

FILED/ACCEPTED

September 18, 2009

SEP 24 2009

Federal Communications Commission  
Office of the Secretary

Bruce Ballou  
School Administrative Unit 27  
1 Highlander Court  
Litchfield, NH 03052

Doc 02-6

**CC: 02-6**

Sirs,

As requested to move forward with our appeal of \$15,221.95, please refer to the information below. You will find pertinent documentation to this request at the bottom of this document.

INDEX:

Requested information for this appeal

Form 470

Form 471

Appeal sent to USAC, Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER

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

Thank you,

Bruce Ballou

" Provide detailed contact information.

Bruce Ballou  
1 Highlander Court  
Litchfield, NH 03052  
Telephone: (603) 578-3576  
FAX: (603) 578-1267  
Email : bballou@litchfieldsd.org

" Identify which USAC action you are appealing.

Appeal 471-667805

" Provide Billed Entity name and number and the relevant application form number (if available).

Billed Entity Number (BEN): 16040619  
Form 471 Application Number: 667805  
Billed Entity FCC RN: 0003656865  
Applicant's Form Identifier: LSD-470-09-10

" Explain your appeal and include copies of all relevant documents.

I had checked off the section to get bids from other providers, when in fact I had just signed a yearlong contract in July, which I would have had to pay the balance of the basic contract, the contract was not due to start until November when the updated services would be in place, therefore we would have had to pay a significant amount. This was not a possibility due to budget constraints. When I explained this to the USAC, Schools and Libraries Division, I felt this issue and my admission to the error of requesting bids was not taken in consideration.

I have since chosen one of the respondents to the bid request as our new provider, (One Communications, SPIN# 143004191,) there costs are significantly lower than our current provider, (Paetec Communications, SPIN# 143016242.) This change over is happening on October 23, 2009, which will be the start date for the contract.

I am attaching the documents which I believe are relevant, but if more information is needed please contact me and I will get your requests right away.

# **FCC Form 470**

# FCC Form 470

Universal Service Program Description of Services Requested and Certification Form



**Entity Number: 16040619**  
**Contact Person: Bruce Ballou**

**Applicant's Form Identifier: LSD-470-09-10**  
**Phone Number: (603)578-3576**

FCC Form

Approval by OMB  
3060-0806

Do not write in this area

**470**

## Schools and Libraries Universal Service Program Description of Services Requested and Certification Form

**Form 470 Application Number: 724870000716537**

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. 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 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 statute 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 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 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 service 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 the fine or forfeiture, under the Communications 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. Cert ID = 373312	28. Date 12/24/2008
29. Printed name of authorized person <b>Stephen Martin</b>	
30. Title or position of authorized person <b>Business Administrator</b>	
31a. Street Address, P.O Box or Route Number <b>1 Highlander Court Litchfield, NH 03052</b>	
31b. Telephone number of authorized person: <b>(603) 578-3570 ext. 3340</b>	
31c. Fax number of authorized person: <b>(603) 578-4267</b>	
31d. E-mail of authorized person: <b>smartin@litchfieldsd.org</b>	
31e. Name of authorized person's employer: <b>School Administrative Unit #27</b>	
<b>ATTENTION: If you are signing Form 470 using the PIN assigned to you by SLD, you are reminded that using the PIN is equivalent to your handwritten signature on the form. Your use of the PIN to affirm these certifications means that should they prove untrue, you will be held to the same enforcement standards as those who affirm the certifications on paper. Also, by using the PIN, you are affirming that you have the authority to make these certifications and represent the entity featured in Block One of this funding request.</b>	
<b>Please Check to affirm your compliance <input checked="" type="checkbox"/></b>	

**Form 470 Application Number:  
SCHOOL ADMINISTRATIVE UNIT 27  
1 HIGHLANDER COURT  
LITCHFIELD, NH 03052-**

**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](http://www.sl.universalservice.org) or call the SLD 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.

Done

# **FCC Form 471**

**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](http://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) LSD-470-09-10

**Form 471 Application#**

(To be assigned by administrator)

667805

**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 SCHOOL ADMINISTRATIVE UNIT 27

**2 a** Funding Year: July 1, 2009 Through June 30: 2010 Billed Entity Number: 16040619

**4 a** Street Address, P.O. Box, or Routing Number 1 HIGHLANDER COURT

City LITCHFIELD

State NH

Zip Code 03052

**b** Telephone Number 603-578-3576

**c** Fax Number 603-578-1267

**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 Bruce Ballou

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 1 HIGHLANDER COURT

City LITCHFIELD

State NH

Zip Code 03052

**c** Telephone Number 603-578-3576

**d** Fax Number 603-578-1267

**e** E-mail Address bballou@litchfieldsd.org

**f** Holiday/vacation/summer contact information



0 4 7 0 0 1 0 1 0

Entity Number 16040619  
Contact Person Bruce Ballou

Applicant's Form Identifier LSD-470-09-10  
Phone Number 603-578-3576



FRN: 1899503 FCDL Date:	
10. Original FRN:	
11. Category of Service: internet Access	12. 470 Application Number: 724870000716537
13. SPIN: 143016242	14. Service Provider Name: PAETEC Communications, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: 2139207
15c. Covered under State Master Contract:	15d. FRN from Previous Year: 1734875
16a. Billing Account Number: 2139207	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 01/21/2009	18. Contract Award Date: 01/07/2009
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2010	
21. Attachment #: 1 - 09-10	22. Block 4 Worksheet No.: 1130095
23a. Monthly Charges: \$4,055.19	23b. Ineligible monthly amt.: \$883.95
23c. Eligible monthly amt.: \$3,171.24	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$38,054.88	
23f. Annual non-recurring (one-time) charges: 10607.4	23g. Ineligible non-recurring amt.: 10607.4
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$38,054.88	
23j. % discount (from Block 4): 50	
23k. Funding Commitment Request ( 23i x 23j): \$19,027.44	

FRN: 1899610 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 724870000716537
13. SPIN: 143016242	14. Service Provider Name: PAETEC Communications, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: 2139207
15c. Covered under State Master Contract:	15d. FRN from Previous Year: 1734875
16a. Billing Account Number: 2139207	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 01/21/2009	18. Contract Award Date: 01/07/2008
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2010	
21. Attachment #: 2 09-10	22. Block 4 Worksheet No.: 1130095
23a. Monthly Charges: \$2,346.62	23b. Ineligible monthly amt.: \$1,201.57
23c. Eligible monthly amt.: \$1,145.05	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$13,740.60	
23f. Annual non-recurring (one-time) charges: 14418.84	23g. Ineligible non-recurring amt.: 14418.84
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$13,740.60	
23j. % discount (from Block 4): 50	
23k. Funding Commitment Request ( 23i x 23j): \$6,870.30	

FRN: 1899782 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 724870000716537
13. SPIN: 143000677	14. Service Provider Name: Verizon Wireless
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: GS-35F-0119P
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 0985286346-00001	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 01/21/2009	18. Contract Award Date: 01/12/2003
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2010	

21. Attachment #: 3 09-10	22. Block 4 Worksheet No.: 1130095
23a. Monthly Charges: \$549.22	23b. Ineligible monthly amt.: \$55.28
23c. Eligible monthly amt.: \$493.94	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$5,927.28	
23f. Annual non-recurring (one-time) charges: 663.36	23g. Ineligible non-recurring amt.: 663.36
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$5,927.28	
23j. % discount (from Block 4): 50	
23k. Funding Commitment Request ( 23i x 23j): \$2,963.64	

**Block 6: Certifications and Signature**

Do not write in this area.

Application ID:667805

Entity Number	16040619	Applicant's Form Identifier	LSD-470-09-10
Contact Person	Bruce Ballou	Phone Number	603-578-3576

**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.	Total funding year pre-discount amount on this Form 471 (Add the entities from Item 23i on all Block 5 Discount Funding Requests.)	\$57,722.76
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$28,861.38
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$28,861.38
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$0.00
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.)	\$28,861.38
f.	<input checked="" type="checkbox"/> 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

40. Printed name of authorized person

41. Title or position of authorized person

42a. Street Address, P.O Box or Route Number

City, State Zip Code

42b. Telephone number of authorized person:

() -

42c. Fax number of authorized person:

() -

42d. E-mail of authorized person:

42e Name of authorized person's employer

**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. 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.

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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 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.

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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**

**Refresh Page**

**Close Print Preview**

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USAC, Schools and Libraries Division  
Appeal Letter



# LITCHFIELD SCHOOL DISTRICT

## School Administrative Unit #27

Office of the Superintendent  
One Highlander Court  
Litchfield, NH 03052

Phone: (603) 578-3570  
Fax: (603) 578-1267

Equal Opportunity Employer

**Elaine F. Cutler, Ed.D.**  
Superintendent  
Extension 3333

**Stephen F. Martin**  
Business Administrator  
Extension 3340

**Ronda Gregg**  
Special Education Director  
Extension 3350

USAC, Schools and Libraries Division  
Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

To Whom It May Concern:

Contact information:

Name: Bruce Ballou  
Address: 1 Highlander Court, Litchfield, NH 03052  
Telephone: (603) 578-3576  
FAX: (603) 578-1267  
Email: [ballou@litchfieldsd.org](mailto:ballou@litchfieldsd.org)

I am appealing your decision to the denial of service for the 2009 Funding Year, in the amount of \$15,221.95 as referenced in your Funding Commitment Decision Letter dated June 30, 2009. Per your request we are providing the following information.

Appellant Name: Bruce Ballou  
Applicant Name: Litchfield School District  
Service provider: Paetec Communications SPIN: 143016242  
Applicant BEN: 16040619  
Form 471 Application: 667805  
Funding Commitment Decision Letter for Funding Year 2009  
DR1: The 470 cited did not include service of this type; therefore it does not meet the 28 day competitive bidding requirement.  
MR1: The establishing Form 470 Application Number was changed at the request of the applicant.  
MR2: The Contract Award Date was changed from 01/07/2009 to 07,25/2008 to agree with the applicant documentation.  
MR3: The shared discount was reduced to a level that could be validated by third party data.

The DR1: Stated that the form 470 did not include this service. The application number on the commitment report was 121110000659913, which we received from Maria Khan, although we do not find that number on any of the paperwork for the last two years, since we have been requesting ERate funds. The actual form 470, Application Number is 724870000716537 and the form 471 Number 667805, these are the correct numbers that match the Funding Year 2009 request.

MR1: Bruce was initially contacted by one of your employees, Maria Khan, saying that our contract dates were incorrect for this Funding request number 1899503. She advised me that they could go back to the previous year, but that had been done for FY 2008 and could not be used. We did not know that you had done that the previous year so we did not correct the problem.

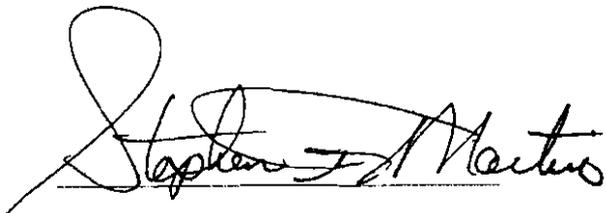
MR2: The contract date we used was not the original date of May 19, 2003 because we upgraded our service, which was effective July 24, 2008. Our provider, Paetec Communications did not issue a new contract because they use amendments to document changes to existing contracts, which we assumed changed the date. We are requesting that the dates be corrected using the amendment date as the contract date and that the cited forms 470 and 471 utilize that date.

MR3: We understand that the percentage of discount was changed from 50% to 40% because we are considered to be urban and not rural.

As a side note, we are changing providers as of November 19, 2008 when the Paetec contract is expires. We will be using One Communications, SPIN#: 143004191, we will be applying for the change when all issues are resolved, as Bruce was directed by Maria Khan.

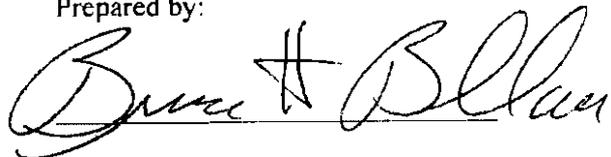
We are providing this request via email, and attached is all the documentation referenced.

Thank you for your time and attention on this important matter.

A handwritten signature in black ink, appearing to read "Stephen F. Martin". The signature is written in a cursive style with a large initial "S" and "M".

Stephen F. Martin  
Business Manager  
Litchfield School District  
[smartin@litchfieldsd.org](mailto:smartin@litchfieldsd.org)

Prepared by:

A handwritten signature in black ink, appearing to read "Bruce H. Ballou". The signature is written in a cursive style with a large initial "B" and "B".

Bruce H. Ballou  
Technology Director  
Litchfield School District  
[bballou@litchfieldsd.org](mailto:bballou@litchfieldsd.org)

**FUNDING COMMITMENT  
DECISION LETTER**



**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2009: 07/01/2009 - 06/30/2010)

June 30, 2009

Bruce Ballou  
SCHOOL ADMINISTRATIVE UNIT 27  
1 HIGHLANDER COURT  
LITCHFIELD, NH 03052

Re: Form 471 Application Number: 667805  
Billed Entity Number (BEN): 16040619  
Billed Entity FCC RN: 0003656865  
Applicant's Form Identifier: LSD-470-09-10

Thank you for your Funding Year 2009 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, \$8,989.20 is "Approved."
- The amount, \$15,221.95 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 667805 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2009," 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](mailto: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. 02-5 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.

#### OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

#### 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: SCHOOL ADMINISTRATIVE UNIT 27  
BEN: 16040619  
Funding Year: 2009

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

Form 471 Application Number: 667805  
Funding Request Number: 1899503  
Funding Status: Not Funded  
Category of Service: Internet Access  
Form 470 Application Number: 121110000659913  
SPIN: 143016242  
Service Provider Name: PAETEC Communications, Inc.  
Contract Number: 2139207  
Billing Account Number: 2139207  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2009  
Service End Date: N/A  
Contract Award Date: 07/25/2008  
Contract Expiration Date: 06/30/2010  
Shared Worksheet Number: 1130095  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$38,054.88  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$38,054.88  
Discount Percentage Approved by the USAC: 40%  
Funding Commitment Decision: \$0.00 - Svcs. not requested on F. 470  
Funding Commitment Decision Explanation: DR1: The 470 cited did not include service of this type; therefore it does not meet the 28 day competitive bidding requirement. <><><><> MR1: The establishing Form 470 Application Number was changed at the request of the applicant. <><><><> MR2: The Contract Award Date was changed from 01/07/2009 to 07/25/2008 to agree with the applicant documentation. <><><><> MR3: The shared discount was reduced to a level that could be validated by third party data.

FCDL Date: 06/30/2009  
Wave Number: 010  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT  
Billed Entity Name: SCHOOL ADMINISTRATIVE UNIT 27  
BEN: 16040619  
Funding Year: 2009

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

Form 471 Application Number: 667805  
Funding Request Number: 1899610  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 121110000659913  
SPIN: 143016242  
Service Provider Name: PAETEC Communications, Inc.  
Contract Number: 2139207  
Billing Account Number: 2139207  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2009  
Service End Date: N/A  
Contract Award Date: 07/25/2008  
Contract Expiration Date: 06/30/2010  
Shared Worksheet Number: 1130095  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$16,545.72  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$16,545.72  
Discount Percentage Approved by the USAC: 40%  
Funding Commitment Decision: \$6,618.29 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The establishing Form 470 Application Number was changed at the request of the applicant. <><><><><> MR2: The Contract Award Date was changed from 01/07/2008 to 07/25/2008 to agree with the applicant documentation. <><><><><> MR3: The shared discount was reduced to a level that could be validated by third party data. <><><><><> MR4: The FRN was modified from \$1,145.05 to \$1,378.81 to agree with the applicant documentation.

FCDL Date: 06/30/2009  
Wave Number: 010  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

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**FUNDING COMMITMENT REPORT**  
Billed Entity Name: SCHOOL ADMINISTRATIVE UNIT 27  
BEN: 16040619  
Funding Year: 2009

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

Form 471 Application Number: 667805  
Funding Request Number: 1899782  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 724870000716537  
SPIN: 143000677  
Service Provider Name: Verizon Wireless  
Contract Number: MTM  
Billing Account Number: 0985286346-00001  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2009  
Service End Date: 06/30/2010  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1130095  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,927.28  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$5,927.28  
Discount Percentage Approved by the USAC: 40%  
Funding Commitment Decision: \$2,370.91 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The FRN was modified from Contractual Service to Month to Month to agree with the applicant documentation. <><><><><> MR2: The Contract Award Date was of 01/12/2003 was removed to agree with the applicant documentation. <><><><><> MR3: The shared discount was reduced to a level that could be validated by third party data.  
FCDL Date: 06/30/2009  
Wave Number: 010  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010