



Herbert R. Fischer, Ph.D., Superintendent

San Bernardino County Superintendent of Schools

REQUEST FOR WAIVER
CC Docket No. 02-6 and
CC Docket No. 96-45

January 25, 2008

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

CC: 02-6

SUBJECT: Request for Waiver for the Billed Entity Lucerne Valley Unified School District
Billed Entity Number (BEN): 143723
Form 471 Application Number: 583749
Funding Request Number: 1618734 and 1618797
USAC Decision Letter Dated: August 7, 2007
Funding Year: 2007 (2007/2008)

The office of the San Bernardino County Superintendent of Schools has just recently been designated as the authorized agent to represent Lucerne Valley Unified School District in all matters related to E-Rate and the Universal Service Administrative Company (USAC), Schools and Libraries Division. Lucerne Valley Unified School District is a very small, rurally located district. They currently have no resource to commit to the E-Rate process which is why they have asked us to represent them – as we do eight (8) other small districts in our County.

We are in receipt of the SLD's Funding Commitment Decision Letter dated August 7, 2007, a copy of which is enclosed, whereby the Funding Request Numbers 1618734 and 1618797 have been denied in full. Please accept this Request for Waiver as a follow-up to this denial. In both instances, the ruling states "the FRN is denied because the applicant failed to respond to the Administrator's Selective Review Information Request. You did not provide any documentation to determine if the entity met program rules requirements for competitive bidding and Item 25 certification."

After reviewing the decision in its entirety, I must explain the extenuating circumstances involved with the original funding request that require us to request guidance or we would be remiss in our responsibility to our district. This application was filed by a former staff member of the Lucerne Valley Unified School District. As part of the due diligence of our office in following the progress of each of our consortium members, each funding Wave is watched until we are certain that each district has received no less than Priority I funding. When Wave 14 was released and we followed up with Lucerne, we were told an appeal was in progress by a new person at the district. What we didn't realize at the time was that the appeal they were referring to was for the filing Year 2006.

Handwritten notes: "No. 02-6" and "List 96-45" with a signature.

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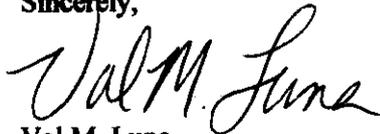
When we began sending notices to our districts about the filing for Year 2008, Lucerne Valley Unified School District informed us that their staff person was new and not familiar with E-Rate. They asked for our assistance with the Year 2008 filing. We visited their site on November 15, 2007, to become familiar with their environment so we could gather the information needed to file on their behalf. In the process of going through the E-Rate files they had on hand, we ran across the FCDL for Year 2007 stating denial of funding. We also found the appeal and approval for their Year 2006 filing. At that point we realized the miscommunication had occurred, but we were well beyond the 60-day appeal period.

In addition to loss of funding, our concern is that an Administrator's Selective Review is a very significant inquiry and not responding is a crucial matter. We communicated with the SLD ombudsman in December to solicit guidance and received a timely response in early January (copy of correspondence attached). Because the SLD is not able to waive the 60-day appeal period, it became evident we needed to appeal directly to the FCC. We fully concur with the decision of the SLD, but we are requesting that the FCC waive the 60-day appeal period and allow us the opportunity to appeal to USAC as if timely filed.

Thank you for your consideration of this request. Please don't hesitate to contact me if you should need further information or require assistance with regard to this Request for Waiver.

Contact Information: Val Luna
San Bernardino County Superintendent of Schools
601 North E Street
San Bernardino, CA 92410-3093
Phone: 909-386-2730
FAX: 909-386-2707
E-Mail: val_luna@sbcss.k12.ca.us

Sincerely,



Val M. Luna
E-Rate Officer
San Bernardino County Superintendent of Schools
Information Technology

cc: Nancy DeNolf - Administrator

Enclosures: (3)

- Authorization Letter
- USAC Funding Commitment Decision Letter
- E-mail Correspondence with SLD Ombudsman



Lucerne Valley Unified School District

8560 Aliento Road, Lucerne Valley, CA 92356 * (760) 248-6108 * FAX (760) 248-6677

Board of Trustees: Julia Bell * Tom Courtney * Jean Morgan * Teresa Reyes * Bryn Risler
Superintendent: Jim Buckley

November 19, 2007

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11/19/07

San Bernardino County
Superintendent of Schools
Information Technology

Val Luna, Program Manager, Projects and Technical Services
Information Technology
San Bernardino County Superintendent of Schools
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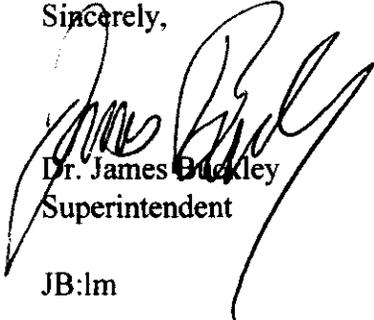
Dear Ms. Luna:

This is to confirm that you are authorized to file the necessary forms on behalf of the Lucerne Valley Unified School District to obtain discounts on telecommunications services from the E-Rate program and the California Teleconnect Fund. In this capacity we will provide you with the necessary enrollment numbers, undiscounted monthly telecommunications costs by carrier, and access to any other data necessary to complete the forms.

You are authorized to use your name as the contact person on the forms and to make certain certifications such as ordering, eligibility, responding to vendor contacts, and signing the forms and applications on behalf of Lucerne Valley Unified School District. Any discounts received by you in the form of checks will be forwarded to Lucerne Valley Unified School District for deposit.

This authorization will remain in effect until rescinded in writing.

Sincerely,



Dr. James Buckley
Superintendent

JB:lm