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Eminence Independent Schools

PO Box 146 / 254 W. Broadway • Eminence, KY 40019
Phone: 502-845-5427 • Fax: 502-845-1310
Website: www.eminence.k12.ky.us
Dr. Steve Frommeyer, Middle/High Principal
Mr. Michael Doran, Elementary Principal • Mrs. Donna McClamroch, Assistant Principal

April 1, 2009

Federal Communications Commission
APR 07 2009
Office of the Secretary

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Docket No. 02-6, CC Docket No. 96-45
Request for Review

RE: Appeal to FRN 1807251 Denial, March 9, 2009
Billed Entity Name: Eminence Independent School District
Funding Year 07/01/2009 – 06/30/2010
Referenced 470 Application Number 796520000722314
Referenced 470 Form Identifier: 156470YR12
Referenced 471 661529
Billed Entity Number 128746
Funding Request Number 1807251

Authorized Contact Information:
Kimberly Dawson
District Technology Coordinator
Eminence Independent Schools
254 W Broadway St
Eminence, KY 40019
Phone: 502-845-5427 ext. 2115
Fax: 502-845-1310
E-Mail: kim.dawson@eminence.kyschools.us

Attention Marlene H. Dortch:

This letter is in response to the denial of our District E-rate application for month-to-month Telecommunications and basic internal connection service for Funding Year 2009. I am requesting either a reversal of the decision or a waiver of the ruling so that we can continue to receive funding for technology services. E-rate funding is critical in providing funds for technology that is so vital to our children in Eminence.

No. of Copies rec'd 0
List ABCDE

For FY2009, form 470 was submitted for Priority One. The form was completed online. As a new District Technology Coordinator, I am still learning about the E-rate program. On March 9, I was notified that our form 471 was denied. While earnestly attempting to complete the form correctly, I overcompensated by referencing the FY2008 form 470 number on the FY2009 form 471. Once corrected, I was notified that funding was denied due to Form 471 signed and/or submitted prior to the Allowable Contract Date of the above referenced Form 470. Attempting to resolve the issue as to why the online application allowed me to file within the 28 day window, I called USAC and was told that since the incorrect 470 number referenced was from the prior year, the online application process did not block me from submitting form 471 within the 28 day window.

This funding denial puts our district in fiscal crisis, as the discounted E-rate funding for these services is the only funding source. We are requesting waiver of the program rule for competitive bidding in the interest of our students and teachers. We sincerely request that this service not be denied since it is so critical to the successful educational experience of our students and with our parents. Injury to our school district, if this denial is not rescinded, is inescapable.

Knowing that the E-rate program is a complex program, I have diligently worked to become knowledgeable of its rules as a first year filer. We do not want the error of filing to deprive our students of the education that they receive from this service. Granting the 471 application is consistent with program integrity and with public interest. Your consideration for either a reversal of the decision or a waiver of the ruling so that continued funding for technology services would be greatly appreciated.

Respectfully,

Donald F. Aldridge

Donald Aldridge
Superintendent
Eminence Independent Schools

Kimberly Dawson

Kimberly Dawson
District Technology Coordinator
Eminence Independent Schools

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: 796520000722314

Applicant's Form Identifier: 156470YR12

Application Status: CERTIFIED

Posting Date: 01/09/2009

Allowable Contract Date: 02/06/2009

Certification Received Date: 01/09/2009

1. Name of Applicant:
EMINENCE INDEP SCHOOL DISTRICT

2. Funding Year:
07/01/2009 - 06/30/2010

3. Your Entity Number
128746

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

City	State	Zip Code
EMINENCE	KY	40019

b. Telephone number	c. Fax number
(502) 845- 5427	(502) 845- 2339

5. Type Of Applicant

- [x] Individual School (individual public or non-public school)
- [x] 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 (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)

6a. Contact Person's Name: Kim Dawson

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

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

City	State	Zip Code

EMINENCE	KY	40019

Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.

6c. Telephone Number	(502) 845- 5427
6d. Fax Number	(502) 845- 1310
6e. E-mail Address	kim.dawson@eminence.kyschools.us

Block 2: Summary Description of Needs or Services Requested

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

a. ☑ Tariffed or month-to-month services to be provided without a written contract. A new Form 470 must be filed for non-contracted tariffed or month-to-month services for each funding year.

b. ☐ Services for which a new written contract is sought for the funding year in Item 2.
Check if you are seeking ☐ a multi-year contract and/or ☐ a contract featuring voluntary extensions

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

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

What kinds of service are you seeking: Telecommunications Services, Internet Access, Internal Connections Other than Basic Maintenance, or Basic Maintenance of Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, 10 and/or 11 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 ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.

a ☑ **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at at or via (check one):
☐ the Contact Person in Item 6 or ☑ the contact listed in Item 12.

b ☐ **NO** , I have not released and do not intend to release an RFP for these services.

Whether you check YES or 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. Attach additional lines if needed.

c ☐ **Check this box if you prefer discounts on your bill.**	☐ **Check this box if you prefer reimbursement after paying your bill in full.**	☐ **Check this box if you do not have a preference.**

Service or Function:	Quantity and/or Capacity:
Local Telephone Service	Monthly telephone service to 11 existing lines
Long Distance Service	Monthly Long Distance Service
Data Lines	Monthly Service charges to 1 circuit

9 Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.

a **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):
the Contact Person in Item 6 or the contact listed in Item 12.

b **NO** , I have not released and do not intend to release an RFP for these services.

Whether you check YES or 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 Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.

c **Check this box if you prefer discounts on your bill.**	**Check this box if you prefer reimbursement after paying your bill in full.**	**Check this box if you do not have a preference.**

10 Internal Connections Other than Basic Maintenance

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.

a **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):
the Contact Person in Item 6 or the contact listed in Item 12.

b **NO** , I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students). 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. Attach additional lines if needed.

c **Check this box if you prefer discounts on your bill.**	**Check this box if you prefer reimbursement after paying your bill in full.**	**Check this box if you do not have a preference.**

11 Basic Maintenance of Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.

a **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):
the Contact Person in Item 6 or the contact listed in Item 12.

b **NO** , I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Basic Maintenance Services you seek. Specify each **service or function** (e.g.,basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers). 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. Attach additional lines if needed.

c ☐ **Check this box if you prefer discounts on your bill.**	☐ **Check this box if you prefer reimbursement after paying your bill in full.**	☐ **Check this box if you do not have a preference.**

12 (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 Authorized Person who signs this form.

Name:	Title:
Kim Dawson	**District Technology Coordinator**

Telephone number
(502) 845 - 5427 extn: 2115

Fax number
(502) 845 - 1310

E-mail Address
kim.dawson@eminence.kyschools.us

13a. ☑ Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or a Web address where they are posted and provide a contact name and telephone number.

District maintains detailed technology plan to fully implement state technology standards. See Kentucky master Plan for Education Techology at www.kde.state.ky.us.

☐ Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.

13b. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, you may summarize below(including the likely timeframes). If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here.

Block 3: Technology Resources

14. ☐ **Basic telephone service only:** If your application is for basic telephone service and voice mail only, check this box and skip to Item **16**. Basic telephone service is defined as wireline or wireless single line voice service (local, cellular/PCS, and/or long distance) and mandatory fees associated with such service (e.g., federal and state taxes and universal service fees).

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 (Item **16a, 16b or 16c**) 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) 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	1
For these eligible sites, please provide the following	
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**
502	845

17. Billed Entities

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. If a Billed Entity cited on your Form 471 is not listed below, funding may be denied for the funding requests associated with this Form 470.

Entity	Entity Number
EMINENCE INDEP SCHOOL DISTRICT	128746

18. Ineligible Participating Entities

List the names of any entity/entities here for whom services are requested that are not eligible for the Universal Service Program.

Ineligible Participating Entity	Area Code	Prefix

Block 5: Certification and Signature

19. ☐ **I certify that 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.7081(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. ☐ **I certify that all of the individual schools, libraries, and library consortia receiving services under 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, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):**
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, cellular, PCS, and/or long distance telephone service and/or voice mail only

21. ☐ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. 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 status and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

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, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than the services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☐ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing 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.

24. ☐ I certify that I am authorized to order telecommunications and other supported services for the eligible entity (ies). 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, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☐ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by fine or forfeiture, under the Commissions 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.

26. ☐ 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.

27. Signature of authorized person:

28. Date (mm/dd/yyyy): **01/09/2009**

29. Printed name of authorized person: **Kim Dawson**

30. Title or position of authorized person: **District Technology Coordinator**

31a. Address of authorized person: **254 W Broadway ST**
City: **Eminence** State: **KY** Zip: **40019**

31b. Telephone number of authorized person: **(502) 845 - 5427** ext. **2115**

31c. Fax number of authorized person: **(502) 8451310**

31d. E-mail address number of authorized person: **kim.dawson@eminence.kyschools.us**

31e. Name of authorized person's employer: **Eminence Independent Schools**

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 SLD web site at www.sl.universalservice.org 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 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, 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 Forms
ATTN: SLD Form 470
3833 Greenway Drive
Lawrence, Kansas 66046
1-888-203-8100

FCC Form 470
November 2004

New Search | Return To Search Results

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): 156-2009YR12

Form 471 Application# (To be assigned by administrator): 661529

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	EMINENCE INDEP SCHOOL DISTRICT	
2 a	Funding Year: July 1,	2009 Through June 30: 2010	Billed Entity Number:128746
4 a	Street Address, P.O. Box, or Routing Number	291 W BROADWAY	
	City	EMINENCE	
	State	KY	Zip Code 40019
b	Telephone Number	502-845-5427	c Fax Number 502-845-2339
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	Kimberly R Dawson	

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	254 W Broadway ST	
	City	Eminence	
	State	KY	Zip Code 40019
☐ c	Telephone Number	502-845-5427	☐ d Fax Number 502-845-1310
☑ e	E-mail Address	kim.dawson@eminence.kyschools.us	
f	Holiday/vacation/summer contact information		

0 4 7 0 0 1 0 1 0

Entity Number 128746 | Applicant's Form Identifier 156-2009YR12
Contact Person Kimberly R Dawson | Phone Number 502-845-5427

This information will facilitate the processing of your applications. Please complete all items 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		573
b	Telephone service: Number of classrooms with phone service	52	52
c	Dial-up Internet access: Number of connections (up to 56kbps)	0	0
d	Direct broadband services: Number of buildings served at the following speeds: Less than 10 mbps	0	0
	Between 10 mbps and 200 mbps	2	2
	Greater than 200 mbps	0	0
e	Direct connections to the Internet: Number of drops	260	260
f	Number of classrooms with Internet access	52	52
g	Number of computers or other devices with Internet access	238	238

Block 3: Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT

Worksheet A No: 1063728 **Student Count:** 573
Weighted Product (Sum. Column 8): 427.2 **Shared Discount:** 75%

1. School Name: EMINENCE BOARD OF EDUCATION
2. Entity Number: 16031159 **NCES:** 21 01710 00000
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: EMINENCE ELEMENTARY SCHOOL
2. Entity Number: 44094 **NCES:** 21 01710 00333
3. Rural/Urban: Rural
4. Student Count: 261 **5. NSLP Students:** 161 **6. NSLP Students/Students:** 61.685%
7. Discount: 80% **8. Weighted Product:** 208.8
9. Pre-K/Adult Ed/Juv: **10. Alt Disc Mech:**

1. School Name: EMINENCE HIGH SCHOOL
2. Entity Number: 44095 **NCES:** 21 01710 00332
3. Rural/Urban: Rural
4. Student Count: 312 **5. NSLP Students:** 148 **6. NSLP Students/Students:** 47.435%
7. Discount: 70% **8. Weighted Product:** 218.4
9. Pre-K/Adult Ed/Juv: **10. Alt Disc Mech:**

Block 5: Discount Funding Request(s)

FRN: 1807251 **FCDL Date:**	
10. Original FRN:	
11. Category of Service: Telecommunications Service	**12. 470 Application Number:** 178060000659955
13. SPIN: 143004824	**14. Service Provider Name:** BellSouth Telecommunications, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	**15b. Contract Number:** MTM
15c. Covered under State Master Contract:	**15d. FRN from Previous Year:**
16a. Billing Account Number: 502-845-5427	**16b. Multiple Billing Account Numbers?:**
17. Allowable Contract Date: 02/05/2008	**18. Contract Award Date:**
19a. Service Start Date: 07/01/2009	**19b. Service End Date:** 06/30/2010
20. Contract Expiration Date:	
21. Attachment #: Bell South	**22. Block 4 Worksheet No.:** 1063728
23a. Monthly Charges: $1,030.00	**23b. Ineligible monthly amt.:** $.00
23c. Eligible monthly amt.: $1,030.00	**23d. Number of months of service:** 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): $12,360.00	
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): $12,360.00	
23j. % discount (from Block 4): 75	
23k. Funding Commitment Request (23i x 23j): $9,270.00	

Block 6: Certifications and Signature

Application ID:661529

Do not write in this area.

Entity Number	128746	**Applicant's Form Identifier**	156-2009YR12
Contact Person	Kimberly R Dawson	**Phone Number**	502-845-5427

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.	[illegible] from Item 23I on all Block 5 Discount Funding Requests.)	$12,380.00
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	$9,270.00
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	$3,090.00
d.	Total budgeted amount allocated to resources not eligible for E-rate support	$138,445.00
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.)	$141,535.00
f.	☐ 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 **2/3/2009**

40. Printed name of authorized person
Kimberly R Dawson

41. Title or position of authorized person
District Technology Coordinator

42a. **Street Address, P.O Box or Route Number**
254 W Broadway ST
City, State Zip Code
Eminence, KY 40019

42b. Telephone number of authorized person:
(502) 845-5427 , ext. 2115

42c. Fax number of authorized person:
(502) 131-1310

42d. E-mail of authorized person:
kim.dawson@eminence.kyschools.us

42e Name of authorized person's employer
Eminence Independent Schools

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. 47U.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 47C.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

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

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Eminence Independent Schools

PO Box 146
254 W. Broadway
Eminence, KY 40019

Phone: 502-845-5427
Fax: 502-845-1310

Superintendent:
Don Aldridge

Middle/High
Principal:
Dr. Steve Frommeyer

Elementary Principal:
Michael Doran

Assistant Principal:
Donna McClamroch

March 9, 2009

Nicholas C. Bazarel
Schools and Libraries
Universal Service Administration Company

Attached you will find a response to Application Number 661529 – FY 2009 Form 470 correction. The original 470 number listed on the 2009 471 application was incorrect. I have supplied the correct 470 number on the attached form.

Your assistance is greatly appreciated.

Sincerely,

Kimberly R. Dawson
Eminence Independent School District
245 W. Broadway St.
Eminence, KY 40019

Application #661529

My Response to
incorrect 470 #
on 471

USAC
Universal Service Administrative Company

Schools and Libraries Division

Feb 20, 2009

Kimberly R Dawson
EMINENCE INDEP SCHOOL DISTRICT
Telephone: (502) 8455427 Ext 2115
Application Number 661529

Response Due Date: March 10th, 2009

The Program Integrity Assurance (PIA) team is in the process of reviewing all Funding Year 2008 Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the Universal Service program. We are currently in the process of reviewing your Funding Year 2008 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below

I.)

FRN 1807251 is listed as a tariff (T) or month-to-month (MTM) service, and Funding Year ***2008*** Form 470 # 178060000659955 is referenced as the establishing Form 470 for this service. The rules of this program require that services delivered on a tariff or month-to-month basis be posted for 28-Days to a new Form 470 each funding year. Since the referenced Form 470 was not filed in the same Funding Year as the Form 471, the request is in violation of the competitive bidding requirements relating to tariff and month-to-month services. Please answer the following questions and provide any relevant documentation.

Is there a FY 2009 Form 470 that established the bidding for this tariff or month-to-month service? 796520000722314

√ **YES**. If so, please provide the 15-digit Form 470 Number that established the bidding for this request. The establishing Form 470 is the specific Form 470, which was posted for the services requested for 28 days, and pursuant to which a contract was signed or an agreement was entered into. The establishing Form 470 could have been posted by the State, if the requested services are being purchased off of a State Master Contract.

If a FY 2009 Form 470 was **not** filed to establish the bidding for this service, please indicate such in writing.

Please fax or email the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to respond may result in a reduction or denial of funding.**

If you need additional time to prepare your response, please let me know as soon as possible.

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Nicholas C. Bazaral
Schools & Libraries
Phone# 973-581-7686
Fax#973-599-6521
E-Mail: nbazara@sl.universalservice.org

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USAC
Universal Service Administrative Company

Schools and Libraries Division

Mar 09, 2009

Kimberly R Dawson
EMINENCE INDEP SCHOOL DISTRICT
Telephone: (502) 8455427 Ext 2115
Application Number 661529

Response Due Date: March 24th, 2009

The Program Integrity Assurance (PIA) team is in the process of reviewing all Funding Year 2008 Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the Universal Service program. We are currently in the process of reviewing your Funding Year 2008 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below

I.)

We have completed our review and determined that FRN ***1807251*** will be denied because your Form 471 was signed and/or submitted prior to the Allowable Contract Date of the referenced Form 470# **796520000722314** which is a violation of the program rule for competitive bidding. For additional information on the competitive bidding process, please refer to the USAC website at: http://www.usac.org/sl/applicants/step03/.

Do you agree with the FRN denial? ___Yes or X No

If the entire FRN should not be denied and you have alternative information, please provide the supporting documentation.

Please fax or email the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to respond may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Nicholas C. Bazaral
Schools & Libraries
Phone# 973-581-7686
Fax#973-599-6521
E-Mail: nbazara@sl.universalservice.org

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