

Lamar CISD

Thomas Randle, Ed.D. Superintendent of Schools

A Proud Tradition • A Bright Future

Tel: 832.223.0110 / Fax: 832.223.0111 / terandle@lcisd.org / www.lcisd.org
3911 Avenue I / Rosenberg, Texas 77471

August 4, 2011

CC Docket No. 02-6
CC Docket No. 96-45

Request for Review of USAC Administrator's Decision on Appeal

Sent via Federal Express to:
Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743
(8AM - 5:30PM ET)

Copy to FCC via ECFS at <http://fjallfoss.fcc.gov/ecfs/>

As pertains to:

Applicant: Lamar Consolidated Independent School District
Billed Entity Name: LAMAR CONS INDEP SCHOOL DIST
BEN: 141295
Funding Year: 2010
Form 471 Application Number: 764900
FRN: 2066860
Pre-discount Amount: \$41,484.96
Amount of Funding Request: \$35,262.22
Funding Commitment Decision on FCDL 2010: Denied
USAC Administrator's Decision on Appeal: Denied

Dear Sir or Madam,

Lamar Consolidated Independent School District (Lamar CISD) respectfully submits this Request for Review of the USAC Administrator's Decision on Appeal for Funding Year 2010-2011 to deny funding for all Funding Commitment Requests represented in 471 Application 764900.

Per the Funding Commitment Decision Letter dated March 29, 2011, the Funding Commitment Decision Explanation reads: "On 03/11/2011 your application was dismissed pursuant to the Red Light rule which implements requirements of the Debt Collection Improvement Act." (Attachment 1: Funding Commitment Decision Letter, Form 471 Application Number 764900)

We respectfully acknowledge the reason for the funding commitment decision; however, we appeal this decision because a good-faith effort was made by Lamar CISD to satisfy the requirements set forth by USAC within the allotted amount of time, and because the District has since **repaid the debt owed and received a Recovery Repaid in Full Acknowledgment clearing their Red Light Status as of March 30, 2011.**

We are requesting this review because the denial of funding for the 2010-11 projects will have a significant, negative impact on the ability of the District to provide necessary Basic Maintenance services to the students of Lamar CISD. The funding was denied due to a late repayment of funds, the tardiness of which occurred due to a unique set of circumstances that will never occur again. An internal misunderstanding of payment procedures occurred first, compounded by the fact that District staff needed guidance from parties external to Lamar CISD to ensure that the repayment met audit compliance. These circumstances, along with certain correspondence being received during District holidays, caused administration to miss deadlines. We are appealing the denial hoping that our honest intent to better handle time-sensitive situations in the future is sufficient to warrant your approval of this request for Lamar CISD's 2010-11 E-Rate funding.

The chronology of events leading to the 2010-2011 Funding Commitment Decision is as follows:

During Fall 2010, the District received a request for funding commitment adjustment in the amount of \$49,504 for Funding Year 2004 (Form 471 Application Number 404707), which we immediately appealed with USAC. The appeal was denied and USAC's Notice of Withholding of Action dated November 19, 2010 was received stating that the Appeal for this Funding Commitment Adjustment had been "Partially approved, but Funding Denied". The District was asked to repay monies previously received. Having never been in this position before, the Lamar CISD Technology Department staff asked the Finance Department staff for guidance. A requisition was to be generated by the Technology Department. It was on or about February 8, 2011, pursuant to an internal email regarding an additional COMAD request, that we realized that Technology thought Finance was generating the requisition for payment. A subsequent meeting was held to determine status of the repayment. At this meeting, we learned that before the payment had been initiated, another request for funding commitment adjustment had been received, along with some other correspondence. A Notice of Withholding of Action dated February 4, 2011 was received. A new, combined debt of \$58,717.66 was referenced, comprised of the 2004 COMAD amount listed above plus an additional \$9,213.66 for a funding COMAD issued for FY 2007, FRN 1553148. Also on February 4, 2011, USAC issued Notice of Withholding Action Pending Red Light Rule for 2010 Applications 750446 and 764900 (Attachment 2). In an attempt to determine why this had happened, we reviewed all of our procedures, and decided to pay both COMAD requests with one check. The Technology Department was in the process of generating the requisition when the Finance Department realized there was uncertainty about how to code the expense for accounting purposes. There are specific requirements when significant expenditures are made in a fiscal year that relate to a prior year. We solicited guidance from both the Texas Education Agency and Lamar CISD's external auditors, both of whom needed time to research and reply.

Further, the District was closed for the Spring Break holiday (March 12 – March 20, 2011). A Notice of Dismissal of 2010 E-Rate funding dated March 11, 2011 was sent by USAC, but school mail delivery did not resume until the week of March 21, 2011. USAC issued the Notice of Dismissal for both 471 Applications 750446 and 764900 pursuant to the Red Light Rule. The Dismissal letter was received by office staff on March 22, 2011, due to the closure for Spring Break. (Attachment 3)

Upon returning from Spring Break, Lamar CISD issued a purchase order to USAC in the amount of \$58,717.66 as payment in full for both debts. (Attachment 4)

On March 25, 2011, Lamar CISD mailed check number 320593 in the amount of \$58,717.66 to the USAC remittance address in Atlanta, GA. (Attachment 5)

On March 29, 2011, USAC's bank cashed check number 320593.

On March 29, 2011, also USAC issued two 2010 Funding Commitment Decision Letters denying in full all funding requests due to Red Light Rule Implementation. The Funding Commitment Letters were received by Lamar CISD on April 1, 2011. (Attachment 1)

On March 30, 2011, Lamar CISD received two Recovery Repaid-in-Full Acknowledgment letters, clearing our Red Light Status. (Attachment 6)

On April 12, 2011, Lamar CISD accessed FCC's Red Light Display system indicating status was "Green". (Attachment 7)

On May 25, 2011, Lamar CISD appealed the 2010-11 Funding Commitment Decisions issued by USAC for Applications 750446 and 764900. (Attachment 8)

On June 9, 2011, USAC issued an Administrator's Decision on Appeal letter which upheld their decision to deny funding in full for Application 764900 (Attachment 9). We submit this Request for Review of USAC's decision to the FCC, taking into consideration all information as stated.

As illustrated by the chain of events outlined above, the District was in the process of making payment of its debt to USAC, but incurred numerous issues along the way. USAC did not take into consideration that Lamar CISD repaid the debt, and that both the unfortunate timing of payment to USAC and the receipt of the correspondence from USAC were ultimately affected by the closure of school for Spring Break. We are troubled by the way this occurred and ensure that we will be diligent in the future to avoid these types of issues.

My contact information is given below. Please contact me if any additional information is required during consideration of this appeal. Thank you for your attention to this matter and your effort in helping us recover the school district's 2010 E-Rate funding.

Contact Name: Thomas Randle
Contact Address: Lamar Consolidated ISD
3911 Avenue I
Rosenberg, TX 77471
Telephone: 832-223-0110
Fax: 832-223-0111
Contact e-mail: terandle@lcisd.org

Sincerely,

A handwritten signature in cursive script that reads "Thomas Randle".

Thomas Randle, Ed.D.
Superintendent

MAR 31 REC'D



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2010: 07/01/2010 - 06/30/2011)

March 29, 2011

Steve Hickman
LAMAR CONS INDEP SCHOOL DIST
3911 AVENUE I
ROSENBERG, TX 77471-3960

Re: Form 471 Application Number: 764900
Billed Entity Number (BEN): 141295
Billed Entity FCC RN: 0001666924
Applicant's Form Identifier: 471-2010-BMIC

Thank you for your Funding Year 2010 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$35,262.22 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

TO APPEAL THIS DECISION:

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

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

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,
 - Applicant BEN and Service Provider Identification Number (SPIN),
 - Form 471 Application Number 764900 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2010," AND
 - The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

If you wish to appeal a decision in this letter to 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 by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. 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.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: LAMAR CONS INDEP SCHOOL DIST
BEN: 141295
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 764900
Funding Request Number: 2066860
Funding Status: Not Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 921160000781364
SPIN: 143024659
Service Provider Name: INX Inc.
Contract Number: SMARTNET
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: N/A
Contract Award Date: 02/10/2010
Contract Expiration Date: 06/30/2011
Shared Worksheet Number: 1257831
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$41,484.96
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$41,484.96
Discount Percentage Approved by the USAC: 85%
Funding Commitment Decision: \$0.00 - Red Light Rule Implementation
Funding Commitment Decision Explanation: MRI: The dollars requested were reduced to remove the ineligible product(s)/service(s) Cisco 2821-SRST/K9 router (\$111.42/mo); Cisco 2851-SRST/K9 router (\$348.93/mo); Cisco 3825-SRST/K9 router (\$67.44/mo); Cisco 3845-SRST/K9 router (\$22.48/mo). <><><><><> MR2: The FRN was modified from \$3,552.69/month to \$3,457.08/month to agree with the applicant documentation.
<><><><><> On 03-11-2011 your application was dismissed pursuant to the Red Light Rule which implements requirements of the Debt Collection Improvement Act.
ECDL Date: 03/29/2011
Wave Number: 044
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2012

USAC
University Service Administrative Company
Schools and Libraries Division
Correspondence Unit
30 Landex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

TIME SENSITIVE MATERIAL

00018
Steve Hickman
LAMAR CONS INDEP SCHOOL DIST
3911 AVENUE I
ROSENBERG, TX 77471-3960



Schools and Libraries Division

Notice of Withholding of Action

February 04, 2011

Steve Hickman
LAMAR CONS INDEP SCHOOL DISTRICT
3911 AVENUE I
Rosenberg, Texas 77471-3960

Revised recovery amount

Re: Notification of Withholding of Action Pending Red Light Rule

Application Numbers: 750446, 764900
Billed Entity: 141295
Fund Year: 2010

The Schools and Libraries Division received your request, cited above, for a funding for the Schools and Libraries Universal Service Support Mechanism (E-Rate) holding FCC Registration Number 0001666924.

As required by 47 C.F.R. § 1.1910(a)(1), we have reviewed our records and determined that as of 02/04/2011, you or an entity sharing the same Taxpayer Identification Number (TIN) is delinquent on the payment of a debt owed to the Universal Service Administrative Company (USAC):

LAMAR CONS INDEP SCHOOL DISTRICT \$58,717.66

Pursuant to 47 CFR § 1.1910(b) no further disbursements will be made until the complete debt owed to USAC and the FCC is satisfied and/or arrangements have been made to pay the delinquent debt. **If no payment is made within 30 days of the date of this letter, any pending applications and requests for benefits may be dismissed.** This means that any funding requests filed on the Form(s) 471 listed above will be denied.

Please be advised that any additional applications or requests for benefits from the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan Administrator, will be reviewed to determine if any delinquent debts are outstanding.

If you have any questions regarding the debt owed to USAC, please contact us at:

Address: USAC Billing Collections & Disbursement
Attention: Red Light Inquiries
2000 L Street, N.W., Suite 200
Washington, DC 20036

Telephone: (888) 641-8722

Facsimile: (888) 637-6226

E-mail: customerservice@bcd.usac.org

Sincerely,
Schools and Libraries Division
Universal Service Administrative Company

cc: Network Solutions Inc, INX Inc, Nextel South Corp, Smarsh, Inc, Intrafinity, AT&T,
Southwestern Bell Telephone Company, PAETEC Communications, Inc, Sprint.



Schools and Libraries Division

Notice of Dismissal

March 11, 2011

Steve Hickman
LAMAR CONS INDEP SCHOOL DISTRICT
3911 AVENUE I
Rosenberg, Texas 77471-3960

Re: Notification of Dismissal of Applications Pursuant to the Red Light Rule

Application Number: 760446, 764900
Billed Entity: 141286
Fund Year: 2010

The Schools and Libraries Division received your request, cited above, for a funding for the Schools and Libraries Universal Service Support Mechanism (E-Rate) holding FCC Registration Number

As required by 47 C.F.R. § 1.1010(a)(1), we reviewed our records and determined that as of 03/11/2011, you or an entity sharing the same Taxpayer Identification Number (TIN) is delinquent on the payment of a debt owed to the Universal Service Administrative Company (USAC) and/or the Federal Communications Commission.

Pursuant to 47 CFR § 1.1010(b), we issued a Notice of Withholding Action on 02/04/2011 explaining the nature of the debt(s) owed. As of the date of this letter, the debt has not been satisfied, and therefore the application listed above is dismissed and no funding will be provided for any of the funding requests included in that application.

Please be advised that any additional applications or requests for benefits from the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan Administrator, will be reviewed to determine if any delinquent debts are outstanding.

Sincerely,

Schools and Libraries Division
Universal Service Administrative Company

Cc: Networld Solutions Inc, INX Inc, Nextel South Corp, Smarsh, Inc, Intrafinity, AT&T, Southwestern Bell Telephone Company, PAETEC Communications, Inc, Sprint.

Attachment 4 Purchase Order

Lamar CISD
A Proud Tradition * A Bright Future

PURCHASING DEPARTMENT
Ph: 832.223.0165 Fax: 832.223.0187

Fiscal Year 2011 Page 1 of 1

RECEIVED

LAMAR CISD
ATTN: FINANCE DEPARTMENT
3911 AVENUE I
ROSENBERG, TX 77471
PHONE: 832-223-0508

RECEIVED
MAR 22 2011
Accounting Dept.

Purchase Order# **51004565-00**

THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND SHIPPING PAPERS.

USAC
DEPT 126 - CORRESPONDENCE UNIT
100 SOUTH JEFFERSON RD
WHIPPANY NJ 07981

CENTRAL WAREHOUSE
4907 AVENUE I
ROSENBERG, TX 77471
832-223-0173

Vendor Phone Number	973-581-5395	Vendor Fax Number	9-1-973-599-6582	Vendor Account Number	11006222	
Date Ordered	03/22/2011	Vendor Number	108828	DISTRICT TECHNOLOGY		
Item#	Description of Item		Quantity	Unit	Price	Total
	E RATE REIMBURSEMENT					
1	REIMBURSEMENT FOR FUNDING REQUEST, FORM 471 APP#404707, SERVICE PROVIDER SIMPLEX GRINNELL, FUNDING YEAR 2004, 1990-00-7949-00-000-00-0- \$49,504.00		1.0	Each	\$49,504.000	\$49,504.00
2	REIMBURSEMENT OF E RATE FUNDING, FUNDING YEAR 2007, FORM 471 APP# 552639, SERVICE PROVIDED SUNGUARD VERICENTER, INC. 1990-00-7949-00-000-00-0- \$9,213.66		1.0	Each	\$9,213.660	\$9,213.66
F Lamar CISD			2-4-11	3-22-11	58,717.66	3/25 kje

COMPLETED

FINANCE COPY

\$58,717.66

Attachment 5

Check Number: 00320593

02/04/2011	LAMAR CISD	APP# 750448 AND 764800 GL-1890-00-7849-00-000-00-0-	PO# 61004666	\$58,717.66
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Lamar CISD</p>				
108828	USAC	00320593	03/25/2011	58,717.66



3911 Avenue I
Rosenberg, Texas 77471

Vendor Number: 108828
Check Date: 03/25/2011
Check Number: 00320593

\$58,717.66

Pay Fifty Eight Thousand Seven Hundred Seventeen Dollars and 66 cents *****

To The Order Of USAC

**FILE COPY
NON-NEGOTIABLE**



3911 Avenue I
Rosenberg, Texas 77471

ADDRESS SERVICE REQUESTED

USAC
1075 LOOP ROAD
ATLANTA GA 30337

Attachment 6



Schools and Libraries Division

Recovery Paid in Full Acknowledgement
(Funding Year 2004: July 1, 2004 - June 30, 2005)

March 30, 2011

Vincent Lapetino
LAMAR CONS INDEP SCHOOL DIST
7604 Kempwood
ROSENBERG, TX 77471 3960

Re: Form 471 Application Number: 404707
FRN: 1173604
Total Amount of Recovery: \$49,504.00

The Universal Service Administrative Company (USAC) acknowledges that the full fund recovery amount has been repaid for the Funding Request Number (FRN) cited above.

Thank you for your cooperation in satisfying this fund repayment obligation.

At this time, no further action is required. Please retain this letter with your E-rate documentation.

Schools and Libraries Division
Universal Service Administrative Company

CC: Jill Jaster
SimplexGrinnell, LP

Schools and Libraries Division - Correspondence Unit
100 South Jefferson Road, P.O. Box 902, Whippany, NJ 07981
Visit us online at: www.usac.org/sl



Schools and Libraries Division

Recovery Paid in Full Acknowledgement
(Funding Year 2007: July 1, 2007 - June 30, 2008)

March 30, 2011

Steve Hickman
LAMAR CONS INDEP SCHOOL DIST
757 N. Eldridge Parkway, Suite 200
ROSENBERG, TX 77471-3960

Re: Form 471 Application Number: 552639
FRN: 1553148
Total Amount of Recovery: \$0.00

The Universal Service Administrative Company (USAC) acknowledges that the full fund recovery amount has been repaid for the Funding Request Number (FRN) cited above.

Thank you for your cooperation in satisfying this fund repayment obligation.

At this time, no further action is required. Please retain this letter with your E-rate documentation.

Schools and Libraries Division
Universal Service Administrative Company

CC: Heather Vice
SunGard VeriCenter, Inc.

Schools and Libraries Division - Correspondence Unit
100 South Jefferson Road, P.O. Box 902, Whippany, NJ 07981
Visit us online at: www.usac.org/sl



Red Light Display System

[FCC](#) > [Fees](#) > Red Light Display System

Logged In as: Lamar Consolidated Independent School DI (0001666924) [[Log Out](#)]

[Print](#) | [Help](#)

4/12/2011 6:08 PM

Current Status of FRN 0001666924

STATUS: Green

You have no delinquent bills which would restrict you from doing business with the FCC.

The Red Light Display System checks all FRNs associated with the same Taxpayer Identification Number (TIN). A green light means that there are no outstanding delinquent non-tax debts owed to the Commission by any FRN associated with the requestor's TIN. The Red Light Display System was last updated on 04/12/2011 at 8:15 AM; it is updated twice each business day at about 9 a.m. and 7 p.m., ET.

Customer Service

[Red Light Help](#)

[FCC Debt Collection](#)

[FCC Fees](#)

[Web Policies / Privacy Policy](#)

Red Light Display System Help Line: (877) 480-3201, option 4, 4; TTY (202) 414-1255 (Mon.-Fri. 8 a.m.-6:00 p.m. ET)

Red Light Display System has a dedicated staff of customer service representatives standing by to answer your questions or concerns. You can email us at arlnquiries@fcc.gov or fax us at (202) 418-7869.

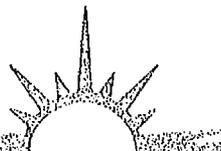
Lamar CISD

A Proud Tradition • A Bright Future

A Recognized **TEXAS** District



2002-2004



**We're making
it seem
a little smaller,
one student
at a time.**

**Technology
Department**
3911 Avenue I
Rosenberg, Texas
77471

Tel: 832.223.0200
Fax: 832.223.0201

Steve Hickman
Director of Technology
hickmans@lcisd.org

May 25, 2011

Letter of Appeal
Schools and Libraries Division – Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685
appeals@sl.universalservice.org

As pertains to:
Applicant: Lamar Consolidated Independent School District
BEN: 141295
Funding Year: 2010
Form 471 Application Number: 764900
FRN: 2066860
Pre-discount Amount: \$41,484.96
Amount of Funding Request: \$35,262.22
Funding Commitment Decision on FCDL 2010: "Denied"
Appeal due date: May 28, 2011 (deadline falls on a Saturday)

May 25, 2011

Lamar Consolidated Independent School District (LCISD) respectfully submits this Letter of Appeal to USAC/Schools and Libraries Division (SLD) for their Funding Commitment Decision to deny funding for 2010 Funding Commitment Request 2066860 on 471 Application 764900.

The funding commitment decision explanation (Attachment 1: Funding Commitment Decision Letter) for the denial of funding for 471 Application 764900 dated March 29, 2011, reads, "On 03/11/2011 your application was dismissed pursuant to the Red Light rule which implements requirements of the Debt Collection Improvement Act."



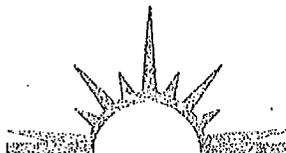
*We're making
it seem
a little smaller,
one student
at a time.*

**Technology
Department**
3911 Avenue I
Rosenberg, Texas
77471

Tel: 832.223.0200
Fax: 832.223.0201

Steve Hickman
Director of Technology
hickmans@lcisd.org

www.lcisd.org



Lamar CISD

A Proud Tradition • A Bright Future

*A Recognized **TEXAS** District*
Education Agency 2002-2004

We respectfully acknowledge the reason for the funding commitment decision; however, we appeal this decision based on the fact that a good-faith effort was made by Lamar Consolidated ISD to satisfy the requirements set forth by USAC within the allotted amount of time. We appeal the decision because **Lamar Consolidated ISD received a Recovery Repaid in Full Acknowledgment clearing their Red Light Status as of March 30, 2011.** The chronology of events leading to the funding commitment decision is as follows:

On February 4, 2011, USAC issued Notice of Withholding Action Pending Red Light Rule for 2010 Applications 750664 and 764900 (Attachment 2).

On February 17, 2011, LCISD staff discussed method of repayment of funds to USAC.

On February 18, 2011, LCISD decided to pay the debt identified by USAC in full.

On March 11, 2011, USAC issued Notice of Dismissal of Applications 750664 and 764900 Pursuant to the Red Light Rule. Notice was received by LCISD on March 22, 2011 due to Spring Break Holiday March 12 – March 20, 2011. (Attachment 3).

On March 23, 2011, LCISD issued a purchase order to USAC in the amount of \$58,717.66 as payment in full for the debt (Attachment 4).

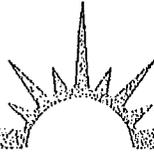
On March 25, 2011, LCISD mailed check number 320593 in the amount of \$58,717.66 to the USAC remittance address in Atlanta, GA (Attachment 5).

On March 29, 2011, USAC cashed check number 320593.

On March 29, 2011, USAC issued 2010 Funding Commitment Decision Letters denying in full all funding requests due to Red Light Rule Implementation. Letters were received by LCISD on April 1, 2011. (Attachment 1)

On March 30, 2011, LCISD received two letters indicating Recovery Repaid in Full Acknowledgment, clearing their Red Light Status (Attachment 6).

On April 12, 2011, LCISD accessed FCC's Red Light Display system indicating status was "Green". (Attachment 7).



Lamar CISD

A Proud Tradition • A Bright Future

A Recognized **TEXAS** District
Education Agency 2002-2004

It's a **big world** out there.

We're making it seem a little smaller, one student at a time.

Technology Department

3911 Avenue I
Rosenberg, Texas
77471

Tel: 832.223.0200

Fax: 832.223.0201

Steve Hickman

Director of Technology

hickmans@lcisd.org

My contact information is given below. Please contact me if any additional information is required during consideration of this appeal. Thank you for your attention and effort in helping us recover the school district's 2010 E-Rate funding.

Contact Name: Steve Hickman
Contact Address: Lamar Consolidated ISD
3911 Avenue I
Rosenberg, TX 77471
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Sincerely,

Steve Hickman
Director of Technology



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2010-2011

June 09, 2011

Steve Hickman
Lamar Consolidated ISD
3911 Avenue I
Rosenberg, TX 77471

Re: Applicant Name: LAMAR CONS INDEP SCHOOL DIST
Billed Entity Number: 141295
Form 471 Application Number: 764900
Funding Request Number(s): 2066860
Your Correspondence Dated: May 25, 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 2010 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): 2066860
Decision on Appeal: **Denied**
Explanation:

- Pursuant to 47 C.F.R. sec. 1.1910(a)(1), USAC determined that you or an entity sharing the same Taxpayer Identification Number (TIN) has been delinquent on the payment of a debt owed to the Universal Service Administrative Company (USAC) and/or the FCC. On February 04, 2011 we issued a Notice of Withholding Action explaining the nature of the debt(s) owed and the consequences of not satisfying the debt within 30 days of the date of the letter. Since the debt was not paid within the 30 days, a Notice of Dismissal was issued on March 11, 2011. Per USAC records, the returned funds for the FRNs were received on March 28, 2011 and a Recovery Paid in Full Acknowledgement was issued on March 30, 2011. USAC dismissed your application and denied all funding requests included in that application due to the fact that your debt(s) had not been satisfied within the 30 day deadline specified in the Notice of

Withholding Action. In your appeal, you have not shown that USAC's determination was incorrect. Consequently, your appeal is denied.

- You have been delinquent on your non-tax debt(s) owed to the FCC. FCC rules require that action be withheld on any application or request for benefits made by an entity found to be delinquent in its debt(s) to the FCC. The rules further state that the entity "will be informed that action will be withheld on the application[s] until full payment or arrangement to pay any non-tax delinquent debt owed to the FCC is made and/or that the application may be dismissed." See 47 C.F.R. sec. 1.1910(b)(2).

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

Steve Hickman
Lamar Consolidated ISD
3911 Avenue I
Rosenberg, TX 77471

Billed Entity Number: 141295
Form 471 Application Number: 764900
Form 486 Application Number:
