



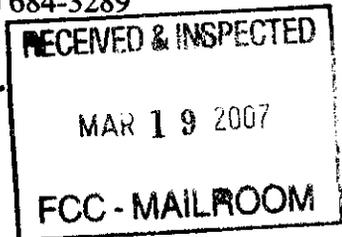
Bedford County Department of Education

500 Madison Street
Shelbyville, Tennessee 37160-3391
Telephone: (931) 684-3284 Fax: (931) 684-3289

DOCKET FILE COPY ORIGINAL

REQUEST FOR REVIEW OR WAIVER

CC Docket No. 02-6
CC Docket No. 96-45



RE: USAC Appeal of Denial of Telecommunication Services for Bedford County School District

Date: March 7, 2007

Funding Commitment Report Dated 12/12/2006
Applicant Name: Bedford County School District
Form 471 Application Number: 523265
Billed Entity Number: 128246
Funding Request Number: 1441074
Funding Year: 2006 (Year 9)

FCC Request for Review: Telecommunication Service has been denied for Bedford County School District. We wish to appeal USAC's denial based on FCC Decisions for Bishop Perry Middle School (File Nos. SLD-487170, et al.), Wayland Free Library (File No. 134324, DA 01-2706) and Salina Independent School District 16 (File No. SLD-170607).

The Funding Commitment Letter explanation states:

"A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site."

USAC's letter titled "Administrator's Decision on Appeal – Funding Year 2006-2007" dated February 21, 2007 is attached to this correspondence. USAC's letter states:

"USAC agrees that Selective correctly determined that a contract for services was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the USAC Web Site."

Applicant Explanation:

We believe the Telecommunication Service is eligible for funding as the school district did have a contract for telecommunication service that meets the FCC's requirements.

History: During the PIA process, Bedford County School District corrected the Form 470 # on Application # 523265. The Form 471 was corrected to indicate in Block 5, number 12, 470 application # 337930000399003. Block 5, Item 17 was updated to list the Allowable Contract Date of 1/10/2002 and Item 18 contract Award Date was updated to list 1/17/2002.

No. of Copies rec'd _____
List ABCDE _____

Contract: The BellSouth Telecommunications contract (Contract #2002-5020) related to this Form 470 was signed on January 17, 2002 which was after the allowable contract date of January 10, 2002.

Due to a clerical error, the typed contract execution date at the top of the contract had an erroneous date of January 17, 2001. This erroneous date was the result of a clerical error in typing in the wrong year at the top of the contract. Since the contract was signed at the start of a new year (January) the previous year was erroneously typed on the contract. There is a header at the top of the contract which indicates a date of Jan - 17 - 02, which is the fax date Bedford County School District and BellSouth Telecommunications were faxing the contract to each other for signatures. This header demonstrates that the application was, in fact, signed after the 28-day waiting period. In addition, we have enclosed a signed certification by Dawn Stewart, Secretary to Superintendent of Schools, attesting to the clerical error of typing the erroneous year.

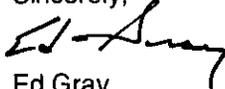
Form 470 # 337930000399003 was posted by the TN Department of Education as part of a procurement for telecommunication services for school districts in the state of Tennessee. The contract used by Bedford County School District was created by the TN Department of Education at the beginning of 2002 as a result of that procurement. This is further evidence that the contract was not executed until 1/17/02 and met the 28-day waiting period requirement.

Relief Requested

We assert that the header on the contract along with the enclosed certification demonstrates that this contract was truly signed after the 28 day waiting period. In the attached Salina Independent School District order, the FCC determined that the "...Form 471 application, on its face, bears a signature date prior to the expiration of the 28-day waiting period, the record demonstrates that the signature date entered by the applicant was erroneous" and the application was remanded back to the SLD for further consideration. We request the Commission review the evidence we have provided which shows we did wait the required 28 day before entering into an agreement with the service provider and remand the application back to USAC for further consideration.

In addition to the information provided, we are also available to provide any additional clarification needed. I look forward to your resolution of this appeal and am available to answer any other questions you may have. Thank you for your assistance.

Sincerely,



Ed Gray
Superintendent
Bedford County School District

Contact Information:

Ed Gray
Bedford County School District
500 Madison Street
Shelbyville, TN 37160
Phone: 931-684-3284
graye@bedfordk12tn.net
Fax: 931-6845-0698

Enclosed Documents:

USAC Funding Commitment Decision Letter for Application #523265 dated 12/12/2006
USAC Administrator's Decision on Appeal Letter dated 2/21/07
Certification Letter dated January 4, 2007 signed by Dawn Stewart

Contract # 2002-5020 between Bell South and Bedford County School District
FCC Salina Independent School District Order adopted October 4, 2002
Form 471 Application # 523265
Form 470 Application # 337930000399003



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2006: 07/01/2006 - 06/30/2007)

December 12, 2006

Joan Gray
BEDFORD COUNTY SCHOOL DISTRICT
500 MADISON ST
SHELBYVILLE, TN 37160-3341

Re: Form 471 Application Number: 523265
Billed Entity Number (BEN): 128246
Billed Entity FCC RN: 0011728490
Applicant's Form Identifier: B471-06-020

Thank you for your Funding Year 2006 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$32,899.82 is "Denied."

Please refer to the Report on the page following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file Form 486 (Receipt of Service Confirmation Form). A guide that provides a definition for each line of the Report precedes the Report.

A list of Important Reminders and Deadlines is included with this letter to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC 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) email 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 letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - Form 471 Application Number 523265 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2006," AND
 - The exact text or the decision that you are appealing.

FUNDING COMMITMENT REPORT
Billed Entity Name: BEDFORD COUNTY SCHOOL DISTRICT
HEN: 128246
Funding Year: 2006

Form 471 Application Number: 523265
Funding Request Number: 1441074
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 337930000399003
SPIN: 143004824
Service Provider Name: BellSouth Telecommunications, Inc.
Contract Number: 2002-5020
Billing Account Number: 931-684-3284-428
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$45,694.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$45,694.20
Discount Percentage Approved by the USAC: N/A
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated
Funding Commitment Decision Explanation: A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.

FCDL Date: 12/12/2006

Wave Number: 034

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

RECEIVED FEB 26 2007

Ed Gray
Bedford County School District
500 Madison St.
Shelbyville, TN 37160

Billed Entity Number: 128246
Form 471 Application Number: 523265
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

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

February 21, 2007

Ed Gray
Bedford County School District
500 Madison St.
Shelbyville, TN 37160

Re: Applicant Name: BEDFORD COUNTY SCHOOL DISTRICT
Billed Entity Number: 128246
Form 471 Application Number: 523265
Funding Request Number(s): 1441074
Your Correspondence Dated: January 05, 2007

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): 1441074
Decision on Appeal: **Denied**
Explanation:

- During the Appeal Review, USAC thoroughly assessed the facts presented in the appeal letter, the relevant documentation on file, and the FCC Rules and Procedures before making its determination on your appeal. USAC agrees that Selective correctly determined that a contract for services was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the USAC Web Site. According to our records, the applicant cited FCC Form 470 application number 592710000481627 on Block 5, Item 12 of the FCC Form 471. During the Selective review, the applicant was informed that, for this funding request, the Contract Award Date of January 17, 2001 for the services requested was before the Allowable Contract Date of the cited Form 470 and that the rules of this support mechanism require that the Contract Award Date be after the Allowable Contract Date. In addition, the applicant was given the opportunity

to cite an alternate Form 470 establishing the bidding for the services requested on the Form 471 in order to correct the program's violation. In a mailed response to the Selective Review Information Request, the applicant provided a copy of the contract signed on January 17, 2001. In a fax dated June 29, 2006, the applicant also stated that the Form 470 establishing the bidding requirement for the requested services is Form 470 application number 337930000399003. This new information did not correct the program violation and the request was denied. On appeal, the applicant has failed to provide evidence that the district has complied with program's competitive bid requirements, or that USAC has erred in its initial decision. Also note that USAC will not accept new information on appeal that is inconsistent with information in the file used during review. Program procedures do not permit USAC to accept new information on appeal except where an applicant was not given an opportunity to provide information during the initial review or an error was made by PIA. Consequently, USAC denies the appeal because the applicant did not comply with the competitive bidding requirement that the Form 470 be posted on USAC's website for 28 days prior to signing a contract or entering into an agreement for new services.

- You selected your vendor for new products and/or services prior to the expiration of the 28 day posting period. FCC Rules require that except under limited circumstances, all Forms 470 received be posted on the USAC website for 28 days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting a Form 471. 47 C.F.R. secs. 54.504 (a) (c), 54.511(a) and (c). FCC Rules further require that the Administrator send the applicant a confirmation when the Form 470 has been posted, and inform the applicant of the earliest date upon which they may sign a contract with the vendor it selects. 47 C.F.R. sec. 54.504(b)(4). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). New products and/or services include tariff telecommunications services that are NOT subject to an existing, binding, written contract.

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 full, partially approved, dismissed, or canceled, 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 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



Bedford County Department of Education

500 Madison Street
Shelbyville, Tennessee 37160-3391
Telephone: (931) 684-3284 Fax: (931) 684-3289

January 4, 2007

To Whom It May Concern:

This affidavit is to certify that there was a clerical error on the attached contract between BellSouth Telecommunications, Inc. and Bedford County Board of Education. The contracted executed date is typed as "January 17, 2001" when the contract executed date should have been indicated as January 17, 2002. I, Dawn Stewart, worked for the previous Superintendent, Mike Bone, and was the person who typed the information on this contract. When typing the information on the contract, I made a clerical error and incorrectly typed the wrong year "2001". I was also the person who faxed the contract to BellSouth on January 17, 2002. This fax date is indicated at the top of the contract and is further evidence that the contract execution date was January 17, 2002.

Sincerely,

Dawn Stewart

Dawn Stewart
Secretary to Superintendent of Schools



*My commission
expired July 14, 2007.
Suzanne G. Hickel*

615 684 1133

12 26 JAN 15 2002

615 684 1133

VCC010

02

This contract executed on (date) January 17, 2001

Contract # 2002-5 020
(insert School system number above)

This contract executed on (date) January 17, 2001 between Bedford County Board of Education hereinafter referred to as "Tennessee School System" and BellSouth Business Systems, Nashville, Tennessee, and is in effect for the period of five (5) years, July 1, 2002 through June 30, 2007.

Tennessee School System agrees to obtain local telephone service as defined in BellSouth's Tennessee General Subscriber Services Tariff (G.S.S.T.) "A" Tariff and subject to change at the rates defined in the G.S.S.T. "A" Tariff. All Terms and Conditions specified in the RFP99-J are made as part of this contract.

This contract will be null and void if funds for these services are not appropriated in the budget approved for the Tennessee School System for any fiscal year.

This contract is null and void if the Tennessee School System's proposal to the Federal Communications Commission is not accepted as eligible for the Universal Service Education Rate discount program.

AGREED TO:

Tennessee School System: Bedford County

Address: 500 Madison Street

City, State, and Zip Code: Shelbyville, TN 37160

Signature of Authorized Person: Mike Bone

Title of Authorized Person: Superintendent

Printed Name of Authorized Person: Mike Bone

For BellSouth Telecommunications, Inc.

Address: 333 Commerce Street, Nashville, Tennessee 37201-3300

Signature of BellSouth Person: Randall L. Frame

Title of Authorized Person: Sales Manager

Printed Name of Authorized Person: Randall L. Frame

Federal Communications Commission
 Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Salina Independent School District 16)	File No. SLD-170607
Salina, Oklahoma)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: October 4, 2002

Released: October 7, 2002

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Review filed by the Salina Independent School District 16 (Salina), Salina, Oklahoma, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Salina seeks review of SLD's denial of a request for discounts for telecommunications services under the schools and libraries universal service support mechanism.² For the reasons set forth below, we grant Salina's appeal and remand its application to SLD for further processing.

2. Under the school and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, may apply for discounts for eligible telecommunications services, Internet access, and internal connections.³ The Commission's rules provide that, with one limited exception for existing, binding contracts, an eligible school, library, or consortium that includes eligible schools or libraries must seek

¹ Letter from Vol Woods, Salina Independent School District 16, to Federal Communications Commission, filed April 11, 2001 (Request for Review).

² Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ 47 C.F.R. §§ 54.502, 54.503.

competitive bids for all services eligible for support.⁴ In accordance with the Commission's rules, an applicant must file with SLD, for posting to its website, an FCC Form 470 requesting services.⁵ *The applicant must wait 28 days before entering into an agreement with a service provider for the requested services and submitting an FCC Form 471 requesting support for the services ordered by the applicant.*⁶ Further, the instructions for the FCC Form 471 state that the date of signature on the Block 6 certification page of the FCC Form 471 "CANNOT be earlier than any Allowable Contract Date you cited in Item (17) of any Block 5 submitted with this application."⁷

3. Once the applicant has complied with the Commission's competitive bidding requirements and entered into an agreement for eligible services, it must file an FCC Form 471 application to notify the Administrator of the services that have been ordered, the carrier with whom the applicant has entered an agreement, and an estimate of funds needed to cover the discounts to be given for eligible services.⁸ In Funding Year 2000, applicants could file their FCC Forms 471 either by mail or by using the on-line application process available on SLD's website to file their FCC Forms 471 electronically.⁹ Regardless of the method chosen, in Block 6 of the FCC Form 471, applicants were required to make certain certifications.¹⁰ Applicants that filed their FCC Forms 471 electronically had to print out a Block 6 certification page at the end of the on-line application filing process and then, after signing and dating the certification page, were required to separately submit it by mail.¹¹

4. Salina filed its Funding Year 2000 FCC Form 471 electronically on January 13, 2000 (Application Number 170607), including Funding Request Number (FRN) 336475, requesting support for telecommunications services.¹² In Block 5, Item 12 of its application,

⁴ 47 C.F.R. §§ 54.504, 54.511(c).

⁵ See Schools and Libraries Universal Service, Description of Services Requested and Certification Form, OMB 3060-0806 (September 1999) (FCC Form 470).

⁶ 47 C.F.R. § 54.504(c); see Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (September 1999) (FCC Form 471).

⁷ Instructions for Completing the Schools and Libraries Universal Service Services Ordered and Certification Form, OMB 3060-0806 (FCC Form 471) (September 1999) (FCC Form 471 Instructions), at 26.

⁸ 47 C.F.R. § 54.504(c).

⁹ FCC Form 471 Instructions, at 5. Previously, this funding period would be referred to as Funding Year 3. Funding periods are now described by the year in which the funding period starts. Thus the funding period which began on July 1, 2000 and ends on June 30, 2001 is now called Funding Year 2000. The funding period which began on July 1, 2001 and ends on June 30, 2002, previously described as Funding Year 4, is now called Funding Year 2001, and so on.

¹⁰ See FCC Form 471, Block 6.

¹¹ FCC Form 471 Instructions, at 24.

¹² FCC Form 471, Salina Independent School District 16, filed January 13, 2000 (Salina FCC Form 471).

Salina listed its establishing FCC Form 470 as application number 910150000266771.¹³ In Block 5, Item 23 of its application, Salina listed its shared discount percentage as 81%.¹⁴ During the application review process SLD changed the establishing FCC Form 470 to application number 172230000129842 with Salina's consent.¹⁵ SLD also reclassified FRN 336475 from telecommunications services to internal connections due to the inclusion of a charge for a Key System battery back-up in the request for telecommunications services.¹⁶ On December 22, 2000, SLD issued a Funding Commitment Decision Letter, denying FRN 336475.¹⁷ SLD explained that the "funding cap will not provide for Internal Connections less than 82% discount to be funded."¹⁸

5. Salina appealed SLD's decision to reclassify Salina's FRN 336475 from telecommunications services to internal connections.¹⁹ To support its claim, Salina attached,

¹³ *Id.* at Block 5, Item 12 (FRN 336475).

¹⁴ *Id.* at Block 5, Item 23 (FRN 336475).

¹⁵ Universal Service Administrative Company, Schools and Libraries Division, Form 471 PIA Review Log, January 13, 2000; Letter from Vol Woods, Salina Independent School District 16, dated April 14, 2000.

¹⁶ Appeal Register (SLD No. 170607), Schools and Libraries Division, Universal Service Administrative Company, April 19, 2001 (12:29:12 PM).

¹⁷ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Vol Woods, Salina Independent School District 16, dated November 24, 2000 (Funding Commitment Decision Letter).

¹⁸ *Id.* In the *Fifth Reconsideration Order*, the Commission established rules to govern how discounts would be allocated when total demand exceeds the amount of funds available and a filing window is in effect. See *Federal-State Joint Board on Universal Service*, Fifth Order on Reconsideration and Fourth Report and Order in CC Docket No. 96-45, 13 FCC Rcd 14915, 14934, para. 31 (1998) (*Fifth Reconsideration Order*). These rules provide that requests for telecommunications and Internet access service for all discount categories shall receive first priority for available funds (Priority One services), and requests for internal connections shall receive second priority (Priority Two services). See 47 C.F.R. § 54.507(g)(1)(i). Thus, when total demand exceeds the total support available, SLD is directed to give first priority for available funding to telecommunications service and Internet access. The annual cap on federal universal service support for schools and libraries is \$2.25 billion per funding year. See 47 C.F.R. § 54.507(a). Any funding remaining is allocated to requests for support for internal connections, beginning with the most economically disadvantaged schools and libraries, as determined by the schools and libraries discount matrix (*Fifth Reconsideration Order*, 13 FCC Rcd at 14938, para. 36); the schools and libraries discount matrix reflects both an applicant's urban or rural status as well as the percentage of its students eligible for the national school lunch program. 47 C.F.R. § 54.505. Schools and libraries eligible for a 90 percent discount would receive first priority for the remaining funds, which would be applied to their request for internal connections. To the extent that funds remain, the Administrator would continue to allocate funds for discounts to eligible applicants at each descending single discount percentage, e.g., eighty-nine percent, eighty-eight percent, and so on until there are no funds remaining. 47 C.F.R. § 54.507(g)(1)(iii). In the *Eleventh Order on Reconsideration*, the Commission clarified that to the extent that there are single discount percentage levels associated with "shared services," the Administrator shall allocate funds for internal connections beginning at the ninety percent discount level, then for eighty-nine percent, eighty-eight percent and so on. *Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, *Federal-State Joint Board on Universal Service*, Fifth Order on Reconsideration in CC Docket No. 97-21, *Eleventh Order on Reconsideration* in CC Docket No. 96-45, and Further Notice of Proposed Rulemaking, 14 FCC Rcd 6033, 6035, para. 6 (1999) (*Eleventh Order on Reconsideration*).

¹⁹ Letter from Vol Woods, Salina Independent School District, to Schools and Libraries Division, Universal Service Administrative Company, filed December 29, 2000 (SLD Appeal Letter).

among other things, a copy of its FCC Form 471 and its Receipt Acknowledgement Letter dated January 24, 2000 as proof that the services it requested were telecommunications services, not internal connections.²⁰

6. On March 14, 2001, SLD issued its decision on Salina's appeal, finding that Salina's FCC Form 470 application number 910150000266771 -- which was originally listed in Block 5, Item 12 of Salina's FCC Form 471 -- was the establishing form for the funding request.²¹ SLD also agreed that the category of service requested in FRN 336475 should have been categorized as a telecommunications service.²²

7. SLD denied Salina's funding request, however, explaining that Salina's FCC Form 470 was posted to SLD's website on December 10, 1999, and the FCC Form 470 Receipt Acknowledgment Letter sent to Salina indicated that the earliest date upon which Salina could sign and submit its FCC Form 471 was January 7, 2000.²³ SLD indicated that Salina had signed the Block 6 certification page of its FCC Form 471 on January 2, 2000.²⁴ Thus, SLD concluded that Salina's application did not comply with the competitive bidding requirement that the FCC Form 470 be posted on the website for 28 days prior to signing and submitting the FCC Form 471.

8. In response, Salina filed the instant Request for Review with the Commission.²⁵ In its Request for Review, Salina states that SLD denied its application on erroneous grounds. Salina's primary argument is that SLD erred when it determined that its FCC Form 471 was filed prior to January 7, 2000.²⁶ Salina maintains that its FCC Form 471 was submitted online and its Block 6 certification page was mailed on January 13, 2000. Salina attached a copy of its United States Postal Office Express Mail receipt dated January 13, 2000, as proof that its application complied with the competitive bidding requirements.²⁷ Salina also attached a copy of its

²⁰ *Id.*

²¹ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Vol Woods, Salina Independent School District 16, dated March 14, 2001 (Administrator's Decision on Appeal).

²² *Id.*

²³ *Id.* See also Letter from Schools and Libraries Division, Universal Service Administrative Company, to Vol Woods, Salina Independent School District 16, dated December 13, 1999 (FCC Form 470 Receipt Acknowledgment Letter).

²⁴ *Id.* See also Salina FCC Form 471.

²⁵ Request for Review.

²⁶ *Id.* Salina correctly notes that the Administrator's Decision on Appeal erroneously references FRN 473891 instead of 336475. Because the Administrator's Decision also referenced the correct FRN at the top of the page, we find that this error was immaterial. As support for its contention that Salina complied with the competitive bidding requirements, Salina also notes that on Application Number 170607, it had also filed a request for Internet access and that request was approved as submitted.

²⁷ *Id.* See also United States Post Office Express Mail Receipt from Salina Public Schools to SLD, postmarked January 13, 2000.

electronically filed FCC Form 471, noting that the contract award date in Block 5, Item 18 is listed as January 10, 2000.²⁸

9. We have reviewed the record, including Salina's FCC Form 471, and conclude that SLD erred in denying FRN 336475. Although Salina's FCC Form 471 application, on its face, bears a signature date prior to the expiration of the 28-day waiting period, the record demonstrates that the signature date entered by the applicant was erroneous. Specifically, when Salina printed out its Block 6 certification for mailing to SLD, the actual date of printing was indicated as a footer on the bottom of the page; the electronic date stamp on the printed page reads January 13, 2000.²⁹ However, when the form was signed, Salina's representative incorrectly dated the form January 2, 2000.³⁰ The footer on the signature page demonstrates that the application was, in fact, signed after the 28-day waiting period. Further, Block 5, Item 18 of Salina's FCC Form 471 indicates that Salina entered into an agreement with its chosen service provider on January 10, 2000, after the 28-day waiting period.³¹ In addition, Salina's express mail receipt confirms that its Block 6 certification page was sent to SLD on January 13, 2000.³² Thus, the record evidence supports Salina's claim that it did wait the 28 days required by the Commission's rule before submitting its FCC Form 471. Therefore, based on the evidence in the record, we find it appropriate to reverse SLD's decision and remand Salina's application to SLD for further consideration.

²⁸ *Id.*

²⁹ *See* Salina FCC Form 471.

³⁰ *Id.* at Block 6.

³¹ *Id.* at Block 5, Item 18.

³² *See supra* n.25.

10. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed April 11, 2001, by Salina Independent School District 16, Salina, Oklahoma, IS GRANTED to the extent provided herein, and Salina's application is REMANDED to SLD for further consideration consistent with this Order.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

FCC Form 471

Do not write in this area.

Approval by OMB
3060-0806**Schools and Libraries Universal Service****Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at www.sl.universalservice.org.)
The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier

(Create your own code to identify THIS form 471) B471-06-020

Form 471 Application#

(To be assigned by administrator)

523265

Block 1: Billed Entity Information (The "Billed Entity" is the entity paying the bills for the service listed on this form.)

1 a Name of Billed Entity BEDFORD COUNTY SCHOOL DISTRICT

2 a Funding Year: July 1, 2006 Through June 30: 2007

Billed Entity Number: 128246

4 a Street Address, P.O. Box, or Routing Number 500 MADISON ST

City SHELBYVILLE

State TN

Zip Code 37160 3341

5 a Type of Application

- Individual School (individual public or non-public school)
 School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)
 Library (including library system, library outlet/branch or library consortium as defined under LSTA)
 Consortium Check here if any members of this consortium are ineligible or non-governmental entities)

6 Contact Person's Name

Joan Gray

First, if the Contact Person's Street Address is the same as in Item 4, check this box. If not, please complete the entries for the Street Address below.

b Street Address, P.O. Box, or Routing Number 500 MADISON ST

City SHELBYVILLE

State TN

Zip Code 37160 3341

Page 1 of 7



FCC Form 471 - November 2004

Entity Number 128246Applicant's Form Identifier B471-06-020Contact Person Joan GrayPhone Number 931-684-3284

This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471.

Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.

Block 2: Impact of Services Ordered on Schools

IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER	AFTER ORDER
7a	Number of students to be served		7300
b	Telephone service: Number of classrooms with phone service	50	50
d	Direct broadband services: Number of buildings served at the following speeds: Between 10 mbps and 200 mbps	14	14
e	Direct connections to the Internet: Number of drops	2100	2100
f	Number of classrooms with Internet access	375	375
g	Number of computers or other devices with Internet access	2100	2100

Block 3: Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT

Worksheet A No: 788960

Student Count: 7326

Weighted Product (Sum. Column 8): 5248.6

Shared Discount: 72%

1. School Name: BEDFORD CO VOCATIONAL CENTER

2. Entity Number: 41026 NCES: 47 00180 00248

3. Rural/Urban: Rural

4. Student Count: 0

5. NSLP Students: 0

6. NSLP Students/Students:

7. Discount: 72%

8. Weighted Product: 0

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: BEDFORD COUNTY ADULT HIGH SCHOOL

2. Entity Number: 203767 NCES: 47 00180 237

3. Rural/Urban: Rural

4. Student Count: 0

5. NSLP Students: 0

6. NSLP Students/Students:

7. Discount: 72%

8. Weighted Product: 0

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: BEDFORD COUNTY BOARD OF EDUCATION

2. Entity Number: 16036656 NCES:

3. Rural/Urban: Rural

4. Student Count: 0

5. NSLP Students: 0

6. NSLP Students/Students:

7. Discount: 72%

8. Weighted Product: 0

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: CASCADE ELEMENTARY SCHOOL

2. Entity Number: 173628 NCES: 47 00180 00578

3. Rural/Urban: Rural
 4. Student Count: 661
 7. Discount: 60%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 213
 8. Weighted Product: 396.6
 10. Alt Disc Mech:

6. NSLP Students/Students: 32.223%

1. School Name: CASCADE HIGH SCHOOL
 2. Entity Number: 41062 NCES: 47 00180 00034
 3. Rural/Urban: Rural
 4. Student Count: 776
 7. Discount: 60%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 257
 8. Weighted Product: 465.6
 10. Alt Disc Mech:

6. NSLP Students/Students: 33.118%

1. School Name: COMMUNITY ELEMENTARY SCHOOL
 2. Entity Number: 41060 NCES: 47 00180 39
 3. Rural/Urban: Rural
 4. Student Count: 798
 7. Discount: 70%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 365
 8. Weighted Product: 558.6
 10. Alt Disc Mech:

6. NSLP Students/Students: 45.739%

1. School Name: COMMUNITY HIGH SCHOOL
 2. Entity Number: 175056 NCES: 47 00180 00039
 3. Rural/Urban: Rural
 4. Student Count: 577
 7. Discount: 70%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 209
 8. Weighted Product: 403.9
 10. Alt Disc Mech:

6. NSLP Students/Students: 36.221%

1. School Name: EAKIN PRIMARY SCHOOL
 2. Entity Number: 41023 NCES: 47 00180 35
 3. Rural/Urban: Rural
 4. Student Count: 543
 7. Discount: 80%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 378
 8. Weighted Product: 434.4
 10. Alt Disc Mech:

6. NSLP Students/Students: 69.613%

1. School Name: EAST SIDE PRIMARY SCHOOL
 2. Entity Number: 41027 NCES: 47 00180 00040
 3. Rural/Urban: Rural
 4. Student Count: 358
 7. Discount: 80%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 256
 8. Weighted Product: 286.4
 10. Alt Disc Mech:

6. NSLP Students/Students: 71.508%

1. School Name: HARRIS MIDDLE SCHOOL
 2. Entity Number: 41024 NCES: 47 00180 00037
 3. Rural/Urban: Rural
 4. Student Count: 813
 7. Discount: 80%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 433
 8. Weighted Product: 650.4
 10. Alt Disc Mech:

6. NSLP Students/Students: 53.259%

1. School Name: LIBERTY ELEMENTARY SCHOOL
 2. Entity Number: 41029 NCES: 47 00180 00042
 3. Rural/Urban: Rural
 4. Student Count: 650
 7. Discount: 70%
 9. Pre-K/Adult Ed/Juv:

5. NSLP Students: 255
 8. Weighted Product: 455
 10. Alt Disc Mech:

6. NSLP Students/Students: 39.230%

1. School Name: SHELBYVILLE CENTRAL HIGH SCH
 2. Entity Number: 41030 NCES: 47 00180 00036

3. Rural/Urban: Rural
 4. Student Count: 1223
 5. NSLP Students: 463
 6. NSLP Students/Students: 37.857%
 7. Discount: 70%
 8. Weighted Product: 856.1
 9. Pre-K/Adult Ed/Juv:
 10. Alt Disc Mech:

1. School Name: SOUTH SIDE PRIMARY SCHOOL
 2. Entity Number: 41028 NCES: 47 00180 44
 3. Rural/Urban: Rural
 4. Student Count: 403
 5. NSLP Students: 241
 6. NSLP Students/Students: 59.801%
 7. Discount: 80%
 8. Weighted Product: 322.4
 9. Pre-K/Adult Ed/Juv:
 10. Alt Disc Mech:

1. School Name: THOMAS INTERMEDIATE SCHOOL
 2. Entity Number: 41025 NCES: 47 00180 00041
 3. Rural/Urban: Rural
 4. Student Count: 524
 5. NSLP Students: 291
 6. NSLP Students/Students: 55.534%
 7. Discount: 80%
 8. Weighted Product: 419.2
 9. Pre-K/Adult Ed/Juv:
 10. Alt Disc Mech:

Block 5: Discount Funding Request(s)

FRN: 1441074 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 592740000481627 337930000399003
13. SPIN: 143004824	14. Service Provider Name: BellSouth Telecommunications, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: 2002-5020
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 931-684-3284-428	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 01/09/2004 01/10/2002	18. Contract Award Date: 02/03/2004 01/17/2002
19a. Service Start Date: 07/01/2006	19b. Service End Date:
20. Contract Expiration Date: 06/30/2007	
21. Attachment #: Bedford TC 06	22. Block 4 Worksheet No.: 788960
23a. Monthly Charges: \$3,807.85	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$3,807.85	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$45,694.20	
23f. Annual non-recurring (one-time) charges: 0	
23g. Ineligible non-recurring amt.: 0	
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$45,694.20	
23j. % discount (from Block 4): 72	
23k. Funding Commitment Request (23i x 23j): \$32,899.82	

① Note that the above 470 corrections were made during PIA.

Block 6: Certifications and Signature

Do not write in this area.

Application ID:523265

Entity Number	<u>128246</u>	Applicant's Form Identifier	<u>B471-06-020</u>
Contact Person	<u>Joan Gray</u>	Phone Number	<u>931-684-3284</u>

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 23l on all Block 5 Discount Funding Requests.)	\$45,694.20
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$32,899.82
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$12,794.38
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$0.00
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.)	\$12,794.38
f.	<input type="checkbox"/> 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):
- a. an individual technology plan for using the services requested in this application; and/or
- b. higher-level technology plan(s) for using the services requested in this application; or
- c. 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.

38. Signature of authorized person

39. Signature Date 2/13/06

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**

Print

« Previous

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FCC Form

Approval by OMB
3060-0806

470

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 337930000399003

Applicant's Form Identifier: yr5-telecom

Application Status: CERTIFIED

Posting Date: 12/13/2001

Allowable Contract Date: 01/10/2002

Certification Received Date: 01/14/2002

1. Name of Applicant:

TN STATE DEPARTMENT OF EDUCATION

2. Funding Year:

07/01/2002 - 06/30/2003

3. Your Entity Number

128260

4a. Applicant's Street Address, P.O.Box, or Route Number

710 JAMES ROBERTSON PKWY

City

NASHVILLE

State

TN

Zip Code

37219-1219

b. Telephone number

(615) 741-1643

c. Fax number

(615) 532-5303

d. E-mail Address

tbayersdorfer@mail.state.tn.ud

5. Type Of Applicant

- Individual School (individual public or non-public school)
- School District (LEA; public or non-public[e.g., diocesan] local district representing multiple schools)
- Library (including library system, library branch, or library consortium applying as a library)
- Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Tom Bayersdorfer

First, fill in every item of the Contact Person's information below that is different from Item 4, above. Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)

6b. Street Address, P.O.Box, or Route Number 710 JAMES ROBERTSON PKWY

City

State

Zip Code

NASHVILLE	TN	37219-1219
6c. Telephone Number (615) 741- 1643		
6d. Fax Number (615) 532- 5303		
6e. E-mail Address tbayersdorfer@mail.state.tn.ud		

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. Services for which a new written contract is sought for the funding year in Item 2.

d. A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 Telecommunications Services
Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a. YES, I have an RFP. It is available on the Web at or via (check one):
 the Contact Person in Item 6 or the contact listed in Item 11.

b. NO , I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

9 Internet Access
Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a. YES, I have an RFP. It is available on the Web at or via (check one):
 the Contact Person in Item 6 or the contact listed in Item 11.

b. NO , I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Add additional lines if needed.

10 Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a YES, I have an RFP. It is available on the Web at or via (check one):

the Contact Person in Item 6 or the contact listed in Item 11.

b NO, I do not have an RFP for these services.

If you answered NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Add additional lines if needed.

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Tom Bayersdorfer

Title:

Director of Information Technology

Telephone number

(615) 532 - 1643

Fax number

(615) 532 - 5303

E-mail Address

tbayersdorfer@mail.state.tn.us

12. Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

The RFPs are being released on behalf of the consortium members which are the K-12 public schools of Tennessee. The contracts will be signed by each school system. The list of systems are included in the RFP.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

The contracts which will be awarded from these contracts may be signed for up 60 months of service beginning July 1, 2002.

Block 3: Technology Assessment

14. Basic telephone service only: If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop software: Software required has been purchased; and/or is being sought.

b. Electrical systems: adequate electrical capacity is in place or has already been arranged; and/or upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers has been purchased; and/or is being sought.

d. Computer hardware maintenance: adequate arrangements have been made; and/or are being sought.

e. Staff development: all staff have had an appropriate level of training /additional training has already been scheduled; and/or training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. Individual school or single-site library.

b. Statewide application for (enter 2-letter state code) TN representing (check all that apply):

- All public schools/districts in the state:
- All non-public schools in the state:
- All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. **If checked, complete Item 18.**

c. School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	1850
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
423	209, 263, 272, 279, 334, 337, 338, 346, 378, 434, <input type="checkbox"/>
615	231, 259, 374, 384, 444, 446, 449, 451, 454, 532, <input type="checkbox"/>
731	253, 285, 286, 352, 364, 423, 584, 586, 635, 642, <input type="checkbox"/>
865	376, 397, 453, 457, 463, 482, 485, 594, 828, 882, <input type="checkbox"/>
901	321, 325, 465, 476 <input type="checkbox"/>

931

232, 243, 268, 289, 296, 359, 363, 388, 433, 484, If your application includes INELIGIBLE entities, check here. If checked, complete Item 18.**17. Billed Entities**

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
TENNESSEE SCHOOL FOR THE BLIND	41197
TENNESSEE SCHOOL FOR THE DEAF	41998
YORK INSTITUTE	42677
CHEATHAM COUNTY SCHOOL DIST	128207
SMITH COUNTY BOARD OF EDUC	128208
HICKMAN COUNTY SCHOOL DISTRICT	128211
CLARKSVILLE-MONTGOMERY DIST	128213
DICKSON COUNTY PUBLIC LIBRARY	128216
STEWART COUNTY BD OF EDUCATION	128217
HOUSTON COUNTY SCHOOL DISTRICT	128220
FRANKLIN SPECIAL SCHOOL DIST	128221
WILLIAMSON COUNTY SCHOOL DIST	128223
SUMNER COUNTY SCHOOL DISTRICT	128225
TROUSDALE COUNTY SCHOOLS	128226
MACON COUNTY SCHOOL DISTRICT	128231
WILSON COUNTY SCHOOL DISTRICT	128233
LEBANON SPECIAL SCHOOL DIST	128234
MARSHALL COUNTY BOARD OF EDUC	128236
PERRY COUNTY SCHOOL DISTRICT	128238
WARREN COUNTY SCHOOL DISTRICT	128240
MURFREESBORO CITY SCHOOL DIST	128241
RUTHERFORD COUNTY SCHOOL DIST	128242
BEDFORD COUNTY SCHOOL DISTRICT	128246
DE KALB COUNTY SCHOOL DISTRICT	128248
ROBERTSON COUNTY SCHOOL DIST	128250
HUMPHREYS COUNTY SCHOOLS	128253
CANNON COUNTY SCHOOL DISTRICT	128255
METROPOLITAN NASHVILLE PUBLIC SCHOOLS	128258
TN STATE DEPARTMENT OF EDUCATION	128260
GRUNDY COUNTY SCHOOLS	128262
MCMINN COUNTY SCHOOL DISTRICT	128265
ATHENS CITY SCHOOL DISTRICT	128266
POLK COUNTY SCHOOL DISTRICT	128269

BRADLEY COUNTY SCHOOL DISTRICT	128272
CLEVELAND CITY SCHOOL DISTRICT	128273
<i>RHEA COUNTY SCHOOL DISTRICT</i>	<i>128275</i>
DAYTON CITY SCHOOL DISTRICT	128277
MEIGS COUNTY SCHOOLS	128279
SEQUATCHIE COUNTY BD OF EDUC	128281
ETOWAH CITY SCHOOL DISTRICT	128285
FAYETTEVILLE CITY SCHOOL DIST	128287
LINCOLN COUNTY SCHOOL DISTRICT	128288
MARION COUNTY SCHOOL DISTRICT	128290
MOORE COUNTY SCHOOL DISTRICT	128292
MONROE COUNTY SCHOOL DISTRICT	128295
MANCHESTER CITY SCHOOL DIST	128296
COFFEE COUNTY SCHOOL DISTRICT	128297
BLEDSON COUNTY SCHOOL DISTRICT	128300
RICHARD CITY INDEP SCHOOL DIST	128304
TULLAHOMA CITY SCHOOLS	128309
FRANKLIN COUNTY SCHOOL DIST	128311
HAMILTON COUNTY SCHOOL DIST	128315
JOHNSON CITY SCHOOL DISTRICT	128318
SULLIVAN COUNTY SCHOOL DIST	128320
BRISTOL CITY SCHOOL SYSTEM	128322
CARTER COUNTY BD OF EDUCATION	128324
ELIZABETHTON CITY SCHOOL DIST	128325
UNICOI COUNTY SCHOOL DISTRICT	128327
WASHINGTON COUNTY SCHOOL DIST	128328
KINGSPORT CITY SCHOOL DISTRICT	128331
JOHNSON COUNTY SCHOOL DISTRICT	128333
ALCOA CITY SCHOOL DISTRICT	128334
CLINTON CITY SCHOOL DISTRICT	128338
ANDERSON COUNTY SCHOOL DIST	128340
JEFFERSON COUNTY SCHOOLS	128341
GREENE COUNTY SCHOOL DISTRICT	128345
GREENEVILLE CITY SCHOOLS	128346
HARRIMAN CITY SCHOOL DISTRICT	128348
SCOTT COUNTY SCHOOL SYSTEM	128350
CAMPBELL COUNTY SCHOOL DIST	128352
ROANE COUNTY SCHOOL DISTRICT	128357
LENOIR CITY SCHOOL DISTRICT	128361
LOUDON COUNTY SCHOOL DISTRICT	128362
MARYVILLE CITY SCHOOL DISTRICT	128366
BLOUNT COUNTY SCHOOLS	128367
UNION COUNTY SCHOOL DISTRICT	128368

HAMBLEN COUNTY SCHOOL DISTRICT	128371
COCKE COUNTY SCHOOLS	128375
NEWPORT CITY SCHOOL DISTRICT	128377
OAK RIDGE SCHOOLS	128382
ONEIDA SPECIAL SCHOOL DISTRICT	128386
HAWKINS COUNTY SCHOOL DISTRICT	128390
ROGERSVILLE CITY SCHOOL DIST	128391
GRAINGER COUNTY SCHOOL DISTRICT	128393
SEVIER COUNTY SCHOOL DISTRICT	128396
HANCOCK COUNTY SCHOOL DISTRICT	128398
SWEETWATER CITY SCHOOL DIST	128401
CLAIBORNE COUNTY BD OF EDUC	128404
MORGAN COUNTY SCHOOL DISTRICT	128406
KNOX COUNTY SCHOOL DISTRICT	128407
ALAMO CITY SCHOOL DISTRICT	128413
CROCKETT COUNTY SCHOOL DIST	128414
BELLS SCHOOL DISTRICT	128415
HARDEMAN COUNTY SCHOOL DISTRICT	128416
HAYWOOD COUNTY SCHOOL DISTRICT	128418
TIPTON COUNTY SCHOOL DISTRICT	128421
COVINGTON CITY SCHOOL DISTRICT	128422
DYER COUNTY SCHOOL DISTRICT	128425
DYERSBURG CITY SCHOOL DISTRICT	128426
LAUDERDALE COUNTY SCHOOL DIST	128430
FAYETTE COUNTY SCHOOL DISTRICT	128433
LAKE COUNTY SCHOOL	128436
SHELBY COUNTY SCHOOL DISTRICT	128440
MEMPHIS CITY SCHOOL DISTRICT	128441
MCKENZIE SPECIAL SCHOOL DIST	128443
WEAKLEY COUNTY SCHOOL DISTRICT	128446
PARIS SPECIAL SCHOOL DISTRICT	128453
HENRY COUNTY SCHOOL DISTRICT	128454
WEST CARROLL SCHOOL DISTRICT	128457
OBION COUNTY SCHOOL DISTRICT	128458
UNION CITY SCHOOLS	128460
JACKSON-MADISON COUNTY SCHOOL SYSTEM	128463
BRADFORD SPECIAL SCHOOL DIST	128465
HOLLOW ROCK BRUCETON SCH DIST	128466
BENTON COUNTY SCHOOL DISTRICT	128467
SOUTH CARROLL COUNTY SCH DIST	128469
DECATUR COUNTY SCHOOL DISTRICT	128470
GIBSON COUNTY SPECIAL SCH DIST	128472
CHESTER COUNTY SCHOOL DISTRICT	128474

HUMBOLDT CITY SCHOOL DISTRICT	128476
CARROLL COUNTY SCHOOL DISTRICT	128477
HUNTINGDON SPECIAL SCHOOL DIST	128478
HENDERSON COUNTY SCHOOL DIST	128480
LEXINGTON CITY ELEM SCH DIST	128483
MILAN SPECIAL SCHOOL DISTRICT	128485
HARDIN COUNTY SCHOOL DISTRICT	128488
MCNAIRY COUNTY BOARD OF EDUC	128490
TRENTON SPECIAL SCHOOL DIST	128492
MAURY COUNTY SCHOOL DISTRICT	128493
LEWIS COUNTY SCHOOL DISTRICT	128497
LAWRENCE COUNTY SCHOOL DIST	128499
GILES COUNTY SCHOOL DISTRICT	128502
WAYNE COUNTY SCHOOLS	128505
PUTNAM COUNTY SCHOOL DISTRICT	128509
PICKETT COUNTY SCHOOL DISTRICT	128511
CLAY COUNTY SCHOOL DISTRICT	128513
CUMBERLAND COUNTY SCHOOL DIST	128515
FENTRESS COUNTY SCHOOL DIST	128517
JACKSON COUNTY SCHOOL DISTRICT	128520
OVERTON COUNTY SCHOOL DISTRICT	128522
WHITE COUNTY SCHOOL DISTRICT	128525
VAN BUREN COUNTY SCHOOL DIST	128528

18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix
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Block 5: Certification and Signature

19. The applicant includes:(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 school (including, but not limited to elementary and secondary schools, colleges and universities).

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. individual technology plans for using the services requested in the application, and/or
- b. higher-level technology plans for using the services requested in the application, or
- c. no technology plan needed; application requests basic local and/or long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. technology plan(s) has/have been approved by a state or other authorized body.
 b. technology plan(s) will be approved by a state or other authorized body.
 c. no technology plan needed; application requests basic local and long distance telephone service only. .

22. 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.

23. I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person:

26. Date (mm/dd/yyyy): 12/21/2001

27. Printed name of authorized person: Tom Bayersdorfer

28. Title or position of authorized person: Director of Information Technology

29a. Address of authorized person:

City: State: Zip:

29b. Telephone number of authorized person: (615) 532 - 1643

29c. Fax number of authorized person: ()

29d. E-mail address number of authorized person:

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.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

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 Description of Services Requested and Certification Form (FCC Form 470) 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, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

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 470
P.O. Box 7026
Lawrence, Kansas 66044-7026
1-888-203-8100**

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

**SLD-Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
1-888-203-8100**

FCC Form 470
May 2003

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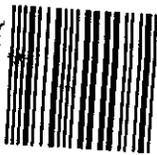
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Bedford County Board of Education
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TO: **Marlene H. Dortch, Secretary**
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Name _____
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2nd Notice _____
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