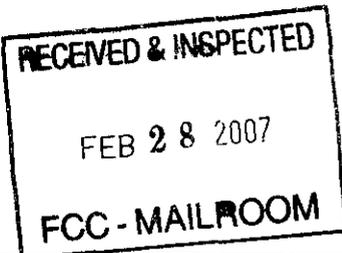


DOCKET #

ORIGINAL



## Holy Ghost Catholic School



6201 Ross SE • Albuquerque, NM 87108 • (505) 256-1563 • Fax (505) 262-9635

February 15, 2007

FCC  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Secretary:

I am writing in reference to CC Docket No. 02-6. Please see the attached E-rate correspondence in regards to an ongoing appeal I have had with the USAC concerning Funding Year 2006 - 2007. I filed initial E-rate paperwork approximately two weeks early (before 24 day waiting period had ended) by accident, for this reason my funding has been denied and they have had this paperwork in their appeal process for months.

My initial funding request was for items that would not normally change year to year such as telephone and cell phone vendors. The request is for a very small amount: \$1550. For these reasons I think it is absolutely ridiculous that my funding request has been denied because I turned in paperwork early.

I would appreciate your reinstatement of my funding and would recommend that the USAC be given some additional, common sense guidelines to help them improve their efficiency in dealing with appeals.

Thank you.

David Tichnell  
Holy Ghost Catholic School  
505-256-1563 x104

No. of Copies rec'd 0  
List ABCDE



## Holy Ghost Catholic School

6201 Ross SE • Albuquerque, NM 87108 • (505) 256-1563 • Fax (505) 262-9635

May 1, 2006

David Tichnell  
Holy Ghost Catholic School  
6201 Ross SE  
Albuquerque, NM 87108  
Email: [Hgschool@swcp.com](mailto:Hgschool@swcp.com)  
Telephone: 505-256-1563 x104  
Fax: 505-262-9635

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, New Jersey 07981

TO WHOM IT MAY CONCERN:

This is a letter of appeal.. I am appealing commitment decisions on three FRNs indicated below.

470 Application No: 391340000 -  
471 Application No: 516819 →  
Billed Entity Number: 99038  
Billed Entity Fcc RN: 001438592  
FRN: 1421766            SPIN: 143005231  
FRN: 1421767            SPIN: 143000677  
FRN: 1421768            SPIN: 143017995

I have attached copy of "Funding Commitment Decision Letter" for these three FRNs that were denied for following reason: "The Form 471 application was signed and/or submitted prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 to the SLD Web Site."

I am fully aware of the 28 day waiting period and simply made a mistake in submitting the Form 471 when I had waited only approximately 20 days. I am asking that you carefully consider my appeal for the following reasons:

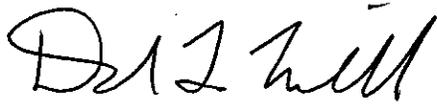
1. We are a small school and a denial of these funds will likely mean we will not be able to offer these
2. I have successfully submitted E-rate applications for 6 years previously and have always abided by all rules and regulations.

3. I have never changed my providers during the 28 day wait period before even when contacted by other vendors.

4. The majority of the funding involves telecommunication providers/carriers that entities such as my school would not normally change anyway.

I would appreciate you careful consideration of this appeal. These funds are critical at my school.  
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David L. Tichnell". The signature is written in black ink and is positioned above the printed name.

David L. Tichnell

11/24 In Process



Universal Service Administrative Company  
Schools & Libraries Division

**Administrator's Decision on Appeal – Funding Year 2006-2007**

September 18, 2006

David L. Tichnell  
Holy Ghost Catholic School  
6201 Ross SE  
Albuquerque, NM 87108

Re: Applicant Name: HOLY GHOST CATHOLIC SCHOOL  
Billed Entity Number: 99038  
Form 471 Application Number: 516819  
Funding Request Number(s): 1421766, 1421767, 1421768  
Your Correspondence Dated: May 01, 2006

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 USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC'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): 1421766, 1421767, 1421768  
Decision on Appeal: **Dismissed**  
Explanation:

- As stated in the web notice regarding FY2006 Form 470-Related Procedures, USAC has reverted back to its prior practice of contacting applicants when the Form 470 number provided on the application did not support the funding request. USAC is dismissing your appeal so that your application can be re-reviewed with all others filed in the FY2006 application filing window. USAC will issue a Revised Funding Commitment Decision Letter once the re-review is complete.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in

2006-2007, you must file an appeal with 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 section of the USAC website 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



# Universal Service Administrative Company

Schools & Libraries Division

## Revised Funding Commitment Decision Letter (Funding Year 2006: 07/01/2006 - 06/30/2007)

January 29, 2007

HOLY GHOST CATHOLIC SCHOOL  
DAVID TICHNELL  
6201 ROSS AVE SE  
ALBUQUERQUE, NM 87108

RE: Form 471 Application Number: 516819  
Billed Entity Number: 99038  
Applicant's Form Identifier: None entered

This letter is your notification that your appeal has been resolved and is the official Revised Funding Commitment Decision letter (RFCDL) providing you with the dollar value and other details of the funding commitment(s) made for the FCC Form 471 Application identified above in response to your appeal.

The Funding Commitment Report (Report) that follows this Revised FCDL contains a list of items that were included in your original FCDL. An explanation of the items in the attached report is included in the sample FCDL posted to the SLD section of the USAC web site, and was included in your original FCDL. Depending on the nature of your appeal, this Report may have been updated to reflect the new total amount of discount for a funding request. Applicants should use THIS updated information when completing the FCC Form 486, if Form 486 has not already been submitted.

This same information is being sent to the service provider(s) whose Service Provider Identification Number (SPIN) was featured in your funding request(s). We urge you to contact your service provider(s) to make any necessary arrangements regarding delivery of service and provision of your discounts.

### IMPLEMENTATION TIMEFRAME

The Federal Communications Commission (FCC) released on June 29, 2001, an Order extending the implementation period for non-recurring services. Any non-recurring service for which funds are committed in this letter may be delivered and installed up to September 30, 2007. Support for recurring services, however, is available only for services provided during the period July 01, 2006 through June 30, 2007.

If Forms 486 have not already been submitted for these services provided by this service provider as identified by the SPIN in the attached Funding Report, Forms 486 must be received or postmarked no later than 120 days after the Service Start Date, or 120 days after the date of an FCDL that approves funding, whichever is later, to receive discounts retroactively to the Service Start Date. If any funding was approved in the original FCDL and any services were provided by the service provider whose SPIN was referenced in the original Funding Report, the deadlines described above are calculated based on the original FCDL. If these services are approved as a result of a SPIN Correction, a new Form 486 will be required to allow invoicing for such services.

### NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your

**RECURRING SERVICES:** In order to receive reimbursement, you must file Form 486, Receipt of Service Confirmation Form, if it has not already been filed. The Form 486 notifies the SLD that services have been delivered. It also provides certified indication that your technology plan(s), if required, has been approved. The Form 486 and instructions are posted on the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). You may also contact the SLD Client Service Bureau by fax at 1-888-276-8736 or by phone at 1-888-203-8100 and ask that the form and instructions be sent to you. The Form 486, dated August 2003 in the lower right corner, MUST be used. As you complete Form 486, you should also contact your service provider(s) to verify they have received notice from the SLD of your funding commitment(s). After the SLD processes your Form 486, we can begin processing invoices for those discounted services (either the FCC Form 472, Billed Entity Applicant Reimbursement Form filed by the applicant or the FCC Form 474, Service Provider Invoice Form filed by the service provider).

**NON-RECURRING SERVICES:** Since these commitments come well after your application was submitted, it is possible that Contract Expiration Dates indicated on the FCC Form 471 will have passed. The attached Funding Commitment Report for this application includes the Contract Expiration Date from the Form 471, if provided. FCC rules grant a limited extension for contracts for non-recurring services. "[C]ontracts for nonrecurring services may be voluntarily extended to coincide with the appropriate deadline for the implementation [of delivery and installation for nonrecurring services]. Parties may not, however, extend other contractual provisions beyond the dates established by the Commission's rules without complying with the competitive bidding process." [FCC 01-195, released June 29, 2001]. If you have been waiting for this commitment letter before directing your service provider to start non-recurring service and if the Contract Expiration Date on the Form 471 has passed, the SLD will not be able to process a Form 486 with a reported Service Start Date after the Contract Expiration Date. If this is true for you, you should first negotiate a contract extension with your service provider and then file an FCC Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form, to notify the SLD of the new Contract Expiration Date. After submitting the Form 500, your next step will be to file the Form 486 with the SLD.

If you have any questions about this Revised FCDL, please call our Client Service Bureau.

**TO APPEAL THIS DECISION:**

If you wish to appeal a 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 or service provider name, if different than appellant,
  - applicant BEN and service provider SPIN,
  - application number as assigned by USAC,
  - name of the letter and funding year - both are located at the top of the 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. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant 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](http://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.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that Universal Service Administration Company (USAC) and/or the Federal Communications Commission (FCC) may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: HOLY GHOST CATHOLIC SCHOOL  
BEN: 99038  
Funding Year: 2006

Form 471 Application Number: 516819  
Funding Request Number: 1421766  
Funding Status: Not Funded  
Category of Service: TELCOMM SERVICES  
Form 470 Application Number: 391340000574963  
SPIN: 143005231  
Service Provider Name: Qwest Corporation  
Contract Number: MTM  
Billing Account Number: 505-256-1563  
Service Start Date: 07/01/2006  
Contract Expiration Date: 06/30/2007  
Site Identifier: 99038  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,670.72  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$2,670.72  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: The Form 471 application was signed and/or submitted prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 to the SLD Web Site.  
Revised FCDL Date: 01/29/2007  
Appeal Wave Number: A03

Form 471 Application Number: 516819  
Funding Request Number: 1421767  
Funding Status: Not Funded  
Category of Service: TELCOMM SERVICES  
Form 470 Application Number: 391340000574963  
SPIN: 143000677  
Service Provider Name: Verizon Wireless  
Contract Number: MTM  
Billing Account Number: 505-259-2632  
Service Start Date: 07/01/2006  
Contract Expiration Date: 06/30/2007  
Site Identifier: 99038  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$843.84  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: ~~\$843.84~~  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: The Form 471 application was signed and/or submitted prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 to the SLD Web Site.  
Revised FCDL Date: 01/29/2007  
Appeal Wave Number: A03



Holy Ghost Catholic School  
6201 Ross SE  
Albuquerque, NM 87108

"Ministering to Families Since 1953"

Route

**Tina**

Delivery Point

**TW-B204**

OMD

02/28/07

PO#

09:33:13

Sdr HOLY GHOST CATHOLIC

7006215000557575472



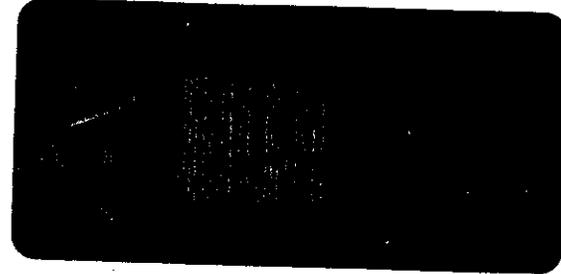
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**FCC**

**RTIFIED MAIL™**



7006 2150 0005 5757 5472



FCC

Office of the Secretary

445 12th Street SW

Washington, DC 20554

RECEIVED & INSPECTED

FEB 28 2007

FCC - MAILROOM

# HOLBROOK & GRIFFIN

ATTORNEYS AND COUNSELORS AT LAW  
100 WEST CENTRAL TEXAS EXPRESSWAY - SUITE 301  
P.O. BOX 2548  
HARKER HEIGHTS, TEXAS 76548-2548  
e-mail - frankfancykeiko@yahoo.com

RECEIVED & INSPECTED

FEB 26 2007

FCC - MAILROOM

FRANK A. HOLBROOK

KEIKO GRIFFIN

OFFICE PHONE  
254-690-2202

DOCKET FILE COPY ORIGINAL

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 22, 2007

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

Re: Request for Review  
Killeen Independent School District  
200 North W.S. Young Drive  
Killeen, Texas 76543  
Billed Entity Number 141065  
Form 471 Application No. 418306  
CC Docket No. 02-6

Gentlemen:

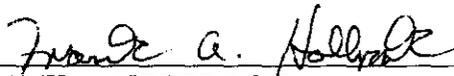
Please accept this letter as notice of withdrawal of attorney Fancy H. Jezek as attorney for the Killeen Independent School District in the above referenced matter which was filed with your office on or about December 19, 2006.

Texas Governor Rick Perry has appointed Ms. Jezek as a District Judge in Bell County and she is prohibited from continuing her representation of the District in this matter.

Please direct any future correspondence regarding this matter to Mr. Billy Walker, Assistant Superintendent for Business Services, Killeen Independent School District, 200 North W.S. Young Drive, Killeen, Texas 76543.

Thank you for your attention to this matter.

Sincerely,

  
FRANK A. HOLBROOK  
FAH/ch

No. of Copies rec'd \_\_\_\_\_  
List ABCDE \_\_\_\_\_

