

Shawnee Mission Public Schools
 Information Services
 Indian Creek Technology Center
 4401 West 103rd Street
 Overland Park, Kansas 66207
 Telephone 993-8800
 FAX - 913-993-8899

DOCKET FILE COPY ORIGINAL

Educating for Life

Appeal of SLD Decision

RECEIVED

September 17, 2001

SEP 25 2001

FCC MAIL ROOM

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

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

On August 8, I sent the attached letter of appeal to the Schools and Libraries Corporation, attaching evidence that I had filed my Forms 471 within the designated window.

I received a denial of this appeal, giving as a reason that the SLD was not authorized to consider a request to waive the application window deadline. I am enclosing a copy of that denial letter.

As you can see by the original appeal, I was not asking to waive the application window deadline. Instead, I was offering evidence that I had met that deadline by providing copies of signed receipts for these submissions sent via certified mail.

I submit that by submitting all required forms on time, via certified mail, and maintaining proper evidence of receipts, that I have done everything possible to ensure the district's eligibility for these funds. It appears that we are now being made to suffer for the administrative error on the part of the SLD. This is clearly not in keeping with the spirit and intent of the Universal Fund.

I request your review and favorable consideration of this appeal.

Rich Cavallaro

Manager, Information Services

No. of Copies rec'd 0
 List ABCDE

Where learning is a tradition

Information Services Department

Shawnee Mission Public Schools

8/8/01 12:54 PM

RECEIVED

4401 W 103 ST
Shawnee Mission, KS 66207

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

SEP 25 2001

FCC MAIL ROOM

This letter appeals the funding commitment report for Long Distance Telephone services application for year 4. The following is provided for your information:

Contact Information:

Name: Rich Cavallaro
Address: 4401 W 103 ST, Shawnee Mission, KS 66207
Phone: (913) 993-8805
Fax: (913) 993-8899
E-mail: richcavallaro@smsd.org

Other Information:

Applicant name: Shawnee Mission Sch Dist 512
Form 471 application #: 230516
Billed Entity Number: 137619

Explanation

I received a pink post card on August 7, 2001 notifying me that my Form 471 was received after the filing deadline of January 18, 2001. A copy of this notification is included as Tab A.

I phoned the SLD and explained that I had sent this Form 471 in January via certified mail, and I had a receipt signed by "NCS Pearson Agent" that indicates the form was received by SLD on January 10, 2001. A copy of that receipt is included as Tab B.

I was told by Josh that my application was probably put in the wrong pile, and that I should write a letter of appeal with this supporting documentation.

Outcome requested:

I request that this application for Internet Services be reinstated as properly received within the published filing window.



Rich Cavallaro
Manager, Information Services

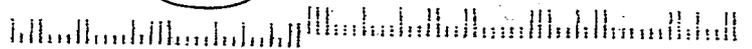
USAC

Schools and Libraries Division
P.O. Box 7026
3833 Greenway Drive
Lawrence, KS 66044-7026

Rich Cavallaro
SHAWNEE MISSION SCH DIST 512
4401 W 103 ST
Shawnee Mission, KS
66204

ATTENTION:
2001-2002 E-RATE APPLICANTS
Applicant Form Identifier: LDX

MAILING DATE:
August 6, 2001



**YOUR FORM 471 HAS BEEN RECEIVED -
BUT POSTMARKED AFTER THE JANUARY 18 WINDOW CLOSED**

We're sending this card to thank you for your recent Form 471 application but also to let you know that your application, Block 6 Certifications, and/or Item 21 attachments were postmarked after the 2001-2002 filing window closed at 11:59 p.m. ET on January 18, 2001.

We are holding your application/attachments. However, your Form 471 application will not be considered for discount funding for the 2001-2002 Funding Year. Sufficient funds are not available.

For more information about the processing of 2001-2002 applications, about appealing the status of your Form 471 application, or about plans for the 2002-2003 application process, please visit our web site at www.sl.universalservice.org. If you do not have access to the Internet, please call the Client Service Bureau at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

TAB A

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SLD - Form 471
 c/o Ms. Smith
 3833 Greenway Dr.
 Lawrence, KS
 66046

2. Article Number (Copy from service label)

Z 141 514 658

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *Jan. 10, 01*
 X *Parsons Agent*
 Agent
 Addressee
 Yes
 No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Z 141 514 658

LDX

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	SLD - Form 471
Street & Number	3833 Greenway Dr.
Post Office, State, & ZIP Code	Lawrence, KS 66046
Postage	\$.34
Certified Fee	1.90 2.20
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.50 2.20
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 2.20 3.74
Postmark or Date	3-74

PS Form 3800, April 1995

TAB B



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

SCHOOLS AND LIBRARIES DIVISION

Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

Administrator's Decision on Waiver Request

August 21, 2001

Rich Cavallaro
Shawnee Mission Public Schools
440 W. 103 Street
Shawnee Mission, KS 66207

Re: Your Request for Waiver of Application Window For Program Year 4 2001-2002

Application Number: 230516

Date Request Received: August 13, 2001

The Schools and Libraries Division received your request, cited above, for a waiver of the application window deadline for the Schools and Libraries Universal Service Support Mechanism (E-Rate).

The Federal Communications Commission (FCC) rules do not permit the Schools and Libraries Division (SLD) to consider your request. Therefore, your request for a waiver of the application window deadline may not be considered by SLD. If you wish to appeal this decision, you may submit an appeal to the FCC at the following address:

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

You must file an appeal with the FCC no later than 30 days from the date of this letter, in order for your appeal to be considered by the FCC.

Schools and Libraries Division
Universal Service Administrative Company