

May 16, 2010

CC Docket No. 02-6
Request for Waiver

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

Dear Ms. Dortch:

Appellant name: NADABURG ELEMENTARY SCHOOL DISTRICT NO 81
Applicant Name: NADABURG ELEMENTARY SCHOOL DISTRICT NO 81
BEN: 143018
471 #: 584573, 537967
FRNs: Please see attached table
Request for Waiver: Invoice Deadline

Basis of Request for Waiver of Deadline for Filing 472 BEAR (Extension of Last Date to Invoice):

The Nadaburg Elementary School District respectfully requests that the FCC grant a Waiver of Deadline for filing a 472 BEAR form (Invoice Extension Request) in order to extend the Last Day to Invoice for all FRNs on Applications 584573, 537967.

The District was awarded funding for the 2006-06 and 2007-08 Funding Year but failed to file for reimbursements in a timely manner. The District unexpectedly lost the staff member in charge of E-rate at this time. The personnel in place in both the Business Office and Technology Department were unaware that the reimbursements had not been submitted. No funding was disbursed to Nadaburg Elementary School District for Funding Year 2006 or 2007.

The District has put procedures in place to prevent future deadlines from being missed and now is better educated to the E-rate process. However, the lost funding is critical to District as the State of Arizona has cut school budgets substantially over the last 18 months. As the funding is still available, we respectfully request that *the Last Date to Invoice be reset to a future date* to allow the District to recover this essential funding.

Thank you,



Stephanie Nicely
Consultant
Enclosure: Letter of Agency
Appeal to USAC
USAC Denial

NICELY DONE

consulting

2006-07 FY

471 #	FRN	Service Provider Name	SPIN	Committed Amount:
537967	1489858	Qwest Corporation	143005231	\$5,499.20
537967	1489837	AllTel Communications	143008900	\$112.61
537967	1489826	Qwest Corporation	143005231	\$3,473.57
537967	1489849	Verizon Wireless	143000677	\$1,957.15

2007-08 FY

471 #	FRN	Service Provider Name	SPIN	Committed Amount:
584573	1621348	Verizon Wireless	143000677	\$13,773.12
584573	1621375	Qwest Communications Corporation	143001157	\$4,848.00
584573	1621362	Verizon Wireless	143000677	\$1,152.77
584573	1621278	Qwest Communications Corporation	143001157	\$6,950.40
584573	1621308	AllTel Communications	143008900	\$112.61
584573	1621400	Qwest Communications Corporation	143001157	\$3,929.95

NADABURG UNIFIED SCHOOL DISTRICT No. 81

"Our Mandate is Excellence"

32919 Center Street, Wittmann, Arizona 85361 Phone: (623) 388-2321 Fax: (623) 388-2915

November 9, 2009

Nicely Done Consulting
3820 W Happy Valley Road
Suite 141, #497
Glendale, AZ 85310

Re: Letter of Agency For Funding Year 2007-2008

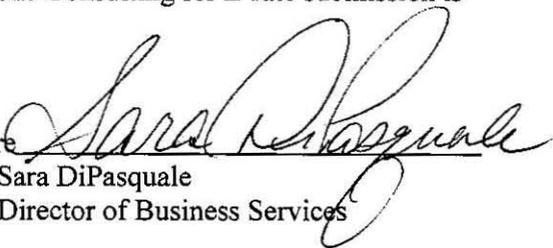
This is to confirm our participation with **Nicely Done Consulting** for the procurement of **Internet Services, Telecommunications Services (Cellular Phone, Long Distance Service, and Local Phone Service), Internal Connections, Basic Maintenance of Internal Connections and any eligible E-rate Services**. I hereby authorize **Nicely Done Consulting** to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Libraries Division of the Universal Service Administrative Company on behalf of the **Nadaburg Unified School District**.

I understand that, in submitting these forms on our behalf, you are making certifications for **Nadaburg Unified School District**. By signing this Letter of Agency, I make the following certifications:

- (a) I certify that schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.
- (b) I certify that our school district has 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 to the extent that the Billed Entity is passing through the non-discounted charges for the services requested under this Letter of Agency, that the entities I represent have secured access to all of the resources to pay the non-discounted charges for eligible services from funds to which access has been secured in the current funding year.
- (c) I certify that our school district is covered by a technology plan(s) that is written, that covers all 12 months of the funding year, and that has been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service. The plan(s) is written at the following level(s):
 - an individual technology plan for using the services requested in this application; and/or
 - higher-level technology plan(s) for using the services requested in this application; or
 - no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
- (d) I certify that the services the school, library or district purchases at discounts provided by 47 U.S.C. § 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 rules of the Federal Communications Commission (Commission or FCC) at 47 C.F.R. § 54.500(et seq.).
- (e) I certify that our school district has 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. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

- (f) 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.
- (g) 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.
- (h) I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) covered by this Letter of Agency, that I have examined this Letter, that all of the information on this Letter is true and correct to the best of my knowledge, that the entities that will be receiving discounted services under this Letter pursuant to this application have complied with the terms, conditions and purposes of the 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. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.
- (i) 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, or any person associated in any way with my entity and/or the entities, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
- (j) I certify, on behalf of the entities covered by this Letter of Agency, that any funding requests for internal connections services, except basic maintenance services, applied for in the resulting FCC Form 471 application are not 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. § 54.506(c).
- (k) I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that 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.
- (l) I certify that I am authorized to sign this Letter of Agency and, to the best of my knowledge, information, and belief, all information provided to Nicely Done Consulting for E-rate submission is true.

Name of
Entity Nadaburg Unified School District No. 81
Date November 9, 2009

Signature 
Name: Sara DiPasquale
Title: Director of Business Services

NICELY DONE

consulting

December 1, 2009

Invoice Deadline Extension Request

Schools and Libraries Division – Correspondence Unit
100 S Jefferson Rd
PO Box 902
Whippany, NJ 07981

To Whom It May Concern:

The Nadaburg Elementary School District, BEN 143018, is respectfully requesting an Invoice Deadline Extension for the following FRNs for the **2006-07** and **2007-08 Funding Year**:

2006-07 FY

471 #	FRN	Service Provider Name	SPIN	Committed Amount:
537967	1489858	Qwest Corporation	143005231	\$5,499.20
537967	1489837	AllTel Communications	143008900	\$112.61
537967	1489826	Qwest Corporation	143005231	\$3,473.57
537967	1489849	Verizon Wireless	143000677	\$1,957.15

2007-08 FY

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584573	1621308	AllTel Communications	143008900	\$112.61
584573	1621400	Qwest Communications Corporation	143001157	\$3,929.95

Reason: The District staff member who handled the E-rate filings is no longer with the District. The departure was unexpected and remaining staff were not aware that invoicing had not occurred for either the 2006-07 or 2007-08 Funding Years.

The District is respectfully requesting that an invoice deadline extension for the aforementioned FRNs so that the District can recover the funding previously approved.

BEN: 143018
District Contact: Sara DiPasquale
District Contact Address: 32919 Center Street, Wittman, Az 85361
District Phone Number: (623) 388-2321
Email: sdipasquale@nadaburgsd.org

Thank you,

Stephanie Nicely
Enclosed: Letter of Agency



Administrator's Decision on Invoice Deadline Extension Request

March 23, 2010

Stephanie Nicely
Nadaburg Elementary School District NO 81
3820 W Happy Valley Road
Suite 141 #97
Glendale, AZ 85310

RE: Nadaburg Elementary School District NO 81

RE: SLD Invoice #:	N/A	BEAR or SPI:	N/A
		Invoice Date:	N/A
SLD Line(s) #:	N/A		
Vendor invoice #:	N/A		
471 Application Number:	584573		
Funding Request Number(s):	1621348,1621362, 1621400,1621375,1621308,1621278		
Your Correspondence Dated:	December 1, 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 invoice deadline extension request for the invoice 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 request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A Line(s): N/A
Decision on Request: **Denied**

Explanation: "Current guidelines and procedures require Invoice Deadline Extension requests to be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). The extension request was not filed in a timely manner, so it is denied."

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail 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 decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or Service Provider name,
 - BEN and/or SPIN,
 - Form 471 and FRN,
 - Invoice number as assigned by SLD,
 - "Administrator's Decision on Invoice Deadline Extension Request" dated March 23, 2010 **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 an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, send 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
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

While we encourage you to resolve your appeal with USAC first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. 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.

Schools and Libraries Division
Universal Service Administrative Company

cc: Viola Baboola, Verizon Wireless
Zana Jones, Qwest Communications Company, LLC
Diane Reese, AllTel Communications

Administrator's Decision on Invoice Deadline Extension Request

March 23, 2010

Stephanie Nicely
Contact for: Nadaburg Elementary School District No 81
3820 W Happy Valley Road
Suite 141 # 497
Glendale, AZ 58310

RE: Nadaburg Elementary School District No 81

RE: SLD Invoice #:	N/A	BEAR or SPI:	N/A
		Invoice Date:	N/A
SLD Line(s) #:	N/A		
Vendor invoice #:	N/A		
471 Application Number:	537967		
Funding Request Number(s):	1489849, 1489858, 1489837, 1489826		
Your Correspondence Dated:	December 2, 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 invoice deadline extension request for the invoice 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 request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A Line(s): N/A
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 - "Administrator's Decision on Invoice Deadline Extension Request" dated March 23, 2010 **AND**
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Schools and Libraries Division
Universal Service Administrative Company

cc: Viola Baboola, Verizon Wireless
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