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# Nemaha Valley Schools

**UNIFIED SCHOOL DISTRICT NO. 442**  
 318 Main Street  
 SENECA, KANSAS 66538-1924

Ph: 785-336-6101  
 Fax: 785-336-2269

**BRIAN L. HARRIS, SUPERINTENDENT**

**NEMAHA VALLEY HIGH SCHOOL**  
 PATRICK MCKERNAN, PRINCIPAL  
 Ph. 785-336-3557 • Fax 785-336-3872  
 214 North 11th, Seneca, KS 66538-1798

**SENECA GRADE AND N.V.J.H.S.**  
 AMY BECK, PRINCIPAL  
 Ph. 785-336-2173 • Fax 785-336-2174  
 709 Nemaha, Seneca, KS 66538-1738

**MARSHALL-NEMAHA COUNTY  
 SPECIAL EDUCATION CO-OP**  
 WANDA HARTMAN, DIRECTOR  
 Ph. 785-336-2181 • Fax 785-336-2288  
 316 Main, Seneca, KS 66538-1924

# Fax

<b>To:</b> Federal Communications Com.	<b>From:</b> U.S.D. #442, Nemaha Valley Schools
<b>Fax:</b> 202-418-0187	<b>Pages:</b> 20
<b>Phone:</b>	<b>Date:</b> July 7, 2003
<b>Re:</b> Appeal	<b>CC:</b>
CC Docket No. 02-6	
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input checked="" type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	

An original copy will be sent via registered mail.

Brian Harris, Superintendent of Schools  
 e-mail: bharris@nvschools.org

RECEIVED & INSPECTED

JUL - 7 2003

FCC - MAILROOM

No of Copies rec'd 011  
 List ABCDE

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# Nemaha Valley Schools

**UNIFIED SCHOOL DISTRICT NO. 442**  
 318 Main Street  
 SENECA, KANSAS 66538-1924

Ph: 785-336-6101  
 Fax: 785-336-2268

**BRIAN L. HARRIS, SUPERINTENDENT**

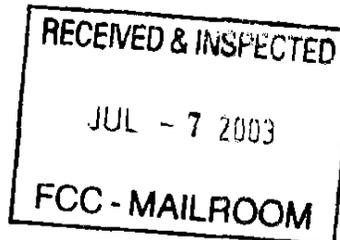
**NEMAHA VALLEY HIGH SCHOOL**  
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 WANDA HARTMAN, DIRECTOR  
 Ph. 785-336-2181 • Fax 785-336-2268  
 316 Main, Seneca, KS 66538-1924

July 7, 2003

Federal Communications Commission  
 Office of the Secretary  
 445 12<sup>th</sup> Street SW  
 Washington, DC 20554



**RE: CC Docket No. 02-6**

**Appeal of Administrator's decision of the Schools and Libraries Division, Universal Service Administrative Company**  
**Billed Entity Number: 137673**  
**471 Application Number: 336113**  
**Funding Request Number: 912845**

We are appealing the decision issued on June 27, 2003 of the Administrator of the SLD (attachment no. 1). We believe that correctable errors have been made that should allow our funding request. I have tried to outline the reasons for our appeal and the sequence of events leading to this appeal.

**Reasons for the appeal:** On May 1, 2003 we received a Funding Commitment Letter from the SLD informing us that we had "canceled" Form 471 application number 336113 (attachment no. 2). This application dealt with services from SBC as part of the Kansas Distance Learning Consortium for telecommunications leasing. This application was very similar to the one approved by the SLD for 2002 and allows us to receive affordable long distance learning service in a rural area. We were very surprised at this action, as our two other applications had been approved as submitted for Internet service and for telephones.

Immediately upon receiving this letter I called the SLD Help Line and I was asked if we had "marked up" the Receipt Acknowledgement Letter (RAL) dated January 22, 2003 (attachment no. 3). I said we had not and asked why would we since we want and need the service? I was also told that perhaps a data entry error had been made.

We concur that we sent in a letter on November 8, 2002, "withdrawing", but not canceling, the application temporarily (attachment no. 4). What had occurred was that as while Shelly Delaney was working "on-line" with a 470 it was submitted before it was complete. In calling the SLD Shelly was told the technology supporting the on-line filing was having problems that day. Shelly was told to FAX a letter to the SLD asking that the application be withdrawn. She did as requested by the SLD and evidently included the number for the 471 under concern of this appeal. Following her FAX we received no confirmation contact or letter. The letter from Shelly Delaney says we were "withdrawing" the application that was not complete. We never had any intention of "canceling" an application permanently and had no understanding that is what we were doing. If in fact the SLD technology had been working properly this entire matter would

Page Two - FCC

not be where we are today. On December 12, 2002, we submitted the correct Form 471 for application 336113 (attachment no. 5). On January 22, 2003 we received from the SLD a Receipt Acknowledgement Letter for the application (attachment no. 3) that indicated that the SLD had received our 471 and indicated the amount applied for and the discount percentage that would be allowed (see page 5 of 5). This clearly led us to believe that all was fine and that formal approval would be forthcoming in the future.

At this point I would refer you to page 2 of 5 of the RAL. You will note the five steps on how to correct or cancel a 471 application. We did none of these, did not mark up the RAL and did not return the RAL to the SLD. Page 1 of the RAL clearly states "NOTICE: THIS NOTIFICATION IS AN ACKNOWLEDGEMENT OF RECEIPT AND SUCCESSFUL DATA ENTRY OF YOUR FORM 471, SERVICES ORDERED AND CERTIFICATION FORM, REFLECTING \$15,936.00 IN TOTAL PROGRAM YEAR PRE-DISCOUNT COSTS FOR SERVICES. THIS LETTER CONFIRMS THAT FORM 471 AND SIGNED OR ELECTRONICALLY CERTIFIED FORM 471 CERTIFICATION HAVE BEEN RECEIVED." This RAL was for application 336113, the same application that on May 1 would be denied with the explanation: "FRN canceled in accordance with RAL request (see page 5 of 5 of the May 1, 2003, Funding Commitment Decision Letter)." Our position is that if our application had been permanently canceled in November, why would we receive a RAL in January from the SLD clearly showing that the application had been received and was successfully entered in the system for processing? Why would the May 1, 2003 letter say we had canceled the application by sending the RAL back when in fact we did not? Since we did not send the RAL back to the SLD asking that the application be canceled is it not a logical assumption that the application was not canceled?

On May 6, 2003 we sent an appeal to the SLD, received a letter dated May 15, 2003 that our appeal had been received (attachment no. 6), and then received the SLD decision dated June 27, 2003. In the decision letter it is stated, ".....program rules do not allow for the re-instatement of a cancellation unless there was an error on the part of the SLD."

#### Summary of Reasons for Appeal

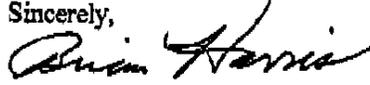
1. While we admit sending a letter dated November 8, 2002 to the SLD saying we were "withdrawing" the Form 471 in question, it was our understanding that we had to do this to be able to submit a completed and accurate 471.
2. We submitted a complete and accurate Form 471 on December 12, 2002, for application 336113.
3. We received a letter from the SLD on January 22, 2003 stating that application 336113 had been received and successfully entered. Also, we did not mark-up, correct or in any way change the RAL and did not send the RAL back to the SLD as required under program rules for cancellation.
4. That except for a confusion of numbers we fully qualify for the discount and that the services we applied for are fully eligible for funding. We met all deadlines and applied within the required funding window. We received funding for the same service in 2002.

I am asking that the decision of the SLD dated June 27, 2003 be reversed and that a small school district in rural Kansas receive funding for services that are critical to our students. I am hoping that I have been clear in my information and reasoning. If not, I would be pleased to answer questions by telephone.

Page Three – FCC

Thank you for your consideration of our appeal for the students of U.S.D. 442.

Sincerely,



Brian Harris  
Superintendent of Schools

c: United States Senator Sam Brownback, Kansas  
United State Senator Pat Roberts, Kansas  
United State Congressman Jerry Moran, Kansas

*Attachment No. 1*

Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal - Funding Year 2003-2004**

June 27, 2003

Shelly Delaney  
Nemaha Valley Unified School District 442  
318 Main Street  
Seneca, KS 66538

Re: Billed Entity Number: 137673  
471 Application Number: 336113  
Funding Request Number(s): 912845  
Your Correspondence Dated: May 6, 2003

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 2003 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:** 912845  
**Decision on Appeal:** **Denied in full**  
**Explanation:**

- In your letter of appeal, you state that you never requested to cancel FRN 912845. You believe that a mistake was made by the data entry group at the SLD and are asking for the funding commitment to be restored.
- Upon review of this appeal, it has been determined that in a letter dated November 8, 2002 and signed by Shelly Delaney, a request was made to withdraw Form 471 application number 336113 as it was accidentally submitted. *This application contains a single FRN numbered 912845. You have the sole responsibility for the control and submission of your Form 471 applications and program rules do not allow for the re-instatement of a cancellation unless there was an error on the part of the SLD. Consequently, your appeal is denied.*

## *Attachment No. 1*

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and 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 or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

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

Schools and Libraries Division  
Universal Service Administrative Company



Universal Service Administrative Company  
Schools & Libraries Division

**FUNDING COMMITMENT DECISION LETTER**

(Funding Year 2003: 07/01/2003 - 06/30/2004)

May 1, 2003

*Attachment no. 2*

NEMAHA VALLEY UN SCH DIST 442  
Shelly Delaney  
318 MAIN ST  
SENECA, KS 66538-1924

Re: Form 471 Application Number: 336113  
Funding Year 2003: 07/01/2003 - 06/30/2004  
Billed Entity Number: 137673  
Applicant's Form Identifier: 2004 kldc

Thank you for your Funding Year 2003 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

**NEW FOR FUNDING YEAR 2003**

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

**NEXT STEPS**

- Review technology planning requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

**FUNDING COMMITMENT REPORT**

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (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.

**TO APPEAL THIS DECISION:**

If you wish to appeal the decision indicated in this letter, your appeal must be RECEIVED BY THE SCHOOLS AND LIBRARIES DIVISION (SLD) WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision Letter (FCDL) you are appealing. Indicate the relevant funding year and

## Attachment No. 2

the date of the FCDL. Your letter of appeal must also include the applicant name, the Form 471 Application Number, and the Billed Entity Number from the top of your letter.

3. When explaining your appeal, copy the language or text from the funding synopsis that is at the heart of your appeal, to allow the SLD to more readily understand and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of either the e-mail or fax filing options to expedite filing your appeal.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be RECEIVED BY THE FCC WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and 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 or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options because of continued substantial delays in mail delivery to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the SLD and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

# Attachment No. 2

## FUNDING COMMITMENT REPORT

Form 471 Application Number: 336113  
Funding Request Number: 912845 Funding Status: Not Funded  
Services Ordered: Telecommunications Service  
SPIN: 143022137 Service Provider Name: SBC Advanced Solutions, Inc.  
Contract Number: MTM  
Billing Account Number: (785)336-6101  
Earliest Possible Effective Date of Discount: 07/01/2003  
Contract Expiration Date: 06/30/2004  
Annual Pre-discount Amount for Eligible Recurring Charges: \$15,936.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$15,936.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Applicant request  
Funding Commitment Decision Explanation: ERN canceled in accordance with RAL request.

**USAC****Universal Service Administrative Company**  
Schools & Libraries Division**FORM 471 RECEIPT ACKNOWLEDGMENT LETTER**  
(Funding Year 2003: 07/01/2003 - 06/30/2004)

January 22, 2003

*Attachment No. 3*NEMAHA VALLEY UN SCH DIST 442  
Shelly Delaney  
318 MAIN ST  
SENECA, KS 66538-1924Re: Form 471 Application Number: 336113  
Funding Year 2003: 07/01/2003 - 06/30/2004  
Applicant's Form Identifier: 2004 kldc  
Billed Entity Number: 137673

NOTICE: This notification is an acknowledgment of RECEIPT and SUCCESSFUL DATA ENTRY of your FCC Form 471, Services Ordered and Certification Form, reflecting \$15,936.00 in total program year pre-discount costs for services. This letter confirms that the Form 471 and signed or electronically certified Form 471 Certification have been received.

NOTE: Item 25 on the Form 471 is a certification that you have secured access to the resources necessary to pay for (1) the non-discounted portion of the costs for eligible services within the funding year as well as (2) the ineligible products and services to make effective use of the eligible services you have requested. "Secured access" means that you can show that these funds are, or will be, part of your annual budget; or, if you are obtaining the funds from an outside source, that these funds have been promised to you. IF YOU OBTAIN THESE FUNDS FROM AN OUTSIDE SOURCE, THE FUNDS MUST NOT COME DIRECTLY OR INDIRECTLY FROM YOUR SERVICE PROVIDER(S). YOUR SERVICE PROVIDER(S) MAY NOT WAIVE THE NON-DISCOUNTED PORTION OF THE COSTS.

This letter does NOT contain any decisions concerning your requests for discounts. Note, however, the three-week response deadline described below.

Please keep this letter for your records. The Form 471 Application Number cited above is critical for you to link your application to future Schools and Libraries Division (SLD) communications.

Please be advised that the last of your Form 471 application materials identified above was postmarked or received by the SLD on 12/12/2002 and successfully entered into our data system. SLD's Program Integrity Assurance (PIA) Team will now review your application for compliance with program rules. Once the review of your application has been completed, you will receive one or more Funding Commitment Decision Letters (FCDL) to inform you of the disposition of your application. Until you receive an FCDL from the SLD, you cannot assume that you will receive the discounts for which you are applying.

Your application will be considered within the Form 471 application filing window wherein all applications that meet the Minimum Processing Standards are treated as though they were received on the same day.

**HOW TO USE THIS 471 RECEIPT ACKNOWLEDGMENT LETTER (RAL) TO CORRECT INFORMATION ON YOUR FORM 471 (ACT WITHIN 3 WEEKS!)**

If you find data entry errors on this letter, or you previously identified errors on your Form 471, these can be corrected using this Form 471 RAL. Examples of the errors

*Attachment No. 3*

that can be corrected are:

**CORRECTIONS TO BLOCK 1 INFORMATION:** You may correct Block 1 items such as the applicant's e-mail address, contact person's name, street address, etc.

**REDUCTIONS TO BLOCK 5 FUNDING REQUESTS:** You may request reductions to Block 5 Funding Requests except for those that would increase your discount percentage due to a change in recipients of that Block 5 service. You may wish to reduce requests if you:

- will not be able to make use of services for which you requested Funding Year 2003 discounts, or
- based your Funding Year 2003 funding request(s) for tariffed or month-to-month service on a projected rate increase that is now known to be much smaller than expected.

**CANCELLATIONS OF BLOCK 5 FUNDING REQUESTS:** You may wish to request to cancel Block 5 Funding Requests if you:

- duplicated pending requests in Forms 471 where you had not received an FCDL before the close of the Form 471 application filing window, or
- will not be able to make use of services for which you requested Funding Year 2003 discounts.

The SLD encourages applicants who know that they will not use all of the amounts requested to notify the SLD of an appropriate reduction to or cancellation of these Funding Requests. This action would allow the SLD to distribute the amounts that are available for the funding year more effectively.

**CORRECTION OF AN INCORRECT SPIN (Service Provider Identification Number):**

Corrective SPIN Changes are allowed. These include corrections because

- there was a data entry error, or
- the company has merged with or been acquired by another company.

Requests to change service providers for other reasons cannot be accommodated through the RAL Correction Process.

**UNBUNDLING AN FRN:** You may request to "split" or "unbundle" incorrectly combined FRNs with two or more services from different service providers (for example, local phone service from one company and long distance service from another), or from different eligible service categories (such as Internal Connections and Internet Access).

**NOTE:** The total dollar amount represented by the newly divided FRNs must not exceed the amount you requested for the original combined FRN. On the photocopy of your RAL, cross out the original bundled FRN, then write in the SPIN, Service Provider Name, Services Ordered category, Total Program Year Pre-Discount dollar amount, and Discount for each distinct service you have now "unbundled," making sure that the total dollars requested add up to no more than the ORIGINAL request.

To notify us of the allowable corrections you wish to make, please note that the SLD must receive these corrections within three weeks of the date of this letter. Follow these simple steps to make corrections:

1. Photocopy your RAL.
2. Draw a line through each incorrect item, and mark clearly next to it what the correct information should be.
3. Please write the name of the contact person and the contact person's e-mail address, fax number, or telephone number on the first page of the RAL copy that will be sent to the SLD so that we can contact you if we have questions about your requested changes.
4. Make a photocopy of your marked-up letter to keep for your files.
5. Send your marked-up letter to arrive within three weeks of the date of this RAL. Corrections may also be filed electronically, either by e-mail or by fax. Requests submitted by e-mail or fax will be considered filed on a business day if they are received at the SLD at any time up to 12:00 a.m. (midnight) ET. Requests received after that time will be considered received on the next business day.

Send your marked-up letter by US Postal Service or other carrier to:

Data Entry Corrections  
Schools and Libraries Division  
Box 125 - Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

*we did not send in a corrected RAL*

*Attachment No. 3*

FRN: 912845  
SPIN: 143022137 Service Provider Name: SBC Advanced Solutions, Inc.  
Category of Services: Tele Svc(s)  
Pre-discount Dollar Amount: \$15,936.00  
Discount Percentage: 56%

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*The above shows what we applied for over two months after the 471 was allegedly cancelled.*

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# Nemaha Valley Schools

**UNIFIED SCHOOL DISTRICT NO. 442**  
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**BRIAN L. HARRIS, SUPERINTENDENT**

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**SPECIAL EDUCATION CO-OP**  
WANDA HARTMAN, DIRECTOR  
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318 Main, Seneca, KS 66538-1924

November 8, 2002

*Attachment No. 4*

Joyce Worley  
Schools & Libraries Universal Service  
Fax # 888-276-8736

Re: Nemaha Valley Schools  
Entity Number 137673

Dear Joyce:

Per your instructions please withdraw Form 471, Case No. 152557, Application #336113 as it was accidently submitted.

Thank you  
  
Shelly Delaney

Case: 152557

Attachment No. 5

FORME CANCEL HELP

Sent Cent.

Mail 12-12-02

SD

# FCC Form 471

## Services Ordered and Certification Form

Applicant's Form Identifier: 2004 kidc

Contact Person: Shelly Delaney

Phone number: (706) 338-1111

### Block 6: Certifications and Signature

Do not write in this area

471 Application Number: 336113

24. The entities listed in Block 4 of this application are eligible for support because they are: (check one or both)

- a.  schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(13) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b.  libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1998 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities

25. The eligible schools and libraries listed in Block 4 of this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.

26. All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:

- a.  an individual technology plan for using the services requested in this application; and/or
- b.  higher-level technology plan(s) for using the services requested in this application; or
- c.  no technology plan needed; applying for basic local distance telephone service only.

27. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a.  technology plan(s) has/have been approved; and/or
- b.  technology plan(s) will be approved by a state or other authorized body; or
- c.  no technology plan needed; applying for basic local and long distance telephone service only.

28. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.

29. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

30. I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.

31. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of benefits from those services.

*Attachment No. 5*

32. I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.

33. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

34. Signature of authorized person *Brian Harris* 35. Date *12-12-02*

36. Printed name of authorized person **Brian Harris**

37. Title or position of authorized person **Superintendent of Schools**

38. Telephone number of authorized person **(785) 336-8101**

**471 Application Number: 336113  
NEMAHA VALLEY UN SCH DIST 442  
318 MAIN ST  
SENECA, KS 66538 -1924**

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.  
The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 47D) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 48 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to: **SLD - Form 471  
P.O. Box 7026  
Lawrence, KS 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to: **SLD - Form 471  
C/O Ms. Smith  
3833 Greenway Drive  
Lawrence, KS 66046  
(888) 203-8100**

*Attachment No. 5*

470 Application Number: 145270000419492  
FRN: 912845

Attachment #1

Nemaha Valley Schools  
Unified School District #442  
Contact: Shelly Delaney  
318 Main  
Seneca, KS 66538  
Phone: 785/336-6101  
FAX: 785/336-3672

SBC Advanced Solutions  
Spin: 143022137

<u>Service Provided</u>	<u>Monthly Charge</u>	<u>Annual Cost</u>
KLDC Telecommunications Service	\$1,328.00	\$15,936.00

*Attachment No. 5*

**Schools and Libraries Universal Service Program  
Services Ordered and Certification Form 471  
Application Display**

Refresh Page    Close Print Preview

**Block 1: Billed Entity Information**

Applicant's Form Identifier: 2004 kids    Funding Year: 07/01/2003 - 06/30/2004    Billed Entity Number: 137673  
471 Application Number: 336113

Name: NEMAHA VALLEY UN SCH DIST 442  
Address: 318 MAIN ST  
City: SENECA State: KS Zip: 66538 1924

Contact Name: Shelly Delaney  
Address: 318 MAIN ST  
City: SENECA State: KS Zip: 66538 1924

Type of Application: SCHOOL DISTRICT

Ineligible Orgs: N

**Block 3: Impact of Services Ordered in THIS Application**

Number of students to be served: 474

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	12	12
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	1	1
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	786k	786k
d. Dial-up Internet connections: How many before and after your order?	0	0
e. Dial-up Internet connections: Highest speed before and after your order?	0	0
f. Direct connections to the Internet: How many before and after your order?	2	3
g. Direct connections to the Internet: Highest speed before and after your order?	786k	786k
h. Internet access(for schools): How many rooms have Internet access before and after your order?	58	56
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	220	220
k. Other technology outcomes: (please specify):	0	0

**Block 4: Worksheets**

*Attachment No. 5*

Worksheet A No: 423961	Student Count: 474
Weighted Product (Sum. Column 8): 263.5	Shared Discount: 56%
1. School Name: NEMAHA VALLEY HIGH SCHOOL	
2. Entity Number: 77048	3. Rural/Urban: Rural
4. Student Count: 209	5. NSLP Students: 38
7. Discount: 50%	8. Weighted Product: 104.5
6. NSLP Students/Students: 18.181%	
1. School Name: SENECA ELEMENTARY SCHOOL	
2. Entity Number: 77050	3. Rural/Urban: Rural
4. Student Count: 265	5. NSLP Students: 85
7. Discount: 60%	8. Weighted Product: 159
6. NSLP Students/Students: 32.075%	

**Block 5: Discount Funding Request(s)**

FRN: 912845	FCDL Date:
11. Category of Service: Telecommunications Service	12. 470 Application Number: 145270000419492
13. SPIN: 143022137	14. Service Provider Name: SBC Advanced Solutions, Inc.
15. Contract Number: N/A	16. Billing Account Number: (785)336-8101
17. Allowable Contract Date: 11/12/2002	18. Contract Award Date: 07/01/2003
19a. Service Start Date: 07/01/2003	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: 01	22. Block 4 Worksheet No.: 423961
23a. Monthly Charges: \$1,328.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,328.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$15,936.00	
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): \$15,936.00	
23j. % discount (from Block 4): 56	
23k. Funding Commitment Request ( 23i x 23j): 88,924.16	

**Block 6: Certifications and Signature**

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

26a. Individual Technology Plan: Y  
 26b. Higher-Level Technology Plan(s): N  
 26c. No Technology Plan Needed:

27a. Approved Technology Plan(s): Y  
 27b. State Approved Technology Plan: N  
 27c. No Technology Plan Needed:

36. Printed Name of Authorized Person: Brian Harris  
 37. Title or Position of Authorized Person: Superintendent of Schools

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JUL 7 2003 4:53PM

USD442 NEMAHA VALLEY

NO. 546 P. 19/20

**BOARD OF EDUCATION:**

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- SHELLY DELANEY, TREASURER

# Nemaha Valley Schools

**UNIFIED SCHOOL DISTRICT NO. 442**  
**318 Main Street**  
**SENECA, KANSAS 66538-1924**

**Ph: 785-336-6101**  
**Fax: 785-336-2268**

**BRIAN L. HARRIS, SUPERINTENDENT**

**NEMAHA VALLEY H.S.**  
**PATRICK MCKERNAN**  
 Ph. 785-336-3667 • Fax 785-336-2173  
 214 North 11th, Seneca, KS 66538

**SENECA GRADE AND N.V.**  
**AMY BECK, PRINC.**  
 Ph. 785-336-2173 • Fax 785-336-2173  
 709 Nemaha, Seneca, KS 66538-1736

**MARSHALL-NEMAHA COUNTY**  
**SPECIAL EDUCATION CO-OP**  
**WANDA HARTMAN, DIRECTOR**  
 Ph. 785-336-2181 • Fax 785-336-2288  
 318 Main, Seneca, KS 66538-1924

## Attachment No. 6

May 6, 2003

Letter of Appeal  
 Schools and Libraries Division  
 Box 125 - Correspondence Unit  
 80 South Jefferson Road  
 Whippany, NJ 07981  
 Fax # 1888-276-8736

Re: Form 471 Application Number: 336113  
 Funding Year 2003: 07/01/2003 - 06/30/2004  
 Billed Entity Number: 137673  
 Applicant's Form Identifier: 2004 kldc  
 Date of FC DL: May 1, 2003

Dear Sir/Madam:

Please be advised that this letter is an appeal. We received the Funding Commitment Decision Letter May 6, 2003 and there has been an error. We never requested to cancel the FRN: 912845. We believe that a mistake was made by the data entry group at the Schools & Libraries Division. We are asking for the funding commitment to be restored. Enclosed you will find a copy of the Funding Commitment Decision Letter and Request Acknowledgment Letter for your information.

If you have any questions please contact Shelly Delaney, U.S.D. 442 - Nemaha Valley Schools, 318 Main, Seneca, Kansas 66538, 785/336-6101 (phone), 785/336-2268 (fax), [sdelaney@nvschools.org](mailto:sdelaney@nvschools.org) if you have any questions regarding this appeal.

Sincerely,

Shelly Delaney

Enclosures

Please Note: This letter was faxed on May 6, 2003.



**Universal Service Administrative Company**  
Schools & Libraries Division

May 15, 2003

Shelly Delaney  
Nemaha Valley Schools  
Unified School District #442  
318 Main Street  
Seneca, KS 66538

*Attachment No. 6*

Shelly Delaney

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence dated May 6, 2003 on May 12, 2003 regarding the 2003-2004 funding decision on your 471 application number 336113. These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decision letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.

We have begun in-depth review of the appeals we have received, and our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division  
Universal Service Administrative Company