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Lutheran High School of St. Charles County

5100 Mexico Road

St. Peters, MO 63376-1617

David Schlesselman, *Executive Director*
Bernard Tonjes, *Director of Guidance*
Rev. Joseph Cox, *Director of Campus Ministries*

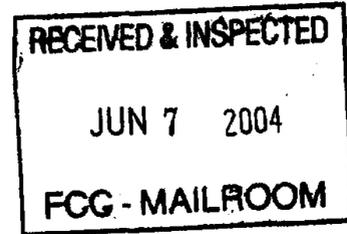
Larry Marty, *Principal*
Jonathan Bernhardt, *Assistant Principal*
Gordon Bredow, *Athletic Director*

Phone: (636) 928-5100

Fax: (636) 928-8451

Website: www.lhssc.org

May 18, 2004



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

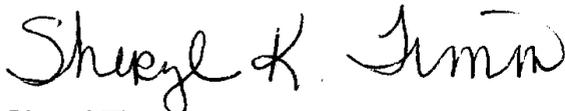
Subject: CC Docket No. 02-6
Request for Review

This is an appeal of the decision to not fund FRN 1092870 for funding year 2004-05. In the funding commitment decision letter dated May 11, 2004 for billed entity: #74431 it states, "Svcs. not requested on F. 470." The explanation is, "The 470 cited did not include service of this type, therefore it does not meet the 28 day competitive bidding requirement."

In an e-mail (Attachment #1) on March 12, 2004 and a subsequent phone call, Babar Mahmood instructed me that I had to change the above stated FRN to the Year 2004-05. This was incorrect and I questioned him on it since it was my T1 circuit which is a three year contract awarded in year 2003-04 so that is the 470 I used. Babar's argument was that that is a tariff service not a contract. SBC Advanced Solutions, Inc. doesn't use contract numbers so there wasn't one to put in that block. Attachment #2 is a copy of the e-mail sent to Babar Mahmood which was the information he instructed me to write in the form of an e-mail to change the 470 # and that was the correct way to do it according to him. I questioned him again on it and he said that his boss told him that is how it had to be. Attachment #3 is a copy of the contract with SBC Advanced Solutions.

I spoke with Debbie Wilburn at SLD and she listened to the same information I gave to Babar and she said that all he had to do was change it back to a contract and it would have been ok as filed. She was filing a complaint but also instructed me to file an appeal since there usually is nothing that can be done at SLD once the Funding Commitment Decision letters have been sent.

It would be nice if ALL employees would listen to the customer and not have a predetermined solution. This would avoid a great deal of unnecessary work for all of us.



Sheryl Timm
Technology Coordinator
stimm@lhssc.org

Enclosures

No. of Copies rec'd 0
List ABCDE

Attachment #1

From: "Baber Mahmood" <bmahmoo@sl.universalservice.org>
Subject: **USAC APP# 399665**
Date: March 12, 2004 11:43:38 AM CST
To: <stimm@lhssc.org>
 1 Attachment, 42.5 KB

Dear Sheryl,

Please see attachment regarding 470 timing for E-rate Application # 399665. Thank you.

Baber Mahmood
Program Integrity Assurance
Phone: 973-884-8348
FAX: 973-599-6578
bmahmoo@sl.universalservice.org


[470 timing.doc \(42.5 KB\)](#)

Attachment # 1

USAC

Universal Service Administrative Company
Schools & Libraries Division

Date: March 12, 2004

Contact Name Sheryl K. Timm

Applicant Name : LUTH H S OF ST CHARLES COUNTY

Phone Number: (636) 9285100

Application Number(s): 399665

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2004 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

- 1.) FRN 1092870 is listed as a tariff (T) or month-to-month (MTM) service, and Funding Year 2004 Form 470 Application Number 399665 is referenced as the establishing Form 470 for this service. The rules of this support mechanism require that services delivered on a tariff or month-to-month basis be posted for 28-Days to a new Form 470 each funding year. Since the referenced Form 470 was not filed in the same Funding Year as the Form 471, the request is in violation of the competitive bidding requirements relating to tariff and month-to-month services. Please answer the following questions and provide any relevant documentation.

Is there a Funding Year 2004 Form 470 that established the bidding for this tariff or month-to-month service?

If so, please provide the 15-digit Form 470 Number that established the bidding for this request. The establishing Form 470 is the specific Form 470, which was posted for the services requested for 28 days, and pursuant to which a contract was signed or an agreement was entered into. The establishing Form 470 could have been posted by the State, if the requested services are being purchased off of a State Master Contract.

If a Funding Year 2004 Form 470 was not filed to establish the bidding for this service, please indicate such in writing.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Attachment #1

Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Baber Mahmood
Schools And Libraries Division
Program Integrity Assurance
Phone: 973-884-8348
FAX: 973-599-6578
bmahmoo@sl.universalservice.org

Attachment #2

From: Sheryl Timm <stimm@lhssc.org>
Subject: **USAC APP#399665**
Date: March 19, 2004 12:49:39 PM CST
To: Baber Mahmood <bmahmoo@sl.universalservice.org>

Baber

For FRN 1092870 the 470 application #136030000374186 needs to be changed. Please use FRN number 1092873 application number 179910000461046 for FRN 1092870. This 470 is for the current year".

Let me know if there is any other information you need. Thanks

Sheryl K. Timm
Technology Coordinator
Lutheran High School of St. Charles County
5100 Mexico Road
St. Peters, MO 63376
(636)928-5100 (phone)
(636)928-8451 (fax)
www.lhssc.org

FRAME RELAY SERVICE TERM PRICING PLAN (FRS)

AGREEMENT FORM

CUSTOMER NAME/BILLING NAME Lutheran High School Assn. Of St. Charles County

CUSTOMER ADDRESS 5100 Mexico rd., St. Peters, MO 63376

CUSTOMER TELEPHONE NUMBER 636-928-5100

PLAN TERM: 3 YEARS 5 YEARS 7 YEARS

FOR RATES IN EFFECT ON (SPP DATE) \$536.25 Monthly Rate

PLAN EXPIRATION DATE January ¹⁴~~10~~, 2006 *SM*

CONTROLLING BAN 110 082 9443

FRS TPP BANs 110 082 9443

ORIGINATED BY Sherita M. McKinney

CONTACT NUMBER 314-505-9162

CUSTOMERS REQUESTING THE TERMINATION OF AN FRS TPP PRIOR TO THE EXPIRATION DATE WILL BE CHARGED A TERMINATION CHARGE WHICH IS CALCULATED AS FOLLOWS:

BILLED		MONTHS		TERMINATION		TERMINATION
MONTHLY	X	REMAINING IN	X	PERCENTAGE	=	CHARGE
RATE		SERVICE PERIOD				

ALL RULES AND REGULATIONS PERTAINING TO THE FRAME RELAY SERVICE TERM PRICING PLAN, INCLUDING THE TERMINATION PERCENTAGE, ARE CONTAINED IN TARIFF F.C.C. NO. 73, SECTION 14.2.4.

CUSTOMER SIGNATURE: David A. Schlesselman DATE: 1/10/02

CUSTOMER NAME: Lutheran High School Association of St. Charles County
(PLEASE PRINT)