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August 31, 2010

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
44512<sup>th</sup> Street, SW  
Washington, DC 20554

**Request for Review**  
**SUPPLEMENTAL APPEAL**  
**FCC APPEAL CONFIRMATION #2010318923468**  
**RE: FRN 1837112 Denial**

Applicant: Free Library of Philadelphia  
Service Provider: Allied Telecom Group, LLC  
Applicant BEN: 126162  
Provider SPIN: 143022365  
Form 471 Application Number: 669457  
CC Docket No. 02-6  
CC Docket No. 96-45

**Contact information:**

James Pecora, Chief Technology Officer  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103  
Work: 267-997-4817  
Fax: 215-567-4352  
pecoraj@freelibrary.org

Laura Moore, Acting IT Director  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103  
Work: 215-686-5334  
Fax: 215-567-4352

## **Federal Communications Commission Officer:**

It has come to my attention that information sent to USAC and the FCC for appeals regarding the aforementioned funding request was incomplete and did not include a key email communication that documents our vendor decision based upon an internal bid selection matrix prior to award. The staff person who submitted the initial information and prepared the appeal, Kathleen Hannigan, retired from the Library in March of 2010 and we initiated a thorough review of all Erate-related issues and documentation.

## **Statement of Facts:**

The USAC, in a Funding Commitment Decision Letter dated January 19, 2010, denied the Free Library \$135,000 in funding for our Internet Service provider due to a bidding violation.

Funding Commitment Decision: \$0.00 - Selective - Bidding Violation

*DRI: The vendor selection documentation provided was created after the contract award date. The vendor evaluation documentation should be completed prior to the contract award date.*

A subsequent appeal was denied by the USAC Administrator in a February 18, 2010 decision letter (Exhibit G) on the basis that the bid selection review matrix (an internal document summarizing the bid criteria) had been dated one business day (2/2/09, a Monday) after we made the vendor selection and signed the contract (1/30/09, a Friday).

## **Issue for Clarification on Appeal:**

An email communication documenting that we did review the bid selection matrix and make our vendor selection decision (based on lowest price) on Friday January 30, 2009 is included in this document (Exhibit A). This documentation was not provided with the USAC or FCC appeal. Further, our decision was based upon bids received prior to January 21 (see Exhibits D, E and F). The internal document used to summarize the bids is referred to as the bid selection matrix (Exhibit B) – the latter document was used to make the vendor selection on January 30, 2009. When the 471 was submitted on February 2, 2009 Ms Hannigan used the 471 submission date on the bid selection matrix which was pointed out as the basis for the denial.

The accurate chronology of the bid, selection and award process is as follows:

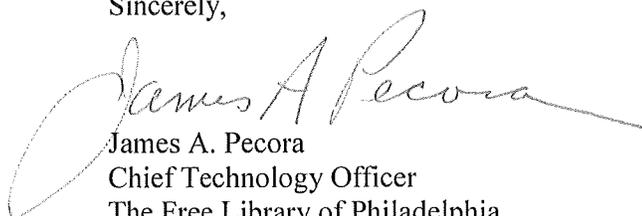
1. 12/19/2008: bid #1 received (Proficient) – Exhibit “D”
2. 1/14/2009: bid # 2 received (Allied) – Exhibit “E”
3. 1/20/2009: bid #3 received (Cavalier) – Exhibit “F”
4. 1/30/2009: vendor bid (internal decision) determination made – Exhibit “A”
5. 1/30/2009: internal signature on contract – Exhibit “C”
6. 2/2/2009: 471 filed with bid selection matrix dated 2/2/09 – Exhibit “J” (item 21 also attached as Exhibit I)

Additionally, Ms Hannigan also submitted, in error, a screen shot of the creation and modification dates for the bid selection matrix excel spreadsheet that showed a modification date of July 29, 2009 which was the result of her use of the file during the summer audit.

**Administrative Action Requested:**

We respectfully request that the FCC reverses the USAC denial of funding for the Library's internet service on the basis that all aspects of the bid process were handled in a timely fashion.

Sincerely,

A handwritten signature in cursive script that reads "James A. Pecora". The signature is written in black ink and is positioned above the printed name and title.

James A. Pecora  
Chief Technology Officer  
The Free Library of Philadelphia  
267.997.4817

## EXHIBIT A

### Hannigan, Kathleen

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**From:** Slivinsky, Roman [rslivinsky@cavtel.com]  
**Sent:** Wednesday, February 04, 2009 10:47 AM  
**To:** Hannigan, Kathleen  
**Subject:** RE: E-Rate quote

Thank you for the updates. I look forward to working with you again next year.

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**From:** Hannigan, Kathleen [mailto:HanniganK@freelibrary.org]  
**Sent:** Wednesday, February 04, 2009 10:43 AM  
**To:** Slivinsky, Roman  
**Subject:** RE: E-Rate quote

All of the WAN service and the Centrex went to Verizon. They offered the lowest prices.

**From:** Slivinsky, Roman [mailto:rslivinsky@cavtel.com]  
**Sent:** Wednesday, February 04, 2009 10:31 AM  
**To:** Hannigan, Kathleen  
**Subject:** RE: E-Rate quote

Who did you end up selecting for your other circuits?

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**From:** Hannigan, Kathleen [mailto:HanniganK@freelibrary.org]  
**Sent:** Wednesday, February 04, 2009 10:29 AM  
**To:** Slivinsky, Roman  
**Subject:** RE: E-Rate quote

Roman,

I made my decision on Jan. 30 and filed my e-rate form on Feb. 2. The 200 Mbps internet service went to Allied Telecom. They came in at the lowest price.

Thanks,

Kathleen

**From:** Slivinsky, Roman [mailto:rslivinsky@cavtel.com]  
**Sent:** Tuesday, February 03, 2009 4:15 PM  
**To:** Hannigan, Kathleen  
**Subject:** E-Rate quote

Good afternoon Kathleen,

What is the time frame you hope to have a decision on your Internet RFP?

Regards,

Roman Slivinsky  
Senior Account Executive  
Cavalier Business  
965 Thomas Drive

FRN 1837112

**E-Rate Bid Assessment Worksheet**  
 Funding Year July 2009 June 2010

Page \_\_\_\_\_ of \_\_\_\_\_

Project or Service Description: Internet Service for the Library System - requirement is 200M service

**Vendor Scoring** (use additional worksheets if necessary)

Selection Criteria	Weight*	Allied Telecom		Proficient		Cavilier		Vendor # 4		Vendor # 5	
		Raw Score**	Weighted Score***	Raw Score	Weighted Score	Raw Score	Weighted Score	Raw Score	Weighted Score	Raw Score	Weighted Score
Prices/Charges	26%	5.00	1.30	1.00	0.26	1.00	0.26		0.00		0.00
Understanding of Needs	20%	5.00	1.00	0.50	0.10	4.00	0.80		0.00		0.00
Prior Experience	13%	5.00	0.65	2.50	0.33	5.00	0.65		0.00		0.00
Personnel Qualifications	8%	3.50	0.28	2.50	0.20	5.00	0.40		0.00		0.00
Financial Stability	8%	3.50	0.28	2.50	0.20	4.00	0.32		0.00		0.00
Cost to Change Providers	25%	5.00	1.25	1.50	0.38	1.00	0.25		0.00		0.00
Other (describe)			0.00		0.00		0.00		0.00		0.00
<b>Overall Ranking</b>	100%	4.76		1.46		2.68		0.00		0.00	

**Vendor Selected:** Allied Telecom  
**Approved By:** James A Pecora  
**Title:** Chief Technology Officer  
**Date:** 2/2.2009

**Notes:**  
 \* Percentage weights must add up to 100%. Price must be weighted the heaviest.  
 \*\* Evaluated on a scale of 1 to 5; 1=worst, 5=best.  
 \*\*\* Weight x Raw Score

**Internet Service Quotation E-Rate 470 Request 2430000708157**

**Company:** Free Library of Philadelphia Foundation  
**Contact:** Jim Pecora  
**Phone:** 267-625-5804  
**Email:** pecoraj@llibrary.phila.gov

**Date:** 1/14/09  
**Acct Mgr:** Oscar Williams  
**Phone:** 202.349.0416  
**Email:** [owilliams@alliedtelecom.com](mailto:owilliams@alliedtelecom.com)

**Service Address:**  
 1901 Vine Street  
 Philadelphia, PA 19103

**Port:** 200 Mbps  
**Access:** Gigabit Ethernet (1000 Mbps)  
**Term:** 1 year w/2 renewable option years  
**Effective Date:** 7/1/2009 through 6/30/2010

Service Description	One-Time Charge	Monthly Charge
<b>1000Mbps (Gig E) Metro Ethernet Fiber Transport</b>	\$0.00	\$3500.00
<b>200Mbps Dedicated Internet Access Port</b>	\$0.00	\$9000.00
Onsite Installation	Included	Included
Telco Installation Fees	Included	Included
Equipment Configuration, as required	Included	Included
Static IP Address, as required	Included	Included
Domain Name Services Management	Included	Included
Proactive Network Monitoring	Included	Included
Online Bandwidth Statistics	Included	Included
Telco Monthly circuit/loop fees	Included	Included
Standard 8am to 8pm support	Included	Included
24 X 7 Support for after hour on-site emergencies	Included	Included

Quotation valid for 60 days

**TOTAL: \$0.00 \$12500.00**

<b>CUSTOMER</b>	<b>ALLIED TELECOM GROUP, LLC</b>
Signature: <u>James Pecora</u>	Signature: <u>Oscar Williams</u>
Print Name: <u>James Pecora</u>	Print Name: <u>Oscar L. Williams</u>
Title: <u>Chief Technology Officer</u>	Title: <u>Director of Sales</u>
Date: <u>1/30/09</u>	Date: <u>1/30/09</u>

EXHIBIT D

FRN-1837328

FRN-1837112 (free DNS service?)

Proficient

Tom Jordan

Bid T1 service. not TLS-

FRN 1837328  
1837112

**Hannigan, Kathleen**

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**From:** Tom Jordan [tjordan@proficienttel.com]  
**Sent:** Friday, December 19, 2008 5:51 PM  
**To:** Hannigan, Kathleen; Pecora, Jim; tjordan@proficienttel.com  
**Subject:** Free Library Of Philadelphia E-Rate Proposal - Application #243820000708157  
**Attachments:** Proficient Telecom - Data Services Proposal - PremierC.doc



**SPIN 143032068**

December 19, 2008

Kathleen M. Hannigan  
Free Library Of Philadelphia  
1901 Vine St  
Philadelphia, PA 19103

RE: E-Rate Universal Service Application Number: 243820000708157

I am pleased to submit for your consideration the attached proposal for data services. This proposal is being provided in response to your Form 470 application which was filed with the Universal Service Administrative Company.

Proficient Telecom began offering services in 1996. In recent years we have specialized in serving schools and libraries, particularly those which receive E-Rate funding. Today, we offer a comprehensive list of communications solutions to schools and libraries throughout the United States.

Based on the information provided in your Form 470 filing, Proficient Telecom is recommending **managed T1 Internet Access Service at just \$399 per month or managed Bonded T1 Internet Access Service at just \$699 per month (These rates are before E-rate discounts. See the attached proposal for additional details.)**

**Additionally, for a limited time we are offering voice PRI as low as \$299 per month.**

If your organization is seeking a different service, please reply and indicate what it is and I'll be happy to give you a bid.

I look forward to discussing your specific needs in more detail. Please direct any questions to me on 314-406-6000 or by email to [tjordan@proficienttel.com](mailto:tjordan@proficienttel.com).

Finally, if you would kindly reply to this message with "Received", it would be greatly appreciated. If your organization has already chosen a service provider for this specific application number, indicate as such and I will remove it from our interested applicant list.

FRN 1837328  
1837112

Thank you.

Sincerely,

Tom Jordan  
314-406-6000  
[tjordan@proficienttel.com](mailto:tjordan@proficienttel.com)  
[www.proficienttel.com](http://www.proficienttel.com)  
SPIN 143032068

Allied  
#1

**Hannigan, Kathleen**

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**From:** Oscar Williams [OWILLIAMS@alliedtelecom.net]  
**Sent:** Wednesday, January 14, 2009 10:19 AM  
**To:** Hannigan, Kathleen  
**Subject:** Internet Service Quotation - Allied Telecom Group  
**Attachments:** Free Library of Philadelphia.pdf

Hello Kathleen:

Allied is pleased to submit a quotation for renewing Internet Services for the Free Library. Please accept the bid for Internet access (Application: 24320000708157) for a 200Mbps Internet Connection for services to commence on July 1, 2009 through June, 30 2010. This connection will be provided over our existing fiber at the capacity of 1000 Mbps (Gig E). Your Internet port will be rate-limited to 200Mbps and immediately increased at any time upon your discretion.

Upon this year's award, our service delivery team will be in touch with you to discuss the detail of making the transition to the higher speed and capacity. Should you have any questions in the meantime (pricing, solution, etc), please do not hesitate to contact me or Ken Williams directly.

It has been an absolute pleasure serving your organization and community and we look forward to providing services for years to come.

Best,  
Oscar Williams  
Vice President of Sales  
Allied Telecom Group, LLC  
202-349-0416 (office)  
443-414-6545 (mobile)  
[owilliams@alliedtelecom.net](mailto:owilliams@alliedtelecom.net)

Ken Williams  
President & CEO  
Allied Telecom Group, LLC  
202-541-9009 (office)  
202-669-0238 (mobile)  
[kenw@alliedtelecom.net](mailto:kenw@alliedtelecom.net)

FRN- 1837328  
NO 100 Mbps prices-

Cavalier

Roman Slivinsky  
WAN Service Bid + Internet

## Hannigan, Kathleen

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**From:** Slivinsky, Roman [rslivinsky@cavtel.com]  
**Sent:** Tuesday, January 20, 2009 11:27 AM  
**To:** Hannigan, Kathleen  
**Cc:** Magliato, Michael J.  
**Subject:** RE: eRate

Kathleen,

Some of your sites are close enough to the respective COs to be eligible for ethernet last mile service, and some are in COs that are not currently lit by Cavalier fiber. This is why there is a disparity in pricing for the sites. We didn't have enough time to price out the 11 100 Mbps locations and wanted to be able to meet your timeline. All prices are monthly.

Please let me know if there is any additional information I can provide. Also please keep in mind that you can choose to utilize our circuits only in locations where this makes the most financial sense for you. This is not an all or nothing proposition.

Regards,  
Roman

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**From:** Hannigan, Kathleen [mailto:HanniganK@freelibrary.org]  
**Sent:** Tue 1/20/2009 10:30 AM  
**To:** Slivinsky, Roman  
**Cc:** Magliato, Michael J.  
**Subject:** RE: eRate

Roman,

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Where are the (11) 100 Mbps sites? Why are the 10 Mbps sites all different prices (mileage charges)? Are all these prices monthly?

Please respond by email.

Thanks,

Kathleen

**From:** Slivinsky, Roman [mailto:rslivinsky@cavtel.com]  
**Sent:** Monday, January 19, 2009 3:44 PM  
**To:** Hannigan, Kathleen  
**Cc:** Magliato, Michael J.  
**Subject:** RE: eRate



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2009-2010**

February 18, 2010

Kathleen M. Hannigan  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103

Re: Applicant Name: FREE LIBRARY OF PHILADELPHIA  
Billed Entity Number: 126162  
Form 471 Application Number: 669457  
Funding Request Number(s): 1837112  
Your Correspondence Dated: February 01, 2010

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 2009 Funding Commitment Decision 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): 1837112  
Decision on Appeal: **Denied**  
Explanation:

- During Selective Review, the Free Library of Philadelphia provided a contract with an effective date of July 1, 2009 through June 30, 2010. Therefore, the Contract Expiration Date was modified from June 30, 2012 to June 30, 2010. The applicant agreed with this modification. This modification did not affect funding for the above listed FRN.

Additionally, the Free Library of Philadelphia was asked to provide the bid evaluation matrix that was used to select the vendor plus all bids that were received and any other bid documentation. In response, the applicant provided documentation showing that bids were received on December 19, 2008, January 14, 2009 and January 20, 2009. Additionally, the applicant provided a bid assessment worksheet that was dated February 2, 2009, which is after the contract

award date of January 30, 2009. On December 15, 2009, the applicant was notified that the FRN would be denied because the vendor selection documentation was created after the Contract Award Date (CAD) and because the vendor evaluation was not completed prior to the contract award date. In response, the applicant provided a screen print showing a created date of December 26, 2008 and a modified date of July 29, 2009. When notified of these dates, the applicant responded that save must have been hit by mistake because the worksheet was not modified after the Form 471 was filed.

FCC Rules require that except under limited circumstances, all Forms 470 received be posted on the USAC website for 28 days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting a Form 471. As is noted on USAC's website, <http://www.usac.org/sl/applicants/step04/default.aspx>, "Applicants must construct an evaluation for consideration of bids received in response to the posting of the Form 470 that makes price the primary factor in the selection of a vendor." Therefore, the actual evaluation of the bids needs to be created, not, for example, a template for later evaluation of the bids. Although the screen print shows a created date of December 26, 2008, two of the bids to be evaluated were received January 14, 2009 and January 20, 2009, which is after the screen print created date. The documentation provided during Selective Review demonstrates that the vendor selection documentation was created after the contract was awarded and that the vendor evaluation process was not completed prior to the contract award date. You have failed to provide evidence that USAC erred in its initial decision; consequently, the appeal is denied.

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

Kathleen M. Hannigan  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103

Billed Entity Number: 126162  
Form 471 Application Number: 669457  
Form 486 Application Number:

## EXHIBIT H



1901 Vine Street  
Philadelphia, PA 19103-1189

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March 11, 2010

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

**Request for Review  
FRN 1837112 Denial**

Applicant: Free Library of Philadelphia  
Service Provider: Allied Telecom Group, LLC  
Applicant BEN: 126162  
Provider SPIN: 143022365  
Form 471 Application Number: 669457  
CC Docket No. 02-6  
CC Docket No. 96-45

**Contact information:**

James Pecora, Chief Technology Officer  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103  
Work: 267-997-4817  
Fax: 215-567-4352  
pecoraj@freelibrary.org

Laura Moore, Acting IT Director  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103  
Work: 215-686-5334  
Fax: 215-567-4352

Federal Communications Commission Officer:

The Free Library of Philadelphia requests that the FCC review the decision of the Schools and Libraries Division ("SLD") to deny FRN 1837112. A subsequent appeal to USAC was also denied on a technicality. This Funding Request is for our Internet Service Provider, Allied Telecom. This service is extremely important to the Free Library of Philadelphia. We provide 1.4 million public sessions annually system-wide. That public access depends on a reliable Internet Service Provider. The city of Philadelphia is in an extreme fiscal crisis. Our citizens are in desperate need of the free internet access that we make available in every neighborhood library for homework, job searching, and building technical skills. Free internet access is exactly the kind of service that USAC was created to support. To deny the citizens of Philadelphia this service is counter to the mission of the e-rate program. For the Free Library to absorb the entire \$150,000 cost of internet service would present an extreme hardship to us at this time.

**Statement of Facts:**

The USAC in a Funding Commitment Decision Letter dated January 19, 2010, denied the Free Library \$135,000 in funding for our Internet Service provider due to a bidding violation.

**Funding Commitment Decision: \$0.00 – Selective – Bidding Violation**

**DR1: The vendor selection documentation provided was created after the contract award date. The vendor evaluation documentation should be completed prior to the contract award date.**

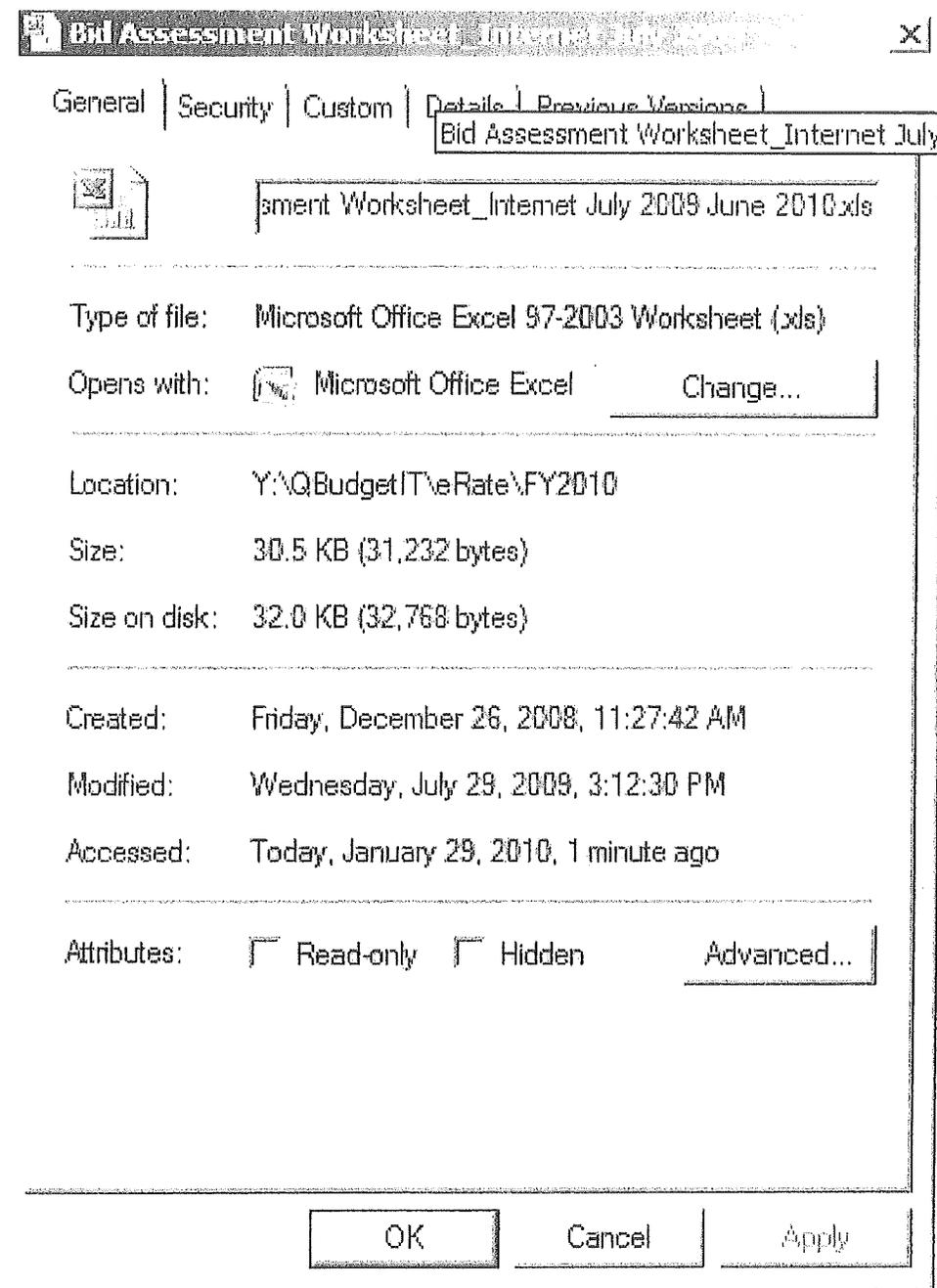
**Issue for Clarification on Appeal:**

Please see the attached quotes which confirm that there was no bidding violation. The FCDL states that the bid evaluation worksheet was prepared after the contract award date. The bid evaluation worksheet was created on December 26, 2009 as shown in the screen shot below. I filled in the spreadsheets throughout the following month for the ISP service and the other services requested on the 470. Proficient Telecom submitted a bid on December 19, 2008 which did not include a price for the 200 Mbps service requested on our form 470. Allied Telecom submitted a bid on January 14, 2009 for \$12,500 monthly with no installation costs. Cavalier submitted a quote for \$26,500 per month and \$10,000 installation costs. We chose the lowest viable bid and signed a contract with Allied Telecom on January 30, 2009, well after the 28 day waiting period.

The instructions on the USAC site state that the use of a bid evaluation worksheet is a suggestion, **not a requirement**. I created the bid evaluation worksheet as **an internal tool**. I followed the USAC rules and chose the **lowest priced viable bid**. The USAC should not use the dates on an optional internal tool to deny us funding for our internet service.

I underwent a very thorough PIA review and a Selective Review during the summer of 2009. Answering questions from two different reviewers required me to open and close all of our e-rate documents numerous times and I must have inadvertently hit save on this one which changed the Modified Date. I explained that to my third reviewer in December of 2009. Our Chief Technology Officer, Jim Pecora and I both offered to sign a document certifying that we did not change any of the content on the bid

evaluation worksheet. I never received a direct response to that offer, and I was surprised that the decision to deny this request was made.



**Administrative Action Requested**

Accordingly, the Free Library of Philadelphia requests that the FCC reverse USAC's decision to deny us funding for our Internet Service Provider as there was no waste, fraud or abuse involved and there was no bidding violation.

Please let me know if there is any other documentation that would help you to allow the funding request for \$135,000 to provide Internet service to the Free Library of Philadelphia.

Respectfully,

A handwritten signature in black ink that reads "Kathleen M. Hannigan". The signature is written in a cursive style with a large initial "K".

Kathleen M. Hannigan  
Free Library of Philadelphia  
1901 Vine Street  
Philadelphia, PA 19103  
215-686-7501  
hannigank@freelibrary.org

**EXHIBIT I**



FRN listing

**Online Item 21 Attachment**

Your Item 21 Attachment for FRN 1837112, Application 126162 has been received on 2/2/2009 5:46:11 PM.

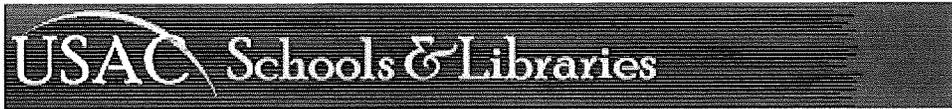
Please press the PRINT button for a copy of your Item 21 Attachment.

Retain that printout as confirmation of your submission of your Item 21 Attachment. You must retain all records (including bills, invoices, and contracts) related to your application for receipt and delivery of discounted services for a period of five years after the last day of services delivered for a particular Funding Year.

[Print Summary Listing](#) | ▶

[Print Detailed Listing](#) | ▶

[SLD Home](#) | [Phone: 1-888-203-8100](#) | [Submit a Question](#)



**Item 21 Attachment**  
 Internet Access - Funding Year 2009

**Applicant Name** FREE LIBRARY OF PHILADELPHIA  
**Billed Entity Number** 126162  
**Form 471 Application Number** 669457  
**Funding Request Number** 1837112  
**Service Provider** Allied Telecom Group, LLC  
**Attachment Number** 1  
**Narrative description of this Funding Request** This request is for 1000 MBPS Metro Ethernet Filter Transport and 200 MBPS (FE) Dedicated Internet Access Port Basic internet connectivity of 200 MBPS from the Central Library to the Internet Service Provider, providing service to all 55 facilities.

Service Type	Service Description	Eligible Pre-Discount Cost
1 Other	200 MBPS Dedicated Internet Access Port	\$108,000.00
2 Other	1000 MBPS Metro Ethernet Fiber Transport	\$42,000.00
Total:		\$150,000.00
Funding Requested on 471:		\$150,000.00

**Further information** **In Fiscal Year 2010, we will boost our internet service from 100 Mbps to 200 Mbps. This requires a 1 Gig Metro Ethernet Fiber Transport line to be installed.**

Date Submitted 2/2/2009 5:46:11 PM



**Item 21 Attachment**

Internet Access - Funding Year 2009

**Applicant Name** FREE LIBRARY OF PHILADELPHIA  
**Billed Entity Number** 126162  
**Form 471 Application Number** 669457  
**Funding Request Number** 1837112  
**Service Provider** Allied Telecom Group, LLC  
**Attachment Number** 1  
**Narrative description of this Funding Request** This request is for 1000 MBPS Metro Ethernet Fiber Transport and 200 MBPS (FE) Dedicated Internet Access Port Basic internet connectivity of 200 MBPS from the Central Library to the Internet Service Provider, providing service to all 55 facilities.

Service Type	Service Description	Eligible Pre-Discount Cost	
1 Other	200 MBPS Dedicated Internet Access Port		\$108,000.00
		<b>Number of InternetAccess Lines (if applicable)</b>	0
		<b>Recurring Charges</b>	<b>Non Recurring Charges</b>
	<b>Monthly Recurring Charges</b>	\$9,000.00	<b>One-time non-recurring charges</b> \$0.00
	<b>Less Ineligible Amount (if any)</b>	\$0.00	<b>Less Ineligible Amount (if any)</b> \$0.00
	<b>Number of Months</b>	12	
	<b>Eligible recurring charges</b>	<b>\$108,000.00</b>	<b>Eligible non-recurring charges</b> <b>\$0.00</b>
			<b>Line item TOTAL \$108000</b>
2 Other	1000 MBPS Metro Ethernet Fiber Transport		\$42,000.00
		<b>Number of InternetAccess Lines (if applicable)</b>	0
		<b>Recurring Charges</b>	<b>Non Recurring Charges</b>
	<b>Monthly Recurring Charges</b>	\$3,500.00	<b>One-time non-recurring charges</b> \$0.00
	<b>Less Ineligible Amount (if any)</b>	\$0.00	<b>Less Ineligible Amount (if any)</b> \$0.00
	<b>Number of Months</b>	12	
	<b>Eligible recurring charges</b>	<b>\$42,000.00</b>	<b>Eligible non-recurring charges</b> <b>\$0.00</b>
			<b>Line item TOTAL \$42000</b>
	<b>Total:</b>		\$150,000.00
	<b>Funding Requested on 471:</b>		\$150,000.00

**Further information** **In Fiscal Year 2010, we will boost our internet service from 100 Mbps to 200 Mbps. This requires a 1 Gig Metro Ethernet Fiber Transport line to be**

**installed.**

**Date Submitted**

**2/2/2009 5:46:11 PM**

EXHIBIT J

*Cert. #*

*395503*

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](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) 471020209

**Form 471 Application#**

(To be assigned by administrator)

669457

**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 FREE LIBRARY OF PHILADELPHIA

**2 a** Funding Year: July 1, 2009 Through June 30: 2010 Billed Entity Number: 126162

**4 a** Street Address, P.O. Box, or Routing Number 1901 VINE ST

City PHILADELPHIA

State PA Zip Code 19103 1189

**b** Telephone Number 215-686-7501 **c** Fax Number 215-563-3628

**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 Kathleen M. Hannigan

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 1901 VINE ST

City PHILADELPHIA

State PA Zip Code 19103 1189

**c** Telephone Number 215-686-7501  **d** Fax Number 215-563-3628

**e** E-mail Address hannigank@freelibrary.org

**f** Holiday/vacation/summer contact information kellyk@freelibrary.org



Entity Number 126162

Applicant's Form Identifier 471020209

Contact Person Kathleen M. Hannigan

Phone Number 215-686-7501

2. Entity Number: 20473  
 3. School District where library outlet/branch is located: PHILADELPHIA SCHOOL DISTRICT 4. Discount: 90%

1. Library Name: WEST PHILADELPHIA REGIONAL LIB FSCS: PA 0385 005  
 2. Entity Number: 20491  
 3. School District where library outlet/branch is located: PHILADELPHIA SCHOOL DISTRICT 4. Discount: 90%

1. Library Name: WHITMAN BRANCH LIBRARY FSCS: PA 0385 051  
 2. Entity Number: 20635  
 3. School District where library outlet/branch is located: PHILADELPHIA SCHOOL DISTRICT 4. Discount: 90%

1. Library Name: WIDENER BRANCH LIBRARY FSCS: PA 0385 052  
 2. Entity Number: 20408  
 3. School District where library outlet/branch is located: PHILADELPHIA SCHOOL DISTRICT 4. Discount: 90%

1. Library Name: WYNNEFIELD BRANCH LIBRARY FSCS: PA 0385 395  
 2. Entity Number: 20386  
 3. School District where library outlet/branch is located: PHILADELPHIA SCHOOL DISTRICT 4. Discount: 90%

1. Library Name: WYOMING BRANCH LIBRARY FSCS: PA 0385 396  
 2. Entity Number: 20281  
 3. School District where library outlet/branch is located: PHILADELPHIA SCHOOL DISTRICT 4. Discount: 90%

**Block 5: Discount Funding Request(s)**

FRN: 1837112 FCDL Date:	
10. Original FRN:	
11. Category of Service: Internet Access	12. 470 Application Number: 243820000708157
13. SPIN: 143022365	14. Service Provider Name: Allied Telecom Group, LLC
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 01/09/2009	18. Contract Award Date: 01/30/2009
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2012	
21. Attachment #: 1	22. Block 4 Worksheet No.: 1083107
23a. Monthly Charges: \$12,500.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$12,500.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$150,000.00	
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): \$150,000.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$135,000.00	

FRN: 1837148 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 243820000708157
13. SPIN: 143000893	14. Service Provider Name: Nextel West Corp
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: WSCA MPA S1523
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 532511323	16b. Multiple Billing Account Numbers?: Y

17. Allowable Contract Date: 01/09/2009	18. Contract Award Date: 01/30/2009
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2011	
21. Attachment #: 2	22. Block 4 Worksheet No.: 1083107
23a. Monthly Charges: \$1,383.34	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,383.34	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$16,600.08	
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): \$16,600.08	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$14,940.07	

FRN: 1837181 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 243820000708157
13. SPIN: 143000904	14. Service Provider Name: Nextel Communications Of The Mid-Atlantic, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: S1523
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 532511323	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 01/09/2009	18. Contract Award Date: 01/30/2009
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2011	
21. Attachment #: 3	22. Block 4 Worksheet No.: 1083107
23a. Monthly Charges: \$1,979.67	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,979.67	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$23,756.04	
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): \$23,756.04	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$21,380.44	

FRN: 1837328 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 243820000708157
13. SPIN: 143001398	14. Service Provider Name: Verizon Pennsylvania Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract: Y	15d. FRN from Previous Year:
16a. Billing Account Number: 215-197-9109	16b. Multiple Billing Account Numbers?: Y
17. Allowable Contract Date: 01/09/2009	18. Contract Award Date: 01/30/2009
19a. Service Start Date: 07/01/2009	19b. Service End Date:
20. Contract Expiration Date: 06/30/2011	
21. Attachment #: 4	22. Block 4 Worksheet No.: 1083107
23a. Monthly Charges: \$74,986.75	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$74,986.75	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$899,841.00	
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): \$899,841.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$809,856.90	

**Block 6: Certifications and Signature**

**Application ID:669457**

Do not write in this area.

<b>Entity Number</b>	126162_____	<b>Applicant's Form Identifier</b>	471020209_____
<b>Contact Person</b>	Kathleen M. Hannigan_____	<b>Phone Number</b>	215-686-7501_____

**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.)	\$1,090,197.12
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$981,177.41
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$109,019.71
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$3,004,922.82
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.)	\$3,113,942.53
f.	<input 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 James Pecora	
41. Title or position of authorized person	