

Educating for Life

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

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

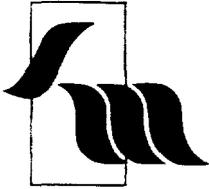
Dear Sir:

I have not yet received a response to my appeal letter dated May 24, a copy of which is enclosed.

Your attention to this matter would be greatly appreciated.

Rich Cavallaro
Manager, Information Services

No. of Copies rec'd 0
List ABCDE



Educating for Life

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

RECEIVED

SEP 25 2001

FCC MAIL ROOM

Appeal of SLD Decision

May 24, 2001

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

Dear Sir or Madam:

I am writing this letter to appeal the Administrator's Decision on a SPIN Change Request. A copy of that Decision Letter, dated May 3, 2001, is included at Tab A. A copy of my letter to SLD requesting to "unbundle" the services that were previously approved to allow for two separate service providers for these approved services, is included at Tab B.

I maintain that this negative SLD decision is inequitable, and is inconsistent with the intent and spirit of the legislation that provides these funds.

The Shawnee Mission School District issued an RFP seeking an Internet Service Provider, and this RFP stipulated that "the ISP shall include all installation and recurring charges, including local loop charges from other carriers completing the circuit". Southwestern Bell Internet Services (SBIS) was awarded the contract, and their SPIN was used to file the Form 471.

Months later, we were informed by SBIS that the local loop service was provided by Southwestern Bell Corporation (SBC), a separate entity, and that SBIS could therefore not provide us with the entire discount that had been approved by the SLD.

I then requested that the SLD "unbundle" the services to allow the services to be provided by the two separate providers: SBIS and SBC. There was no change in the actual services being received, and no effect on the total amount of discount.

The SLD decision letter maintains that I would have had to request this unbundling "through the Receipt Acknowledgement Letter (RAL) correction process, which occurs prior to the funding commitment process." I was not even made aware of the problem until months after the funding commitment process, so this is not a viable solution.

In the interest of equity, I respectfully request that the FCC consider this appeal and allow the services to be unbundled and split between the two service providers as stipulated in my letter to the SLD.


Rich Cavallaro

Manager, Information Services

COPY - MINUS ATTACHMENTS