

Lawrence Public Schools

255 Essex Street
Lawrence, Ma. 01840

Received & Inspected

JAN 21 2009

FCC Mail Room

January 12, 2009

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

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

Dear Ms. Dortch:

The nature of this letter is to file an appeal to an USAC Funding Commitment Decision Letter dated November 29, 2007. (Copy included).

Although, I am aware that this appeal is well beyond the 60 day window allowed for appeals, I believe that my circumstances warrant a look at this decision.

My name is David LeBlanc and I am employed by the Lawrence Public Schools District, in which one of my duties is to file for E-rate funding. Additional entity information pertaining to this appeal is listed below:

Billed Entity Name- Lawrence Public Schools

Billed Entity Number- 120387

Form 471 Application# 581671

Entity Contact- David LeBlanc, Lawrence Public Schools, 255 Essex Street,
Lawrence, Ma. 01840

Telephone- (978) 975-5905 x735

Fax- (978) 686-1750

E-mail address- dleblanc@lawrence.k12.ma.us

All filings were completed inside the filing window dates. During the course of waiting for a decision from USAC, a number of requests were made by their PIA team in reviewing my applications. I, with each request sent to USAC the information I believed they needed to complete their review. (Some requests were at best vague in nature). After my last correspondence with USAC concerning this application, I did not hear from them again in this matter.

It had come to my attention just recently as I was corresponding with one of the vendors listed in the aforementioned application with USAC, looking for payment that Lawrence Public Schools was denied, in which I was then able to obtain a copy of this letter of denial, in which I previously mentioned is included in this package.

No. of Copies rec'd 0
List ABCDE

I then contacted USAC concerning the Funding Commitment Decision Letter, and told them that I had never received or seen this letter, for I certainly would have filed an appeal with them and then an appeal with the FCC, if needed. USAC's response was that they mailed the letter out to me on November 29, 2007 and that there is nothing that can be done.

This response leads to the writing of this appeal. My appeal to you is that whether USAC did or did not mail the letter out as they insist, I never received this letter in the mail. Maybe in the future these letters should be e-mailed to the entity, so that receipt can be confirmed. Also, the two vendors that were denied on this application had been approved in prior years and as to one had been approved for several year prior to this denial. These two vendors are our local and long distance telecommunications carriers. Considering that nothing has changed within Lawrence Public Schools and the vendors when they were approved, I believe that USAC's decision to be completely wrong and must be overturned.

These denials have put a tremendous burden on the district's finances. As you can see from our filings we are a poor, urban city and have always relied on these funds that we have received over the past years and continue to rely on these funds today.

I hope that you can somehow find in our favor.

I will be anxiously awaiting your decision as soon as possible. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "David LeBlanc".

David LeBlanc

Fixed Asset Specialist

Lawrence Public Schools



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Schools and Libraries Division
FCC Mail Room

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2007: 07/01/2007 - 06/30/2008)

November 29, 2007

David LeBlanc
LAWRENCE PUBLIC SCHOOLS
255 ESSEX STREET
LAWRENCE, MA 01840

Re: Form 471 Application Number: 581671
Billed Entity Number (BEN): 120387
Billed Entity FCC RN: 0012038402
Applicant's Form Identifier: LPS471-3

Thank you for your Funding Year 2007 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, \$30,918.60 is "Approved."
- The amount, \$407,976.00 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 FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

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 581671 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 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 the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the 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 USAC by fax, fax your appeal to (973) 599-6542.

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

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

You have the option of filing an appeal with the SLD 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 in the Reference Area of 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.

NOTICE ON RULES AND FUNDS AVAILABILITY

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

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: LAWRENCE PUBLIC SCHOOLS
BEN: 120387
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 581671
Funding Request Number: 1610977
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 916280000620730
SPIN: 143016242
Service Provider Name: PAETEC Communications, Inc.
Contract Number: MTM
Billing Account Number: 978-975-5905
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2007
Service End Date: 06/30/2008
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 913270
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$246,600.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$246,600.00
Discount Percentage Approved by the USAC: 89%
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item. No documentation was provided for item(s): Vendor documentation.

FCDL Date: 11/29/2007
Wave Number: 031
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2008

FUNDING COMMITMENT REPORT
Billed Entity Name: LAWRENCE PUBLIC SCHOOLS
BEN: 120387
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 581671
Funding Request Number: 1611029
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 916280000620730
SPIN: 143000904
Service Provider Name: Nextel Communications Of The Mid-Atlantic, Inc.
Contract Number: MTM
Billing Account Number: 978-975-5905
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2007
Service End Date: 06/30/2008
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 913270
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$26,220.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$26,220.00
Discount Percentage Approved by the USAC: 89%
Funding Commitment Decision: \$23,335.80 - FRN approved as submitted

FCDL Date: 11/29/2007
Wave Number: 031
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2008

FUNDING COMMITMENT REPORT
Billed Entity Name: LAWRENCE PUBLIC SCHOOLS
BEN: 120387
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 581671
Funding Request Number: 1611097
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 916280000620730
SPIN: 143001192
Service Provider Name: AT&T Corporation
Contract Number: MTM
Billing Account Number: 978-975-5905
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2007
Service End Date: 06/30/2008
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 913270
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,520.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$8,520.00
Discount Percentage Approved by the USAC: 89%
Funding Commitment Decision: \$7,582.80 - FRN approved as submitted

FCDL Date: 11/29/2007
Wave Number: 031
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2008

FUNDING COMMITMENT REPORT
Billed Entity Name: LAWRENCE PUBLIC SCHOOLS
BEN: 120387
Funding Year: 2007

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 581671
Funding Request Number: 1611135
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 916280000620730
SPIN: 143001291
Service Provider Name: Verizon Massachusetts
Contract Number: MTM
Billing Account Number: 978-975-5905
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2007
Service End Date: 06/30/2008
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 913270
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$211,800.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$211,800.00
Discount Percentage Approved by the USAC: 89%
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item. No documentation was provided for item(s): Vendor Documentation

FCDL Date: 11/29/2007
Wave Number: 031
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2008