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FLOYD COUNTY BOARD OF EDUCATION

600 RIVERSIDE PARKWAY, N.E.

ROME, GEORGIA 30161-2938

(706) 234-1031

Fax (706) 236-1824

JACKIE COLLINS, ED. D.
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RECEIVED

July 16, 2001

JUL 24 2001

FCC MAIL ROOM

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

Ref: CC Docket Nos. 96-45 and 97-21

**Attachments: Fund Year 4 FORM 471 Rejection Letter
Letter of Appeal
Notice of receipt of Letter of Appeal
Administrator's Decision on Appeal-Funding Year 2001-2002**

Dear Sir:

I am appealing the denial of my 471 application number 263665 by the Universal Service Administrative Company. Attached is the correspondence between the USAC and myself.

The main argument I am presenting is that I completed the correct forms based on the information I downloaded from the USAC website. Although it turned out to be a form that would later be changed, I was not aware of that change. When I talked with USAC personnel during the initial applications of the 470 and 471 forms during the summer months no one told me a new form was coming. After receiving the rejection letter dated January 30, 2001 I contacted USAC for a clarification. The person I spoke with said the reason for the rejection was due to filing the new 471 form. When I asked how I was suppose to know a new form was available after downloading copies of previous forms from the Internet, the response was they expected applicants to check the website.

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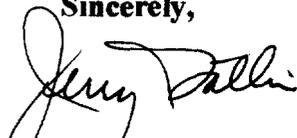
Equal Opportunity Employer

Why would I need to talk with USAC again if I had the forms and instructions on completing the forms? That is the question I posed to the person I talked with. I had what I thought were the correct forms downloaded from their website, completed them properly and mailed within the time frame required. I had no reason to contact USAC again so someone could tell me they decided to change the forms.

I do not feel my school system should be penalized because of USAC's communication problem. The forms I used for the application were on their website along with instructions to complete. If there was a notice anywhere that a new form was being developed and required I did not see it and therefore must accept this rejection. However, since that information was not on the website at the time I downloaded the forms, I feel the proper procedures were followed in the submission of this form 471.

For those reasons and explanation listed above I submit this appeal to your organization for review. If additional information is required please let me know.

Sincerely,



Jerry Gatlin



Administrator's Decision on Appeal - Funding Year 2001-2002

July 13, 2001

Jerry Gatlin
Floyd County Board of Education
600 Riverside Parkway N.E.
Rome, Georgia 30161-2938

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JUL 24 2001

FCC MAIL ROOM

Re: Billed Entity Number: 127294
471 Application Number: 263665
Funding Request Number(s): 2 not assigned
Your Correspondence Dated: February 5, 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 Four 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:

- You have stated in your appeal that you had downloaded the Form 471 along with instructions to complete in May or June 2000. You claim that there was no indication anywhere that a new form would be developed or required to be used. You state that when you completed the basic information on the Form 471 the forms were the correct ones to use. You close by stating that you request the SLD to accept your completed Form 471 (September 1999 forms) that was submitted within the filing window or allow you to resubmit a new Form 471 using the October 2000 forms without any penalty.
- After thorough review of your appeal, it was determined from the Form 471 application submitted that the incorrect OMB-approved FCC Form 471 has been used in Funding Year Four. The lower right hand corner of this form shows September 1999 instead of October 2000. This is the reason the application was rejected for

failing Minimum Processing Standards in Funding Year 4. According to program rules the Form 471 is considered to be received when it has the required information necessary to pass Minimum Processing Standards. Since the Form 471 was not the correct OMB-approved FCC Form 471 for Funding Year 4 (dated October 2000 in the lower right hand corner of the form) it was returned in accordance with program rules. It is also noted with regards to your request to resubmit a new Form 471 using the current OMB-approved FCC Form 471, that the Funding Year 4-window deadline for submitting all Form 471 applications was January 18, 2001. Consequently, the SLD will not data enter your funding requests, 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



Universal Service Administrative Company
Schools & Libraries Division

Fund Year 4 FORM 471-REJECTION LETTER

January 30, 2001

JERRY GATLIN
FLOYD COUNTY SCHOOLS
600 RIVERSIDE PARKWAY
ROME, GA 30161

RECEIVED

JUL 24 2001

FCC MAIL ROOM

Re: Applicant's Form Identifier: FCBOE12
Form 471 Application Number: 263665

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 Form 471 submitted is not the correct OMB-approved FCC Form 471 dated October 2000 in the lower right-hand corner of the form..

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

FLOYD COUNTY BOARD OF EDUCATION

600 RIVERSIDE PARKWAY, N.E.

ROME, GEORGIA 30161-2938

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RECEIVED

JUL 24 2001

February 5, 2001

FCC MAIL ROOM

Letter of Appeal
Schools and Libraries Division
Box 125- Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Dear Sir:

I am submitting a letter of appeal for rejection of my Form 471 263665. A copy of the rejection letter is attached along with Form 470 Receipt Notification Letter.

My Form 470, identifier no. FCBOE12, was mailed July 1, 2000 on FCC Form 470 September 1999. I received the Form 470 Receipt Notification Letter dated September 27, 2000 with the allowable vendor selection/contract date. I had already completed most of my Form 471 information on FCC Form 471 September 1999. The only information needed was the vendor, items to purchase and cost. This information was received in December 2000 before Christmas holidays.

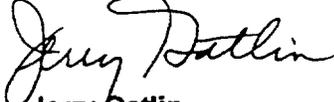
I had downloaded Forms 470 and 471 along with instructions to complete each in May or June 2000. There was no indication anywhere that any new form would be developed and required to be used. When I completed the basic information on the 471 the forms were the correct ones to use.

I am requesting that SLD accept my present completed 471 form properly completed and mailed on time or allow me to resubmit the form 471 on the October 2000 forms without any penalty.

Since I had downloaded both the 470 and 471 forms along with instructions to complete each at the same time how was I to know that any form change would take place. The 470 was completed on the September 1999 form but yet the follow up is required to be completed on a new one changed in the middle of the application period.

I would appreciate a quick review and positive response to my appeal.

Sincerely,



Jerry Gatlin

Enclosures (2)

USAC

UNIVERSAL SERVICE
ADMINISTRATIVE CO.

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

SCHOOLS AND LIBRARIES DIVISION

February 23, 2001

Jerry Gatlin
Floyd County Board of Education
600 Riverside Parkway, N.E.
Rome, Georgia 30161-2938

Jerry Gatlin:

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence regarding the 2001-2002 funding decision on your application. Here are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. 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. 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 decision 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.

We have begun in-depth review of the appeals we have received, and our goal is to respond to you as promptly 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