

HOMER-CENTER SCHOOL DISTRICT

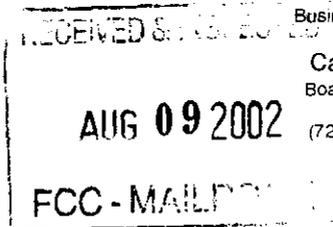
Dr. Joseph F. Marcoline
Superintendent
(724) 479-8080

FAX: (724) 479-3967

65 Wildcat Lane
Homer City, PA 15748-1602

Beverly Gardner
Business Manager

Carol Black
Board Secretary
(724) 479-3601



"Where Everybody is Somebody"

July 30, 2002

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

RE: CC Docket Nos. 96-45 and 97-21
Appeal of Funding Commitment Decision Letter of April 24, 2002 regarding
FRN 820772

Applicant Name: Homer-Center School District
Contact Information: Beverly N. Gardner
Homer-Center School District
65 Wildcat Lane
Homer City, PA 15748
Telephone: 724-479-3601
Fax: 724-479-3967
E-mail: bgardner@homercenter.org

Entity Number: 125400
Funding Year: 2002 (07/01/2002-06/30/2003)
From 471 Application Number: 0000305376
Form 470 Application Number: 170500000393683

Reason for Denial: The 470 cited did not include service of this type; therefore it does not meet the 28 day competitive bidding requirement.

Per the attached letter dated July 22, 2002, our school district was notified by the Schools and Libraries Division of the Universal Services Administrative Company that our appeal of a funding commitment decision could not be considered because the letter of appeal was received more than sixty days after the initial Form 471 Certification-Rejection Letter was issued. I am writing to request further consideration of our appeal regarding the denial of the above funding request. I realize that our appeal did not comply with the

No. of Copies rec'd _____
List ABCDE _____

sixty-day appeal requirement, but I hope that the special circumstances surrounding the timing of our appeal will be given consideration.

I act as the contact person for our small, rural school district. I became ill on May 6, 2002 and was subsequently hospitalized for unexpected surgery. A six-week recovery period followed a weeklong hospital stay and I returned to work on July 1, 2002. Upon my return to work on that date, I reviewed the district's funding commitment decision letters for Year 5 of the educational rate discount program. Due to my leave of absence from work for medical reasons and the fact that our district does not employ anyone to perform my duties in my absence, I am respectfully submitting this appeal regarding the denial of the above funding request for your consideration.

Prior to filing our initial appeal, I contacted your Client Service Bureau to learn more about the specifics of this funding decision. A representative discussed the basis of the denial with me and opened a case for this appeal. The number assigned to this case is 129292.

When I reviewed both the applicable Form 471 and Form 470, I discovered that an error was made when the Form 471 was completed on-line. Our Form 471, as keyed, indicated that Internet Access was the type of service being requested. The actual type of service applicable to this funding request is telecommunications. Our Form 470 had been properly completed, stating our request for telecommunication services. The twenty-eight day bidding requirement was therefore successfully met for the telecommunication services being requested.

I hope that you will review our funding request once more having been provided the above clarification. And I hope that you find it in the best interests of our school district to consider this appeal even though our initial appeal was not submitted within the sixty-day appeal period. Please feel free to contact me if you should need any additional information

Thank you for your consideration.

Respectfully submitted,



Beverly N. Gardner
Business Manager

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

RECEIVED
AUG 09 2002
FCC - MAIL

Administrator's Decision on Appeal

7/22/02

Beverly N. Gardner
Homer-Center School District
65 Wildcat Lane
Homer City, PA 15748-1602

Re: Application Number: 305376
Funding Year: 2002-2003
Date of Issuance of {Rejection Letter
/Postcard Notification/Funding
Commitment Letter}: 04/24/2002
Date Appeal Received: 07/08/2002

Our records show that your appeal was received more than 60 days after the date your Form 471 Certification-Rejection Letter was issued (see dates above). The Federal Communications Commission (FCC) rules require applicants to submit appeals so USAC/SLD receives them within 60 days of the date that the relevant Funding Commitment Decision Letter was issued. (See "Appeals Procedure" at <http://www.sl.universalservice.org/reference/AppealsProcedureYR4.asp>) The FCC rules do not permit the SLD to consider your appeal. If you wish to continue this process, you may submit a new appeal via the United States Postal Service, stating the impediment to your filing your appeal within the original time, to the FCC at the following address:

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

If you are submitting your appeal to the FCC by means other than the United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be considered filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, www.sl.universalservice.org, or by contacting the Client Service Bureau at 1-(888)-203-8100.

Schools and Libraries Division
Universal Services Administrative Company