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September 6, 2001

DAVID A. O'CONNOR
202-828-1889

Internet Address:
doconnor@hklaw.com

VIA HAND DELIVERY

DOCKET FILE COPY ORIGINAL

Magalie Roman Salas, Esq.
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

RECEIVED

SEP - 6 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Chawanakee Joint Elementary School District
Request for Review
CC Docket Nos. 96-45, 97-21
Billed Entity No. 144045
Form 471 Application No. 229391

Dear Ms. Salas:

Transmitted herewith, on behalf of Chawanakee Joint Elementary School District ("Chawanakee"), are an original and four (4) copies of its Request for Review of the decision of the Schools and Libraries Division ("SLD") in the above-captioned proceeding. For the reasons set forth in the Request for Review, Chawanakee requests that the Commission direct SLD to accept Chawanakee's application as having been filed during the SLD's January 2001 filing window.

An extra copy of this filing is enclosed. Please date-stamp the extra copy and return it to the courier for return to me.

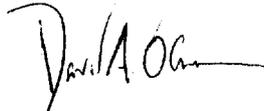
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Magalie Roman Salas, Esq.
September 6, 2001
Page 2

Should you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "David A. O'Connor". The signature is written in a cursive style with a long horizontal stroke at the end.

David A. O'Connor
Counsel for Chawanakee Joint Elementary
School District

Enclosure

cc: Universal Service Administrative Company
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

WAS1 #1011234 v1

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**
Washington, D.C. 20554

RECEIVED

SEP - 6 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
Request for Review by)	
)	
Chawanakee Joint Elementary)	File No. SLD-_____
School District)	
)	
of Decision of Universal Service)	
Administrator)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors)	CC Docket No. 97-21
of the National Exchange Carriers)	
Association, Inc.)	

To: Accounting Policy Division, Common Carrier Bureau

Re: Chawanakee Joint Elementary School District, Billed Entity Number 144045
Form 471 Application Number 229391, Funding Year 4, 7/1/2001- 6/30/2002

Request for Review

Chawanakee Joint Elementary School District ("Chawanakee"), by its attorneys and pursuant to Sections 54.719(c) and 54.721 of the Commission's rules, 47 C.F.R. §§ 54.719(c), 54.721, hereby requests a review of the decision of the Schools and Libraries Division ("SLD") Administrator of the Universal Service Administrative Company regarding Chawanakee's Year Four Funding Request (Form 471 Application Number 229391).

Chawanakee electronically filed its FCC Form 471 on January 17, 2001.¹ However, Chawanakee did not mail the original signature page or Item 21

¹ A copy of Chawanakee's FCC Form 471 is attached hereto as Exhibit 1.

supplemental attachments to SLD until January 19, 2001, one day after the filing window closed.

By a postcard dated July 10, 2001, SLD notified Chawanakee that its application was received after the January 18 window closed.² On July 26, 2001, Chawanakee filed a Letter of Appeal with the SLD.³ The SLD Administrator denied Chawanakee's appeal, indicating that FCC rules did not permit SLD to consider Chawanakee's request.⁴ Chawanakee now submits this appeal of the SLD Administrator's decision to the Commission.⁵

I. In Attempting to Comply with the Paperwork Reduction Act, the Commission Failed to Comply with the Applicable OMB Approval

The SLD improperly rejected Chawanakee's FCC Form 471 application. While it is not stated, it would appear that Chawanakee's FCC Form 471 was rejected because of the FCC Form 471 instructions that require a paper signature in addition to the electronic signature, and that all attachments must be filed as hard copies within the filing window. These obligations, to the extent that they penalize Chawanakee, are invalid pursuant to the Paperwork Reduction Act ("PRA").

The "public protection" provisions of the PRA are as follows:

² See Exhibit 2.

³ See Exhibit 3.

⁴ See Exhibit 4.

⁵ The SLD Administrator's letter is dated August 6, 2001, which would indicate that the deadline for filing Chawanakee's Request for Review would have been September 5, 2001 if the letter was postmarked the same date as it was dated. See 47 C.F.R. § 54.720(a). However, the Administrator's decision was not received by Chawanakee until August 13, 2001 at the earliest, exactly one week after the date of the letter. See Exhibit 4. Although Chawanakee is unable at this time to locate a copy of the SLD envelope showing a postmark date, it would appear that SLD did not mail the letter until some date after August 6, 2001. In any event, as shown in the text herein, Chawanakee may object to the filing requirements of FCC Form 471 "at any time" during the administrative process, pursuant to Section 3512(b) of the PRA, 44 U.S.C.A. § 3512(b).

(a) Notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information . . . if—

(1) the collection of information does not display a valid control number assigned by the Director [of the Office of Management and Budget (“OMB”)]. . . or

(2) the agency fails to inform the person who is to respond to the collection of information that such person is not required to respond to the collection of information unless it displays a valid control number.

(b) The protection provided by this section may be raised in the form of a complete defense, bar, or otherwise at any time during the agency administrative process or judicial action applicable thereto.⁶

These provisions supersede all other laws. See *Saco River Cellular, Inc. v. FCC*, 133 F.3d 25, 33 (D.C. Cir. 1998), *cert. denied*, 525 U.S. 813 (1998). In that case, following the enactment in 1995 of the above subsection (b), the Commission was required to entertain, and ultimately grant, a reconsideration request that was filed years late, because the Commission had not complied with the PRA requirements and because Section 3512(b) entitled the petitioner to raise the “protection provided by” subsection (b) “at any time during the agency administrative process” and “[n]otwithstanding any other provision of law.”

There can be no doubt that FCC Form 471 is a “collection of information,” and the Commission did in fact submit it for approval by OMB. On September 1, 2000, OMB conditionally approved an emergency extension of the form,⁷ *subject to the following “Existing Terms of Clearance”*:

On both FCC Form 470 and FCC Form 471, the FCC shall clearly display *at the top of the forms* the following PRA disclosure statement: ‘An agency may

⁶ 44 U.S.C.A. § 3512.

⁷ See Exhibit 5 hereto, page 1.

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 OMB control number for this information collection is #3060-0806.⁸

On page 1 of the conditional approval, OMB set forth the following:

“NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).”⁹

The Commission did not comply with these “terms of clearance.” Instead, the Commission placed only the following statement at the top of the year 2000 electronic edition of FCC Form 471, which Chawanakee used to make its filing:

“Approval by OMB 3060-0806.”

Thus, the FCC Form 471 as used by Chawanakee was not approved by OMB, since it did not display the information notice required pursuant to Section 3512(a)(2) of the PRA, and since it failed to comply with the specific “terms of clearance” outlined by OMB in its approval of Form 471. The consequence of that failure is that Chawanakee should be permitted to supply any missing information at any time that its application is within the administrative process.¹⁰ The OMB regulations implementing the PRA require that where, as here, an agency has imposed a collection of information as a means for proving or satisfying a condition for the receipt of a benefit that is not in compliance with OMB requirements, the agency must

⁸ *Id.* at 2 (emphasis added).

⁹ *Id.* at 1.

¹⁰ To the extent that the Commission determines that this Request for Review was not timely filed, Chawanakee submits that in light of Section 5(c)(4) of the Communications Act, as amended, 47 U.S.C. § 155(c)(4), and Section 1.117 of the Commission’s rules, 47 C.F.R. § 1.117, the Commission retains jurisdiction over this proceeding and the application therefore remains within the administrative process.

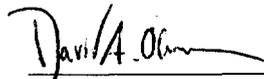
permit a respondent to satisfy the legal conditions in any other reasonable manner.¹¹ In this instance, Chawanakee submits that the most appropriate remedy would be to direct SLD to accept the materials Chawanakee submitted on January 19, 2001, and process the application.

II. Conclusion.

Because Chawanakee cannot be penalized for having failed to comply with the filing requirements of an FCC form that did not comply with the requirements set forth in the OMB approval, and did not display the information notice required by the PRA, Chawanakee urges the Commission to direct SLD to accept Chawanakee's application as having been timely filed during the Year 4 filing window.

Respectfully submitted,

Chawanakee Joint Elementary School District



Mark J. Palchick
Alan Y. Naftalin
David A. O'Connor
HOLLAND & KNIGHT LLP
2099 Pennsylvania Ave., N.W., Suite 100
Washington, DC 20006
(202) 955-3000

Its Attorneys

Dated: September 6, 2001

¹¹ 5 C.F.R. § 1320.6(c).

CERTIFICATE OF SERVICE

I, Laura Ledet, an employee of Holland & Knight LLP, hereby certify that on September 6, 2001, I caused a copy of the foregoing Request for Review to be delivered via first-class mail, postage prepaid to the following:

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


Laura Ledet

EXHIBIT 1

**Schools and Libraries Universal Service Program
Services Ordered and Certification Form 471
Application Display**

Block 1: Billed Entity Information

Applicant's Form Identifier: chaw471yr4

471 Application Number: 229391 **Funding Year:** 07/01/2001 - 06/30/2002 **Billed Entity Number:** 144045

Name: CHAWANAKEE JT ELEM SCHOOL DIST

Address: 33173 ROAD 222 # 4

City: NORTH FORK **State:** CA **Zip:** 93643

Phone: 559-877-4107 **Ext:**

Fax: 559-877-7147

E-mail: ctreber@chawanakee.k12.ca.us

Contact Name: Craig Treber

Address: 33173 ROAD 222 # 4

City: NORTH FORK **State:** CA **Zip:** 93643

Contact Phone: 559-877-4107 **Ext:**

Contact Fax: 559-877-7147 **Ext:**

E-mail: ctreber@chawanakee.k12.ca.us

Contact Mode: FAX

Alternate Contact Info.:

Type of Application: SCHOOL DISTRICT

Ineligible Orgs: N

Block 3: Impact of Services Ordered in THIS Application

Number of students to be served: 991

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	95	105
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	27	27
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	100BT	100BT
d. Dial-up Internet connections: How many before and after your order?	0	0
e. Dial-up Internet connections: Highest speed before and after your order?	NA	NA
f. Direct connections to the Internet: How many before and after your order?	7	7
g. Direct connections to the Internet: Highest speed before and after your order?	T1	T1
h. Internet access(for schools): How many rooms have Internet access before and after your order?	27	27
j. Internet Access: How many computers (or other devices) with Internet access	244	268

before and after your order?

Block 4: Worksheets

Worksheet A No: 248320 Student Count: 991
 Weighted Product (Sum. Column 8): 565.3 Shared Discount: 57%

1. School Name: NORTH FORK ELEMENTARY SCHOOL
 2. Entity Number: 107430 3. Rural/Urban: Rural
 4. Student Count: 362 5. NSLP Students: 194 6. NSLP Students/Students: 53.591%
 7. Discount: 80% 8. Weighted Product: 289.6

1. School Name: SIERRA VIEW ELEMENTARY SCHOOL
 2. Entity Number: 107419 3. Rural/Urban: Urban
 4. Student Count: 388 5. NSLP Students: 75 6. NSLP Students/Students: 19.329%
 7. Discount: 40% 8. Weighted Product: 155.2

1. School Name: SPRING VALLEY ELEMENTARY SCH
 2. Entity Number: 107443 3. Rural/Urban: Rural
 4. Student Count: 241 5. NSLP Students: 43 6. NSLP Students/Students: 17.842%
 7. Discount: 50% 8. Weighted Product: 120.5

Block 5: Discount Funding Request(s)

FRN: 590118	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 679190000335475
13. SPIN: 143001192	14. Service Provider Name: AT&T Corp.
15. Contract Number: T	16. Billing Account Number: 559-683-0808
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: CHAWAN-A1	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$50.15	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$50.15	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$601.80	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00

23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00
23i. Total program year pre-discount amount (23e + 23h): \$601.80
23j. % discount (from Block 4): 57
23k. Funding Commitment Request (23i x 23j): \$343.03

FRN: 590174	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 679190000335475
13. SPIN: 143002665	14. Service Provider Name: Pacific Bell
15. Contract Number: CalNet	16. Billing Account Number: 235-271-5334-433-N-3160
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date: 01/11/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2006	
21. Attachment #: CHAWAN-A3	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$604.25	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$604.25	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$7,251.00	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$7,251.00	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$4,133.07	

FRN: 590426	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 679190000335475
13. SPIN: 143020465	14. Service Provider Name: Verizon Wireless Inc.
15. Contract Number: MTM	16. Billing Account Number: 40083842-401130
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: CHAWAN-A6	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$333.55	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$333.55	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$4,002.60	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$4,002.60	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$2,281.48	

FRN: 590468	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 679190000335475
13. SPIN: 143002658	14. Service Provider Name: Sierra Tel. Co. Inc.
15. Contract Number: T	16. Billing Account Number: 559-701-0233
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: CHAWAN-A5	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$388.84	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$388.84	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$4,666.08	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$4,666.08	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$2,659.67	

FRN: 590671	
11. Category of Service: Internal Connections	12. 470 Application Number: 679190000335475
13. SPIN: 143004693	14. Service Provider Name: EDmin Open Systems, Inc.
15. Contract Number: 1AI054	16. Billing Account Number: N/A
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date: 01/14/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 11/19/2004	
21. Attachment #: A1-#1	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$0.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$25,000.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$25,000.00	
23i. Total program year pre-discount amount (23e + 23h): \$25,000.00	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$14,250.00	

FRN: 590688	
11. Category of Service: Internal Connections	12. 470 Application Number: 679190000335475
13. SPIN: 143004693	14. Service Provider Name: EDmin Open Systems, Inc.
15. Contract Number: 1AI054	16. Billing Account Number: N/A
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date: 01/14/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:

20. Contract Expiration Date: 11/19/2004	
21. Attachment #: A1-#1	22. Block 4 Entity Number: 107430
23a. Monthly Charges: \$0.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$9,500.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$9,500.00	
23i. Total program year pre-discount amount (23e + 23h): \$9,500.00	
23j. % discount (from Block 4): 80	
23k. Funding Commitment Request (23i x 23j): \$7,600.00	

FRN: 590701	
11. Category of Service: Internal Connections	12. 470 Application Number: 679190000335475
13. SPIN: 143004693	14. Service Provider Name: EDmin Open Systems, Inc.
15. Contract Number: 1AI054	16. Billing Account Number: N/A
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date: 01/14/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 11/19/2004	
21. Attachment #: A1-#3	22. Block 4 Entity Number: 107419
23a. Monthly Charges: \$0.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$10,000.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$10,000.00	
23i. Total program year pre-discount amount (23e + 23h): \$10,000.00	
23j. % discount (from Block 4): 40	
23k. Funding Commitment Request (23i x 23j): \$4,000.00	

FRN: 590775	
11. Category of Service: Internal Connections	12. 470 Application Number: 679190000335475
13. SPIN: 143004693	14. Service Provider Name: EDmin Open Systems, Inc.
15. Contract Number: 1AI054	16. Billing Account Number: N/A
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date: 01/14/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 11/19/2004	
21. Attachment #: A1-#4	22. Block 4 Entity Number: 107443
23a. Monthly Charges: \$0.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$7,000.00	23g. Ineligible non-recurring amt.: \$0.00

23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$7,000.00
23i. Total program year pre-discount amount (23e + 23h): \$7,000.00
23j. % discount (from Block 4): 50
23k. Funding Commitment Request (23i x 23j): \$3,500.00

FRN: 590829	
11. Category of Service: Internal Connections	12. 470 Application Number: 679190000335475
13. SPIN: 143004693	14. Service Provider Name: EDmin Open Systems, Inc.
15. Contract Number: N/A	16. Billing Account Number: N/A
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date: 01/14/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 11/19/2004	
21. Attachment #: A2	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$15,252.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$15,252.00	
23i. Total program year pre-discount amount (23e + 23h): \$15,252.00	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$8,693.64	

FRN: 591137	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 679190000335475
13. SPIN: 143002656	14. Service Provider Name: Ponderosa Tel. Co.
15. Contract Number: T	16. Billing Account Number: 559-877-4801
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: CHAWAN-A4	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$2,999.21	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$2,999.21	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$35,990.52	
23f. Annual non-recurring (one-time) charges: \$.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$35,990.52	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$20,514.60	

FRN: 603839

11. Category of Service: Telecommunications Service	12. 470 Application Number: 679190000335475
13. SPIN: 143021228	14. Service Provider Name: Integrated TeleServices, Inc.
15. Contract Number: MTM	16. Billing Account Number: 1000880
17. Allowable Contract Date: 01/14/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2001	19b. Service End Date: 06/30/2002
20. Contract Expiration Date:	
21. Attachment #: CHAWAN-A2	22. Block 4 Worksheet No.: 248320
23a. Monthly Charges: \$589.01	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$589.01	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$7,068.12	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$7,068.12	
23j. % discount (from Block 4): 57	
23k. Funding Commitment Request (23i x 23j): \$4,028.83	

Block 6: Certifications and Signature

- 24a. Schools: Y
- 24b. Libraries or Library Consortia: N
- 26a. Individual Technology Plan: N
- 26b. Higher-Level Technology Plan(s): Y
- 26c. No Technology Plan Needed:
- 27a. Approved Technology Plan(s): Y
- 27b. State Approved Technology Plan: N
- 27c. No Technology Plan Needed:
- 36. Printed Name of Authorized Person: Craig Treber
- 37. Title or Position of Authorized Person: Technology Director
- 38. Telephone Number of Authorized Person: (559) 877-4107 ext.



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HOME CANCEL HELP

FCC Form 471

Services Ordered and Certification Form



Applicant's Form Identifier: chaw471yr4

Entity Number: 144045

Contact Person: Craig Treber

Phone Number: (559) 877-4107

Block 6: Certifications and Signature

Do not write in this area

471 Application Number: 229391

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 school (including, but not limited to) elementary and secondary schools, colleges and 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 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 procurements 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 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.

34. Signature of authorized person *Craig Treber* 35. Date *1/19/2001*

36. Printed name of authorized person **Craig Treber**

37. Title or position of authorized person **Technology Director**

38. Telephone number of authorized person **(559) 877-4107**

**471 Application Number: 229391
CHAWANAKEE JT ELEM SCHOOL DIST
33173 ROAD 222 # 4
NORTH FORK, CA 93643**

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.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 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. 20554.

Please submit this form to: SLD - Form 471
 P.O. Box 7026
 Lawrence, KS 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:
 SLD - Form 471
 C/O Ms. Smith
 3833 Greenway Drive
 Lawrence, KS 66046
 (888) 203-8100

[Return to SLD Home Page](#)

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ATTACHMENT A

A-1
FEB 5 9 01 18

Location District Wide Services

The following describes the range of maintenance services to be provided by EDmin.com. This contract is based on "time and materials." The proposed services are contingent upon final approval by the District.

The purpose of this contract is to ensure Internet access to all points of the district's network of shared services.

The primary purpose of the services for which support is sought must be the delivery of services to the classrooms or other places of instruction at schools and libraries that meet the statutory definition of an eligible institution. Support for the administrative functions of library or education programs is permitted so long as the services are part of the network of shared services for learning. Support will be limited to services delivered to the onsite educational facility or facilities.

EDmin will provide all services and equipment under this contract that will provide a minimum of switched 100BT network service and T-1 Internet Access to all eligible areas of the district. This includes unanticipated component replacement and expansion of the district's network.

All services must be performed between July 1, 2001 and June 30, 2002

EDmin agrees to supply to the District with technical services to meet the district's need for telecommunications and internal connection maintenance. The total good faith estimated costs to the District will be \$51,500

Duties will be limited to only those dealing with maintenance and operation of telecommunications and internal connections as specified in FCC Document *CC Docket No. 96-45 Schools and Libraries Eligibility List*. (Attachment C). Any work not covered on the eligibility list must be covered under a separate contract or invoice.

Work performed on this contract will be charged at an hourly basis. Hourly Pricing for various technician categories under this contract are:

Technician Category	Total
Engineering Manager	\$150.00 hr.
Senior Network Engineer	\$125.00 hr.
Network Engineer	\$100.00 hr.
Computer Technician	\$87.50 hr.
Network Equipment Maintenance at EDmin.com	\$87.50 hr.

All materials costs will be calculated not to exceed the prices in California Master Awards Schedule (CMAS) Contracts 3-00-70-0447D, 3-97-58-0086A and 3-97-70-0447B. All materials shall be verified for their eligibility according to the list of eligible services.

District	Account#	Bill Date	\$ / Month	
Chawanakee	559-877-2215	1-Sep	\$	7.78
Chawanakee	559-868-3621	1-Sep	\$	8.30
Chawanakee	559-868-3443	1-Sep	\$	7.85
Chawanakee	559-868-3375	1-Sep	\$	8.30
Chawanakee	559-692-2044	1-Oct	\$	4.44
Chawanakee	559-683-0808**	1-Oct	\$	13.25
Chawanakee	559-658-2980	1-Oct	\$	0.23
TOTAL MONTH			\$	50.15
TOTAL YEAR			\$	601.80

Attachment #: CHAWAN- A1

Form 470#	679190000335475
Contract Award Date	01/14/01
SPIN #	143001192
Service Provider	AT&T

District	Account#	Bill Date	\$ / Month
Chawanakee	235-271-5000-153-N-0160	7-Oct	\$ 97.31
Chawanakee	235-271-5334-433-N-3160**	7-Oct	\$ 387.24
Chawanakee	559-645-1122-212-N-8160	25-Sep	\$ 103.03
Chawanakee	559-645-6136-486-N-1160	25-Sep	\$ 16.67
TOTAL MONTH			\$ 604.25
TOTAL YEAR			\$ 7,251.00

Attachment #: CHAWAN-A3

Form 470#	679190000335475
Contract Award Date	01/14/01
SPIN #	143002665
Service Provider	Pacific Bell

District	Account#	Bill Date	\$ / Month
Chawanakee	40083842-401130	6-Oct	\$ 333.55
TOTAL MONTH			\$ 333.55
TOTAL YEAR			\$ 4,002.60

Attachment #: CHAWAN-A6

Form 470# 679190000335475
tract Award Date 01/14/01
SPIN # 143020465
Service Provider Verizon Wireless

District	Account#	Bill Date	\$ / Month
Chawanakee	559-701-0233**	1-Oct	\$ 120.00
Chawanakee	559-701-0214	1-Oct	\$ 60.09
Chawanakee	559-701-0208	1-Oct	\$ 90.00
Chawanakee	559-692-2044	1-Oct	\$ 42.30
Chawanakee	559-683-0808	1-Oct	\$ 53.82
Chawanakee	559-658-2980	1-Oct	\$ 22.63
TOTAL MONTH			\$ 388.84
TOTAL YEAR			\$ 4,666.08

Attachment #: CHAWAN-A5

Form 470# 679190000335475
Contract Award Date 01/14/01
SPIN # 143002658
Service Provider Sierra