



Universal Service Administrative Company  
Schools & Libraries Division

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

October 28, 2010

Cathy Morton  
Plains Independent School District  
4203 68th Street  
Lubbock, TX 79413

Re: Applicant Name: PLAINS INDEP SCHOOL DISTRICT  
Billed Entity Number: 141957  
Form 471 Application Number: 666266  
Form 486 Application Number: 787759  
Funding Request Number(s): 1862597  
Your Correspondence Received: October 19, 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 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): 1862597  
Decision on Appeal: **Denied**  
Explanation:

- USAC has determined that your FCC Form 486 was not filed within 120 days calculated from December 2, 2009, the date of the FCDL or July 1, 2009, the Service Start Date (SSD) indicated on the FCC Form 486, whichever date is later. On April 7, 2010, 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 14, 2010, which is after the new deadline. Consequently, the SSD has been revised to April 16, 2010, 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 an additional 20 calendar days from the date of receipt of 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.~~ See 24  
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

Letter of Appeal

Schools and Libraries Division

Correspondence Unit □ 30

Lanidex Plaza West

PO Box 685

Parsippany, NJ 07054-0685

FAX : 1-973-599-6542

**Provide detailed contact information.**

Appellant/Organization Name: Plains Independent School District, Entity No. 141957

Contact Person Name: Cathy Morton

Contact Mailing Address: 4203 68<sup>th</sup> Street, Lubbock, TX 79413

Contact Phone Number: 806-792-0540

FAX Number: 309-414-4903

Email Address: cmorton@esc17.net

**Identify which USAC action you are appealing.**

This is an Appeal to a Form 486 Notification Letter (Funding Year 2009-2010) dated August 25, 2010. The appeal includes decisions for the following FRN included in 471 Application No. 666266:

1862597 – Desert Communications, Inc. – SPIN 143005691

**Explain your appeal and include copies of all relevant documentation.**

Service Start Date: 04/16/2010\*

Service Start Date Change Explanation: 120-Day 486 Deadline

Adjusted Funding Commitment: \$3447.07

The service start date was incorrectly entered on the 486. The correct start date of service was 7/01/2009. Copies of invoices from the entire year are attached.

2. **Provide an authorized signature on your letter of appeal**

*Cathy Morton*



Universal Service Administrative Company

Schools and Libraries Division

**Form 472 (BEAR) Notification Letter**

September 29, 2010

Charles Mosely  
Desert Communications, Inc.  
7100 Westwind Suite 300  
El Paso, TX 79912

Re: Invoice Number - as assigned by USAC: 1380845  
Service Provider Identification Number: 143005691  
Reimbursement Form Number: re-submit  
Billed Entity Number: 0

Cathy Morton  
PLAINS INDEP SCHOOL DISTRICT  
4203 - 68th Street  
Lubbock, TX 79413

Preferred Mode of Contact: E-mail at [cmorton@escl7.net](mailto:cmorton@escl7.net)  
Total Amount of Reimbursement Approved for Payment: \$0.00

This letter is your notification that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has processed an FCC Form 472, "Billed Entity Applicant Reimbursement (BEAR)" Form from the above named applicant listing you as the service provider. USAC has committed to reimburse the discounted portion of the cost of eligible services provided to eligible entities pursuant to one or more FCC Forms 471, "Description of Services Ordered and Certification Form".

In certain instances, a line may not have been paid. Review the BEAR Letter Applicant Reimbursement Report (Report) following this letter for the reason(s) this may have occurred. For more information about lines that have not been paid, see the explanation of Invoice Error Codes in Step 9 on our website. Work with the applicant (your customer) to correct any errors. Once corrected, your customer may submit a new BEAR to request reimbursement for any unpaid lines.

We recommend using the BEAR Online tool from the Apply Online area or Required Forms section of our website for additional submissions. If a new BEAR cannot be submitted before the invoice deadline passes, you or your customer may submit a request for a deadline extension. (See "Invoice Deadlines and Extension Requests" posted in the SLD section of our website for more information.)

Pursuant to the Federal Communication Commission's (FCC) Second Report and Order and Further Notice of Proposed Rulemaking (FCC 03-101, released April 29, 2003), you must remit the amount shown as "Total Amount of Reimbursement Approved for Payment" above to your customer no later than 20 days after receipt of payment of the approved discounts from USAC. You also agreed not to tender or make use of the payment of the approved discounts issued by USAC to you prior to remitting the discount to your customer (See BEAR Form, Block 4, Service Provider Acknowledgment).

The USAC check should be mailed to the service provider named above within 20 days of the date of this letter.

BEAR NOTIFICATION LETTER APPLICANT REIMBURSEMENT REPORT

Form 471 Application Number: 666266  
Funding Request Number: 1862597  
Funding Year 2009: 07/01/2009 - 06/30/2010  
Contract Number: NA  
Funding Commitment Decision: \$3447.07  
Reimbursement Amount for this FRN: \$0.00  
Reimbursement Request Decision Explanation:  
**Billed Date Before 486 Service-Start Date;**

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*submitted question 10-18-10  
Case 22-120073 rec'd  
2:25 PM 10-18*

1862597

**Desert Communications Inc.**

7100 Westwind  
Suite 300  
El Paso, TX 79912  
Phone: (915) 584-1287 Fax: (915) 581-7697

**Invoice# 019512**

Account ID <b>PLAINS</b>	Contact <b>Robert Canon</b>	
Customer PO <b>2411000013</b>	Telephone <b>(806) 456-7483</b>	Facsimile <b>(806) 456-4325</b>

Bill To:

Attn: Accounts Payable Dept.

Plains ISD P.O. Box 479 Plains, TX 79355
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Ship To:

Plains ISD 1000 10th Street Plains, TX 79355
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Remit To: Desert Communications Inc. P.O. Box 202380 Dallas, TX 75320-2380

Special Order  Drop Ship

Invoice Date <b>09/08/2009</b>	Comments <b>E-Rate Yr. 12 Annual Support Contract</b>	Special Instructions	Terms <b>NET 30</b>
Ship Via <b>GROUND</b>	Date Required <b>07/30/2009</b>	FOB <b>Your Location</b>	Ship Date <b>09/08/2009</b>
		From Order# <b>015160</b>	Salesperson <b>Sarah Cancellare</b>
Ordered	Shipped	B.O.	Item# Description
1	1	0	SUPPORT Annual Support Contract July 1st through Sept. 30th, 2009
			UOM
			Price
			Total
			\$3,150.00
			\$3,150.00

Comments

EASE NOTE: New remittance address listed above.

Sub Total	\$3,150.00
EXMT 0% Tax	\$0.00
Freight	\$0.00
<b>Total Invoice</b>	<b>\$3,150.00</b>
Deposit	\$0.00
Balance	\$3,150.00

sent inquiry 8-10-10

Case # 22-095971

**Desert Communications Inc.**

100 Westwind  
 Suite 300  
 El Paso, TX 79912  
 Phone: (915) 584-1287 Fax: (915) 581-7697

**Invoice# 020124**

Account ID <b>PLAINS</b>	Contact <b>Robert Canon</b>	
Customer PO <b>2411000013</b>	Telephone <b>(806) 456-7483</b>	Facsimile <b>(806) 456-4325</b>

Bill To: **Attn: Accounts Payable Dept.**

Ship To:

Plains ISD  
 P.O. Box 479  
 Plains, TX 79355

Plains ISD  
 1000 10th Street  
 Plains, TX 79355

Remit To: Desert Communications Inc. P.O. Box 202380 Dallas, TX 75320-2380

Special Order  Drop Ship

Invoice Date <b>12/31/2009</b>	Comments <b>E-Rate Yr. 12 Rnwl Smrt. &amp; Network Supp.</b>	Special Instructions			Terms <b>NET 30</b>
Ship Via <b>GROUND</b>	Date Required <b>07/30/2009</b>	FOB <b>Your Location</b>	Ship Date <b>12/31/2009</b>	From Order# <b>015160</b>	Salesperson <b>Sarah Cancellare</b>
Ordered <b>1</b>	Shipped <b>1</b>	B.O. <b>0</b>	Item# Description <b>SUPPORT Annual Support Contract October 1st through December 31st.</b>		Total <b>\$3,150.00</b>

Comments  
 PLEASE NOTE: New remittance address listed above.

Sub Total	\$3,150.00
EXMT 0% Tax	\$0.00
Freight	\$0.00
<b>Total Invoice</b>	<b>\$3,150.00</b>
Deposit	\$0.00
Balance	\$3,150.00

*OK  
BB  
VOR*

*53 6219  
199-~~7~~ 6219 -00-999*

**Desert Communications Inc.**

7100 Westwind  
 Suite 300  
 El Paso, TX 79912  
 Phone: (915) 584-1287 Fax: (915) 581-7697

**Invoice# 020605**

Account ID <b>PLAINS</b>	Contact <b>Robert Canon</b>	
Customer PO <b>2411000013</b>	Telephone <b>(806) 456-7483</b>	Facsimilie <b>(806) 456-4325</b>

Bill To: **Attn: Accounts Payable Dept.**

**Plains ISD**  
 P.O. Box 479  
 Plains, TX 79355

Ship To:

**Plains ISD**  
 1000 10th Street  
 Plains, TX 79355

Remit To: Desert Communications Inc. P.O. Box 202380 Dallas, TX 75320-2380

Special Order  Drop Ship

Invoice Date <b>03/31/2010</b>	Comments <b>E-Rate Yr. 12 Annual Support Contract</b>	Special Instructions	Terms <b>NET 30</b>
Ship Via <b>GROUND</b>	Date Required <b>07/30/2009</b>	FOB <b>Your Location</b>	Ship Date <b>03/31/2010</b>
		From Order# <b>015160</b>	Salesperson <b>Sarah Cancellare</b>
Ordered <b>1</b>	Shipped <b>1</b>	B.O. <b>0</b>	Item# <b>SUPPORT</b>
			Description <b>Annual Support Contract</b>
			<b>January 1 through March 31st, 2010</b>
			UOM
			Price <b>\$3,150.00</b>
			Total <b>\$3,150.00</b>

Comments  
 PLEASE NOTE: New remittance address listed above.

Sub Total	<b>\$3,150.00</b>
EXMT 0% Tax	<b>\$0.00</b>
Freight	<b>\$0.00</b>
<b>Total Invoice</b>	<b>\$3,150.00</b>
Deposit	<b>\$0.00</b>
Balance	<b>\$3,150.00</b>

199-53-6219 00999

OK  
 BB  
 [Signature]

# Desert Communications Inc.

7100 Westwind  
 Suite 300  
 El Paso, TX 79912  
 Phone: (915) 584-1287 Fax: (915) 581-7697

Invoice# **021077**

Account ID <b>PLAINS</b>	Contact <b>Robert Canon</b>	
Customer PO <b>2411000013</b>	Telephone <b>(806) 456-7483</b>	Facsimile <b>(806) 456-4325</b>

Bill To:

Attn: Accounts Payable Dept.

Plains ISD  
 P.O. Box 479  
 Plains, TX 79355

Ship To:

Plains ISD  
 1000 10th Street  
 Plains, TX 79355

Remit To: Desert Communications Inc. 15935 Collections Center Drive Chicago, IL 60693

Special Order  Drop Ship

Invoice Date <b>06/30/2010</b>	Comments <b>E-Rate Yr. 12 Rnwl Smrt. &amp; Network Supp.</b>	Special Instructions			Terms <b>NET 30</b>	
Ship Via <b>GROUND</b>	Date Required <b>07/30/2009</b>	FOB <b>Your Location</b>	Ship Date <b>06/30/2010</b>	From Order# <b>015160</b>	Salesperson <b>Sarah Cancellare</b>	
Ordered	Shipped	B.O.	Item# Description	UOM	Price	Total
1	1	0	SUPPORT Annual Support Contract April 1 through June 30th, 2010		\$3,150.00	\$3,150.00

Comments

PLEASE NOTE: New remittance address listed above.

Sub Total	\$3,150.00
EXMT 0% Tax	\$0.00
Freight	\$0.00
<b>Total Invoice</b>	<b>\$3,150.00</b>
Deposit	\$0.00
Balance	\$3,150.00