

December 3, 2009

DOCKET FILE COPY ORIGINAL

Received & Inspected

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

DEC 10 2009
FCC Mail Room

Re: CC Docket No. 02-6

This letter is requesting the Federal Communications Commission to review the denial of an appeal to the Universal Service Administrative Company. Rankin County School District understands that there are timelines and rules with the Federal E-rate program. We strive to ensure we are following every procedure carefully. Last fall there was a transition time from one E-rate Coordinator to another E-rate Coordinator. During this time there was one section of the tremendous amount of paperwork that did not get completed in a timely manner.

After USAC issued a FCDL for Form 471 626832, the person that was in charge of E-Rate funding at the time completed 3 of the 5 Form 486's to accept the FCDL for those FRN's. The remaining two FRN's did not get filed due to a clerical oversight. When I took on the position in our department in October I was not immediately trained on the E-rate. Still being new to the process, I can assure you it is still a quite complicated process that I do not yet fully understand. Being a school district in Mississippi, E-rate is not my only responsibility. There is a list three pages long of the duties that I have to take care of on a daily basis.

I received the "Urgent Reminder" from USAC to file the Form 486 for the remaining two FRN's on the Form 471. At the time I had not received any training. I looked through the paperwork and saw that there was a Form 486 filed for this Form 471 therefore I assumed all had been taken care of. I even made a note on the letter that the Form 486 was received and accepted on July 30, 2008. I did not understand at that time that a separate Form 486 had to be completed for each FRN. Since the Year 11 paperwork was being taken care of by the previous E-rate Coordinator I trusted that all had been completed correctly since I had no training to refer back to.

While I understand that there are procedures that must be followed, this was a simple issue with transition timing. Our district only receives Priority 1 funding. It is imperative to the district that we receive the full funding commitment from USAC for our telecommunications and Internet service. Please consider that in these economic times a simple clerical error should not result in a district losing well over \$100,000 in funding that we have already spent. The services have already been provided to our students. By not funding USAC's commitment level on these services, other areas will have to be cut and those will have an impact on the education of the students in our district.

Thank you for your time and assistance in this matter.

Sincerely,



Amanda Harris
Instructional Technologist/E-rate Coordinator
Rankin County School District

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List B: []



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2008-2009

November 25, 2009

Amanda Harris
Rankin County School District
1220 Apple Park Place
Brandon, MS 39042

Re: Applicant Name: RANKIN COUNTY SCHOOL DISTRICT
Billed Entity Number: 128609
Form 471 Application Number: 626832
Form 486 Application Number: 606555, 606541
Funding Request Number(s): 1734837, 1735001
Your Correspondence Received: September 30, 2009

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2008 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1734837, 1735001

Decision on Appeal: **Denied**

Explanation:

- USAC has determined that your FCC Form 486 number 606541 was not filed within 120 days calculated from May 28, 2008 the date of the FCDL or January 16, 2009 the Service Start Date (SSD) indicated on the FCC Form 486, whichever date is later; and that your FCC Form 486 number 606555 was not filed within 120 days calculated from May 28, 2008 the date of the FCDL or July 1, 2008 the SSD indicated on the FCC Form 486, whichever date is later. On November 25, 2008 USAC mailed an "Urgent Reminder" letter providing you with additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was postmarked and certified on August 21, 2009 which is after the new deadline. Consequently, the SSD has been revised to April 23, 2009 120 days before the FCC Form 486 postmark date. If the funding commitment

includes recurring charges then the funding commitment has been reduced accordingly. It is the responsibility of the applicant to ensure that all forms are submitted to USAC in a correct and timely manner. As a result, your appeal is denied.

- FCC rules require applicants to use recurring services within the relevant funding year, and to implement non-recurring services by the applicable deadline established by the Commission. *See* 47 C.F.R. sec. 54.507(d). The FCC Form 486 informs USAC when the applicant is scheduled to receive or has received services in the relevant funding year from the named service provider. The receipt of a properly completed FCC Form 486 triggers the process for USAC to receive invoices. In order for an applicant to receive discounts retroactively to the Service Start Date (SSD), the FCC Form 486 should be postmarked no later than 120 days after the SSD featured on the FCC Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter (FCDL), whichever is later. When an applicant has missed a deadline to file its FCC Form 486, it is given additional 20 calendar days from the date of receipt USAC's written notice to file or amend its FCC Form 486 and receive services retroactively to the SSD. *See* Request for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-412028, *et. al.*, CC Docket No. 02-6, 21 FCC Rcd 10186-10187, DA 06-1871, para. 8 (rel. Sep. 14, 2006).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with 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 or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. 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. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Margie Delaney

Amanda Harris
Rankin County School District
1220 Apple Park Place
Brandon, MS 39042

Billed Entity Number: 128609
Form 471 Application Number: 626832
Form 486 Application Number: 606555,606541