

FAX COVER SHEET

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JAN 15 2004

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SEND TO Company name <i>Federal Communications Commission</i>	From <i>Ervin Mac Donald</i>
Attention <i>Office of the Secretary</i>	Date <i>1/15/2004</i>
Office location <i>Washington, DC</i>	Office location <i>M.S.A.D. #29, Office of the Superintendent</i>
Fax number <i>202-418-0187</i>	Phone number <i>207-532-6555</i>

- Urgent
 Reply ASAP
 Please comment
 Please review
 For your information

Total pages, including cover 4

COMMENTS

Attached is an appeal based on an SLD funding denial for year 2003. Also included is a copy of the USAC Administrator's Decision on Appeal.

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JAN 15

FCC - MAILROOM

**MSAD#29
P. O Box 190
HOULTON, ME 04730**

To: Federal Communications Commission, Office of the Secretary

From: Ervin MacDonald, MSAD #29 E-Rate Coordinator & Contact Person
Susan L. Johnson, MSAD #29 Superintendent of Schools

Fax# 207-532-6481, Tel# 207-532-3327

E-mail: ekmacd@mfx.net

Date: 1/14/2004

Re: CC Docket No 02-6, Appeal, Funding Request #920100, Funding Year 2003, Billed Entity #121657, 471 Application #341484 on behalf of School Admin District 29

Please consider this correspondence a letter of appeal to a SLD funding denial dated 5/1/2003 and to a subsequent appeal decision "Denied in full" dated December 11, 2003. Initial SLD denial was summarized as "Technology Plan Required". SLD denial of the appeal was based on the interpretation that there was no approved technology plan or technology plan in process to cover funding year 2003 at the time the form 471 was reviewed. A copy of the SLD's administrator on the appeal is included in this fax. It is our contention that a technology plan was in place during the application period of the form 471 process through June 30, 2003 and that a technology plan was in process to cover funding year 2003 for the following reasons:

- 1 The form 471 was submitted to the SLD on 12/12/2002 in advance of the filing deadline and therefore a three year technology plan was in place. We were in the process of updating and filing a plan for a three year renewal that would begin on 7/1/2003. The submission deadline set by the State of Maine was 6/30/2003 and we were fully in compliance with the filing deadline.
- 2 The State of Maine has established a procedure of reviewing school's technology plan on three year cycles. A staggered review of programs is set up on an annual basis so that one-third of Maine's schools submits plans on an annual basis. Based on the funding decision of this appeal, one-third of Maine schools during the 471 application period would not be able to show approval of a technology plan past 6/30/2003 until after 7/1/2003.
- 3 On 7/16/2003, Christine Monje, SLD staff, requested receipt of a copy of our technology plan approval letter by fax within seven calendar days. A copy of our State of Maine Technology Plan approval verified by Sylvia Norton, Maine Department of Education, for the three year period ending 6/30/2006 was faxed to Christine Monje on 7/17/2003. Receipt was verified by Christine Monje in an email response to me. In reading the text of the USAC administrator's decision on the appeal, there is no reference to this correspondence or to the approved technology plan through 6/30/2006. I can only assume that this critical information was overlooked or not considered in the appeal process. Either of which should be considered unacceptable as the information pertaining to the technology plan renewal beyond 6/30/2003 was requested by SLD staff within an expressed deadline of seven days. We were in full compliance with this request and feel that funding for this 471 application #341484 is merited based on all three points of our appeal.



Universal Service Administrative Company
Schools & Libraries Division

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

December 11, 2003

Susan J. Lolley
School Administrative District No. 29
Box 190
Houlton, ME 04730

Re Billed Entity Number: 121657
471 Application Number: 341484
Funding Request Number(s): 920100
Your Correspondence Dated: May 12, 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: 920100
Decision on Appeal: **Denied in full**
Explanation:

- In the appeal letter, you stated that the school district has a State of Maine approved technology plan in place, and that the application should be funded as requested. A PIA reviewer had contacted you on 2/4/2003 to request verification of an approved technology plan. On 2/5/2003, you had sent a faxed copy of the first page of a letter dated 9/11/2000 from the State of Maine, which indicated the grant approval of a federal Technology Literacy Challenge Fund to your district. You also stated that you had explained by phone to the PIA reviewer that the grant served as the technology plan for a three-year period ending 6/30/2003. The PIA reviewer had informed you that he would seek verification from the State of Maine, and you were left with the understanding that the submission was complete and that PIA's contact with the State of Maine would resolve the uncertainty. You included a letter from the Maine Department of Education dated on 5/7/2003 to verify the existence of an approved technology plan. (The letter

