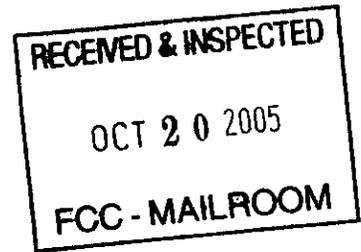


ATHENS CITY SCHOOLS

943 Crestway Drive
Athens, TN 37303
Phone (423) 745-2863 • Fax (423) 745-9041

Dr. Craig Rigell, Director of Schools



October 18, 2005

REQUEST FOR REVIEW

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

DOCKET FILE COPY ORIGINAL

CC Docket No. 02-6

Appellant	Dr. Craig D. Rigell Director of Schools
E-mail for Dr. Craig D. Rigell	RigellC@k12tn.net
Contact	Ms. Teresa Read
E-mail for Ms. Teresa Read	ReadT@k12tn.net
Applicant	Athens City School District
Billed Entity Number	128266
SPIN	143004059
Applicant's Form Identifier	Athens0506
Form 471 Application Number	476573
Funding Request Number	1315742
Facsimile Number	(423) 745-9041

To Whom It May Concern:

The Athens City School System is submitting a "Request for Review" regarding the Schools and Libraries Division (SLD) denial decision dated August 25, 2005.

The Athens City School System appealed the decision of the SLD to not process the Form 471 Application Number: 476573 for E-Rate Funding Year 2005 (July 1, 2005 – June 30, 2006). The SLD's letter of notification (dated 05/20/2005) states, *The Certification page submitted is not from the correct, OMB-approved Form 471, with a date of November 2004 or later in the lower right-hand corner of the form.*

No. of Copies rec'd 0
List ABCDE

LETTER OF APPEAL

To: Federal Communications Commission

From: Athens City Schools October 18, 2005

Page 2 of 2

Following is a copy of the correspondence sent to the SLD and the SLD's notification of the decision on appeal, dated August 25, 2005.

In your review of this appeal, please note the following:

- After receipt of the SLD's decision to not process the 471, the Athens City Schools' Technology Coordinator asked other technology personnel if he/she had filed the 471 on the form dated November 2003. Attached is a copy of an e-mail from another system, stating the SLD still had the old form on the download page, even after the filing window was opened.
- The only pages submitted for Funding Year 8 (2005-2006) with "November 2003" printed were 6 and 7. A corrected signature page with "November 2004" was sent with the appeal to the SLD.

We still believe our Form 471 should be approved since the form dated November 2003 was obtained from the SLD website during November 2004, just prior to the opening of the window for filing.

The children of Athens would benefit greatly from the E-rate funding of \$21,116.61. Without this funding, children will not receive updated technology needed in the learning process.

Should additional information be needed, please advise. Thank you for considering this appeal.

Sincerely,



Teresa Read
Secretary to Director of Schools



Craig D. Rigell, Ed.D.
Director of Schools

E-mail addresses are: ReadT@k12tn.net

RigellC@k12tn.net

Cc: Tele-SyS, Inc. dba Access America

Teresa Read

From: "Dottie Stout" <stoutd@k12tn.net>
To: "Teresa Read" <readt@k12tn.net>
Sent: Wednesday, May 25, 2005 11:29 AM
Subject: Fw: e-rate help urgently needed

fyi - call me if you want
d.

— Original Message —

From: [REDACTED]
To: "Dottie Stout"
Sent: Wednesday, May 25, 2005 10:24 AM
Subject: RE: e-rate help urgently needed

Hi Dottie,

I almost did the same thing. SLD still had the old form on their download page, even after the filing window was opened. They finally got the new form up. I also downloaded the older form, and had already filled it out. By luck, I just happened to notice when they got the new form posted.

ATHENS CITY SCHOOLS

943 Crestway Drive
Athens, TN 37303
Phone (423) 745-2863 • Fax (423) 745-9041

Dr. Craig Rigell, Director of Schools

Appeal
to
SLD

 FILE COPY

June 9, 2005

LETTER OF APPEAL

Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981

Appellant	Dr. Craig D. Rigell Director of Schools
Contact	Teresa Read
Applicant	Athens City School District
Billed Entity Number	128266
SPIN	143004059
Applicant's Form Identifier	Athens0506
Form 471 Application Number	476573
Facsimile Number	(423) 745-9041

To Whom It May Concern:

The Athens City School System is appealing the decision of the Schools and Libraries Division (SLD) to not process the Form 471 Application Number: 476573 for E-Rate Funding Year 2005 (July 1, 2005 – June 30, 2006).

The SLD's letter of notification (dated 05/20/2005) states, *The Certification page submitted is not from the correct, OMB-approved Form 471, with a date of November 2004 or later in the lower right-hand corner of the form.*

Dottie Stout, Technology Coordinator, phoned the SLD at 1-888-203-8100 on May 25, 2005, and spoke to John. He provided a case number: 21-261373.

LETTER OF APPEAL

To: Schools and Libraries Division

From: Athens City Schools

June 9, 2005

Page 2 of 3

In your review of this appeal please consider the following facts:

- **An e-mail was sent to superintendents and finance personnel from "supt-bounces@lists.k12tn.net On Behalf of Lisa Cothron", dated November 9, 2004 (attachment 1)**
 - **The message provides the open and close date of the 2005 Filing Window, but does not state new forms are required.**
 - **Ms. Read has been the E-Rate contact since Year 1. She has not received correspondence via e-mail.**
- **We printed the 471 Form from the SLD website in late November 2004 just prior to the window opening and completed some of the "work copy" and placed it in a file to be completed at a later date.**
- **The application was keyed online.**
- **A 471 Application Number (476573) and a Security Code Number (84684) was issued (see attachment 2).**
- **A PIN (line 38) was required for submitting online.**
 - **The PIN had to be obtained from SLD prior to clicking the "Submit" button.**
 - **The SLD was called to obtain a PIN.**
 - **The PIN would be mailed to the LEA the next business day in a secure mailer via the United States Postal Service.**
 - **The PIN would not be received in time to meet the deadline for submission of the 471, which was February 18, 2005.**
- **The application keyed online was printed and the certification page was signed. The 471 was mailed via Express Mail to SLD-Form 471 and received at 9:52 a.m. on February 18, 2005.**
- **On May 23, 2005, we received "Form 471 Certification Rejection Letter" via certified mail. The specific reason for the rejection letter is *The Certification page submitted is not from the correct, OMB-approved Form 471, with a date of November 2004 or later in the lower right-hand corner of the form.***

We completed all requirements and filed on time without realizing the date on the Form 471 had been changed. We used the Form 471 dated November 2003, and received a rejection letter.

LETTER OF APPEAL

To: Schools and Libraries Division

From: Athens City Schools

June 9, 2005

Page 3 of 3

In previous years, when additional information was needed in the application process, someone from SLD would notify Ms. Read. The needed documentation was provided to the SLD, the application process was completed, and a Funding Commitment Letter was awarded. Ms. Read was not notified prior to receiving the "Form 471 Certification Rejection Letter" date May 20, 2005.

We believe our Form 471 should be approved since the form dated November 2003 was obtained from the SLD website during November 2004, just prior to the opening of the window for filing.

Attachment #3 is the correct FCC Form 471 certification (page 6 and 7 of 7) dated November 2004.

Should additional information be needed, please advise. Thank you for considering this appeal.

Sincerely,



**Teresa Read
Secretary to Director of Schools**



**Craig B. Rigell, Ed.D.
Director of Schools**

E-mail addresses are: ReadT@k12tn.net

RigellC@k12tn.net

Cc: Tele-SyS, Inc. dba Access America



USAC

Schools and Libraries Division

P.O. Box 7026

3833 Greenway Dr.

Lawrence, KS 66044-7026

SLD
Reject
Letter

**ATHENS CITY SCHOOL DISTRICT
ATTN: TERESA READ
943 CRESTWAY DRIVE
ATHENS, TN 37303-4130**



Universal Service Administrative Company
Schools & Libraries Division

**FORM 471 CERTIFICATION REJECTION LETTER
FUNDING YEAR 2005 (July 1, 2005 - June 30, 2006)**

05/20/2005

TERESA READ
ATHENS CITY SCHOOL DISTRICT
943 CRESTWAY DRIVE
ATHENS, TN 37303-4130

RECEIVED MAY 23 2005

**Re: Applicant's Form Identifier: ATHENS0506
Form 471 Application Number: 476573**

Dear Contact Name:

This letter is your notification that the Certification page of the Form 471, *Services Ordered and Certification Form*, you submitted did not meet Minimum Processing Standards. Therefore we are returning your Form 471 Certification with this letter, which means that the *Schools and Libraries Division (SLD)* could not process it. Here is an explanation of the specific reason(s) your Form 471 Certification did not meet the Minimum Processing Standards:

- The Certification page submitted is not from the correct, OMB-approved Form 471, with a date of November 2004 or later in the lower right-hand corner of the form.

We recommend that you notify your service provider(s) about this decision.

TO APPEAL THIS DECISION

If you wish to appeal the decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of 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 (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - appellant name,
 - applicant name,
 - BEN and/or SPIN,
 - Form 471 Application Number as assigned by the SLD (located at the top of this letter),

- "Funding Year 2005 Form 471 Rejection Letter", **AND**
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. Please provide a copy of your appeal to the service provider(s) affected by the SLD's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

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

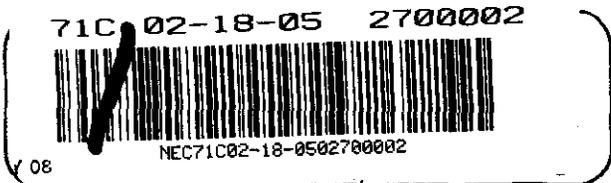
While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. 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.

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

Enclosure:

(1) **Form 471 Certification**

476573



Entity Number	<u>128266</u>	Applicant's Form Identifier	<u>Athens0506</u>
Contact Person	<u>Teresa Read</u>	Phone Number	<u>423-745-2863</u>

34. Signature of authorized person	35. Date
	02/17/2005
36. Printed name of authorized person	
Dr. Craig D. Rigell	
37. Title or position of authorized person	
Director of Schools	
38a. Street Address, P.O. Box, or Route Number	
943 Crestway Drive	
City Athens	
State TN	Zip Code 37303
38b. Telephone number of authorized person	
423-745-2863	
38c. Fax number of authorized person	
423-745-9041	
38d. E-mail address of authorized person	
rigellc@k12tn.net	



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.



Entity Number	128266	Applicant's Form Identifier	Athens0506
Contact Person	Teresa Read	Phone Number	423-745-2863

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 Services Ordered and Certification Form (FCC Form 471) 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 4 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, Kansas 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, Kansas 66046
(888) 203-8100**



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

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Block 1: Billed Entity Information

Applicant's Form Identifier:

Athens0506

471 Application Number: 476573**Funding Year:** 07/01/2005 -
06/30/2006**Billed Entity Number:**
128266**Cert. Postmark Date:****Form Status:** INCOMPLETE**RAL Date:****Out of Window Letter Date:**

Name: ATHENS CITY SCHOOL DISTRICT
Address: 943 CRESTWAY DR
City: ATHENS **State:** TN **Zip:** 37303 4130
Phone: 423-745-2863 **Ext:**
Fax: 423-745-9041

Contact Name: Teresa Read
Address: 943 CRESTWAY DR
City: ATHENS **State:** TN **Zip:** 37303 4130
Contact Phone: 423-745-2863 **Ext:**
Contact Fax: 423-745-9041 **Ext:**
E-mail: readt@k12tn.net
Contact Mode: EMAIL
Alternate Contact Info.:

Type of Application: SCHOOL DISTRICT**Ineligible Orgs:** N

Block 2: Impact of Services Ordered on Schools

Number of students to be served: 1704

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
NO DATA		

Block 3: Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT

Block 4: Worksheets

Worksheet A No: 693054 Student Count: 1704
 Weighted Product (Sum. Column 8): 1216.6 Shared Discount: 71%

1. School Name: ATHENS JUNIOR HIGH SCHOOL
 2. Entity Number: 41250 NCES: 00 11652 708
 3. Rural/Urban: Rural
 4. Student Count: 471 5. NSLP Students: 167 6. NSLP Students/Students: 35.456%
 7. Discount: 70% 8. Weighted Product: 329.7
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: CITY PARK ELEMENTARY SCHOOL
 2. Entity Number: 41249 NCES: 00 1165 2807
 3. Rural/Urban: Rural
 4. Student Count: 370 5. NSLP Students: 176 6. NSLP Students/Students: 47.567%
 7. Discount: 70% 8. Weighted Product: 259
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: INGLESIDE ELEMENTARY SCHOOL
 2. Entity Number: 41244 NCES: 00 11653 029
 3. Rural/Urban: Rural
 4. Student Count: 373 5. NSLP Students: 168 6. NSLP Students/Students: 45.040%
 7. Discount: 70% 8. Weighted Product: 261.1
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: NORTH CITY ELEMENTARY SCHOOL
 2. Entity Number: 41246 NCES: 00 11653 110
 3. Rural/Urban: Rural
 4. Student Count: 252 5. NSLP Students: 96 6. NSLP Students/Students: 38.095%
 7. Discount: 70% 8. Weighted Product: 176.4
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: WESTSIDE ELEMENTARY SCHOOL
 2. Entity Number: 41245 NCES: 00 11653 193
 3. Rural/Urban: Rural
 4. Student Count: 238 5. NSLP Students: 133 6. NSLP Students/Students: 55.882%
 7. Discount: 80% 8. Weighted Product: 190.4
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

Block 5: Discount Funding Request(s)

FRN: 1315742 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 902910000468721
13. SPIN: 143004059	14. Service Provider Name: Tele- SyS, Inc. dba Access America
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM

15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 423-745-2863	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/11/2003	18. Contract Award Date:
19a. Service Start Date: 07/01/2005	19b. Service End Date: 06/30/2006
20. Contract Expiration Date:	
21. Attachment #: 1a 1b	22. Block 4 Worksheet No.: 693054
23a. Monthly Charges: \$2,462.85	23b. Ineligible monthly amt.: \$00
23c. Eligible monthly amt.: \$2,462.85	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$29,554.20	
23f. Annual non-recurring (one-time) charges: \$187.50	23g. Ineligible non-recurring amt.: \$00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$187.50	
23i. Total program year pre-discount amount (23e + 23h): \$29,741.70	
23j. % discount (from Block 4): 71	
23k. Funding Commitment Request (23i x 23j): \$21,116.61	

Block 6: Certifications and Signature

24. I certify that 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(18) 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 1996** that do not operate as for-profit businesses and whose budgets are completely separate from any schools including, but not limited to elementary, secondary schools, colleges, or universities

25. I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed in this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a.	Total funding year pre-discount amount on this Form 471 (Add the entities from Item 23i on all Block 5 Discount Funding Requests.)	\$29,741.70
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$21,116.61
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$8,625.09
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$287,534.00
e.	Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	\$296,159.09
f.	Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Items 25e.	

26. I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans are written at the following level(s):
- an individual technology plan for using the services requested in this application; and/or
 - higher-level technology plan(s) for using the services requested in this application; or
 - no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
27. I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.
28. I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.
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, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s) or any representative or agent thereof or any consultant in connection with this request for services.
30. I certify that I and the entity(ies) I represent have 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. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
31. I acknowledge 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 certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
33. I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of this program, that no kickbacks were paid to anyone and that 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 the Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
34. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
35. I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and

ineligible companies as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1),(2).

36. I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).

37. I certify that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services features on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

40. Printed name of authorized person	Dr. Craig D. Rigell
41. Title or position of authorized person	Director of Schools
42a. Street Address, P.O Box or Route Number	943 Crestway Drive Athens, TN 37303
42b. Telephone number of authorized person:	(423) 745-2863
42c. Fax number of authorized person:	(423) 745-9041
42d. E-mail of authorized person:	rigellc@k12tn.net
42e. Name of authorized person's employer	Athens City Schools

[Refresh Page](#)[Close Print Preview](#)

Attachment 1a

Access America



Access America Telephone Company
Local | Long Distance | Internet

673 Emory Valley Road
Oak Ridge, TN 37830
(865) 482-2140 Ofc
(800) 860-2140 Ofc
(800) 829-7513 (FAX)

Business Telecommunications since 1982
Visit our websites: www.accessam.com
www.accessam.net

Fax



To: Teresa Read	From: Patti Pitts
Fax: (423) 745-9041	Pages: 2 (including cover)
Phone: (423) 745-2863	Date: February 16, 2005
Re: Erate Document	CC:

FYI Please Comment As Requested Please Respond

● **Comments:**

Our records indicate that July 15, 2003 was the highest billed month for the period July 2003 to June 2004. That is because of 'non recurring' charges of \$187.50 (fifth column from the left). I am attaching the July 2003 Corporate Summary document that shows this.

Please note that on the corporate summary document, the date on the bottom left corner reflects the date the report was printed. I don't know if that is significant to your report. The actual bill period for this report is July 15, 2003.

Regards,
Patti Pitts

Block 5

Corporate Summary For July 15, 2003 Access America OR

Customer Account	IR	Usage Charges	Recurring Charges	Non-Recurring Charges	Finance Charges	Taxes and Surcharges	Adjustment	Discounts	Previous Balance	Total Due
57 ATHENS CITY SCHOOLS	Yes	\$129.73	\$2,192.41	\$187.50 ^{23f}	\$0.00	\$44.75	\$0.00	(\$91.54)	\$0.00	\$2,462.85 ^{23a}
5557-01 ATHENS JUNIOR HIGH	No	\$8.02	\$234.64	\$0.00	\$0.00	\$4.38	\$0.00	(\$9.07)	\$246.44	\$237.95
5557-02 CENTRAL OFFICE	No	\$83.46	\$788.47	\$187.50	\$0.00	\$13.39	\$0.00	(\$40.81)	\$855.04	\$1,032.01
5557-03 CITY PARK SCHOOL	No	\$3.95	\$246.55	\$0.00	\$0.00	\$5.30	\$0.00	(\$9.00)	\$258.81	\$246.80
5557-04 INGLESIDE SCHOOL	No	\$11.08	\$329.77	\$0.00	\$0.00	\$7.37	\$0.00	(\$11.83)	\$338.99	\$336.39
5557-05 NORTH CITY SCHOOL	No	\$1.21	\$235.55	\$0.00	\$0.00	\$5.27	\$0.00	(\$8.45)	\$240.15	\$233.58
5557-06 WESTSIDE SCHOOL	No	\$12.80	\$259.86	\$0.00	\$0.00	\$6.60	\$0.00	(\$9.00)	\$267.10	\$270.26
5557-07 A.E.	No	\$2.91	\$50.46	\$0.00	\$0.00	\$1.39	\$0.00	(\$1.69)	\$51.73	\$53.07
5557-08 EVENSTART	No	\$6.30	\$47.11	\$0.00	\$0.00	\$1.07	\$0.00	(\$1.69)	\$56.78	\$52.79
5557-09 NORTH CITY PSYCHO	Yes	\$0.00	\$47.11	\$0.00	\$0.00	\$1.05	\$0.00	(\$1.69)	\$0.00	\$46.47
5557-10 FOOD SERVICES	Yes	\$1.90	\$47.11	\$0.00	\$0.00	\$1.08	\$0.00	(\$1.69)	\$0.00	\$48.40
5557-11 PATHWAY SCHOOL	Yes	\$0.00	\$47.11	\$0.00	\$0.00	\$1.05	\$0.00	(\$1.69)	\$0.00	\$46.47

Block 5

a Read

"Craig Rigell" <rigellc@k12tn.net>

"Dottie Stout" <stoutd@ten-nash.ten.k12.tn.us>; "Teresa Read" <readt@ten-nash.ten.k12.tn.us>

Tuesday, November 09, 2004 3:28 PM

FW: Erate Update - Funding Year 2005 - 2006

Year 8

DR

Original Message—

supt-bounces@lists.k12tn.net [mailto:supt-bounces@lists.k12tn.net] On

From: Lisa Cothron

Sent: Tuesday, November 09, 2004 2:34 PM

To: nce@k12tn.net; supt@k12tn.net; ten-tc@k12tn.net

Subject: Erate Update - Funding Year 2005

1

Form 470 for Telecommunications

will NOT be filing a form 470 for the telecommunications
for funding year 2005. Due to new certifications that must be
the form 470, the State is no longer able to make all the
certifications and therefore cannot submit the form 470 on your

entered into a multi-year contract under a form 470 in a
funding year (and that contract has not expired), you can file
form 471 for telecommunications under the form 470 for the funding
which the contract started.

are getting month-to-month or tariffed services, then you
file a form 470.

plan to issue an RFP for a new telecommunications services
; then you must file a form 470.

are seeking telecommunications services other than basic,
long distance and wireless service, you MUST have a Technology
plan that addresses how these services will be used. (Note: the plan
must have to be approved at this time, but you must be able to show
that you started the plan prior to requesting these services.)

Form 470 must be POSTED on the SLD's web site for at least 28 days
before an applicant can execute a contract for contracted services,
select a service provider for tariffed or month-to-month services, and
submit a Form 471.

You do not need to file a form 470 to purchase upgraded
services using the State's ConnectEN contract with ENA.

Filing Window for Form 471 to Open December 14th, 2004
The filing window will open at noon (EST) on Tuesday, December 14, 2004 and
close at 11:59 pm (EST) on Thursday, February 17, 2005. Please note that
Form 470 must be filed and certified at least 28 days prior to filing
Form 471. The form 470 can be filed now.

Form 471 to be treated as having been filed within the window,
the following must occur:

Form 471 must be completed online or postmarked if filed on paper
before the close of the filing window, and

11/9/2004

of Attach. 1

- The certification page for an online Form 471 and certification pages for any Forms 470 filed online and cited on the Form 471 must be completed online via e-certification or postmarked by the close of the filing window.

2005 Eligible Services List

The Eligible Services List is posted at

<http://www.sl.universalservice.org/reference/eligible.asp>

If you need any assistance or have questions, please contact me.

Thanks

Lisa A. Cothron

Dept of Education, Technology

Executive Director

(615)532-2818

lisa.cothron@state.tn.us

Supt mailing list

Supt@lists.k12tn.net

<http://lists.k12tn.net/mailman/listinfo/supt>

NAME CANCEL SAVE PRINT HELP

Attachment 2

FCC Form 471
Services Ordered and Certification Form



Block 1 & 2

Block 3

Block 4

Block 5

Applicant's Form Identifier: Athens0506

Entity Number: 128266

Contact Person: Teresa Read

Phone Number: (423) 745-2863

IMPORTANT

Please record this application's information in a secure place for future reference

471 Application Number: 476573

Entity Number of Billed Entity (Applicant): 128266

Security Code Number: [REDACTED]

CONFIDENTIAL

2

Continue >>

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mailed Express Mail

2/17/05

ED111747525US

Attachment 3
p. 1

Do not write in this area

Entity Number	128266	Applicant's Form Identifier	Athens0506
Contact Person	Teresa Read	Phone Number	(423) 745-2863

I acknowledge 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.

I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that 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 and civil violations of the False Claims Act.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1), (2).

I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.508(c).

I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

3

Signature of authorized person	39 Date	
	6-9-05	
Printed name of authorized person		
Dr. Craig D. Rigell		
Title or position of authorized person		
Director of Schools		
Street Address, P.O. Box, or Route Number		
943 Crestway Drive		
City		
Athens		
State	Zip Code	
TN	37303	
Telephone number of authorized person	Ext	42c Fax number of authorized person
423-745-2863		423-745-9041
E-mail address of authorized person		
rigellc@k12tn.net		
Name of authorized person's employer		
Athens City Schools		

November 2003
form did not have
"42c" That's the
only change on
Nov 2004 form T.

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 Services Ordered and Certification Form (FCC Form 471) 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 any applicable 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 4 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, Kansas 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms
ATTN: SLD Form 471
3833 Greenway Drive
Lawrence, Kansas 66046
(888) 203-8100**

RECEIVED AUG 29 2005

Teresa Read
Athens City School District
943 Crestway Drive
Athens, TN 37303

SLD's
Decision
Letter

Billed Entity Number: 128266
Form 471 Application Number: 476573
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 25, 2005

Craig D. Rigell
Athens City School District
943 Crestway Drive
Athens, TN 37303

Re: Applicant Name: ATHENS CITY SCHOOL DISTRICT
Billed Entity Number: 128266
Form 471 Application Number: 476573
Funding Request Number(s): 1315742
Your Correspondence Dated: June 09, 2005

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 Funding Year 2005 Form 471 Certification Rejection 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 you will receive a separate letter for each application.

Funding Request Number(s): 1315742
Decision on Appeal: **Denied**
Explanation:

- In your appeal letter, you state that you printed a working copy of Form 471 in November 2004, just prior to the opening of the filing window. You later filed your Form 471 application and Certification without realizing the date on the Form 471 had been changed. You also state that in previous years when additional information was needed for an application, someone at SLD would notify the District's E-rate contact, Ms. Read, and the necessary information would be provided. In this case, Ms. Read was notified with the receipt of the rejection letter. You argue that your Form 471 Certification should be accepted because you used the incorrect version of the form that was downloaded from the SLD website in November 2004, just prior to the opening of the filing window.

- Upon thorough review of your appeal letter, the relevant facts and documents, we find that although you did file the Form 471 online, the signed Form 471 Certification that you submitted to the SLD was outdated. You state that the District obtained the incorrect form from the SLD web site before the filing window opened. Therefore, it should be accepted by the SLD. It is the responsibility of the applicant to ensure that all forms are correct, complete and submitted to SLD within the program application filing window. Furthermore, program rules require that the Form 471 Certification must be submitted on the correct, OMB-approved form 471, with a date of November 2004 or later.
- The Form 471 that you submitted was not acceptable because the Form 471 Certification was not submitted on the correct, OMB-approved form 471, with a date of November 2004 or later. As a result, the Form 471 was rejected for failing to meet minimum processing standards. Since you have not shown in your appeal that your Form 471 was improperly rejected or returned, your appeal is denied.
- Your Form 471 was rejected because it failed to meet Minimum Processing Standards. FCC rules require applicants to “submit a completed FCC Form 471 to the Administrator.” 47 C.F.R. § 54.504(c). The Form 471 requires applicants to provide the information requested on that form. *See Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (FCC Form 471)*. “Every funding year, SLD establishes and notifies applicants of ‘minimum processing standards’ to facilitate efficient review of the thousands of applications requesting funding.” *Request for Review by Sayville Library, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 16 FCC Rcd 5032, DA 03-3637, ¶ 3 (rel. Nov. 14, 2003); FCC Form 471 Instructions, at p. 6-9 (Oct. 2003). “When an applicant submits a Form 471 that omits an item subject to the minimum processing standards, SLD automatically returns the application to the applicant without considering the application for discounts under the program.” *Id.*

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the 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 or postmarked within 60 days of the 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 the electronic filing options.

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

Schools and Libraries Division
 Universal Service Administrative Company