page 3c), and include as many Worksheets A and B as you need for back-up documentation.

Entity Number <u>199953</u>	Applicant's Form Identifier <u>FBA2001</u>
Contact Person <u>Cissy Stubblefield, Administrator</u>	Phone Number <u>(210) 658-5331</u>

Block 4: Discount Calculation Worksheet A for Schools/School Districts

Worksheet #A- _____

Page 1 of 1

[REDACTED]

(For Administrator's Use)

Instructions: If you are filing a School/School District application, use this worksheet to calculate the discount rate for site-specific services and/or to determine the weighted average discount calculations for shared services.

10a If you are:

- **Applying for discounts ONLY for an individual school, or ONLY site-specific services:** Complete columns 1-7 only for each school. Add and number pages as needed. Then use each school's Entity Number and its discount from Column 7 to complete Block 5 site-specific service to that school.
- **Applying for discounts on services shared by ALL schools in the district (with or without site-specific services as well):** Complete all columns 1-8 for all schools in the district. Then use the Weighted Average Discount in 10c (below) to complete Block 5 for shared services.
- **Applying for discounts on different shared services shared by different groups of schools (with or without site-specific services as well):** Complete one worksheet, columns 1-8 PLUS 10c, for EACH different group of schools sharing a service. Designate this worksheet A-1, A-2, A-3, etc.

10b List entities and calculate discount(s).

School District Name: _____

School District Entity Number: _____

1 Name of Eligible School	2 Entity Number	3 Urban or Rural U or R	4 Total # of Students	5 # of Students Eligible for NSLP	6 % Students Eligible for NSLP (Col 5 ÷ Col 4)	7 Discount % from Discount Matrix	8 Weighted Product for Calculating Shared Discount (Col 4 x Col 7)
First Baptist Academy	199953	U	342	80	23%	50%	171
Totals for calculating Weighted Average Discount			342				171

10c Weighted Average Discount % for Shared Services (Col. 8 total divided by Col. 4 total. Round to nearest %)

→ **50%**

Attachment #1

FCC Form 471, Item 21 Attachment

Service Provider: Southwestern Bell Telephone Services
SPIN: 143004662

Contract Number: FBAUC1999

Services Provided: Telecommunication Services

Entity Number _____	Applicant's Form Identifier _____
Contact Person _____	Phone Number _____

Block 5: Discount Funding Request(s)

Block 5, page 1 of 2

Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as necessary, and number the completed pages to assure that they are all processed correctly.

FRN # _____ (to be assigned by administrator)

11 Category of Service (only ONE category should be checked) <input checked="" type="radio"/> Telecommunications Service <input type="radio"/> Internet Access <input type="radio"/> Internal Connections	15 Contract Number (if available, use "T" if tariffed services, "MTM" if month-to-month services as described in Instructions) FBAUC1999 16 Billing Account Number (e.g., billed telephone number) 210-658-5331
12 Form 470 Application Number (15 digits) 66881000021377	17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 03/31/1999
13 SPIN - Service Provider Identification Number (9 digits) 143004662	18 Contract Award Date (mm/dd/yyyy) 03/31/1999 19a Service Start Date (mm/dd/yyyy) 01/05/2000 19b Service End Date (mm/dd/yyyy) (use only for "T" or "MTM" services)
14 Service Provider Name Southwestern Bell Telephone	20 Contract Expiration Date (mm/dd/yyyy) 06/30/2002
21 Description of This Service: You MUST attach a description of the service, including a breakdown of components and costs, plus any relevant brand names. Label this description with an Attachment #, and note number in space provided below. Attachment # <u>1</u>	
22 Entity/Entities Receiving This Service: a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: <u>199953</u> b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., A-1): _____	

23 Calculations										
Recurring Charges					Non-Recurring Charges			Total Charges		
A	B	C	D	E	F	G	H	I	J	K
Monthly \$ charges (total amount per month for service)	How much of the \$ amount in (A) is ineligible?	Eligible monthly pre discount amount (A minus B)	# of months service provided in program year	Annual pre-discount \$ amount for eligible recurring charges (C x D)	Annual non-recurring (one-time) \$ charges	How much of the \$ amount in (F) is ineligible?	Annual eligible pre-discount \$ amount for one-time charges (F minus G)	Total program year pre-discount \$ amount (E + H)	% discount (from Block 4 Worksheet)	Funding Commitment \$ Request (I x J)
\$154.67	Ø	\$154.67	12	\$1,856.04		Ø		\$1,856.04	50%	\$928.02

Attachment #1

FCC Form 471, Item 21 Attachment

Service Provider: Southwestern Bell Internet Services (SBIS)
SPIN: 143004611

Contract Number: FBAUC1999

Services Provided: Dedicated Internet access services (ISP)

Entity Number _____ Applicant's Form Identifier _____
 Contact Person _____ Phone Number _____

Block 5: Discount Funding Request(s)

Block 5, page 2 of 2

Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts
 Make as many copies of this page as necessary, and number the completed pages to assure that they are all processed correctly.

FRN: _____ (to be assigned by administrator)

11 Category of Service (only ONE category should be checked) <input type="radio"/> Telecommunications Service <input checked="" type="radio"/> Internet Access <input type="radio"/> Internal Connections	15 Contract Number (if available, use "T" if tariffed services, "MTM" if month-to-month services as described in Instructions) FBAUC1999
	16 Billing Account Number (e.g., billed telephone number) 210-658-5331
12 Form 470 Application Number (15 digits) 66881000021377	17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 03/31/1999
13 SPIN - Service Provider Identification Number (9 digits) 143004611	18 Contract Award Date (mm/dd/yyyy) 03/31/1999
	19a Service Start Date (mm/dd/yyyy) 01/05/2000
	19b Service End Date (mm/dd/yyyy) (use only for "T" or "MTM" services)
14 Service Provider Name Southwestern Bell Internet Service	20 Contract Expiration Date (mm/dd/yyyy) 06/30/2002
21 Description of This Service: Attachment # <u>1</u>	You MUST attach a description of the service, including a breakdown of components and costs, plus any relevant brand names. Label this description with an Attachment #, and note number in space provided below.
22 Entity/Entities Receiving This Service:	a. If the service is site specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: <u>199953</u> b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., A-1): _____

23 Calculations										
Recurring Charges					Non-Recurring Charges			Total Charges		
A	B	C	D	E	F	G	H	I	J	K
Monthly \$ charges (total amount per month for service)	How much of the \$ amount in (A) is ineligible?	Eligible monthly pre discount amount (A minus B)	# of months service provided in program year	Annual pre-discount \$ amount for eligible recurring charges (C x D)	Annual non-recurring (one-time) \$ charges	How much of the \$ amount in (F) is ineligible?	Annual eligible pre-discount \$ amount for one-time charges (F minus G)	Total program year pre-discount \$ amount (E + H)	% discount (from Block 4 Worksheet)	Funding Commitment \$ Request (I x J)
\$238.00	0	\$238.00	12	\$2,856.00		0		\$2,856.00	50%	\$1,428.00

Entity Number 199953 Applicant's Form Identifier FBA 2001
 Contact Person Cissy Stubblefield Phone Number (210) 658-5331

Block 6: Certifications and Signature

- 24 The entities listed in Block 4 of this application are eligible for support because they are: (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.
- 25 The eligible schools and libraries listed in Block 4 of this application 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.
- 26 All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:
- a an individual technology plan for using the services requested in this application; and/or
- b higher-level technology plan(s) for using the services requested in this application; or
- c no technology plan needed; applying for basic local and long distance telephone service only.
- 27 Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):
- a technology plan(s) has/have been approved; and/or
- b technology plan(s) will be approved by a state or other authorized body; or
- c no technology plan needed; applying for basic local and long distance telephone service only.
- 28 I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- 29 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.
- 30 I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- 31 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.
- 32 I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.
- 33 I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

34 Signature of authorized person C. Stubblefield 35 Date 1/12/01

36 Printed name of authorized person Cissy Stubblefield

37 Title or position of authorized person Administrator

38 Telephone number of authorized person: (210) 658-5331, ext.

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.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.