

February 26, 2007

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

*Re: FCC Request for Review/Waiver
CC Docket No. 02-6
CC Docket No. 96-45*

Dear Sirs:

This purpose of this letter is to humbly request a review/waiver of the following concerning the USAC-SLD denials of Hillsboro Independent School District's funding requests. This request concerns:

Hillsboro Independent School District ("HISD")
Billed Entity Number – 141106
Form 471 Number – **529671**

Funding Request Numbers: **1461704 AT&T Long Distance Service**
1462477 AT&T Leased Fiber
1462639 AT&T Leased Fiber
1462736 AT&T Leased Fiber
1462862 AT&T Leased Fiber

Signed Contract

These particular Funding Request Numbers ("FRN") were denied based upon the contention that there was no signed contract in place at the time the Form 471 was filed. This is incorrect. When asked for the contracts by SLD in a selective review, the only contracts available to the District were signed by the District only and not the service provider, hence the denial. For whatever reason, HISD's Technology Director, who had just recently joined the District, was not familiar with E-Rate and apparently failed to receive or request the actual signed contracts from the service provider. The actual signed contracts were then provided to the SLD during appeal. However, the SLD failed to accept signed contracts as proof. HISD is asking you to waive/review this rule on the grounds of employee error because its former Technology Director was unaware of this rule and that the service provider apparently did not provide the final documents in a timely manner.

FRN 1465436 T1 service from EdLink Telecomm

This FRN was denied based on the fact that the Form 470 was marked "Telecommunications", instead of "Internet Access" as it should have been. This was a simple error which HISD was not allowed to correct. HISD believes that it should have had the opportunity to correct this error pursuant to the "Bishop Perry Order". HISD is asking you to waive this decision on the grounds that it was denied the opportunity to make reasonable corrections and a simple category mistake was made.

FRNs 1461197, 1461267, 1465602, 1469729

These FRN's were denied because the Form 470 indicated no request for proposal ("RFP") when one had been posted. Again, this was a mistake made by HISD's former Technology Director, who had no E-Rate experience and did not understand this form. He inadvertently included Telecommunications on the RFP he generated without realizing that an RFP is not usually released for Telecomm because there is only one service provider in this geographical region. HISD requests that this decision be waived.

Conclusion

In conclusion, there is no question that had these employee errors not occurred, HISD would be eligible to receive E-rate funds. When these errors became known to HISD, they were promptly corrected. HISD has responsibly addressed the cause of the errors. HISD believes that, in the instances discussed above, the decisions and rules be waived because its Technology Director's lack of knowledge and experience with E-Rate will create an undue burden on our District's ability to pay for these FRN's. E-Rate was designed to help rural school districts like HISD. E-Rate is an integral part of HISD's budget. If the current decisions are allowed to stand, mistakes made by a Technology Director (whom HISD thought understood E-Rate) will cost HISD over \$200,000 considering the district's 82% funding rate. Therefore, we respectfully request some leniency in this matter. In the long run, no one suffers but the children we are trying to give a quality education to. The inability to pay the full amount of our Telecommunications portion, which we must have, will cause other programs to suffer.

I thank you for your attention to these matters.

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