

ENVISION SCHOOLS

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December 26, 2008

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

Subject: CC Docket No. 02-6 and CC Docket No. 96-45
Request for Waiver of “120-DAY 500 DEADLINE” rule cited on
Form 500 Notification Letter (Funding Year 2007: 07/01/2007 – 06/30/2008) dated
November 6, 2008 for
ENVISION SCHOOLS-CONSORTIUM, Billed Entity Number: 16040021
Site Identifier: 16040026, Envision Academy of Arts and Technology
Form 471 Application Number: 571959, Funding Request Number: 1580047
Form 500 Application Number: 495816
Applicant’s Form 500 Identifier: ENV_Y10_50

Dear Ms. Dortch:

Envision Schools-Consortium respectfully submits this formal request for waiver of the program rule invoked by the SLD that disallows correction of the incorrectly submitted Form 486 Service Start Date on FRN 1580047, triggering retraction of committed funding.

This is a request for waiver and follows the SLD website instructions for OPTION B - FILE AN APPEAL DIRECTLY WITH THE FCC. We appreciate that waivers are not granted often: only in special circumstances and when a deviation from the rules would ***serve the public interest***.

We believe:

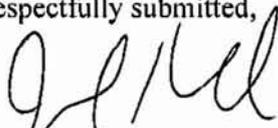
- The situation that caused the initially submitted SSD to be wrong was a ministerial error on the part of a new-to-the-organization and new-to-E-Rate Service Provider representative.
- This school serves students with 90% free/reduced lunch eligibility, implying that the error is hurtful to some of the most economically disadvantaged students in our state.
- Waiving enforcement of this rule, given the extenuating circumstances, would be in the best interest of the public.

We hereby request that the "120-DAY 500 DEADLINE" program rule be waived in this one instance due to the extenuating circumstances detailed below. With this waiver, the SLD would be able to:

- Make the requested Service Start Date change submitted on the Form 500 (from 03/01/2008 to 08/17/2007)
- Issue a revised 486nl with SSD of 8/17/07
- Process a new Form 472 that has Service Start Date consistently aligned with the Service Provider's invoice date. (The invoicing deadline for this FRN has been extended to 01/28/2010.)
- Re-instate the Original Commitment Request of \$4696.67
- Authorize disbursement of \$4696.67.

This request for waiver was prepared with the assistance of The Miller Institute for Learning with Technology (AKA: Learningtech), a 501(c)(3) nonprofit organization. [*Letter of Agency attached below*].

Respectfully submitted,



John Krull
VP, Technology (Authorized Official)
Envision Schools-Consortium
185 Berry Street, Suite 220
San Francisco, CA 94107
Tel: 415-348-9955
erate.env@learningtech.org

cc: Paul Bauer, Regional Manager (paul.bauer@xirrus.com)
Xirrus
370 North Westlake Blvd, Suite 200
Westlake Village, CA 91362
www.xirrus.com
510.589.2894 (mobile)
805.497.0955 x245 (office)
408.269.3459 (fax)

Appeals may also be submitted to the FCC electronically, either by the Electronic Comment Filing System (ECFS) or by fax. The FCC recommends filing with the ECFS to ensure timely filing.

Instructions for using ECFS can be found on the ECFS page of the FCC website.

Appeals to the FCC filed by fax must be faxed to 202-418-0187.

Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Standard Time. Fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 a.m.

This request for waiver is submitted via both ECFS and fax.

Detailed contact information.

Applicant Name: Envision Schools-Consortium
Applicant BEN: 16040021
Street Address: 11828 185 Berry Street, Suite 220, San Francisco, CA 94107
Authorized Person: John Krull
Title of Authorized Person: VP, Technology
Telephone Number: 415-348-9955
Fax Number: 866-801-8667
Primary Applicant Contact: John Krull
Title of Primary Contact: VP, Technology
Telephone Number: 415-348-9955
Fax Number: 866-801-8667
Authorized Consultants: The Miller Institute for Learning with Technology
Mark L. Miller or Eileen Miller (LOA attached:
[env_y10_loa_consult_2sigs.pdf](#))
Telephone Number: 650-598-0105
Fax number: 866-801-8667
Preferred Contact Method: E-mail
E-mail Address for Reply: erate.env@learningtech.org

Explanation of special circumstances.

Background

Following is a history of the events that have resulted in \$.00 approved reimbursement for FRN 1580047. Additional support is provided by attached [env_y10_ssd_xirrus_email_aug2007.pdf](#)

<u>Date</u>	<u>Event</u>
Apr 15, 2008	FCDL issued
Apr 16, 2008	Upon receipt of the FCDL, and in an effort to report accurate information on the Form 486, extensive email inquiry was conducted with the Service Provider, Xirrus, Inc (SPIN 143030824). NOTE: The original representative had left the company and a new representative had been assigned to the Applicant.
May 27, 2008	The Service Provider confirmed 3/1/2008 as the SSD.
Jun 4, 2008	Form 486 filed with Service Start Date of 3/01/08, based on info from the Service Provider.
Jun 20, 2008	Form 472 submitted with Customer Billed Date of 8/31/2007, based on the Service Provider invoice (see attached env_y10_xirrus_invoice.pdf)

<u>Date</u>	<u>Event</u>
Jul 9, 2008	Form 472 (BEAR) Notification Letter approved \$.00 reimbursement because: Billed Date Before 486 Service-Start Date
Oct 22, 2008	Form 500 was submitted to change Service Start Date from the Original Date from 03/01/2008 to the New Date of 08/17/2007, based on further interrogation of the Service Provider and determination that the Service Start Date should have been originally submitted as 8/17/2007.
Nov 6, 2008	The Form 500 Notification Letter disallowed the Service Start Date Change to 08/17/2007, based on "120-DAY 500 DEADLINE" (see attached env_y10_500nl_20081106.pdf). SLD changed the Service Start Date to 02/05/2008, still leaving the Billed Date Before 486 Service-Start Date.
Nov 11, 2008	Not knowing the "120-DAY 500 DEADLINE" rule, Eileen Miller of The Miller Institute for Learning with Technology (E-Rate Consultants to Envision Schools) spoke with Teekan at SLD help desk (at 11:24am on Tuesday 11/11/08,) who explained that the Service Start Date can only be backed up by 120 days from the date that the Form 486 was initially submitted. Teekan also noted that there is no documentation / indication on the SLD website, including the Form 500 instructions, of this little known regulation (see attached case_21_806786.pdf). The Original Commitment Request of \$4696.67 has been reduced to \$.00 approved.

Explanation of Events/Special Circumstances

All Forms were filed based on information provided by the Service Provider, which has been carefully documented. Unfortunately, the accuracy of the critical Service Start Date was flawed.

Paul Bauer, Xirrus' representative who provided the initial and incorrect Service Start Date, tried to help with the process, but with only a few months with the organization (on April 29, 2008 he states "I started here at Xirrus in February") probably did not know all of the internal workings of the company's invoicing process. Additionally, Xirrus' representative had no prior E-Rate program experience and probably could not appreciate the critical nature of key dates in this process.

These ministerial errors are the result of human error by the Service Provider. The Applicant has carefully complied with both the intent and regulations of the E-Rate program, and should not be penalized.

Requested Outcome

Envision School-Consortium hopes that the FCC will see fit to waive the "120-DAY 500 DEADLINE" program rule so that SLD can move the Service Start Date back to 08/17/2007, and so this school does not lose any funding due to this unfortunate set of circumstances. This error on the part of the Service Provider, having new personnel not familiar with the E-Rate program, should NOT cause the school to lose \$4,696.67 in funding.

It is our fervent hope that in this particular situation the FCC will make an allowance based on this mitigating circumstance. This incorrect filing was the result of a Service Provider clerical error, however, recent FCC orders and SLD procedures involving other types of applicant errors indicates that there might be some possibility of relief for this particular situation.

env_y10_loa_consult_2sigs.pdf

ENVISION SCHOOLS

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E-Rate Consultant Letter of Agency Funding Year 2007 - 2008

To Whom It May Concern:

Envision Schools (hereinafter, **Applicant**) hereby authorizes The Miller Institute for Learning with Technology and its authorized representatives (hereinafter, **Consultant**) to discuss, prepare, and submit all appropriate E-rate forms and to interact with the Schools and Libraries Division of the Universal Service Administrative Company on its behalf. This letter of agency shall remain effective through 10/30/2008 unless superseded or terminated sooner, with thirty written days notice, by either party.

This letter of agency authorizes Consultant to interact with the Schools and Libraries Division of the Universal Service Administrative Company, as well as eligible service providers, on behalf of Applicant. It authorizes all necessary and appropriate E-Rate application activities (such as solicitation of bids from prospective service providers) for the Funding Year described above, as well as follow-up actions, as needed, relating to the prior two Funding Years. It authorizes preparation and submission of all appropriate forms (470, 471, 486, 472, 500, Letters of Appeal, and so on), and correspondence with Program Integrity Assurance (PIA) and SLD audit personnel. It applies to all categories of service (Telecommunications, Internet Access, Internal Connections, and Basic Maintenance of Internal Connections) that are eligible for the E-Rate discount program.

In preparing application materials and other responses on behalf of Applicant, it is understood that Consultant shall necessarily rely on the accuracy of all relevant information provided by Applicant (including the Applicant's employees, contractors, service providers, and other authorized representatives) including, but not limited to: enrollment data, free/reduced lunch eligibility, service provider agreements, compliance with the Child Internet Protection Act (CIPA) and local competitive bidding regulations and practices. Consultant agrees to exercise reasonable diligence in documenting and verifying such information. It is further understood that the responsibility for E-Rate document certifications and for the veracity of certification statements remains with Applicant, regardless of the method used to certify such statements (such as paper signatures versus electronic submission using a PIN).

Applicant understands that, in submitting E-Rate forms on its behalf, Consultant is being authorized and directed to make certain material certifications on behalf of Applicant.

In executing this Letter of Agency, the authorized signer for Applicant, whose name and title appear below, hereby makes the following certifications:

(a) I certify that Applicant's school(s) is/are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million dollars.

(b) I certify that Applicant's schools has/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 to the extent that the Applicant is passing through the non-discounted charges for the E-Rate services requested in conjunction with this Letter of Agency, that the entities represented by Applicant have secured access to all of the resources to pay the non-discounted charges for eligible services from funds to which access has been secured in the current funding year.

(c) I certify that our school(s) is/are covered by a technology plan(s) that is/are written, that covers all 12 months of the funding year, and that has/have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service. The plan(s) is/are written at the following level(s):

an individual technology plan for using the services requested in this application; and/or
 higher-level technology plan(s) for using the services requested in this application; or
 no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.

(d) I certify that the services the school, library or district purchases at discounts provided by 47 U.S.C. § 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 rules of the Federal Communications Commission (Commission or FCC) at 47 C.F.R. § 54.500 (et seq.).

(e) I certify that our school(s) has/have complied with, and will continue to comply 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. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

(f) 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.

(g) 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. I acknowledge that the Consultant's good faith efforts to maintain electronic archival backup copies of such records shall not in any way reduce the Applicant's obligation to maintain its own records.

(h) I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) covered by this Letter of Agency, that I have examined this Letter, that all of the information on this Letter is true and correct to the best of my knowledge, that the entities that will be receiving discounted services under this Letter pursuant to this application have complied with the terms, conditions and purposes of the 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. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

(i) 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, or any person associated in any way with my entity and/or the entities, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

(j) I certify, on behalf of the entities covered by this Letter of Agency, that any funding requests for internal connections services, except basic maintenance services, applied for in the resulting FCC Form 471 application are not 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. § 54.506(c).

(k) I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that 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.

(l) I certify that Consultant is authorized to perform electronic certification of forms on behalf of Applicant, upon being provided with Applicant's PIN number, and that I understand that such authorized electronic certification shall be interpreted as legally equivalent to my own hand-written signature on a paper form.

(m) I certify that I am authorized to sign this Letter of Agency and, to the best of my knowledge, information, and belief, all information provided to Consultant for E-rate submission is true.

Consultant

The Miller Institute for Learning with Technology

Authorized Signature



Printed Name

Mark L. Miller, Ph.D.

Title:

President and Executive Director

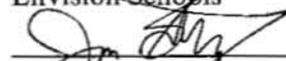
Date:

December 7, 2006

Applicant

Envision Schools

Authorized Signature



Printed Name

Jon Schwartz

Title:

Director of Operations

Date:

December 8, 2006

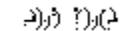
Eileen Miller

From: Paul Bauer [Paul.Bauer@xirrus.com]
Sent: Friday, October 24, 2008 10:39 AM
To: emiller@learningtech.org
Cc: erate.env@learningtech.org
Subject: RE: need prompt assistance for E-Rate invoicing
Importance: High
Attachments: oledata.mso

Eileen,

I stand corrected, the service start date is August, 2007 as reflected in the invoice.

Thank you.



Paul Bauer
Regional Manager
paul.bauer@xirrus.com

Xirrus
Local: San Jose, CA.

HQ: 2101 Corporate Center Drive
Thousand Oaks, CA. 91320
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805.497.0955 x245 (office)
408.269.3459 (fax)

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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Tuesday, October 21, 2008 2:49 PM
To: Paul Bauer
Cc: erate.env@learningtech.org
Subject: RE: need prompt assistance for E-Rate invoicing
Importance: High

Hi Paul,

I'm trying to resolve a problem with our invoice to SLD which is preventing approval. This MUST be resolve by 10/28/08, so your prompt assistance will be much appreciated.

10/24/2008

Based on your email (below), I submitted a Form 486, stating 3/1/08 as the service start date for Envision's WAPs. Then, I filed the Form 472 (aka BEAR, to invoice SLD for the WAPs) using the invoices attached which show 8/17/07 and 8/31/07 invoice dates and SLD denied reimbursement because "the billed date is before the 486 service start date." Which it is; and that can't be; at least if not John wants to be reimbursed.

So, what I need from you is clarification that either the service start date was actually prior to 3/1/08, or that the invoice dates were incorrect, or whatever else might have happened. I'm guessing that what actually happened is that the service started when the products were shipped in August, but you might have been too new with the company to have the full back story.

Please let me know. Ideally, you will provide me with an email that clearly states what happened, that I can then use as documentation if required by SLD.

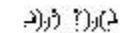
Thanks.
Eileen
619-435-4152

From: Paul Bauer [mailto:Paul.Bauer@xirrus.com]
Sent: Tuesday, May 27, 2008 12:23 PM
To: emiller@learningtech.org
Subject: RE: FCDL issued; need service start date

Eileen,

The information I provided was accurate, nothing shipped prior to 3/1/2008.

Thanks.



Paul Bauer
Regional Manager
paul.bauer@xirrus.com

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370 North Westlake Blvd, Suite 200
Westlake Village, CA 91362
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805.497.0955 x245 (office)
408.269.3459 (fax)

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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Tuesday, May 27, 2008 12:16 PM
To: Paul Bauer
Cc: 'John Krull'
Subject: RE: FCDL issued; need service start date

Paul,
Did you get a firm date?
Eileen

From: Paul Bauer [mailto:Paul.Bauer@xirrus.com]
Sent: Tuesday, April 29, 2008 1:29 PM
To: emiller@learningtech.org

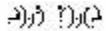
10/24/2008

Cc: John Krull
Subject: RE: FCDL issued; need service start date

Eileen,

I will confirm and get back to you.

Thanks.



Paul Bauer
Regional Manager
paul.bauer@xirus.com

Xirus

370 North Westlake Blvd, Suite 200
Westlake Village, CA 91362
www.xirus.com

510.589.2894 (mobile)
805.497.0955 x245 (office)
408.269.3459 (fax)

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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Tuesday, April 29, 2008 1:30 PM
To: Paul Bauer
Cc: 'John Krull'
Subject: RE: FCDL issued; need service start date

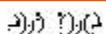
Paul,
With these attachments, I think we could be safe with 3/1/08 as the service start date.
Please just confirm that products were not delivered prior to 3/1/08.
Thanks.
Eileen

From: Paul Bauer [mailto:Paul.Bauer@xirus.com]
Sent: Tuesday, April 29, 2008 12:26 PM
To: emiller@learningtech.org
Cc: John Krull
Subject: RE: FCDL issued; need service start date

Eileen,

Here is all the correspondence I've had with John Krull since I started here at Xirus in February. I can ask Charles and Tony to forward their information as well.

Thank you.



Paul Bauer
Regional Manager
paul.bauer@xirus.com

Xirus

370 North Westlake Blvd, Suite 200
Westlake Village, CA 91362
www.xirus.com

510.589.2894 (mobile)
805.497.0955 x245 (office)
408.269.3459 (fax)

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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Tuesday, April 29, 2008 12:20 PM
To: Paul Bauer
Cc: 'John Krull'
Subject: RE: FCDL issued; need service start date

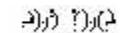
Paul,
This work / product has already been delivered.
All we really need is a confirmation of the date of commencement.
It could be a calendar appt, an email from one Xirrus employee to another / to John confirming appointment date, an internal work order, something on that order.
Surely the Xirrus person who did they work has a personal record of when he/she went there?
Eileen

From: Paul Bauer [mailto:Paul.Bauer@xirrus.com]
Sent: Tuesday, April 29, 2008 11:46 AM
To: emiller@learningtech.org
Cc: John Krull
Subject: RE: FCDL issued; need service start date

Eileen,

This is the only information I have with E-Rate information. I will keep looking and forward any paperwork I have that might pertain.

Thank you.



Paul Bauer
Regional Manager
paul.bauer@xirrus.com

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Westlake Village, CA 91362
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408.269.3459 (fax)

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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Tuesday, April 29, 2008 10:42 AM
To: Paul Bauer; Charles Bettinelli
Cc: 'John Krull'
Subject: RE: FCDL issued; need service start date

Excellent. Thanks so much.

From: Paul Bauer [mailto:Paul.Bauer@xirrus.com]
Sent: Tuesday, April 29, 2008 9:11 AM

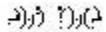
10/24/2008

To: emiller@learningtech.org; Charles Bettinelli
Cc: John Krull
Subject: RE: FCDL issued; need service start date

Eileen,

I am in the process of getting this information for you. I will be in contact later today with an update.

Thank you.



Paul Bauer
Regional Manager
paul.bauer@xirrus.com

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Westlake Village, CA 91362
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408.269.3459 (fax)

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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Monday, April 28, 2008 11:04 AM
To: Charles Bettinelli; Paul Bauer
Cc: 'John Krull'
Subject: RE: FCDL issued; need service start date
Importance: High

Charles / Paul,
Can you please assist with this request?
We need the service start date for Year 10, FRN 1580047
Thx.
Eileen

From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Thursday, April 24, 2008 2:09 PM
To: 'Charles Bettinelli'
Cc: 'John Krull'
Subject: RE: FCDL issued; need service start date

Charles,
I'd like to file the Form 486 for Envision.
Did you find the start date?
Eileen

From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Friday, April 18, 2008 8:08 AM
To: 'Charles Bettinelli'
Subject: RE: FCDL issued; need service start date

Yes, Year 10 (2007-2008) is last year. I knew the services were completed. I need to know when they were started. July 1, 2007? Mid-august? Perhaps from you service records or

10/24/2008

calendar you know when your staff was at Envision.

From: Charles Bettinelli [mailto:charles.bettinelli@xirrus.com]
Sent: Friday, April 18, 2008 1:02 AM
To: emiller@learningtech.org
Subject: RE: FCDL issued; need service start date

Eileen,

Is this for the funds that are to be release in July of 2008 or from last year?

If it is last year, our services have already been completed.

Do you have a few minutes to discuss today, Friday?

Regards,

<p>Charles Bettinelli <i>Regional Manager and Wi-Fi Applications Engineer</i> charles@xirrus.com</p> <p>949.366.0584 (office) 310.428.8488 (mobile) 310.861.0244 (fax)</p>	<p>Xirrus 370 North Westlake Blvd, Suite 200 Westlake Village, CA 91362 www.xirrus.com</p> <p>High Performance Wi-Fi™</p>
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From: Eileen Miller [mailto:emiller@learningtech.org]
Sent: Wednesday, April 16, 2008 12:36 PM
To: dkeith@affinitel.com; Charles Bettinelli
Cc: erate.env@learningtech.org
Subject: FCDL issued; need service start date

Hi Dan and Charles,
 Envision Schools' FCDL for Year 10 (2007-2008) Priority 2 funding has finally been issued for the Envision Academy school (Metro was denied as being below the funding cap for the year). John tells me he's already proceeded with the services identified in FRNs 1580046 (Affinitel) and 1580047 (Xirrus), respectively. So that I may file the Form 486, will you please reply with the Service Start Date for your project.

Thanks,
 Eileen

Eileen Miller
 emiller@learningtech.org
 619-435-4152 Direct
 The Miller Institute for Learning with Technology
 650-598-0105 Main
 www.learningtech.org

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CUSTOMER P.O. NO. 080107-XIRRUS-EA	
BILL TO PHONE NO. 415-348-9955	BILL TO FAX NO.

INVOICE		INVOICE NUMBER 936	INVOICE DATE 8/17/2007	SO INVOIC.	
PAGE 1	SALES ORDER ID 001792	OE RE	SALESMAN TON	REGION US-WES	CLASS JOHN KRULL
CURRENCY	Net 30			TERMS	080107-XIRRUS-EA
SHIP VIA UPS Ground		ORIGIN		FOB	FREIGHT TERMS PPD & ADD
RESALE NO.				TAX CODE: T = TAXABLE R = RESALE N = NONTAXABLE	

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 AUG 28 2007

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 SAN FRANCISCO, CA 94107

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ENV001
 ENVISION SCHOOLS
 185 BERRY STREET, SUITE 220
 SAN FRANCISCO, CA 94107

SHIP TO

ENV001
 ENVISION SCHOOLS
 185 BERRY STREET, SUITE 220
 SAN FRANCISCO, CA 94107

LINE	PART ID CUSTOMER PART ID	DESCRIPTION	DWG REV	ECN	SHIP DATE	ORDER QUANTITY SHIPPED QUANTITY BALANCE DUE	U/M	UNIT PRICE EXTENDED PRICE	PRICE CODE	TAX CODE DISC % VAT
1	8 Port Array Controller, AC Power XS-3700-8,AC,NA	A	0307	8/17/2007	1.0000 1.0000 0.0000	EA	4,499.25 4,499.25	T SF 0.00		
2	ENHANCED CARE FOR XS, ARRAYOS, XP, XE, A EC-HW	C	O-0367	8/17/2007	1.0000 1.0000 0.0000	EA	299.95 299.95	T SF 0.00		
3	FREIGHT CHARGE			8/17/2007	1.0000 1.0000 0.0000	EA	0.00 6.68	N 0.00		

ACCT 6410

DEPT Ops ^{old}
 ENVISION Academy
 LOC Capitalized computer equip ment

POST 8/07 *JLH*

ACCT _____
 DEPT _____
 LOC _____
 POST _____

env_y10_xirrus_invoice.pdf

SUBTOTAL	DISC %	INVOICE DISC AMOUNT	INVOICE TAX AMOUNT	INVOICE TAX AMOUNT 2	INVOICE TAX AMOUNT 3	INVOICE VAT	FREIGHT
4,799.20			407.94				6.68

INVOICE TOTAL **5,213.82**

XIRRUS

Dept CH 17682
 Palatine, IL 60055-7682
 Phone: (805) 497-0955 Fax (805) 449-1180

CUSTOMER P.O. NO. 080107-XIRRUS-EA	
BILL TO PHONE NO. 415-348-9955	BILL TO FAX NO.

INVOICE		INVOICE NUMBER 982	INVOICE DATE 8/31/2007	SO INVOICE	INVOICE TYPE
PAGE 1	SALES ORDER ID 001792	OE RE	SALESMAN TON	REGION US-WES	CLASS JOHN KRULL
CURRENCY	TERMS Net 30			REFERENCE 080107-XIRRUS-EA	
SHIP VIA UPS Ground		ORIGIN		FOB PPD & ADD	
REBATE NO.				TAX CODE: T=TAXABLE R=RESALE N=NONTAXABLE	

BILL TO

ENV001
 ENVISION SCHOOLS
 185 BERRY STREET, SUITE 220
 SAN FRANCISCO, CA 94107

SOLD TO

ENV001
 ENVISION SCHOOLS
 185 BERRY STREET, SUITE 220
 SAN FRANCISCO, CA 94107

SHIP TO

ENV001
 ENVISION SCHOOLS
 185 BERRY STREET, SUITE 220
 SAN FRANCISCO, CA 94107

RECEIVED

SEP 11 2007

LINE	PART ID CUSTOMER PART ID	DESCRIPTION	DWG REV	ECN	SHIP DATE	ORDER QUANTITY SHIPPED QUANTITY BALANCE DUE	U/M	UNIT PRICE EXTENDED PRICE	PRICE CODE	TAX CODE DISC % VAT
1	4 Port Array Controller, NA XS-3500-4,NA		B	O-0413	8/31/2007	2.0000 2.0000 0.0000	EA	2,249.25 4,498.50		T SF 0.00
2	ENHANCED CARE FOR XS, ARRAYOS, XP, XE, A EC-HW		C	O-0387	8/31/2007	2.0000 2.0000 0.0000	EA	149.95 299.90		T SF 0.00
3	FREIGHT CHARGE				8/31/2007	1.0000 1.0000 0.0000	EA	0.00 12.26		N 0.00

ACCT 6410
DEPT ops
LOC EA
POST 9/20/07

John Krull
 EA wireless hardware

4,798.40	DISC %	INVOICE DISC AMOUNT	INVOICE TAX AMOUNT 407.86	INVOICE TAX AMOUNT 2	INVOICE TAX AMOUNT 3	INVOICE VAT	FREIGHT 12.26
INVOICE TOTAL							5,218.52

Jun 17 2008 4:16PM

ENVISION SCHOOLS

4153489855

P.4



Schools and Libraries Division

FORM 500 NOTIFICATION LETTER
(Funding Year 2007: 07/01/2007 - 06/30/2008)

November 6, 2008

EILEEN MILLER
 ENVISION SCHOOLS-CONSORTIUM
 751 LAUREL STREET #411
 SAN CARLOS, CA 94070

Re: Form 500 Application Number: 495816
Applicant's Form 500 Identifier: ENV_Y10_50

We are issuing this Form 500 Notification Letter to notify you that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has processed your FCC Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form.

Attached to this letter is a Report summarizing the modifications or changes you requested. An explanation of the data provided in our letter reports is in the "Letter Reports: Field Descriptions" posted in the Reference Area of our website.

Retain this letter for your records. A copy of this information has been provided to the service provider(s) whose Service Provider Identification Number(s) (SPIN) is featured on this Form 500.

DEADLINES:

Recurring services must be delivered during the funding year (between July 1 and June 30). In general, non-recurring services must be delivered between July 1 and September 30 following the close of that Funding Year. The deadline may be extended for delivery and installation of non-recurring services as described in Step 11: Service Delivery Deadlines and Extension Requests on our website.

Invoices must be postmarked no later than 120 days after the last date to receive service or 120 days after the date of the Form 486 Notification Letter, whichever is later. If an invoice is postmarked after the later of those two dates, payment will be denied.

You can request a Service Delivery Deadline Extension or Invoice Deadline Extension from USAC following the guidance posted on our website.

Discuss with your service provider(s) whether you prefer discounts on your bills or reimbursement after paying for services in full. USAC will process either reimbursements based on Form 472 (BEAR) or discounts based on Form 474 (SPI) for a given FRN. Once established, however, the selected process - SPIs or BEARs - must be used consistently for the entire Funding Year.

NOTE: USAC will base the billing mode (reimbursement or discounting) on the first invoice type that it processes for payment. It is therefore imperative for the service provider and the customer to establish together the preferred invoicing mode.

NOTICE ON SERVICE START DATE

The Service Start Date as reflected on this letter may have been changed from what you indicated on the Form 500. The Service Start Date may not be before the Allowable Vendor Selection/Contract Date (AVS/CD) from the Form 470 cited for this FRN on the Form 471. Additionally, applicants cannot use the Form 500 to change the Service Start Date from a Service Start Date that was adjusted on a Form 486. You will know that a change has been made if there is an asterisk (*) next to the Service Start Date Change. It is important

that you and the service provider both recognize that USAC should only be invoiced and USAC may only direct disbursement of the discounts on eligible, approved services actually delivered and installed after the Service Start Date indicated on this letter.

TO APPEAL THE SERVICE START DATE CHANGE 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 or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - Form 500 number as assigned by USAC,
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter,
 - "Form 500 Notification Letter for FY 2007," AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 S. Jefferson Rd.
P. O. Box 902
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. 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.

Schools and Libraries Division
Universal Service Administrative Company

FORM 500 NOTIFICATION LETTER REPORT
(Funding Year 2007)

Funding Request Number (FRN): 1580047
Form 471 Application Number: 571959
Service Provider Name: Xirrus, Inc
Service Provider Identification Number (SPIN): 143030824
Billing Account Number: Envision Schools
Service Start Date: 02/05/2008*
Service Start Date Change Explanation: 120-DAY 500 DEADLINE

Eileen Miller

From: Eileen Miller [emiller@learningtech.org]
Sent: Tuesday, November 11, 2008 11:48 AM
To: 'Mark L. Miller, Ph.D.'
Subject: case # 21-806786 - can only back up SSD on a 500 by 120 days

Attachments: env_y10_500nl.pdf



env_y10_500
nl.pdf (1 MB)

At 11:24 on Tuesday 11/11/08, Eileen spoke with Teekan at SLD help desk. She says the "120-DAY 500 DEADLINE" rule is that you can only back up SSD on a 500 by 120 days. She also notes that there is no documentation / indication on the SLD website, including the Form 500 instructions, of this little know reg. Our option is to file an appeal.

-----Original Message-----

From: Gia Abello [mailto:gabello@learningtech.org]
Sent: Monday, November 10, 2008 3:11 PM
To: erate@learningtech.org
Subject: ENVISION y10 472 and 500 forms

Please find -

env_y10_472nl_affinitel.pdf in
https://www.learningtech.org/internal/envision/erate/y10_2007_2008/472

env_y10_500nl.pdf in
https://www.learningtech.org/internal/envision/erate/y10_2007_2008/500