

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

IN THE MATTER OF:

REQUEST FOR REVIEW AND WAIVER)	
OF THE DECISION OF THE)	
UNIVERSAL SERVICE ADMINISTRATOR BY)	
)	
CHEROKEE COUNTY SCHOOL DISTRICT)	CC Docket No. 02-6
BEN NUMBER: 127111)	
)	
SCHOOLS AND LIBRARIES UNIVERSAL)	
SERVICE SUPPORT MECHANISM)	
)	
WIRELINE COMPETITION BUREAU)	

To: The Commission

Supplement to Initial Request for Review Filing of April 29, 2009

Cherokee County Schools hereby submits the attached supplemental information concerning the appeal filed with the commission dated April 29, 2009. These exhibits were inadvertently omitted from the initial filing, but were referenced in the text of the original request for review.

Respectfully Submitted,

_____/s/_____
Jeana Hardin
Executive Director for Technology
Cherokee County School District
911 Andrews Road.
Murphy, North Carolina 28906
828/837-2722 Telephone
828/837-5799 Facsimile
jeana.hardin@cherokee.k12.nc.us

September 28, 2009



FUNDING COMMITMENT DECISION LETTER
(Funding Year 2008: 07/01/2008 - 06/30/2009)

March 24, 2009

Anthony Martin
CHEROKEE COUNTY SCHOOL DIST
911 ANDREWS ROAD
MURPHY, NC 28906

Re: Form 471 Application Number: 624508
Billed Entity Number (BEN): 127111
Billed Entity FCC RN: 0014660914
Applicant's Form Identifier: CCS471Y11

Thank you for your Funding Year 2008 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, \$2,157,346.83 is "Approved."
- The amount, \$98,624.90 is "Denied."

Please refer to the Report 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 applicant) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, 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 624508 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2008," AND

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- 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 S. Jefferson Road
P.O. Box 902
Whippany, NJ 07981

If you wish to appeal a decision in this letter to the 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

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LYN486411

FUNDING COMMITMENT REPORT
Billed Entity Name: CHEROKEE COUNTY SCHOOL DIST
BEN: 127111
Funding Year: 2008

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

Form 471 Application Number: 624508
Funding Request Number: 1723230
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 116500000657246
SPIN: 143004007
Service Provider Name: Lightyear Network Solutions, LLC
Contract Number: MTM
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: 06/30/2009
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1000822
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$87,934.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$87,934.20
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$0.00 - Selective - Bidding Violation
Funding Commitment Decision Explanation: FRN is denied for failure to advise bidders that an RFP was issued. An RFP was issued and the Form 470 advised potential bidders that no RFP existed.

FCDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

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VW 4862

FUNDING COMMITMENT REPORT

Billed Entity Name: CHEROKEE COUNTY SCHOOL DIST
BEN: 127111
Funding Year: 2008

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

Form 471 Application Number: 624508
Funding Request Number: 1723249
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 116500000657246
SPIN: 143000677
Service Provider Name: Verizon Wireless
Contract Number: MTM
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2008
Service End Date: 06/30/2009
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1000822
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,745.60
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$8,745.60
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$0.00 - Selective - Bidding Violation
Funding Commitment Decision Explanation: DR1: FRN is denied for failure to advise bidders that an RFP was issued. An RFP was issued and the Form 470 advised potential bidders that no RFP existed.

FCDL Date: 03/24/2009
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

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BEN 127111 Cherokee County School District
Application # 624508 Bid Response and Vendor Selection process information

Appl #	FRN #	#of bids received	Vendor selected
116500000657246	1723230 1757554	1	Lightyear Comm SPIN 143004007
116500000657246	1723249	1	Verizon Wireless SPIN 143000677

Vendor Selection Process

These SPINS were chosen because of their cooperation in fulfilling the requirements of the E-RateRFPs document by communicating via e-mail attachments and fax. Several phone calls were received to inquire about the RFP, and, although encouraged to submit a proposal for less than a “turn-key” implementation, “turn-key” was the preference. We always indicated to any telephone inquiry that any response MUST be in writing for further consideration, and everyone was directed to our Web Home Page, and even deeper on the Technology Department Page, for access to the RFP—so the RFP was prominently displayed in two different locations on www.cherokee.k12.nc.us. References for the above vendors checked out to be credible. One vendor in particular, Verizon Wireless, has some control on the territory, but ultimately provided the best wireless signal for this remote area of western North Carolina.