

SOUTH TEXAS

Independent School District

100 Med High Drive

Mercedes, TX 78570

(956) 565-2454

FAX: (956) 565-4639



Med High

Science Academy

Teacher Academy

South Texas High School-San Benito

Special Education for Exceptional Children

"Liberty without learning is always in peril and learning without liberty is always in vain." — John F. Kennedy

October 30, 2001

Dr. Marla M. Guerra
Superintendent of Schools
South Texas Independent School District
100 Med High Drive
Mercedes, TX 78570

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OCT 31 2001

FCC MAIL ROOM

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

In the matter of:

Request for Review by the South Texas
Independent School District
of Decision of Universal Service Administrator

Federal-State Joint Board on
Universal Service

CC Docket No. 96-45

Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.

CC Docket No. 97-21

The South Texas Independent School District (STISD), billed entity number 141662, seeks review of SLD's full denial of Funding Year 4 application for discounts under the schools and libraries universal service mechanism.

On January 17, 2001, STISD submitted a Funding Year 4 FCC Form 471 number 244967, which included only one funding request. Funding Request Number (FRN) 591567 requested discounted Internet Access service from the Texas General Services Commission (GSC). The amount requested was for \$718.00 per month for 12 months.

On July 23, 2001, SLD issued a Funding Commitment Decision Letter that, *inter alia*, denied funding for FRN 591567 on the grounds that service provider is an "invalid Telecom Provider. Category has been changed from Internet to Telecomm per program rules. This FRN is a request for Telecomm Service from a provider that does not provide telecommunications on a common carriage basis." On August 6, 2001, STISD filed an appeal with SLD, asserting that the service requested was for Internet Access only and therefore the service provider was eligible to provide the telecommunication service listed as per program rules.

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LABODE

BOARD OF DIRECTORS

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A. Hinojosa, Jr., Filomena Leo, Robert J. Lerma, Irma Perez-Treviño, Joe Rodriguez, Erwin W. Scott, Jr., Rene Torres, David W. Vela, Romeo Villarreal
Ron Schraer, Ph.D., Superintendent of Schools

On October 1, 2001, SLD denied the appeal, stating that "it was determined from the original support documentation (attachment twenty-one) submitted for this funding request that this request includes, but is not limited to, voice and video service. Therefore, the category of service for this funding request will remain as telecommunications." These statements are the basis for our appeal.

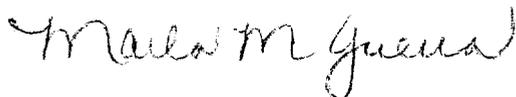
STISD acknowledges that GSC does not provide telecommunication services on a common carriage basis and therefore is ineligible to provide such services. Furthermore, STISD recognizes that the appeal submitted to SLD failed to explain and clearly demonstrate that the contracted service being secured from GSC was for Internet Access only. The decision by SLD is based upon the premise that STISD funding request application includes other services beside Internet. The decision appears to reference service agreement section 1.1 (attachment twenty-one # 2001-471-01.01), which states that "...communications services including, but not limited to, video, voice, routed data, VAX access, and/or Internet." The agreement is a standard form that is used for all the services provided by GSC. This does not mean that STISD, or any other party, is contracting for all the services listed. Furthermore, the agreement clearly states that it is for Internet only. This is done by its heading titled **South Texas ISD - Internet July 1, 2001 through June 30, 2002** and in the agreement section 4.4 stating that "Current billing rate for Internet for South Texas ISD is \$630.00 per month." Therefore, STISD believes that the original documentation provided with the application leading to SLD's denial of funding caused the SLD to incorrectly assume that STISD is requesting funding for other services beyond Internet Access services.

Mr. Dale Butler, Accounts Receivable Supervisor, Department of Information Resources, Telecommunications Services Division for the state of Texas, has indicated his willingness to answer any of your questions pertaining to this appeal. His office phone number is 512-463-4222.

STISD requests that SLD's decision to deny funding be reversed based on the arguments presented and supported by the enclosed documentation. Thank you for your review of our appeal.

Please forward any questions to: Javier Jiménez, Technology Coordinator
100 Med High Drive
Mercedes, TX 78570
Phone # (956) 514-4268 / Fax # (956) 565-0710
Email at javierj@tenet.edu

Sincerely,



Dr. Marla M. Guerra, Superintendent of Schools

Enclosures

Note: The FRN listed in the body of the SLD appeal denial letter is incorrect. The correct FRN is 591567.

TABLE OF CONTENTS
FOR SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT
FCC APPEAL ENCLOSURES

FORM 471 APPLICATION	2 pages
ATTACHMENT 21 FOR 471 APPLICATION	3 pages
STISD CLARIFICATION LETTER FOR 471 APPLICATION	1 page
SLD FUNDING COMMITMENT LETTER	2 pages
STISD LETTER OF APPEAL	4 pages
SLD DECISION ON APPEAL	2 pages

Schools and Libraries Universal Service Program

**Services Ordered and Certification Form 471
Application Display**

Refresh Page Close Print Preview

Back Billing Info Information

Applicant's Form Identifier: 2001-471-01
 471 Application Number: 244967 Funding Year: 07/01/2001 - 06/30/2002 Billed Entity Number: 141662

Name: SOUTH TEXAS INDEP SCHOOL DIST
 Address: 100 MED HIGH DR
 City: MERCEDES State: TX Zip: 78570 9702
 Phone: 956-565-2454 Ext:
 Fax: 956-565-4639
 E-mail: javierjj@aol.com

Contact Name: Javier Jimenez
 Address: 100 MED HIGH DR
 City: MERCEDES State: TX Zip: 78570 9702
 Contact Phone: 956-514-4268 Ext:
 Contact Fax: 956-565-0710 Ext:
 E-mail: javierjj@aol.com
 Contact Mode: PHONE
 Alternate Contact Info.:

Type of Application: SCHOOL DISTRICT

Ineligible Orgs: N

Internet Service Order Summary

Number of students to be served: 2297

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
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?	1.5Mbps	1.5Mbps
h. Internet access(for schools): How many rooms have Internet access before and after your order?	300	300
j. Internet Access: How many computers (or other devices) with Internet access before and after your order?	700	700

Order Summary

Worksheet A No: 268437 Student Count: 2297
 Weighted Product (Sum Column 8): 1657.2 Shared Discount: 72%

1. School Name: SOUTH TEXAS H S-HEALTH PROF
 2. Entity Number: 91491 3. Rural/Urban: Urban
 4. Student Count: 700 5. NSLP Students: 423 6. NSLP Students/Students: 60.428%
 7. Discount: 80% 8. Weighted Product: 560

1. School Name: SOUTH TEXAS H S-SAN BENITO
 2. Entity Number: 91580 3. Rural/Urban: Urban
 4. Student Count: 155 5. NSLP Students: 144 6. NSLP Students/Students: 92.903%
 7. Discount: 90% 8. Weighted Product: 139.5

1. School Name: SOUTH TEXAS H S-TEACHER ACAD
 2. Entity Number: 91383 3. Rural/Urban: Urban
 4. Student Count: 789 5. NSLP Students: 434 6. NSLP Students/Students: 55.006%
 7. Discount: 80% 8. Weighted Product: 631.2

1. School Name: SOUTH TEXAS SCIENCE ACADEMY
 2. Entity Number: 91490 3. Rural/Urban: Urban
 4. Student Count: 653 5. NSLP Students: 198 6. NSLP Students/Students: 30.321%
 7. Discount: 50% 8. Weighted Product: 326.5

Block 4: Program Funding Requests

ERN: 591567	
11. Category of Service: Internet Access	12. 470 Application Number: 884290000305017
13. SPIN: 143005581	14. Service Provider Name: Texas General Services Commission
15. Contract Number: N/A	16. Billing Account Number: CS5
17. Allowable Contract Date: 12/11/2000	18. Contract Award Date: 01/16/2001
19a. Service Start Date: 07/01/2001	19b. Service End Date:
20. Contract Expiration Date: 06/30/2002	
21. Attachment #: 2001-471-01.01	22. Block 4 Worksheet No.: 268437
23a. Monthly Charges: \$718.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$718.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$8,616.00	
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): \$8,616.00	
23j. % discount (from Block 4): 72	
23k. Funding Commitment Request (23i x 23j): \$6,203.52	

Block 6: Certification and Signature

24a. Schools: Y
 24b. Libraries or Library Consortia: N

Item 21 Attachment # 2001-471-01.01

Agency # CS5

**General Services Commission
Telecommunications Services Division
SERVICE AGREEMENT****South Texas ISD - Internet July 1, 2001 through June 30, 2002**

This service agreement is between the General Services Commission/Telecommunications Services Division (GSC/TSD) and the Customer. It is the intent of the parties to comply with the provisions of Texas Government Code Chapter 771, Interagency Cooperative Act and/or Chapter 791 Interlocal Cooperation Act as applicable, and Title 10, Subtitle D, Chapter 2170, Telecommunication Services.

I. GSC/TSD Responsibilities

1.1 GSC/TSD agrees to provide Customer with connectivity through various transmission methods to the TEX-AN network for specific communications services including , but not limited to, video, voice, routed data, VAX access, and/or Internet.

1.2 GSC/TSD will assist and advise the Customer in determining the best and most economical usage of services. Customer may arrange for the purchase of and installation of equipment necessary for the initial startup of new services using existing GSC/TSD equipment contracts. Equipment purchased through GSC/TSD must be in conjunction with the purchase of services. Customer may also purchase telecommunications supplies (cable, etc.) through GSC/TSD Central Supply.

1.3 GSC/TSD will bill monthly for services and/or equipment as required and respond to inquiries regarding Customer's bill. Service rates are available upon request.

II. Customer Responsibilities

2.1 The Customer will provide to GSC/TSD Purchase Orders (PO's), both for equipment and installation charges and for ongoing service.

2.2 It is the Customer's responsibility to designate, in a timely manner, the type of service desired and provide GSC/TSD with information which may affect technical, logistical, engineering, or equipment aspects of service delivery. The Customer is exclusively responsible for any equipment added to their premises. It is the Customer's responsibility to keep GSC/TSD current with information regarding its billing contact, address, telephone numbers, Purchase Order numbers, and responsible party. Payments for services or equipment will be made in full within 30 days of receipt of an invoice or voucher prepared by GSC/TSD as stated in Article 9, Section 78, of the Texas Appropriations Act.

2.3 Customer is a qualified entity to receive goods and services from GSC/TSD. Services will terminate without liability to GSC/TSD should Customer's eligibility status change during the term of this agreement.

2.4 Customer represents that it possesses sufficient current revenues to satisfy the timely payment of goods and services provided by GSC/TSD hereunder.

III. Term

The term of this Service Agreement begins on the date of installation of services and/or equipment. A new Purchase Order will be required at the beginning of the Customer's Fiscal Year or if there are changes to existing services. This Agreement will continue until services are terminated. Services will continue on a month-to-month basis until a new Purchase Order is received.

IV. Billing

4.1 GSC/TSD's first month's billing for services will be for the entire month regardless of the day of the month installation is completed.

4.2 GSC/TSD will waive the last month's services billing regardless of the day of the month the disconnect request is received. Billing for usage charges generated during the last month of service will apply.

4.3 In compliance with Title I, Chapter 121, Section 121, of the Texas Administrative Code: inquiries, corrections, changes or modifications by Customers to the TEX-AN bill must be made in writing to the TSD

Item 21 Attachment # 2001-471-01.01

within 30 days of receipt of bill. Any adjustments to the bill will be made in the subsequent billing period.

4.4 Current billing rate for Internet for South Texas ISD is \$630.00 per month.

V. Termination and Amendments

5.1 Either party may terminate this Agreement with a 30-day written notice. It is the Customer's responsibility to notify GSC/TSD in writing of any changes to each specific service, including the discontinuation of service. If GSC/TSD does not receive written notification, the Customer will continue to be billed monthly until proper notification is received.

5.2 Service rates are subject to change upon 30-days written notice.

5.3 No conflicting terms or conditions found in Customer orders or forms shall become a part of this Service Agreement.

5.4 Amendments to this Service Agreement shall only be effective if submitted in writing, agreed to, and executed in writing by authorized representatives of GSC/TSD and the Customer (or will be sent to customer in writing as changes occur).

5.5 If service and/or communications projects are canceled at any time prior to completion, Customer shall be responsible for all actual costs incurred by GSC/TSD in fulfilling the project. GSC/TSD will bill the Customer for these costs within 30 days of cancellation date of the related project. Customer will pay the invoice within 30 days of receipt.

5.6 In the provision of goods and services, GSC/TSD makes absolutely no warranties or guarantees to Customer, express or implied.

VI. Customer Help Desk

Customer inquiries should be directed to GSC/TSD Help Desk by calling (512) 475-2432. Prime hours of operation are 7:30 A.M. – 5:30 P.M. CST, Monday through Friday, excluding State holidays. GSC/TSD will provide Customer with contacts for emergency service requests.

Customer hereby agrees to the terms and conditions of this Service Agreement.

CUSTOMER: South Texas ISD	GENERAL SERVICES COMMISSION
BY: <u>Ronald G. Schraer</u>	BY: _____
NAME: <u>RONALD G. SCHRAER, PH.D.</u>	NAME: _____
TITLE: <u>SUPERINTENDENT OF SCHOOLS</u>	TITLE: _____
DATE: <u>1-16-2001</u>	DATE: _____

CUSTOMER INFORMATION

NOTE: If there is more than one location, additional signatures and PO's must be submitted to GSC/TSD for each service location.

TECHNICAL CONTACT: <u>JAVIER JIMENEZ</u>	PHONE: <u>956-514-4268</u>
ADDRESS: <u>100 MED HIGH DR.</u>	FAX: <u>956-565-0710</u>
<u>MERCEDES, TX 78570</u>	E-MAIL: <u>javierj@tenet.edu</u>
BILLING CONTACT: <u>ENRIQUE MOYA, JR.</u>	PHONE: <u>956-514-4214</u>
ADDRESS: <u>100 MED HIGH DR.</u>	FAX: <u>956-565-4639</u>
<u>MERCEDES, TX 78570</u>	E-MAIL: <u>enriquemoy@aol.com</u>

Item 21 Attachment # 2001-471-01.01

TAN066-B
11/29/00

GENERAL SERVICES COMMISSION
TELECOMMUNICATONS SERVICES DIVISION
ROUTED DATA/INTERNET/VIDEO
SEP, 00

PAGE 775

CS5000 - SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT

USER: S TEXAS ISD
100 MED HIGH DRIVE
MERCEDDES

CKT: 36.DHDA.668162/CS5000.DHDA.006364.TX
CKR: SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT
CONTRACT/PO: .

USOC	DESCRIPTON	QUANTITY	CHARGE
HBT1	HOUSE BILL T1	1	305.00
IACT	INTRNET ACCESS T1 UP TO 384K	1	300.00
DNSS	DNS/SECONDARY	1	25.00
SERVICE TOTAL:			630.00
USER TOTAL:			630.00
SERVICE TOTAL:			630.00
DIVISION TOTAL:			630.00
SERVICE TOTAL:			630.00
AGENCY TOTAL:			630.00



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Special Education for Exceptional Children

"Liberty without learning is always in peril and learning without liberty is always in vain." — John F. Kennedy

February 28, 2001

Charles Alsbrook
Schools and Libraries Division
Lawrence, KS 66044-7026

Subject: Form 471 Application 244967

As per your phone request, this is a written clarification of the amount listed on the above-referenced form 471 application.

The difference in the monthly amount request of \$718.00 and the bill amount of \$630.00 is because the requested amount includes a 4% monthly service charge, as well as, a 10% allowance recommended by the ISP for future cost increases due to higher bandwidth usage and basic monthly charges.

If you require further information, please contact me by phone at 956-514-4268, by fax at 956-565-0710, or by e-mail at javierj@tenet.edu.

Sincerely,

Javier Jiménez
Technology Coordinator

cc: Ronald G. Schraer, Ph. D.
Superintendent of Schools

Ernesto Alvarado, Construction Manager (956) 514-4252 Graciela Camargo, Dean of Students (956) 514-4219
Janie Corona, Director of Operations (956) 514-4221 Florestella Garcia, Secretary/Receptionist (956) 514-4252
Lucy Hansen, Lead Librarian (956) 514-4268 Javier Jiménez, Coordinator of Technology and Creative Services (956) 514-4268
Irene Z. Marquez, PEIMS Clerk (956) 514-4254 Jamie Mount, Public Information Services Coordinator (956) 514-4255
Sonia Rodriguez, Administrative Assistant to the Superintendent (956) 514-4216
Martin Saenz, Secretary (956) 514-4211 Lucy Vasquez, Receptionist (956) 514-4210
Ron Schraer, Ph.D.; Superintendent (956) 514-4217



FUNDING COMMITMENT DECISION LETTER

(Funding Year 4: 07/01/2001 - 06/30/2002)

July 23, 2001

SOUTH TEXAS INDEP SCHOOL DIST
Javier Jimenez
100 MED HIGH DR
MERCEDDES, TX 78570-9702

Re: Form 471 Application Number: 244967
Funding Year 4: 07/01/2001 - 06/30/2002
Billed Entity Number: 141662

Thank you for your 2001-2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to begin payment to your service provider and provides certified indication that your technology plan(s) has been approved. The Form 486 and instructions can be found on the SLD web site at <www.sl.universalservice.org> or you can call the SLD Client Service Bureau at 1-888-203-8100 and ask that the form be sent to you. The new Form 486, dated July 2001 in the lower right corner, MUST be used for Funding Year 4 and for any previous funding years once it becomes available. Subsequent submissions of earlier versions of the Form 486 will be returned to you and will not be able to be processed. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you.

On December 21, 2000, the Children's Internet Protection Act was signed into law. That law will require schools and libraries that receive Universal Service discounts for certain services to adopt an Internet safety policy incorporating the use of filtering or blocking technology on computers with Internet access as a condition of receiving those discounts. THE LAW DOES NOT, HOWEVER, REQUIRE THIS TO BE IN PLACE FOR FUNDING YEAR 4. RECIPIENTS WILL HAVE TO CERTIFY, HOWEVER, THAT THEY ARE UNDERTAKING SUCH ACTIONS, INCLUDING NECESSARY PROCUREMENT PROCEDURES, TO PUT SUCH TECHNOLOGY PROTECTION MEASURES IN PLACE. For Funding Year 4 (the Funding Year beginning July 1, 2001), Billed Entities filing Form(s) 486 may encounter one or more situations that will affect their filing deadline(s). See the requirements for Funding Year 4 below and the Form 486

FUNDING COMMITMENT REPORT

Form 471 Application Number: 244967
Funding Request Number: 591567 Funding Status: Not Funded
Services Ordered: Telecommunications Service
SPIN: 143005581 Service Provider Name: Texas General Services Commiss
Contract Number: N/A
Billing Account Number: CS5
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Pre-Discount Amount: \$8,616.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Invalid Telecom Provider
Funding Commitment Decision Explanation: Category has been changed from Internet to
Telcomm per program rules. This FRN is a request for Telecomm Service from a provider
that does not provide telecommunications on a common carriage basis.

4

SOUTH TEXAS

Independent School District

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FAX: (956) 565-4639

Med High

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South Texas High School-San Benito

Special Education for Exceptional Children



"Liberty without learning is always in peril and learning without liberty is always in vain." — John F. Kennedy

August 6, 2001

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

Re: Funding Commitment Decision Letter dated 07/23/2001
Funding Year 4: 07/01/2001 - 06/30/2002
Applicant Name: South Texas Independent School District
Form 471 Application Number: 244967
FRN: 591567
Billed Entity No.: 141662

We would like to appeal the decision to deny funding to the above referenced funding request based on the explanation given that "Category has been changed from Internet to Telecomm per program rules. This FRN is a request for Telecomm Service from a provider that does not provide telecommunications on a common carriage."

We respectfully appeal the category change of our request from Internet to Telecomm since the service provided in our request is for Internet Access only. Therefore, our funding request application should be reinstated to the Internet category per program rules. Program rules state that "T-1, also referred as DS-1, can also be offered through an Internet Service Provider as a component of an Internet package and therefore can be listed as Internet Access, as well as a Telecommunications Service."

I am enclosing a copy of our bill and two pages from the updated eligible services list (CC Docket No. 96-45) where above referenced language is found to support our appeal.

Please forward any questions to: Javier Jiménez, Technology Coordinator
100 Med High Drive
Mercedes, TX 78570
Phone # (956) 514-4268 / Fax # (956) 565-0710
Email at javierj@tenet.edu

Sincerely,

Ronald G. Schraer, Ph. D., Superintendent of Schools

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Ron Schraer, Ph.D., Superintendent (956) 514-4217

TAN066-B
11/29/00

GENERAL SERVICES COMMISSION
TELECOMMUNICATONS SERVICES DIVISION
ROUTED DATA/INTERNET/VIDEO
SEP, 00

CS5000 - SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT

USER: S TEXAS ISD
100 MED HIGH DRIVE
MERCEDES

CKT: 36.DHDA.668162/CS5000.DHDA.006364.TX
CKR: SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT
CONTRACT/PO: .

USOC	DESCRIPTON	QUANTITY	CHARGE
HBT1	HOUSE BILL T1	1	305.00
IACT	INTRNET ACCESS T1 UP TO 384K	1	300.00
DNSS	DNS/SECONDARY	1	25.00
SERVICE TOTAL:			630.00
USER TOTAL:			630.00
SERVICE TOTAL:			630.00
DIVISION TOTAL:			630.00
SERVICE TOTAL:			630.00
AGENCY TOTAL:			630.00

<p>T-1 (Trunk Level 1)</p>	<p>T-1, or Trunk Level 1, is a digital transmission facility operating with a nominal bandwidth of 1.544 Mbps. T-1 is also referred to as DS-1 or Digital Signal Level 1 and in most cases is composed of 24 DS-0 channels. The T-1 transmission signal is the primary digital communications signal in North America and is an eligible Telecommunications Service.</p> <p>T-1 can also be offered through an Internet Service Provider as a component of an Internet package and therefore can be listed as Internet Access, as well as a Telecommunications Service.</p>	<p>Yes</p>
<p>Trunk</p>	<p>A trunk is a communications path between two switching systems. The term switching systems typically includes equipment in a telephone company central office and a Private Branch Exchange (PBX). Central Office trunks connect a PBX to the switching system at the central office. Tie trunks connect two PBXs together. Most often trunks are provided by Telecommunications Service Providers and are eligible for funding.</p>	<p>Yes</p>
<p>Toll Charges</p>	<p>IntraState, InterState, International</p>	<p>Yes</p>
<p>Unlisted Telephone Line Charges</p>	<p>These are the monthly charges incurred to have a telephone number not be published in the directory, or provided by "Directory Assistance". Normally, telephone companies provide a telephone listing in the white and yellow pages of the telephone directory free of charge to their business customers. Residential customers normally receive a free listing in the white pages. Charges incurred to have a telephone line unlisted are not eligible for discount.</p>	<p>No</p>
<p>Video Service</p>	<p>A channel with one-way transmission capability for standard 525 line/60 field monochrome, or National Television Systems Committee color, video signal and one or two associated 5 or 15 kHz audio signals.</p> <p>Video Service is considered an eligible service, so long as the service is provided as a commercially available Telecommunications Service from an eligible telecommunications service provider.</p>	<p>Conditional</p>
<p>Voice Mail Service</p>	<p>Voice Mail is a service that allows the user to receive, edit and forward messages to one or more voice mailboxes.</p>	<p>No</p>

ACCESS TO THE INTERNET		
Bundled Access	Bundled access means the service is being provided as package of services, which may contain components that are not eligible, or contain content. Bundled access to the Internet is eligible only when there is minimal content and it is the most cost effective means of securing non-content access to the Internet than other non-content alternatives.	Conditional
Unbundled Access	Unbundled access to the Internet means the eligible services being provided are available individually and are not a part of a package of services.	Yes
Browser	Browser is a generic term for software programs that allow the retrieval and display of documents from the World Wide Web. Also called "clients." Browsers can be graphical, allowing the display of graphic images as well as audio and video files with the appropriate helper applications, or text-based (like Lynx). Browsers are provided by Internet Service Providers as part of the package of services offered to their clients at no additional charge. As with other application software the cost of separate browsers purchased by schools and libraries is not eligible for discount.	Conditional
Caching Service	Caching service is a special high-speed storage mechanism. A block of high-speed memory at the border of a network and the Internet that holds frequently accessed Internet information, thereby reducing retrieval times for information often requested from the Internet. Caching servers owned by and caching service provided by an Internet Service Provider as part of Internet Access service are eligible for discount.	Conditional
Domain Name Registration	Domain Name is the portion of a symbolic name that corresponds to the network number in the IP address. In the symbolic name abc@xyz.org, the domain name is xyz.org. Domain Name Registration is the registering of the name and the charge associated with the registration process. Domain Name Registration and other Web related charges are eligible for discount, if they are components of services offered by the Internet Provider.	Conditional
DS-1 (Digital Signal 1)	DS-1, which stands for Digital Signal 1, is the North American Digital Hierarchy signaling standard for transmission at 1.544 Mbps. DS-1 supports 24 simultaneous DS-0 signals. The term DS-1 is often used interchangeably with T-1, although DS-1 signals may be exchanged over other transmission systems. DS-1 is an eligible Telecommunications Service. DS-1 can also be offered through an Internet service provider as a component of an Internet package used to provide access to the Internet. It is therefore eligible leased as Internet Access as well as a Telecommunications Service. The purchase of a DS-1 facility is not eligible. (see Wide Area Network)	Yes



Lucy Hansen - FY



Universal Service Administrative Company
Schools & Libraries Division

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

October 1, 2001

Ronald G. Schraer
South Texas Independent School District
100 Med High Drive
Mercedes, TX 78570



Re: Billed Entity Number: 141662
471 Application Number: 244967
Funding Request Number(s): 591567
Your Correspondence Dated: August 6, 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: 596196
Decision on Appeal: **Denied in full**
Explanation:

- You have stated on appeal that this request was incorrectly changed from Internet access to telecommunications by SLD. You state that this is a request for T-1 Internet access. You would like the category of service changed back to Internet access, and discounts provided for this request.
- After thorough review of the appeal, it was determined from your original support documentation (attachment twenty-one) submitted for this funding request that this request includes, but is not limited to, voice and video service. According to SLD program rules this is a telecommunications service. Therefore, the category of service for this funding request will remain as telecommunications. SLD's review of your application determined that the telecommunications provider you selected is not eligible to receive universal service support because it does not provide telecommunications services on a common carrier basis. You did not demonstrate in

your appeal that the telecommunications provider you selected is an eligible provider. Consequently, SLD denies your appeal.

- Your Form 471 indicates that you selected an ineligible telecommunications provider: **Texas General Services Commission**. FCC regulations provide that only telecommunications carriers are eligible for universal service support. *See* 47 C.F.R. § 54.501(a). FCC regulations define telecommunications carriers as any provider of telecommunications services, and telecommunications services as “the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.” 47 C.F.R. § 52.5(g), (h). Because this mirrors the common law definition of a “common carrier,” the FCC has determined that to be eligible to receive universal service support, the provider must provide telecommunications services on a common carrier basis. *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 ¶ 134 (rel. May 8, 1997).

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