



Rochelle Independent School District

**Board Members:**

Alvin Bolton, President
Denine Miller
Dorman Pitcox

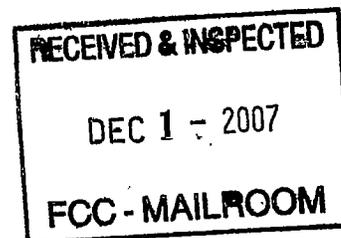
Steve Butler, Superintendent

Scott Edmondson, Principal

PO Box 167
Rochelle, Texas 76872
325-243-5224

Glenda Ranne, Secretary

Jack Richardson
Mike Wolfe



November 12, 2007

ROCHELLE INDEPENDENT SCHOOL DISTRICT

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

RE: CC Docket No. 02-06

CC: 02-6

Entity appealing:

Rochelle ISD
Billed Entity Number: 141177
Contact: Steve Butler PO Box 167, Rochelle, Texas 76872
Phone: 325-243-5226
Fax: 325-243-5216
Email: subtler@risd.centex-edu.net

Decision appealed:

Administrator's Decision On Appeal – Funding Year 2003-2004
Date of document: 10/09/2007
471 Application # 346760
FRN's: 933818 & 933826

Rochelle ISD is seeking a Request for Review from the FCC.

Regarding funding year 2003-2004, FRN's 933818 & 933826 were approved in full. However, approximately four years passed and Rochelle ISD received a Notification of Commitment Adjustment Letter dated May 10, 2007. This letter stated that Rochelle ISD failed to post a new FCC Form 470 before extending its existing contract and failed to comply with the competitive bidding requirements therefore funding for FRN's 933818 & 933826 is being rescinded. Follow-up letters from USAC dated July 31, 2007 and August 23, 2007 stated that Rochelle ISD did not post for the requested category of service (Internet Access).

In response to the USAC letters, Rochelle ISD submitted three letters dated June 28, 2007; August 13, 2007; and September 6, 2007. These letters clearly outline and document how Rochelle ISD posted a new FCC 470, requested a category of service for Internet Access Service and complied with competitive bidding requirements. However, we received a denial letter on

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October 9, 2007 regarding our appeal followed by a Demand Payment Letter.

Considering that Rochelle ISD has shown a good faith effort to comply with all competitive bidding requirements this is not a case of waste, fraud or abuse but a clerical error. For that reason Rochelle ISD is respectfully requesting the FCC to review the attached documents and direct USAC to restore full funding for FRN's 933818 & 933826.

Questions concerning this request can be directed to Steve Butler at 325-243-5224.

Sincerely,

A handwritten signature in cursive script that reads "Steve Butler".

Steve Butler
Superintendent
Rochelle ISD

Attachments: Form 470, Block 2 Item #8
Form 471, Block 5
Response letters to USAC dated June 28, 2007; August 13, 2007 and September 6, 2007.

6b. Street Address, P.O.Box, or Route Number

211 Harper Rd. #39

City
Kerrville

State
TX

Zip Code
78028

6c. Telephone Number (830) 895-5711

6d. Fax Number (830) 895-1584

6e. E-mail Address jobenson@ktc.com

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.

Service or Function:

Quantity and/or Capacity:

POTS and Long Distance Service

7 existing lines & at least 2 additional lines needed

Internet Access Service

1 existing T-1 line & 0 additional needed



23c. Eligible monthly amt.: \$180.86
 23d. Number of months of service: 12
 23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$2,170.32
 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): \$2,170.32
 23j. % discount (from Block 4): 90
 23k. Funding Commitment Request (23i x 23j): \$1,953.29

FRN: 933808 FCDL Date: 06/09/2003
 11. Category of Service: Telecommunications Service
 12. 470 Application Number: 191150000422736
 13. SPIN: 143002416
 14. Service Provider Name: Central Texas Telephone Co-op. Inc.
 15. Contract Number: T
 16. Billing Account Number: 915-111-5012
 17. Allowable Contract Date: 11/25/2002
 18. Contract Award Date:
 19a. Service Start Date: 07/01/2003
 19b. Service End Date: 06/30/2004
 20. Contract Expiration Date:
 21. Attachment #: ROL0601
 22. Block 4 Entity Number: 88306
 23a. Monthly Charges: \$2,681.76
 23b. Ineligible monthly amt.: \$0.00
 23c. Eligible monthly amt.: \$2,681.76
 23d. Number of months of service: 12
 23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$32,181.12
 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): \$32,181.12
 23j. % discount (from Block 4): 90
 23k. Funding Commitment Request (23i x 23j): \$28,963.01

FRN: 933818 FCDL Date: 06/09/2003
 11. Category of Service: Internet Access
 12. 470 Application Number: 166930000296608
 13. SPIN: 143004099
 14. Service Provider Name: Central Texas Communications, Inc.
 15. Contract Number: N/A
 16. Billing Account Number: 915-555-1235
 17. Allowable Contract Date: 10/24/2000
 18. Contract Award Date: 12/13/2000
 19a. Service Start Date: 07/01/2003
 19b. Service End Date:
 20. Contract Expiration Date: 06/30/2004
 21. Attachment #: ROL0602
 22. Block 4 Entity Number: 88306
 23a. Monthly Charges: \$300.00
 23b. Ineligible monthly amt.: \$0.00

23c. Eligible monthly amt.: \$300.00
 23d. Number of months of service: 12
 23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$3,600.00
 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): \$3,600.00
 23j. % discount (from Block 4): 90
 23k. Funding Commitment Request (23i x 23j): \$3,240.00

FRN: 933826

FCDL Date: 06/09/2003

11. Category of Service:
Internet Access

12. 470 Application Number: 166930000296608

13. SPIN: 143004099

14. Service Provider Name: Central Texas Communications, Inc.

15. Contract Number: N/A

16. Billing Account Number: 915-555-1235

17. Allowable Contract Date:
10/24/2000

18. Contract Award Date: 12/13/2000

19a. Service Start Date:
07/01/2003

19b. Service End Date:

20. Contract Expiration Date: 06/30/2004

21. Attachment #: ROL0602

22. Block 4 Entity Number: 88306

23a. Monthly Charges: \$56.85

23b. Ineligible monthly amt.: \$0.00

23c. Eligible monthly amt.:
\$56.85

23d. Number of months of service: 12

23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$682.20

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): \$682.20

23j. % discount (from Block 4): 90

23k. Funding Commitment Request (23i x 23j): \$613.98

FRN: 933833

FCDL Date: 06/09/2003

11. Category of Service:
Internet Access

12. 470 Application Number: 588920000370477

13. SPIN: 143004099

14. Service Provider Name: Central Texas Communications, Inc.

15. Contract Number: N/A

16. Billing Account Number: 915-555-1003

17. Allowable Contract Date:
11/12/2001

18. Contract Award Date: 11/12/2001

19a. Service Start Date:
07/01/2003

19b. Service End Date:

20. Contract Expiration Date: 06/30/2004

21. Attachment #: ROL0602

22. Block 4 Entity Number: 88306

23a. Monthly Charges: \$28.00

23b. Ineligible monthly amt.: \$0.00

23c. Eligible monthly amt.:
\$28.00

23d. Number of months of service: 12

23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$336.00

June 28, 2007

Letter of Appeal
Schools and Libraries Division
Dept. 25 – Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

RE: Appeal

Entity appealing:

Rochelle Independent School District
BEN: 141177
Steve Butler
PO Box 167
Rochelle, Texas 76872
Phone: 325-243-5224
Fax: 325-243-5216
Email address: sbutler@risd.centex-edu.net

Decision appealed:

Funding Commitment Adjustment Letter
Date of Document: May 10, 2007
Funding Year 2003
471 Application #: 346760
FRN: 933818 & 933826
SPIN: 143004099

Subject of the Appeal:

According to the Commitment Adjustment Letter, FRN's 933818 & 933826 are rescinded because Rochelle ISD failed to post a new FCC Form 470 before voluntarily renewing or extending its existing contract and therefore failed to comply with the competitive bidding requirements.

Explanation:

The explanations and documents presented below clearly show the intent and good faith effort of Rochelle ISD and their E-rate consultant to comply with all rules and guidelines for Funding Year 2003.

It is the opinion of Rochelle ISD that they clearly:

- (1) Established an Internet Access contract in Funding Year 2001 that would be renewed annually;
- (2) Cited their intent for Internet Access services by posting a new Form 470 for Funding Year 2003 before extending the existing contract;

on the cited Funding Year 2003 Form 470 Block 2 Item #8 as the E-rate consultant listed Internet services. Rochelle then waited 28 days to comply with competitive bidding requirements before they submitted Form 471.

Form 471 Application Number 346760 was submitted and cited the establishing Form 470 Application Number 166930000296608 for Internet access on the following Block 5's.

- Block 5, FRN: 933818
 - Category of Service: Internet Access
 - 470 Application Number: 166930000296608
 - Contract Award Date: 12/13/2000
 - Service State Date: 07/01/2003
 - Contract Expiration Date: 06/30/2004

- Block 5, FRN: 933826
 - Category of Service: Internet Access
 - 470 Application Number: 166930000296608
 - Contract Award Date: 12/13/2000
 - Service State Date: 07/01/2003
 - Contract Expiration Date: 06/30/2004

It is important to note that Rochelle ISD established a pattern of referencing the establishing Form 470 Application number for Internet Access on Form 471 Block 5 for these consecutive Funding Years: 2001, 2002, 2003, 2004, 2005 and 2006.

The following forms are attached are attached to support the above-mentioned statements.

- Copy of the original contract establishing Internet Access with Central Texas Communications is attached which clearly documents the language that the contract will be renewed annually.

- Copy of the Funding Year 2001 Form 470 (Application Number 166930000296608), which clearly documents this form as the establishing Form 470 for the Internet Access contract.

- Copy of Form 470 & Form 471 for Funding Year 2003 to support and document the intent and good faith effort of Rochelle ISD to post a new Form 470 and cite the request for Internet access on Form 470 before extending the existing contract; comply with bidding requirements; and to reference the establishing Form 470 Application Number on Form 471 Block 5 for FRN's 933818 & 933826.

Because these documents show that Rochelle ISD posted a new FCC Form 470 before extending the existing contract; they referenced the establishing Form 470 for the Internet Access and

- (3) Complied with competitive bidding requirements; and
(4) Cited their intent to renew the existing Internet Contract by referencing the establishing Form 470 Application Number 166930000296608 on Form 471 Block 5 for Funding Year 2003 FRN's 933818 & 933826.

The above-mentioned explanations are supported by the following Form 470 & Form 471 facts:

Funding Year 2001

For Funding Year 2001 the E-rate consultant on behalf of Rochelle ISD posted a Form 470 (Application # 166930000296608) on 09/26/2000 on the USAE website and, after waiting 28 days, Rochelle ISD entered into a contract for Internet Access with Central Texas Communications (SPIN 143004099). According to the contract, "the term will be from July 1, 2001 and continue through June 30, 2002 and will be renewed annually;" Specifically, the contract will be renewed for another year and does not convert to a month-to-month contract. Furthermore, according to the Rochelle E-rate consultant, this is the establishing Form 470 for Internet Access and is to be referenced on future Forms 471 until a new contract is signed. It is important to note that no new contract was signed during the 2001-2006 E-rate Funding Years.

Funding Year 2003

For Funding Year 2003 the E-rate consultant on behalf of Rochelle ISD posted a new Form 470 Application Number 191150000422736 on 10/28/2002.

Form 470 Block 2, Item #7:

- The Rochelle E-rate consultant read this statement: "*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*" and interpreted it to mean that no new contract was needed because a contract for Internet Access was previously executed pursuant to posting of new a Form 470 and an existing contract was in place and is to be renewed annually.
- Specifically, The contract extension was not reported on Block 2 Item #7 because a signed, written contract executed pursuant to posting of a Form 470 in a previous program year (specifically Funding Year 2001) was in place AND the Funding Year 2003 Form 470 did NOT list multi-year or voluntary extensions as an option for the applicant to check (✓). As a result, Rochelle was not able to cite voluntary contract extensions for Funding Year 2003 on Form 470.

Form 470 Block 2 Item #8:

- The establishing contract as cited on Form 470 Application 166930000296608 was extended each year for an additional year with the extension being indicated

complied with the competitive bidding requirements, Rochelle ISD is respectfully requesting
USAC to dismiss the Funding Commitment Adjustments for FRN's 933818 & 933826.

Sincerely,

A handwritten signature in cursive script that reads "Steve Butler". The signature is written in black ink and is positioned above the typed name.

Steve Butler
Superintendent
Rochelle ISD

August 13, 2007

Jose Diaz 973-599-6525
Associate Manager
Program Compliance Unit

RE: Rochelle ISD, Application Number: 346760, FRN's 933818 & 933826

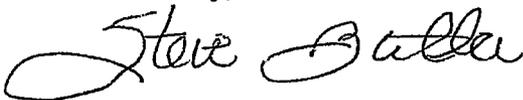
Rochelle ISD posted Form 470 # 191150000422736 to extend an existing Internet Contract. Rochelle cited the intent for Internet Access on FY 2003 Form 470 # 191150000422736 by listing Internet Access on Block 2 Item #8 under the Telecommunications Services category of Service. Rochelle then waited 28 days to comply with competitive bidding requirements before they submitted Form 471.

Attached is the October 18, 2002 archived document that lists the eligible services for Funding Year 2003. Please refer to Telecommunication Services Section, specifically, page 6. You will find where Internet Access is listed as an eligible service under the Telecommunications Services category of service.

Also attached is page 2 of FY 2003 Form 470 # 191150000422736 which clearly documents the request for Internet Access under the category of Telecommunications Services.

It is the opinion of Rochelle ISD that they clearly documented their intent to extend an existing Internet contract by posting a new Form 470 for FY 2003 and requesting Internet Access under the service category of Telecommunications Service on Block 2 #8 in order to comply with competitive bidding requirements. Therefore their appeal should be approved.

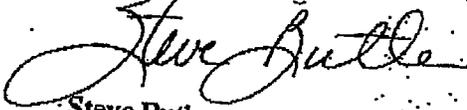
Sincerely,

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

Steve Butler

With the service category for Internet Service being posted on both Form 470 and Form 471 this clearly shows the intent of Rochelle ISD to request and receive discounts on Internet Access services and does not warrant the denial of FRN's 933818 & 933826. This is not a case of fraud or abuse, but an error in specifying the proper category of service. Therefore, Rochelle ISD is respectfully requesting their appeal to be approved.

Sincerely,



Steve Butler
Superintendent
Rochelle ISD

**Virден Community Unit School District #4
231 West Fortune Street**

Virден IL 62690

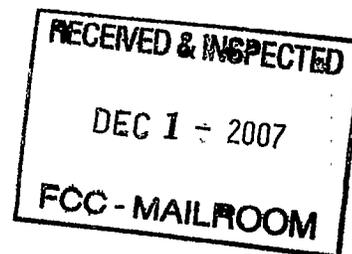
Phone: 217.965.4226

Fax: 217.965.3019

MaDonna Wempen, Media Specialist

wempenm@virdenschools.com

November 26, 2007



BY FAX FILE UNIT 01/01/08

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC: 02-6

RE: CC Docket No. 96-45 and
CC Docket No. 02-6

Applicant Name: VIRDEN COMM UNIT SCHOOL DIST 4
Billed Entity Number: 136683
Form 471 Application Number: 549832

Dear Ms. Dortch:

We have just received a denial from USAC for our FY 07-08 E-Rate application. We would like to ask for a Request for Review of our case.

The attached administrator's decision on Appeal for the FY 2007-2008 year is attached and states that our appeal is denied. The inexperienced person who completed the Form 470 evidently did not complete and submit the Form 470 in time for the Form 470 deadline. When it came time to complete the Form 471 this person did not realize that every year there was a unique 15-digit application number to be used in filing the Form 471 and inadvertently picked up the 15 digit number for the FY 2006-2007 year. The Form 471 was completed in time and submitted with no one realizing the incorrect 15 digit number had been used.

This mistake came to light during the summer of 2007 during the USAC audit of the paperwork. At that time, this same person reviewed the form 471 that had initially filed the form 470 so as far as was known, nothing was amiss until the

CC Docket No. 96-45 and CC Docket No. 02-6
Applicant Name: VIRDEN COMM UNIT SCHOOL DIST 4
Form 471 Application Number: 549832

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Billed Entity Number: 136683

USAC investigator claimed there was an incorrect 15 digit number and said there needed to be a 15-digit number for FY 2007-2008 year that was different from the one for the 2006-2007 year. At that point, we realized there was a problem. Our telecommunication services are the same from year to year as there is only one provider in our area for local telephone service, one provider for long-distance service, and one provider for cellular service that works both inside and outside our school buildings.

Our district is on the Early Financial Watch List for the State of Illinois. With the reduction in staff over the last few years, staff members are taking on more and more duties with no one to supervise them directly. The person doing the Form 470 and Form 471 was inexperienced and honestly did not know that a unique 15 digit number was required every year for the bidding process. Now the error made on the Form 470 and Form 471, and the resulting denial of funds will affect the entire district in that the anticipated funds from the reimbursement will not be available to use in other areas so very necessary to education.

I sincerely hope you will review our situation and grant us the opportunity to receive funding for the FY 2007-2008 year.

Sincerely,



MaDonna Wempen
Media Specialist

Cc: USAC Administrator's Decision on Appeal FY 2007-2008