

DOCKET FILE COPY ORIGINAL

Denise Berger

From: Starr L. Garter [starr@techplex.com]

Sent: Thursday, July 10, 2003 8:32 AM

To: CCBSecretary

Cc: Don Mick; Shay Anderson

Subject: CC Docket No. 02-6

Attached is a 2-page Request for Waiver Letter with attachments, A, B, C, D and E, a total of 8 pages. Please contact me if you do not receive all 8 pages. Thank you.

Starr Garter

Technology Mgmt Assistant to Gerrish Higgins School District

Techplex

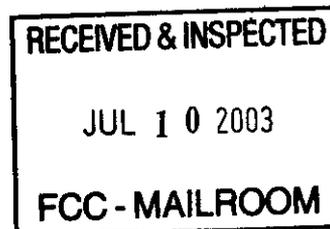
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Roscommon, MI 48653

989-275-7798

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starr@techplex.com



No. of Copies rec'd 2
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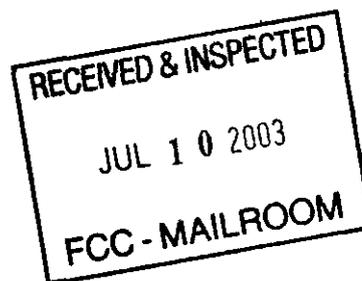
Gerrish-Higgins School District

Donald E. Mick, Superintendent
702 Lake Street, PO Box 825
Roscommon, Michigan 48653
(989) 275-6600

Request for Waiver

July 3, 2003

Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554



CC Docket No. 02-6

Applicant Name: Gerrish Higgins School District
Form 471 Application Number: 338493
Billed Entity Number: 131123
FRN: 930836, 930837, 930841, 930843, 942557, 942557
Funding Year: 2003

This is a Request for Waiver on our Funding Year 2003 Form 471 Certification Postmarked Outside of Window letter dated April 28, 2003. It stated that our Form 471 Certification was postmarked on 04/16/2003, which was true of our second mailing of the certification that we were told to send in as our first certification that was mailed within the window could not be found at the SLD.

Our first mailing of our certification was on 01/20/2003 (see enclosed "COPY A" as originally signed). The three page certification was sent in with our Item 21 Attachments (see enclosed "COPY B" of original cover sheet). A return receipt was received from the SLD dated 01/24/2003 (see enclosed "COPY C" return receipt).

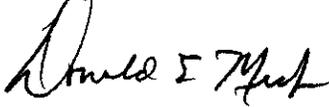
As you can see from the enclosed "Admin. Decision on Appeal" letter dated June 9, 2003 (see enclosed "COPY D" 2 pages), the documents were received by the SLD as stated with the claim from the SLD, that the 3 page Form 471 certification, while it was listed on the contents page, was not included. We, however, claim that it was included (see enclosed "COPY E") and can't understand why they don't have it. If we had not sent it, we should have the original signature pages but we do not, only a copy with our records. We contend that it is possible, with all the paperwork coming into the SLD offices, these could have been mislaid onto another school's pile or simply just lost.

To give "persuasive evidence" demonstrating that the Form 471 Certification was included in the Jan. 20, 2003 mailing, we offer the following additional information. Our contact person assists over 40 other schools with their USF paperwork and had over 50 other Form 471 Certifications mailed by each school in the same method; a cover sheet listing the items sent, which included the 3 page Form 471 Certification along with the Item 21 Attachments and Block 4 Attachment. All of the items were received and within the window. Examples of those schools can be documented within the SLD database and the SLD can verify this information using the following Entity numbers: 131671, 131677, 131113, 131682, and 131155.

We are asking that you review this information and grant us this waiver to certify our 471 Application Certification was "Received within Window".

If you have any questions regarding this request, please refer them to our contact person, Starr Garter, 11297 Fairway Dr., Roscommon, MI 48653, 989-275-7798, fax 989-275-6469, starr@techplex.com. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald E. Mick". The signature is written in a cursive style with a large initial "D".

Donald E. Mick
Superintendent

Enclosures: Copy A, B, C, D, and E

"COPY A"

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.

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 *Donald E. Mick*

35. Date *1/20/2003*

36. Printed name of authorized person **Donald E. Mick**

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

38. Telephone number of authorized person **(989) 275-6600**

471 Application Number: 338493
GERRISH HIGGINS SCHOOL DIST
814 LAKE ST
ROSCOMMON, MI 48653-0825

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 470) 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 46 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

"COPY B"

ITEM 21 ATTACHMENTS

Entity Number: 131123

Contact Person: Starr Garter

471 Application Number: 338493

Application Form Identifier: 471-6131123-01

Phone Number: 989-275-7798

Enclosed are:

Signature page that was signed and sent in postmarked by 02/6/03

Attachments: A, B, C, D, E and F

Block 4 Attachment: G

Attachment A: Verizon is our local telephone service (12 lines and a T-1 circuit).

Attachment B: LDMI provides some of our long distance service.

Attachment C: TTI National provides some of our long distance service.

Attachment D: Nextel provides our cellular service for educational purposes.

Attachment E: SBC/Ameritech provides a T-1 for St. Helen's Elementary.

Attachment F: SBCAmeritech provides our telephone service for our Alternative Ed.

Attachment G: SM-4012-SL Free/Reduced Lunch Report.

Thank you,

Starr Garter

starr@techplex.com

"COPY D pg 1."



Universal Service Administrative Company
Schools & Libraries Division

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

June 9, 2003

Donald E. Mick, Superintendent
Gerrish-Higgins School District
702 Lake Street Box 825
Roscommon, MI 48653

Re: Billed Entity Number: 131123
471 Application Number: 338493
Funding Request Number(s): 930836, 930837, 930841, 930843, 942557,
942561
Your Correspondence Dated: May 2, 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 Form 471 Certification Postmarked Outside of Window Letter 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: 930836, 930837, 930841, 930843, 942557, 942561
Decision on Appeal: **Denied in full**
Explanation:

- In your letter of appeal, you state that your first mailing of the Form 471 certification was on January 20, 2003. You state that the Form 471 Certification was included with your item 21 attachments for which a return receipt dated January 24, 2003 was received by the SLD. You agree with the postmark date of April 16, 2003 as indicated in the Outside of Window Letter but state that this was the second mailing of the certification that was made since your first certification could not be found at the SLD. You are asking SLD to accept your Form 471 Application Certification as received within the window.
- Upon thorough review of this appeal, it has been determined that the SLD did receive a certified mailing from the applicant which was postmarked on January 20, 2003. However, according to SLD records this package included attachments

"COPY D pg 2")

A through F of item 21 documentation and attachment G, which is a free/reduced lunch report, but did not include the Form 471 Certification. Although listed on the contents page, the Form 471 certification was not included and the applicant has not provided persuasive evidence demonstrating that the Form 471 certification was included in the January 20, 2003 mailing. Consequently, the appeal is denied since the first Form 471 certification received by SLD was postmarked on April 16, 2003, which is after the close of the Funding Year 2003 filing window. Program rules for Funding Year 2003 require that Form 471 Certifications be postmarked no later than February 6, 2003 in order for the request to receive consideration as inside the window.

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 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.

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

Schools and Libraries Division
Universal Service Administrative Company

"COPY E"



Gerrish-Higgins School District

Donald E. Mick, Superintendent
702 Lake Street, PO Box 825
Roscommon, Michigan 48653
(989) 275-6600

July 3, 2003

Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554

CC Docket No. 02-6

I am the person responsible for making sure that the Gerrish Higgins Schools superintendent, Donald E. Mick, signed the Form 471 Certification on Jan. 20, 2003 and then making sure that the 3 page form was mailed to the SLD with the Item 21 and Block 4 Attachments.

I have in my file a copy of the Form 471 Certification but not the original because it was sent as stated with the Item 21 and Block 4 Attachments. I know that it is only a copy as we are instructed to use a Blue ink pen when signing the SLD forms.

Signed,

Shay Anderson
Business Manager
Gerrish Higgins School District