



Lake Elsinore Unified School District

July 14, 2011

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Fiscal Support Services**

Kip Meyer
**Assistant Superintendent
Personnel Support
Services**

Dr. Kathleen Roberts
**Assistant Superintendent
Student Support Services**

Michael Taylor
**Executive Director
Fiscal Support Services**

Sam Wensel
**Executive Director
Personnel Support
Services**

VIA ELECTRONIC FILING

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

Re: Request to Postpone Action on Demand Payment Letters Issued by the Universal Service Administrative Company to Allow Beneficiary to File an Appeal to the Federal Communications Commission within Established 60-Day Timeframe

CC Docket No. 02-6

Dear Ms. Dortch:

Beneficiary Lake Elsinore Unified School District ("LEUSD") requests that the Demand Payment Letters issued by the Universal Service Administrative Company ("USAC") on July 6, 2011 (**Attachment A**) be placed on hold until there is a resolution with a pending appeal to be filed with the Commission in response to an Appeal Denial Letter issued by USAC on July 1, 2011 (**Attachment B**). The 60-day window allowed by the Commission for beneficiaries to appeal USAC decisions will elapse on August 30, 2011, 25 days after the demanded payment is due.

Applicant Name: Lake Elsinore Unified School District
Billed Entity Number: 143749
Funding Years: 2006, 2007
Form 471 Numbers: 513324, 566516
Funding Request Numbers: 1423335, 1423456, 1563982, 1564329

LEUSD formally requests that any pending demands for payment and potential assignment of Red Light Status be postponed until the Commission has reviewed the forthcoming appeal which will be filed by the Beneficiary by the August 30, 2011 deadline.

Sincerely,

Gregory J. Bowers,
Assistant Superintendent, Facilities & Operations Division
Lake Elsinore Unified School District
(951) 253-7015
greg.bowers@leusd.k12.ca.us

(951) 253-7000

545 Chaney Street
Lake Elsinore, CA 92530

www.leusd.k12.ca.us



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

July 01, 2011

Cathy Benham
CSM Consulting, Inc.
3130-C Inland Empire Blvd.
Ontario, CA 91764

Re: Applicant Name: LAKE ELSINORE UNIF SCHOOL DIST
Billed Entity Number: 143749
Form 471 Application Number: 513324
Funding Request Number(s): 1423335, 1423456
Your Correspondence Dated: April 12, 2011

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 2006 Commitment Adjustment 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): 1423335, 1423456
Decision on Appeal: **Denied**
Explanation:

- During the course of an audit, it was determined that Lake Elsinore Unified School District did not comply with all state and local procurement policies and that funding should be rescinded. On appeal, you stated that Lake Elsinore Unified School District did comply with all state and local policies. On June 8, 2011, Mr. J.R. Rea, the appellant, returned a call to state that he was available to respond to questions regarding the appeal. On June 9, 2011, USAC sent a letter via fax and email to Mr. J. R. Rea, requesting documentation showing that the Form 470 and RFPs for services requested in FY2007 were posted on the District's website or some other publication of general circulation published by the District. Mr. J. R. Rea was instructed that the request was time sensitive and that a response was expected within fifteen calendar days. The record shows that on June 16, 2011, USAC sent another letter via fax and email to remind Mr. J. R. Rea that

the requested documentation due date was June 24, 2011. On June 22, 2011, USAC received a Letter of Agency from the Superintendent of Lake Elsinore Unified School District, naming Cathy Benham as the new contact. On June 23, 2011, USAC received a letter from Cathy Benham, asking that the appeal be placed on hold. As the information requested was not forthcoming, USAC was unable to determine if your funding request was in compliance with Program Rules. Therefore, the funding request was denied.

On appeal, Lake Elsinore Unified School District failed to provide any evidence that USAC erred in its initial determination or that the Lake Elsinore Unified School District responded to USAC's requests for additional documentation in a timely manner. Consequently, your appeal is denied.

- USAC reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. sec. 54.500 et. seq. To conduct these reviews, USAC has put in place administrative measures to ensure the prompt resolution of applications. If applicants do not respond within the designated time period, USAC reviews the application based on the information before it. See Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, 18 FCC Rcd. 4520, 4522, Order, DA 03-764 para. 6 (rel. Mar. 13, 2003). (Marshall County) Typically applicants are required to respond to USAC's requests for additional information necessary to complete their application within 15 days of being contacted. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, CC Docket No. 02-6, Order, FCC 06-54 para. 23 (rel. May 19, 2006). Id.; SLD section of the USAC website, Reference Area, "Deadline for Information Requests," www.usac.org/sl/. This procedure is necessary to prevent undue delays during the application review process.

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: J. R. Rea

Cathy Benham
CSM Consulting, Inc.
3130-C Inland Empire Blvd.
Ontario, CA 91764

Billed Entity Number: 143749
Form 471 Application Number: 513324
Form 486 Application Number:



Administrator's Decision on Appeal – Funding Year 2007-2008

July 01, 2011

Cathy Benham
CSM Consulting, Inc.
3130-C Inland Empire Blvd.
Ontario, CA 91764

Re: Applicant Name: LAKE ELSINORE UNIF SCHOOL DIST
Billed Entity Number: 143749
Form 471 Application Number: 566516
Funding Request Number(s): 1563982, 1564329
Your Correspondence Dated: April 12, 2011

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 2007 Commitment Adjustment 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): 1563982, 1564329
Decision on Appeal: **Denied**
Explanation:

- During the course of an audit, it was determined that Lake Elsinore Unified School District did not comply with all state and local procurement policies and that funding should be rescinded. On appeal, you stated that Lake Elsinore Unified School District did comply with all state and local policies. On June 8, 2011, Mr. J.R. Rea, the appellant, returned a call to state that he was available to respond to questions regarding the appeal. On June 9, 2011, USAC sent a letter via fax and email to Mr. J. R. Rea, requesting documentation showing that the Form 470 and RFPs for services requested in FY2007 were posted on the District's website or some other publication of general circulation published by the District. Mr. J. R. Rea was instructed that the request was time sensitive and that a response was expected within fifteen calendar days. The record shows that on June 16, 2011, USAC sent another letter via fax and email to remind Mr. J. R. Rea that the requested documentation due date was June 24, 2011. On June 22, 2011, USAC received a Letter of Agency from the Superintendent of Lake Elsinore Unified School

District, naming Cathy Benham as the new contact. On June 23, 2011, USAC received a letter from Cathy Benham, asking that the appeal be placed on hold. As the information requested was not forthcoming, USAC was unable to determine if your funding request was in compliance with Program Rules. Therefore, the funding request was denied.

On appeal, Lake Elsinore Unified School District failed to provide any evidence that USAC erred in its initial determination or that the Lake Elsinore Unified School District responded to USAC's requests for additional documentation in a timely manner. Consequently, your appeal is denied.

- USAC Schools and Libraries Committee oversees the administration of the schools and libraries support mechanism and has the authority to make decisions concerning the administration of the application process, including activities to ensure compliance with Federal Communications Commission rules and regulations. *See* 47 C.F.R. sec. 54.705 (a)(1)(iii). To conduct these reviews, USAC has put in place administrative measures to ensure the prompt resolution of applications. If applicants do not respond within the designated time period, USAC reviews the application based on the information before it. *See* Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, 18 FCC Rcd 4520, 4522, Order, DA 03-764 para. 6 (rel. Mar. 13, 2003). Typically, applicants are required to respond to USAC's requests for additional information necessary to complete their application within 15 days of being contacted. *See* Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Mechanism, CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (rel. May 19, 2006). *See also* SLD section of the USAC website, Reference Area, "Deadline for Information Requests," www.usac.org/sl. For those instances where USAC contacts the applicant in reference to a Selective Review Information Request, the applicant is provided 30 days to comply with the request. This procedure is necessary to prevent undue delays during the application review process.

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: J. R. Rea

Cathy Benham
CSM Consulting, Inc.
3130-C Inland Empire Blvd.
Ontario, CA 91764

Billed Entity Number: 143749
Form 471 Application Number: 566516
Form 486 Application Number:

Cathy Benham

LAKE ELSINORE UNIF SCHOOL DIST

3130-C Inland Empire Blvd

Ontario, CA 91764 2712



Demand Payment Letter
(Funding Year 2006: July 1, 2006 - June 30, 2007)

July 6, 2011

J. R. REA

LAKE ELSINORE UNIF SCHOOL DIST
545 CHANEY ST
LAKE ELSINORE, CA 92530 2712

Re: Form 471 Application Number: 513324
Funding Year: 2006
Applicant's Form Identifier: LEUSD FY9 06/07
Billed Entity Number: 143749
FCC Registration Number: 0012982179
SPIN: 143002665
Service Provider Name: Pacific Bell Telephone Company
Service Provider Contact Person: Michael Swisher
Payment Due By: 8/5/2011

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges, and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at http://www.fcc.gov/debt_collection/faq.html.

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America
c/o Universal Service Administrative Company (105056)
1075 Loop Road
Atlanta, GA 30337
Phone 404-209-6377

If you are located in the Atlanta area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company
P.O. Box 105056
Atlanta, GA 30348-5056
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

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Complete Program information is posted to the SLD section of the USAC website at www.usac.org/sl/. You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company
Schools and Libraries Division

cc: *Michael Swisher*
Pacific Bell Telephone Company

Funding Commitment Adjustment Report
Form 471 Application Number: 513324

Funding Request Number: 1423335
Services Ordered: TELCOMM SERVICES
SPIN: 143002665
Service Provider Name: Pacific Bell Telephone Company
Contract Number: N/A
Billing Account Number:
Site Identifier: 143749
Original Funding Commitment: \$402,143.11
Commitment Adjustment Amount: \$402,143.11
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$402,033.21
Funds to be Recovered from Applicant: \$402,033.21

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On your FY 2006 FCC Form 470 you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During the course of an audit it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements-Lake Elsinore Unified School District procurement of telecommunications services and Internet access, including receiving bids and selecting the service providers, was carried out without a written procurement manual or other document describing procurement policies and procedures to be followed and you have not substantiated the claim that you have complied with state procurement requirements. The FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services they order, submitting a complete description of services they seek so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws and you violated the competitive bidding process. Accordingly, your funding commitment will be rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING

Cathy Benham

LAKE ELSINORE UNIF SCHOOL DIST

3130-C Inland Empire Blvd

Ontario, CA 91764 2712



Demand Payment Letter
(Funding Year 2007: July 1, 2007 - June 30, 2008)

July 6, 2011

J. R. REA

LAKE ELSINORE UNIF SCHOOL DIST
545 CHANEY STREET
LAKE ELSINORE, CA 92530 2712

Re: Form 471 Application Number: 566516
Funding Year: 2007
Applicant's Form Identifier: FY10 07/08
Billed Entity Number: 143749
FCC Registration Number: 0012982179
SPIN: 143022137
Service Provider Name: AT&T Corp.
Service Provider Contact Person: Lysander Watson
Payment Due By: 8/5/2011

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If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

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Universal Service Administrative Company
Schools and Libraries Division

cc: *Lysander Watson*
AT&T Corp.

Funding Commitment Adjustment Report
Form 471 Application Number: 566516

Funding Request Number: 1564329
Services Ordered: INTERNET ACCESS
SPIN: 143022137
Service Provider Name: AT&T Corp.
Contract Number: N/A
Billing Account Number: 0230064982
Site Identifier: 143749
Original Funding Commitment: \$5,628.00
Commitment Adjustment Amount: \$5,628.00
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$5,562.38
Funds to be Recovered from Applicant: \$5,562.38

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On your FY 2006 FCC Form 470 you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During the course of an audit it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements-Lake Elsinore Unified School District procurement of telecommunications services and Internet access, including receiving bids and selecting the service providers, was carried out without a written procurement manual or other document describing procurement policies and procedures to be followed and you have not substantiated the claim that you have complied with state procurement requirements. The FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services they order, submitting a complete description of services they seek so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws and you violated the competitive bidding process. Accordingly, your funding commitment will be rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING

Cathy Benham
LAKE ELSINORE UNIF SCHOOL DIST
3130-C Inland Empire Blvd
Ontario, CA 91764 2712



Demand Payment Letter
(Funding Year 2007: July 1, 2007 - June 30, 2008)

July 6, 2011

J. R. REA

LAKE ELSINORE UNIF SCHOOL DIST
545 CHANEY STREET
LAKE ELSINORE, CA 92530 2712

Re: Form 471 Application Number: 566516
Funding Year: 2007
Applicant's Form Identifier: FY10 07/08
Billed Entity Number: 143749
FCC Registration Number: 0012982179
SPIN: 143002665
Service Provider Name: Pacific Bell Telephone Company
Service Provider Contact Person: Michael Swisher
Payment Due By: 8/5/2011

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

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If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

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Universal Service Administrative Company
Schools and Libraries Division

cc: Michael Swisher
Pacific Bell Telephone Company

Funding Commitment Adjustment Report
Form 471 Application Number: 566516

Funding Request Number: 1563982
Services Ordered: TELCOMM SERVICES
SPIN: 143002665
Service Provider Name: Pacific Bell Telephone Company
Contract Number: N/A
Billing Account Number:
Site Identifier: 143749
Original Funding Commitment: \$398,264.86
Commitment Adjustment Amount: \$398,264.86
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$398,264.86
Funds to be Recovered from Applicant: \$398,264.86

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On your FY 2006 FCC Form 470 you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During the course of an audit it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements-Lake Elsinore Unified School District procurement of telecommunications services and Internet access, including receiving bids and selecting the service providers, was carried out without a written procurement manual or other document describing procurement policies and procedures to be followed and you have not substantiated the claim that you have complied with state procurement requirements. The FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services they order, submitting a complete description of services they seek so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws and you violated the competitive bidding process. Accordingly, your funding commitment will be rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

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CHECK TO ENSURE TIMELY PROCESSING

Cathy Benham

LAKE ELSINORE UNIF SCHOOL DIST

3130-C Inland Empire Blvd

Ontario, CA 91764 2712

ATTENTION!

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Universal Service Administrative Company (105056)
1075 Loop Road
Atlanta, GA 30337
Phone 404-209-6377



Demand Payment Letter
(Funding Year 2006: July 1, 2006 - June 30, 2007)

July 6, 2011

J. R. REA

LAKE ELSINORE UNIF SCHOOL DIST
545 CHANEY ST
LAKE ELSINORE, CA 92530 2712

Re: Form 471 Application Number: 513324
Funding Year: 2006
Applicant's Form Identifier: LEUSD FY9 06/07
Billed Entity Number: 143749
FCC Registration Number: 0012982179
SPIN: 143004611
Service Provider Name: SBC Internet Services, Inc.
Service Provider Contact Person: Michele Smith
Payment Due By: 8/5/2011

You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter. A copy of that Report is attached to this letter.

The balance of this debt is due within 30 days from the date of this letter. Failure to pay the debt within 30 days from the date of this letter could result in interest, late payment fees, administrative charges, and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at http://www.fcc.gov/debt_collection/faq.html.

If the Universal Service Administrative Company (USAC) has determined that both the applicant and the service provider are responsible for a Program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 04-181), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a Program rule violation, this was indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

If sending payment by U. S. Postal Service or major courier service (e.g. Airborne, Federal Express, and UPS) please send check payments to:

Bank of America
c/o Universal Service Administrative Company (105056)
1075 Loop Road
Atlanta, GA 30337
Phone 404-209-6377

If you are located in the Atlanta area and use a local messenger rather than a major courier service, please address and deliver the package to:

Universal Service Administrative Company
P.O. Box 105056
Atlanta, GA 30348-5056
Phone 404-209-6377

Local messenger service should deliver to the Lockbox Receiving Window at the above address.

Payment is due within 30 days from the date of this letter.

Complete Program information is posted to the SLD section of the USAC website at www.usac.org/sl/. You may also contact the SLD Client Service Bureau by email using the "Submit a Question" link on the SLD website, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

Universal Service Administrative Company
Schools and Libraries Division

cc: Michele Smith
SBC Internet Services, Inc.

Funding Commitment Adjustment Report
Form 471 Application Number: 513324

Funding Request Number: 1423456
Services Ordered: INTERNET ACCESS
SPIN: 143004611
Service Provider Name: SBC Internet Services, Inc.
Contract Number: N/A
Billing Account Number: 0651416761
Site Identifier: 143749
Original Funding Commitment: \$22,343.16
Commitment Adjustment Amount: \$22,343.16
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$22,343.16
Funds to be Recovered from Applicant: \$22,343.16

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On your FY 2006 FCC Form 470 you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During the course of an audit it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements-Lake Elsinore Unified School District procurement of telecommunications services and Internet access, including receiving bids and selecting the service providers, was carried out without a written procurement manual or other document describing procurement policies and procedures to be followed and you have not substantiated the claim that you have complied with state procurement requirements. The FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services they order, submitting a complete description of services they seek so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws and you violated the competitive bidding process. Accordingly, your funding commitment will be rescinded in full and USAC will seek recovery of any disbursed funds from the applicant.

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