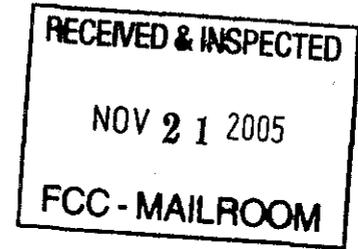


14 November, 2005

CC Docket No. 02-6

Submitted by:

Bill Portela
Director of IT
Hall-Dale Schools, School Administrative District #16
97 Maple St, Farmingdale, Me 04344
207-622-6211
bportela@halldale.org
fax 207-626-0355



This e-mail will server to enter an APPEAL to :

funding year 2005-2006
applicant name : Hall-Dale High School
Billed entity number : 4111
form 471 application number : 465396
FRN : 1289223
decision letter date - June 27, 2005

I would like to appeal the decision to invalidate the original appeal due to the 60 day requirement for the following reasons:

1. This was an administrative mistake in that the "Important Deadline & Reminders" page that accompanied the denied FCDL (471 application number 465396) repeated sites reply times of both 90 and 120 days in multiple areas. These reply times were referenced incorrectly by myself initially. After preparing to respond to the denied FCDL I realized my mistake and immediately filed my appeal electronically.
2. I would also like to appeal the "Administrator's Decision on Appeal" due to the following relevant facts related with the original filing. The original FCDL denial was based on incorrect information supplied by our school district. In this case a new 470 form was not required as the ATM service which was being referenced is part of a long, multiyear contract by both the state of Maine and by Hall-Dale high school. A change to the requirement for the state of Maine to file the associated 470 form on behalf of all participating Maine schools in this statewide ATM project (approximately 60 schools and libraries) precipitated the incorrect filing from our school district. I would like to fax you documents from the state E-rate representative where she states "If you expect discounts on phone services, YOU must file a 470, and you must do it by the 14th.....". In fact the state has a six year contract with the ATM line service vendor that expires on June 30, 2006.

No. of Copies rec'd 0
List A B C D E

Meanwhile our school district also has a 6 year contract for this same service that expires December 12, 2008. The presence of these two differing contracts for the same service, and the change with the Maine state education department no longer filing the associated form 470 led to the confusion in the filing of the 470 when a new form 470 was not required.

In summary, no change to the long term ATM service or vendor had transpired during the 2005 - 2006 filing year. I thank you very much for you taking the time to reconsider the circumstance surrounding the reimbursement of these very important ATM internet services into our high school. If an appeal is not successful, then I would instead like to request a waiver of the 60 day rule as this one administrative error will cost our school district nearly \$13,000 of greatly needed technology funds.

Bill Portela
IT Group
MSAD 16
Farmingdale, Maine

A handwritten signature in black ink, appearing to read "Bill Portela", written over a horizontal line that extends across the page.

Monday, November 14, 2005 11:50:27 AM

Message

From: Bill Portela
Subject: Hall-Dale High School Appeal
To: appeals@sl.universalservice.org

SLD,

CC Docket No. 02-6

Submitted by:

Bill Portela
Director of IT
Hall-Dale Schools, School Administrative District #16
97 Maple St, Farmingdale, Me 04344
207-622-6211
bportela@halldale.org
fax 207-626-0355

This e-mail will server to enter an APPEAL to :

funding year 2005-2006
applicant name : Hall-Dale High School
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form 471 application number : 465396
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by both the state of Maine and by Hall-Dale high school. A change to the requirement for the state of Maine to file the associated 470 form on behalf of all participating Maine schools in this statewide ATM project (approximately 60 schools and libraries) precipitated the incorrect filing from our school district. I would like to fax you documents from the state E-rate representative where she states "If you expect discounts on phone services, YOU must file a 470, and you must do it by the 14th.....". In fact the state has a six year contract with the ATM line service vendor that expires on June 30, 2006. Meanwhile our school district also has a 6 year contract for this same service that expires December 12, 2008. The presence of these two differing contracts for the same service, and the change with the Maine state education department no longer filing the associated form 470 led to the confusion in the filing of the 470 when a new form 470 was not required.

In summary, no change to the long term ATM service or vendor had transpired during the 2005 - 2006 filing year. I thank you very much for you taking the time to reconsider the circumstance surrounding the reimbursement of these very important ATM internet services into our high school.

Bill Portela
IT Group
MSAD 16
Farmingdale, Maine

Monday, November 14, 2005 2:33:02 PM

Message

From: "Gornstein, David" <DGORNST@sl.universalservice.org>

Subject: Appeal 471-465396 Hall-Dale HS

To: Bill Portela

Attachments: Attach0.html

5K

Dear Mr. Portela:

As a follow-up to my voice mail message this afternoon, we are in receipt of your appeal letter. As indicated in the Administrator's Decision on Appeal letter, FRN 1289223 was Dismissed. A Dismissed decision necessitates your filing your appeal with the FCC. Please follow the guidelines as set forth in the ADL of October 13, 2005.

If you have any questions, please feel free to call.

David Gornstein

Associate Manager - Program Compliance

USAC, Schools and Libraries Division

Email: dgornst@sl.universalservice.org

Tel. 973-560-4407

Fax: 973-599-6525

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited



Universal Service Administrative Company
Schools & Libraries Division

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

October 13, 2005

Bill Portela
Hall-Dale High School
Maple Street
Farmingdale, ME 04344

Re: Applicant Name: HALL-DALE HIGH SCHOOL
Billed Entity Number: 4111
Form 471 Application Number: 465396
Funding Request Number(s): 1289223
Decision Letter Date: June 27, 2005
Date Appeal Postmarked: September 23, 2005
Your Correspondence Received: September 23, 2005

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Schools and Library Division (SLD) to consider your appeal.

If you believe there is a basis for further examination of your application, 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 POSTMARKED within 60 days of the above 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.

Schools and Libraries Division
Universal Service Administrative Company

Bill Portela
Hall-Dale High School
Maple Street
Farmingdale, ME 04344

Billed Entity Number: 4111
Form 471 Application Number: 465396
Form 486 Application Number:



Tuesday, January 11, 2005 9:24:49 AM

Bulk Message

From: Maine School and Library Network Technical Coordinator List <MSLNTC-L@LISTS.MA>
 "Comstock, Edna" <Edna.Comstock@MAINE.GOV>

Subject: [MSLNTC-L] 470 Deadline looming

To: MSLNTC-L@LISTS.MAINE.EDU

Bcc: Bill Portela

Attachments: Attach0.html
 Library Discount Sheet.htm

Urgent Reminder to all applicants that 470s must be filed by the end of this week in order to provide the required 28 waiting period before filing your 471s.

Applicants are also reminded that there is no statewide 470 to fall back on this year because of the rules changes for 2005. If you expect discounts on phone services, YOU must file a 470, and you must do it by the 14th to have a chance of getting your 471 (the next form) filed before the filing window closes on February 17th. If you need assistance feel free to call us at 1-800-322-8899 or to send an email reply to this message.

Libraries getting ready to file their 471 are reminded to either call their local school district office to get accurate lunch counts to base discounts on or to use the table provided here as an Excel file. (Remember that what you need is the total district student population and the number of students in the district eligible for free and reduced lunch.) This Excel file will be posted to the E-Rate website as well.

<<Library Discount Sheet.htm>>

ATM filers are reminded that MDOE is about to issue a template which will provide the 470 number from their master contract. Those of you who included ATM service on your own 470's do not need to wait for that template to file your 471. You may file for ATM service using your own 470 as soon as your 28 waiting period has elapsed. If you have question feel free to call 1-800-322-8899 or to email the E-Rate Team for assistance.

Remember too, that the E-Rate page www.maine.gov/msl/erate/erate.htm has information such as SPIN numbers which you will need for your 471 filings. Look for the SPIN page which will be posted shortly.

And finally look for an announcement of a new ATM session on filing the 471 later today. We are targeting a date, probably Wednesday or Thursday next week, for this session. It will be followed by more work sessions.

Thanks, Edna



Enterprise Solutions Group
1 Davis Farm Rd
Portland, Maine 04103
(207) 878-4250
fax (207) 878-4205

Steve
Voie

To: Bill Porteka
From: Peter Bidonani
Re: ATM contract

Number of pages (Including Cover Sheet) 4

Bill Portek
FX 626-0113
bportek@hilldale.org

December 22, 2003

Mr. Don Siviski
MSAD #16
11 1/2 Lincoln Street
Hallowell, ME 04347

Dear Mr. Siviski,

Thank you for your continued interest in the ATM project. In response to your request, attached is an ATM Service Agreement for your review and signature. This will serve as the renewal of your existing ATM service.

The table under 8. should be filled in as follows:

- QTY is "1" 45Mbps Coll Relay Service
- Bit rate is **45MB**
- *Monthly rate is the base price of \$1975 plus the \$10 per megabit of monthly data (Internet) traffic you use, which is 10 megabits. At 10 MB the rate is \$1975 + \$100 or \$2,075 per month.*

In regard to e rate, the DOE files a collaborative 470 for all high schools for ATM service but, as you know, each school is responsible for filing their 471 for this service.

Please complete the remainder of the Agreement and fax to Steve Vose at the State DOE at 624-6601. If you have any questions in the meantime please call me at 207 878-4227. If I am not available, please call Bill Staszko at 207 878-4226.

Thank you for your interest and support of this project.

Sincerely,



Deb Alford
Sales Engineer

Verizon Asynchronous Transfer Mode Cell Relay Service Agreement

AGREEMENT made this 22 day of December, 2003 by and between Verizon, formerly Bell Atlantic, a New York Corporation having its principal place of business at 1095 Avenue of the Americas, New York, N.Y. 10036 and MSAD #16 (Customer).

1. Customer hereby requests that Verizon furnish ATM Cell Relay Service as set forth in paragraph 6, following.
2. This Agreement applies only to ATM Cell Relay Service as set forth in paragraph 6. Other services furnished by Verizon to the Customer are not covered by this Agreement.
3. Verizon shall furnish ATM Cell Relay Service in accordance with and subject to the terms and conditions set forth in the State of Maine Contract for Special Services "Special Contract for Verizon Enterprise Asynchronous Transfer Mode Cell Relay Service".
4. Customer agrees to a 60 month service period for Cell Relay Service governed by this Agreement.
5. If the Customer, during the term of this Agreement, elects to change any or all of the Cell Relay Service Port Connections included in this Agreement to another Verizon cell based data network service, the Termination Liability Charges associated with those Port Connections being changed, is waived.
6. The Customer requests that the following quantities of Cell Relay Service be included in this Agreement:

Qty	Description	Bit Rate	Monthly Rate
1	45 Mbps Cell Relay Service	45	2075
	155 Mbps (OC3c) Cell Relay Service		

7. The requested service date is *N/A* service already installed

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by their duly authorized representative on the day and year first above written.

VERIZON

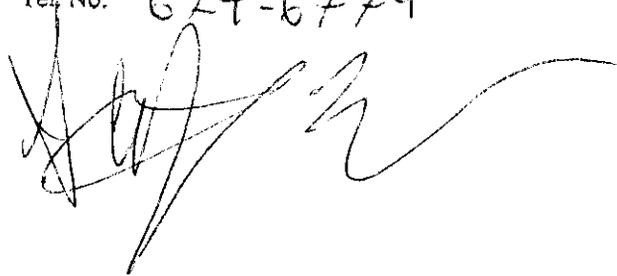
By *Detron Ajmal*
Title *Sales Engineer IV*
Company *Verizon*
Tel. No. *207 878-4227*

ELIGIBLE ENTITY

By *Richard J. Smith*
Title *Supt of Schools M87D16*
Company *School Acad District 16*
Tel. No. *622-6351*

STATE OF MAINE

By *Stephen Vose*
Title *Project Manager*
Company *DOE*
Tel. No. *624-6779*



verizon

March 4, 2005

To Whom It May Concern,

In reference to the questions posed to the State of Maine/MSLN for e-rate consideration, Verizon verifies the following information:

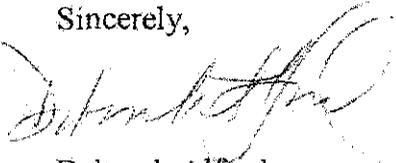
Issue one was related to a State of Maine/MSLN clerical error in which the 91 distance learning sites were provided by the Department of Education with a 471 filing template which incorrectly listed the State master contract with Verizon as having a contract/agreement date of 12/1/00 when in fact the correct contract date was December 12, 2000. Said contract became effective July 1, 2001 and expires June 30, 2006.

Issue two was related to the contract pricing made available through the State master contract for Asynchronous Transfer Mode (ATM) service. The Verizon contract provides a base price of \$2075 for schools and libraries participating in the Maine Department of Education's ATM Project. The \$2075 pricing is for 45Megabit (Mbps) ATM service which includes 10Mbps of service dedicated to data transport.

Billing for ATM service based on the contract also includes the two required universal service fees imposed by the Maine Public Utilities Commission and Universal Service Administrative Company (USAC). Consequently, applicants applying for federal E-Rate support should be requesting an amount approximating:

Contract Base Price	\$2075.00
+Maine Universal Service Fund	\$30.30 (these rates are variable, and frequently change)
+Maine School and Library Fund	\$10.38 (this rate is also subject to change)
	\$2115.68

Sincerely,



Deborah Alford
Sales Engineer
Verizon
1 Davis Farm Road
Portland, ME 04103

CC.

Brian Wydra, Manager



STATE OF MAINE
 DEPARTMENT OF EDUCATION
 23 STATE HOUSE STATION
 AUGUSTA, MAINE
 04433-0023

JOHN ELIAS BALDACCIO
 CLERK

SUSAN A. GENDRON
 COMMISSIONER

February 18, 2005

To Whom It May Concern,

We have been asked to clarify two issues related to our state master contract for Asynchronous Transfer Mode (ATM) service with Verizon.

Issue one is related to a clerical error in which our 91 Distance Learning sites were provided by the Department of Education with a 471 filing template which incorrectly listed the state master contract with Verizon as having a start date of 12/1/00 when in fact the correct contract date was December 12, 2000. Said contract became effective July 1, 2001 and expires June 30, 2006.

Issue two is related to the contract pricing made available through our state master contract for Asynchronous Transfer Mode (ATM) service. Our Verizon contract which will expire June 30, 2006 provides a base price of \$2075 for schools and libraries participating in the Maine Department of Education's ATM Project. The \$2075 pricing is for 45Mega Byte (MB) ATM service which includes 10MB of service dedicated to data transport.

Billing for ATM service based on our contract should also include the two required universal service fees imposed by the Maine Public Utilities Commission and Universal Service Administrative Company (USAC). Consequently, applicants applying for federal E-Rate support should be requesting:

Contract Base Price	\$2075.00
+Maine Universal Service Fund	\$30.30
+Maine School and Library Fund	<u>\$10.38</u>
	\$2115.68

Please reference the enclosed Verizon documents for additional information on both of these issues. If you have further questions regarding this matter, feel free to contact us at 207-624-6779.

Sincerely,

Stephen Vose
 Distance Learning (ATM) Project Manager

CC.

Susan A. Gendron, Commissioner
 Greg Scott, Legislative Liaison