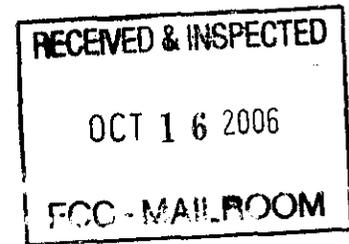


Nathaniel Hawthorne
Attorney/Consultant, Ltd
Admitted: Ohio, Illinois, District of Columbia
nhawthorne @ earthlink.net
www.telecomlawyer.com

27600 Chagrin Blvd., Ste. 265
Cleveland OH 44122
tel: 216.514.4798; 216.514.4795
fax: 216.514.4865
efax: 216.472.8184

DOCKET FILE COPY ORIGINAL



Express Mail EQ868861671US

**Appeal, and request for Expedited Relief, to the Federal
Communications Commission on behalf of Holgate School
District**

October 11, 2006

Secretary
Office of the Secretary
Federal Communications Commission
445 -12th Street, S.W., Rm TW-204B
Washington, D.C. 20554

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

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed. Please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

A handwritten signature in cursive script that reads "Nathaniel Hawthorne".

Nathaniel Hawthorne
Attorney for Holgate School District

A handwritten mark consisting of a large, stylized letter 'O' followed by a horizontal line extending to the right.

Express Mail EQ 868861671 US

RECEIVED & INSPECTED
OCT 16 2006
FCC - MAIL ROOM

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of the Appeal of the)	File No. SLD -
)	
Decision of the)	
)	
Universal Service Administrator by)	
)	
)	CC Docket No. 02-6
Holgate School District)	
)	
Federal-State Joint Board on)	
)	CC Docket No. 96 - 45
Universal Service)	
)	
Changes to the Board of Directors of)	
)	
The National Exchange Carrier)	CC Docket No. 97 - 21
)	
Association, Inc.)	

Appeal
Demand for Expedited Relief

October 11, 2006

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

This is an appeal and request for expedited relief from a decision by the
Schools and Libraries Division of the USAC to the Federal Communications
Commission.

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed; please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

(1) Funding Commitment Decision Letter Appealed

Form 471 Application Number:	508711
Funding Year 2005:	07/01/2006-06/30/2007
Billed Entity Number:	129278
Date of Funding Denial Notice:	September 19, 2006
Date of Appeal:	October 11, 2006

(2) SLD Contact Information

Currie A. Sutton
Holgate School District
(216) 682.0169
27600 Chagrin Blvd., Suite 260
Cleveland Ohio 44122

(3) Funding Request Numbers Appealed

FRN – 1424443

(4) Reason for Appeal:

On FRN 1424443 the SLD denied the Application stating that "This FRN is a request for a Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

(5) First, There is no Federal Communications Requirement that "wireless service" be provided by a telecommunications carrier on a common carriage basis. <http://wireless.fcc.gov/services/>, and <http://www.sl.universalservice.org/reference/eligible.asp>

(6) Second, the SLD was provided very precise data to support Applicants' request for accepting the Application. Further, the FCC dealt with this kind of situation in CC Docket No. 02-6, CC Docket No. 02-6, File No. SLD-338605, Fayette County School District (Fayette). Exhibit A There, the FCC held that the school district submitted documents in support of its funding Application. To the extent that the Application was deficient, the "SLD failed to specify what additional information was required." *Fayette, para 4* Here, the SLD denied the funding request, but no PIA was submitted or other questions asked.

Conclusion:

Holgate is requesting the following action by the FCC:

Reverse the SLD, and allow FRN 1424443.

Respectfully submitted,


Nathaniel Hawthorne

Ohio Bar # 0008881
Nathaniel Hawthorne,
Attorney/Consultant, Ltd.
27600 Chagrin Blvd., #265
Cleveland, OH 44122
tel.: 216/514.4798
nhawthorne@earthlink.net
Attorney for
Holgate School District

Cc: Holgate

Express Mail EQ 868861671 US

RECEIVED & INSPECTED
OCT 16 2006
FCC - MAILROOM

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of the Appeal of the	)	File No. SLD -
)	
Decision of the)	
)	
Universal Service Administrator by)	
)	
Holgate School District	)	CC Docket No. 02-6
)	
Federal-State Joint Board on)	
	)	CC Docket No. 96 - 45
Universal Service)	
)	
Changes to the Board of Directors of)	
)	
The National Exchange Carrier	)	CC Docket No. 97 - 21
)	
Association, Inc.)	

Appeal
Demand for Expedited Relief

October 11, 2006

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

This is an appeal and request for expedited relief from a decision by the
Schools and Libraries Division of the USAC to the Federal Communications
Commission.

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed; please time stamp the extra copy and return it to me in the *enclosed self addressed-stamped envelope*.

(1) Funding Commitment Decision Letter Appealed

Form 471 Application Number: 508711
Funding Year 2005: 07/01/2006-06/30/2007
Billed Entity Number: 129278
Date of Funding Denial Notice: September 19, 2006
Date of Appeal: October 11, 2006

(2) SLD Contact Information

Currie A. Sutton
Hogate School District
(216) 682.0169
27600 Chagrin Blvd., Suite 260
Cleveland Ohio 44122

(3) Funding Request Numbers Appealed

FRN – 1424443

(4) Reason for Appeal:

On FRN 1424443 the SLD denied the Application stating that "This FRN is a request for a Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

(5) First, There is no Federal Communications Requirement that "wireless

service" be provided by a telecommunications carrier on a common

carriage basis. <http://wireless.fcc.gov/services/>, and

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

(6) Second, the SLD was provided very precise data to support Applicants' request for accepting the Application. Further, the FCC dealt with this kind of situation in CC Docket No. 02-6, CC Docket No. 02-6, File No. SLD-338605, Fayette County School District (Fayette). Exhibit A There, the FCC held that the school district submitted documents in support of its funding Application. To the extent that the Application was deficient, the "SLD failed to specify what additional information was required." *Fayette, para 4 Here,* the SLD denied the funding request, but no PIA was submitted or other questions asked.

Conclusion:

Holgate is requesting the following action by the FCC:

Reverse the SLD, and allow FRN 1424443.

Respectfully submitted,


Nathaniel Hawthorne

Ohio Bar # 0008881
Nathaniel Hawthorne,
Attorney/Consultant, Ltd.
27600 Chagrin Blvd., #265
Cleveland, OH 44122
tel.: 216/514.4798
nhawthorne@earthlink.net
Attorney for
Holgate School District

Cc: Holgate

Express Mail EQ 868861671 US

RECEIVED & INSPECTED
OCT 16 2006
FCC - MAILROOM

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of the Appeal of the	)	File No. SLD -
)	
Decision of the)	
)	
Universal Service Administrator by)	
)	
	)	CC Docket No. 02-6
Holgate School District)	
)	
Federal-State Joint Board on)	
	)	CC Docket No. 96 - 45
Universal Service)	
)	
Changes to the Board of Directors of)	
)	
The National Exchange Carrier	)	CC Docket No. 97 - 21
)	
Association, Inc.)	

Appeal
Demand for Expedited Relief

October 11, 2006

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

This is an appeal and request for expedited relief from a decision by the
Schools and Libraries Division of the USAC to the Federal Communications
Commission.

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed; please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

(1) Funding Commitment Decision Letter Appealed

Form 471 Application Number: 508711
Funding Year 2005: 07/01/2006-06/30/2007
Billed Entity Number: 129278
Date of Funding Denial Notice: September 19, 2006
Date of Appeal: October 11, 2006

(2) SLD Contact Information

Currie A. Sutton
Hogate School District
(216) 682.0169
27600 Chagrin Blvd., Suite 260
Cleveland Ohio 44122

(3) Funding Request Numbers Appealed

FRN – 1424443

(4) Reason for Appeal:

On FRN 1424443 the SLD denied the Application stating that "This FRN is a request for a Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

(5) First, There is no Federal Communications Requirement that "wireless

service" be provided by a telecommunications carrier on a common carriage basis. <http://wireless.fcc.gov/services/>, and <http://www.sl.universalservice.org/reference/eligible.asp>

(6) Second, the SLD was provided very precise data to support Applicants' request for accepting the Application. Further, the FCC dealt with this kind of situation in CC Docket No. 02-6, CC Docket No. 02-6, File No. SLD-338605, Fayette County School District (Fayette). Exhibit A There, the FCC held that the school district submitted documents in support of its funding Application. To the extent that the Application was deficient, the "SLD failed to specify what additional information was required." *Fayette, para 4 Here,* the SLD denied the funding request, but no PIA was submitted or other questions asked.

Conclusion:

Holgate is requesting the following action by the FCC:

Reverse the SLD, and allow FRN 1424443.

Respectfully submitted,


Nathaniel Hawthorne

Ohio Bar # 0008881
Nathaniel Hawthorne,
Attorney/Consultant, Ltd.
27600 Chagrin Blvd., #265
Cleveland, OH 44122
tel.: 216/514.4798
nhawthorne@earthlink.net
Attorney for
Holgate School District

Cc: Holgate

Express Mail EQ 868861671 US

RECEIVED & INSPECTED
OCT 16 2006
FCC - MAIL ROOM

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of the Appeal of the	)	File No. SLD -
)	
Decision of the)	
)	
Universal Service Administrator by)	
)	
	)	CC Docket No. 02-6
Holgate School District)	
)	
Federal-State Joint Board on)	
	)	CC Docket No. 96 - 45
Universal Service)	
)	
Changes to the Board of Directors of)	
)	
The National Exchange Carrier	)	CC Docket No. 97 - 21
)	
Association, Inc.)	

Appeal
Demand for Expedited Relief

October 11, 2006

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

This is an appeal and request for expedited relief from a decision by the
Schools and Libraries Division of the USAC to the Federal Communications
Commission.

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed; please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

(1) Funding Commitment Decision Letter Appealed

Form 471 Application Number: 508711
Funding Year 2005: 07/01/2006-06/30/2007
Billed Entity Number: 129278
Date of Funding Denial Notice: September 19, 2006
Date of Appeal: October 11, 2006

(2) SLD Contact Information

Currie A. Sutton
Holgate School District
(216) 682.0169
27600 Chagrin Blvd., Suite 260
Cleveland Ohio 44122

(3) Funding Request Numbers Appealed

FRN – 1424443

(4) Reason for Appeal:

On FRN 1424443 the SLD denied the Application stating that "This FRN is a request for a Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

(5) First, There is no Federal Communications Requirement that "wireless

service" be provided by a telecommunications carrier on a common carriage basis. <http://wireless.fcc.gov/services/>, and <http://www.sl.universalservice.org/reference/eligible.asp>

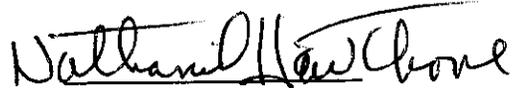
(6) Second, the SLD was provided very precise data to support Applicants' request for accepting the Application. Further, the FCC dealt with this kind of situation in *CC Docket No. 02-6, CC Docket No. 02-6, File No. SLD-338605, Fayette County School District (Fayette)*. Exhibit A There, the FCC held that the school district submitted documents in support of its funding Application. To the extent that the Application was deficient, the "SLD failed to specify what additional information was required." *Fayette, para 4 Here*, the SLD denied the funding request, but no PIA was submitted or other questions asked.

Conclusion:

Holgate is requesting the following action by the FCC:

Reverse the SLD, and allow FRN 1424443.

Respectfully submitted,


Nathaniel Hawthorne

Ohio Bar # 0008881
Nathaniel Hawthorne,
Attorney/Consultant, Ltd.
27600 Chagrin Blvd., #265
Cleveland, OH 44122
tel.: 216/514.4798
nhawthorne@earthlink.net
Attorney for
Holgate School District

Cc: Holgate

Express Mail EQ 868861671 US

RECEIVED & INSPECTED
OCT 16 2006
FCC - MAILROOM

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of the Appeal of the	)	File No. SLD -
)	
Decision of the)	
)	
Universal Service Administrator by)	
)	
Holgate School District	)	CC Docket No. 02-6
)	
Federal-State Joint Board on)	
	)	CC Docket No. 96 - 45
Universal Service)	
)	
Changes to the Board of Directors of)	
)	
The National Exchange Carrier	)	CC Docket No. 97 - 21
)	
Association, Inc.)	

Appeal
Demand for Expedited Relief

October 11, 2006

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

This is an appeal and request for expedited relief from a decision by the
Schools and Libraries Division of the USAC to the Federal Communications
Commission.

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed; please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

(1) Funding Commitment Decision Letter Appealed

Form 471 Application Number:	508711
Funding Year 2005:	07/01/2006-06/30/2007
Billed Entity Number:	129278
Date of Funding Denial Notice:	September 19, 2006
Date of Appeal:	October 11, 2006

(2) SLD Contact Information

Currie A. Sutton
Hogate School District
(216) 682.0169
27600 Chagrin Blvd., Suite 260
Cleveland Ohio 44122

(3) Funding Request Numbers Appealed

FRN – 1424443

(4) Reason for Appeal:

On FRN 1424443 the SLD denied the Application stating that "This FRN is a request for a Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

(5) First, There is no Federal Communications Requirement that "wireless

service" be provided by a telecommunications carrier on a common carriage basis. <http://wireless.fcc.gov/services/>, and <http://www.sl.universalservice.org/reference/eligible.asp>

(6) Second, the SLD was provided very precise data to support Applicants' request for accepting the Application. Further, the FCC dealt with this kind of situation in CC Docket No. 02-6, CC Docket No. 02-6, File No. SLD-338605, Fayette County School District (Fayette). Exhibit A There, the FCC held that the school district submitted documents in support of its funding Application. To the extent that the Application was deficient, the "SLD failed to specify what additional information was required." *Fayette, para 4 Here*, the SLD denied the funding request, but no PIA was submitted or other questions asked.

Conclusion:

Holgate is requesting the following action by the FCC:

Reverse the SLD, and allow FRN 1424443.

Respectfully submitted,


Nathaniel Hawthorne

Ohio Bar # 0008881
Nathaniel Hawthorne,
Attorney/Consultant, Ltd.
27600 Chagrin Blvd., #265
Cleveland, OH 44122
tel.: 216/514.4798
nhawthorne@earthlink.net
Attorney for
Holgate School District

Cc: Holgate

EX

URGENT Please Rush To Addressee

FLA

AT

RACKING OF ALL YOUR PACKAGES



EXPRESS MAIL

UNITED STATES POSTAL SERVICE



U.S. POSTAGE
PAID
SOLOM, OH
44139
OCT 12, 06
AMOUNT

0000

\$14.40
00031975-08



E0868861671US

E0868861671US



UNITED STATES POSTAL SERVICE

Post

Address Conv

Route
Tina

Delivery Point

TW-B204

10/16/06
10:26:37

PO#
Sdr NATHANIEL HAWTHORNE

E0868861671US



W102004WGK

ORIGIN (POSTAL SERVICE USE ONLY)			
PO ZIP Code <i>44139</i>	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ <i>14.40</i>	
Date Accepted <i>10/12/06</i>	Scheduled Date of Delivery	Return Receipt Fee \$	
Mo. Day Year <i>10 12 06</i>	Scheduled Time of Delivery Month Day <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee	Insurance Fee
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM <i>1:16</i>	Military	Total Postage & Fees \$ <i>14.40</i>	
Flat Rate <input type="checkbox"/> or Weight lbs. <i>0.87</i> ozs.	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Int'l Alpha Country Code	Acceptance Emp. Initials <i>114</i>

RECEIVED

DELIVERY (POSTAL USE ONLY)

Mo. Day
OCT 16 2006

Delivery Attempt
 AM PM

Mo. Day
 AM PM

Delivery Date Time
 AM PM

MAIL ROOM
CUSTOMER USE ONLY

FROM: (PLEASE PRINT) PHONE (*216*) *527-4173*

Mrs. Tina ...

TO: (PLEASE PRINT) PHONE ()

...

FOR PICKUP OR TRACKING

Visit www.usps.com

Call 1-800-222-1811

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

+

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

The e...
the Exp...

ow many
box.

only