

NATHANIEL HAWTHORNE

Attorney at Law/Consultant

Admitted in Ohio, Illinois and the District of Columbia

www.telecomlawyer.com

email: nhawthorne@earthlink.net

27600 Chagrin Boulevard

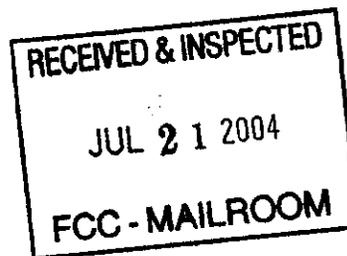
Suite 260

Cleveland, OH 44122

(216) 514-3336

fax (216) 514-3337

July 19, 2004



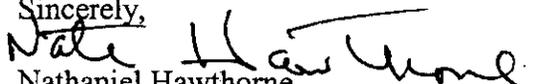
Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W. Suite TW-A325
Washington, D.C. 20554

Re: Petition to Expedite

This is a **Petition to Expedite** an appeal from a decision by the Schools and Libraries
Division of the USAC.

Enclosed are the original and four copies of the Petition. An extra copy is also enclosed.

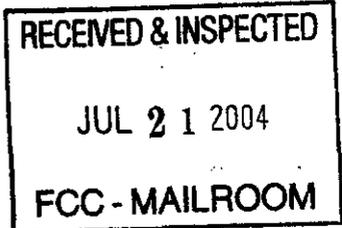
Please time stamp the extra copy and return it to me in the enclosed self addressed-
stamped envelope.

Sincerely,

Nathaniel Hawthorne

Cc: Mr. Lipscomb, FCC Attorney
Federal Communications Commission
445 12th Street, S.W. Suite TW-A325
Washington, D.C. 20554

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Before the
Federal Communications Commission
Washington, D.C. 20554
(Express Mail ER 789764292US)



In the Matter of the)	File No. SLD -
)	
Appeal of the Decision of the)	
)	
Universal Service Administrator by)	
the)	
)	
Screven County School District)	
)	
)	
)	CC Docket No. 96 - 45
Federal-State Joint Board on)	
Universal Service)	
Changes to the Board of Directors of)	
The National Exchange Carrier)	
Association, Inc.)	CC Docket No. 97 - 21

Petition to Expedite

July 19, 2004

Marlene H. Dortch
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Screven County School District filed its Appeal on April 26, 2004.

The thrust of the Appeal is that the FCC Form 471 Application, FRN -1029583, was filed as Internet Access, but the SLD, without cause changed, the filing to a WAN and then denied the Application based on the 30% rule. This is Petition to Expedite that Appeal.

Since the SLD did not even bother to go through the Program Integrity Assurance (PIA) process prior to changing the service characterization, there was no factual bases for the change and is therefore unreasonable.

The SLD's Eligible Services List, dated October 10, 2003 at page 9, provides:

“Internet access, regardless of technology platform, is eligible for discount. Such access may include transport of digital communication using any Internet-based protocols, including encapsulation of data, video, or voice so long as this is the most cost effective way to access the Internet. In addition, features that are not themselves eligible, such as caching and filtering, can be included if an integral component part of the service...”

and at page 12:

“A wide area network is a voice, data, and/or video network that provides connections from within an eligible school or library to other locations beyond the school or library. An integrated information service that provides Internet Access through a Wide Area Network may be eligible for funding as Internet access if that offering is the most cost effective means of accessing the Internet.” [emphases added]

The SLD's Wide Area Network (WAN) Fact Sheet provides that:

“SLD program rules provide that the actual wires that carry data across public rights-of-way and the components located outside a school or library facility are WAN components and are evaluated for eligibility under Telecommunications Services **and Internet Access.**” [emphases added]

And the SLD's rules further provide:

“The connections between buildings are leased from a non-telecommunications provider such as a cable company, and are the most cost-effective means of accessing the Internet. The cost of leasing the connections is eligible for discounts as Internet Access.” [emphases added]

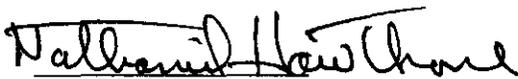
<http://www.sl.universalservice.org/reference/wan.asp#1>

Based on the facts, there is no reasonable regulatory basis for the **re-classification** and denial. This is a very forward, simplistic matter, and would minimal time to review, reverse and grant the Application

Conclusion:

Screven is requesting that the FCC grant this Petition to Expedite the Appeal, and reverse the decision by the SLD.

Respectfully submitted,


Nathaniel Hawthorne

District of Columbia Bar No. : 237693
27600 Chagrin Blvd., Ste. 265
Cleveland, OH 44122
tel.: 216/514.4798
e-mail: nhawthorne@earthlink.net

**Attorney for
Screven County School District**

Cc: Screven County School District