

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

Madison County Schools, Billed Entity Number 128813, (MCS) is requesting a waiver of the FCC 471 filing window for Funding Year 2011 to allow additional time for contract negotiations for Digital Transmission Service, Fiber Optic, Gigabit Ethernet. Our FCC Form 470 number is 7888200008885779.

The reason for this request is the service provider submitted pricing that is over **1,500%** more than the current contract we have with this service provider.

There are no other service providers that can provide Gigabit Ethernet Service to all sites in the district.

On December 14, 2010, Time Warner Communications (TWC) officially notified the district they would not renew the yearly extensions remaining on the original contract, effective June 30, 2011. According to USF guidelines, we posted the specifications on January 18, 2011 for these services, which started the twenty-eight day waiting period.

On February 15, 2011 we began the process to evaluate the proposals received. It was during the proposal evaluation that Madison County became aware of the **520% increase** TWC was proposing. This contract required a commitment from MCS for a 5 year contract with no clause for early termination on our part. (This is not permissible according to KRS and OAG opinion).

On March 22, 2011, TWC provided a one year contract pricing in the amount of **\$1.44 million** per year, which reflects a **1,568% increase** for the same service the district is currently receiving from TWC.

The district paid TWC \$91,812.00 during 2010 school year.

This issue was reported to the USAC "Waste Fraud and Abuse" hotline on March 24, 2011. We will supplement the record when an agreement with TMC is reached.

Sincerely,

Charlene T. McGee
Madison County School District
550 S Keeneland Drive
Richmond, KY 40475

Phone 859-625-6010 x6654
Email charlene.mcgee@madison.kyschools.us