

MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 56

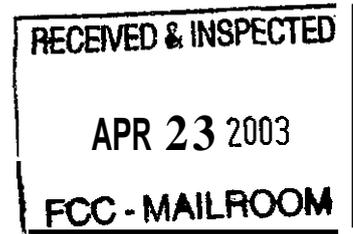
FRANKFORT • SEARSPORT • STOCKTON SPRINGS  
6 MORTLAND ROAD  
SEARSPORT, ME 04974-3332

BRIAN A. MACFARLAND  
BUSINESS MANAGER

TELEPHONE: [207] 548-2320  
FAX: [207] 548-2310  
EMAIL: brianam@hs.msad56.k12.me.us

April 18, 2003

FCC, Office of the Secretary  
445-12th Street SW  
Washington, DC 20554



Reference: CC Docket Nos.96-45  
CC Docket Nos. 97-21

Dear Sir or Madam:

Enclosed please find documents from the Schools & Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") which has denied in **full** our appeal to have the service start date for Funding Request Numbers: 609299,600231,608969,585230 returned to 07/01/2001.

As indicated in our initial appeal to the SLD and reiterated in the administrator's decision letter, a change in personnel resulted in the failure to prepare and process the appropriate Form 486 for Funding Year 2001. This fact did not come to light until we filed our BEAR forms at the end of the year.

As we are a **small** school district in Maine, which stands to loose approximately \$30,000 in Erate discounts from Funding Year 2001, we respectfully appeal to the FCC for a waiver to have our Service Start Date for Funding Year 2001 returned to 07/01/2001.

Thank **you for** your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Brian A. MacFarland".

Brian A. MacFarland  
Business Manager

Cc: The Hon. Olympia J. Snowe, U.S. Senator  
Enclosures

no. of copies rec'd 013  
DATE



**Administrator’s Decision on Appeal - Funding Year 2001-2002**

April 14,2003

Brian A. MacFarland  
Maine School Administrative District No. 56  
6 Mortland Rd.  
Searsport, ME 04974

Re: Billed Entity Number: 121762  
471 Application Number: 239.170  
Funding Request Number(s): 609299  
Your Correspondence Dated: December 11,2002

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 2001 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 60-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: 609299  
Decision on Appeal: Denied **in full**  
Explanation:

- In your appeal letter, you stated that the employee responsible for preparing and processing all e-rate forms terminated without preparing and processing the appropriate Form 486 for Funding Year 2001. You acknowledge that this was an oversight by the school, and ensure that it does not happen again. You wish to appeal the Service Start Date to return to 7/1/01.
- It is the responsibility of the applicant to submit all forms correctly and submit them on time.
- Program rules state that if the date of your Funding Commitment Decision Letter was on or before October 28,2001 and the Service Start Date you reported on your Form 486 was on or before October 28,2001, your Form 486 must have

043

been received or postmarked on or before October 28,2001. The date of your Funding Commitment Decision Letter for FCC Form 471 #249470 was 7/23/01. The Service Start Date you reported on your Form 486 was 7/2/01, The postmark date of your Form 486 was 11/8/02. Since your FCC Form 486 was postmarked after October 28, 2001, the SLD has revised your Service Start Date to your FCC Form 486 postmark date and reduced your funding commitment amount based on the revised Service Start Date.

- FCC rules provide that in Funding Year 2001, the FCC Form 486 must be postmarked no later than October 28,2001 and that for subsequent funding years, the FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. **See** 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 2001 Funding Commitment Decision letter notified you that “[I]f your services start after October 28,2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.” **See** Funding Commitment Decision Letter (Funding Year 2001: 07/01/2001 – 06/30/2002), page 2. Since your FCC Form 486 was postmarked more than 120 days after the Service Start Date you indicated on your FCC Form 486, SLD has reduced your funding.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12<sup>th</sup> Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than 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 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](http://www.sl.universalservice.org).

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



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

April 14, 2003

Brian A. MacFarland  
Maine School Administrative District No. 56  
6 Mortland Rd.  
Searsport, ME 04974-3332

Re: Billed Entity Number: 121762  
471 Application Number: 243720  
Funding Request Number(s): 600231  
Your Correspondence Dated: December 11, 2002

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 2001 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 60-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: 600231  
Decision on Appeal: Denied in **full**  
Explanation:

- In your appeal letter, you stated that the employee responsible for preparing and processing all e-rate forms terminated without preparing and processing the appropriate Form 486 for Funding Year 2001. You acknowledge that this was an oversight by the school, and ensure that it does not happen again. You wish to appeal the Service Start Date to return to 7/1/01.
- It is the responsibility of the applicant to submit **all** forms correctly and submit them on time.
- Program rules state that if the date of your Funding Commitment Decision Letter was on or before October 28, 2001 and the Service Start Date you reported on your Form 486 was on or before October 28, 2001, your Form 486 must have

been received or postmarked on or before October 28, 2001. The date of your Funding Commitment Decision Letter for FCC Form 471 #243720 was 7/23/01. The Service Start Date you reported on your Form 486 was 7/2/01. The postmark date of your Form 486 was 11/8/02. Since your FCC Form 486 was postmarked after October 28, 2001, the SLD has revised your Service Start Date to your FCC Form 486 postmark date and reduced your funding commitment amount based on the revised Service Start Date.

- FCC rules provide that in Funding Year 2001, the FCC Form 486 must be postmarked no later than October 28, 2001 and that for subsequent funding years, the FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. *See* 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 2001 Funding Commitment Decision letter notified you that “[I]f your services start after October 28, 2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.” *See* Funding Commitment Decision Letter (Funding Year 2001: 07/01/2001 – 06/30/2002), page 2. Since your FCC Form 486 was postmarked more than 120 days after the Service Start Date you indicated on your FCC Form 486, SLD has reduced your funding.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12<sup>th</sup> Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than 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 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](http://www.sl.universalservice.org).

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company