

February 10, 2012

VIA ECFS

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

**Re: Notice of *Ex Parte* Presentation
CC Docket No. 02-6**

Dear Ms. Dortch:

On February 9, 2012, Dr. Linda Dawson, Superintendent and CEO of Schools for Integrated Academics and Technologies (SIATech) and Board Member of New Education for the Workplace (NEWCorp); Tom Renner, Chief Business Officer, SIATech; Daniel R. Shinoff of Stutz Artiano Shinoff & Holtz, APC, counsel to SIATech and NEWCorp; Byron Smyl, Receiver for Trillion Partners, Inc.; and Henry Rivera and Edgar Class, both of Wiley Rein LLP, counsel to Byron Smyl, Receiver for Trillion Partners, Inc. met with: (1) Trent Harkrader, Chief of the Telecommunications Access Policy Division (“Division”); (2) Gina Spade, Deputy Division Chief (by conference call); (3) Regina Brown, Division Attorney-Advisor; and (4) Anita Patankar-Stoll, Division Attorney-Advisor.

The purpose of the meeting was to: (i) discuss appeals filed by SIATech and NEWCorp of adverse decisions by the Universal Service Administrative Company (USAC) on applications for E-Rate funds filed by SIATech and NEWCorp; (ii) explain why USAC erred when it denied the applications; and, (iii) urge the Commission to grant the appeals expeditiously. The specific issues discussed and arguments made are described in the attached presentations, which were distributed at the meeting.

Pursuant to Section 1.1206(b)(2) of the Commission’s Rules, 47 C.F.R. § 1.1206, a copy of this letter is being filed electronically for inclusion in connection with the above-captioned docket.

Marlene H. Dortch, Secretary
Federal Communications Commission
February 10, 2012
Page 2

Respectfully submitted,

/s/ Daniel R. Shinoff

Daniel R. Shinoff
Stutz Artiano Shinoff & Holtz, APC
Counsel to SIATech and NEWCorp

/s/ Edgar Class

Edgar Class
Counsel for Byron Smyl, Receiver for Trillion Partners, Inc.

Attachments

cc: Trent Harkrader
Gina Spade
Regina Brown
Anita Patankar-Stoll



E-Rate Appeals

Byron Smyl, Receiver Trillion Partners, Inc.

Telecommunications Access Policy Division
FCC Wireline Competition Bureau
February 9, 2012

Who we Are

- Schools for Integrated Academics and Technologies (SIATech) and New Education for the Workplace (NEWCorp)
 - Represented by Dr. Linda Dawson, Superintendent and CEO of SIATech and Board Member of NEWCorp
 - Tom Renner, SIATech Chief Business Officer, and
 - Daniel Shinoff, SIATech's attorney
- Byron Smyl, Receiver Trillion Partners, Inc.
 - Represented by Byron Smyl and Wiley Rein, LLP
 - On July 27, 2011, Judge Krieger of the U.S. District Court for the District of Colorado appointed Byron Smyl as receiver of Trillion (Civil Action No. 11-cv-01787-MSK-MJW)
 - As Federal receiver, Mr. Smyl is in complete control of Trillion's management, assets and all business aspects of the company



Why we are here

- Discuss appeals of E-Rate applications denied by USAC
- Explain why USAC erred when it denied the applications
- Urge you to grant appeals expeditiously

Other appeals

- SIATech and NEWCorp appeals are representative of other appeals by Trillion customers and Trillion pending before the Division that raise the same issues (*i.e.*, meals and applicant-vendor communications).
 - 28 of Trillion's 90 customers, representing approximately 300,000 students, have had applications denied by USAC.

Other appeals (cont'd)

- To date, Trillion has done its best to prevent outages from occurring in its customer base that would impact the education the students receive, but Trillion will not be able to continue to subsidize the schools much longer.
- Applicants and Trillion are in urgent need of resolution of the pending appeals.

E-Rate Appeals of:

Schools for Integrated Academics and Technologies
(SIATech) and New Education for the Workplace
(NEWCorp)

Presentation to:

Telecommunications Access Policy Division

Wireline Competition Bureau

February 9, 2012

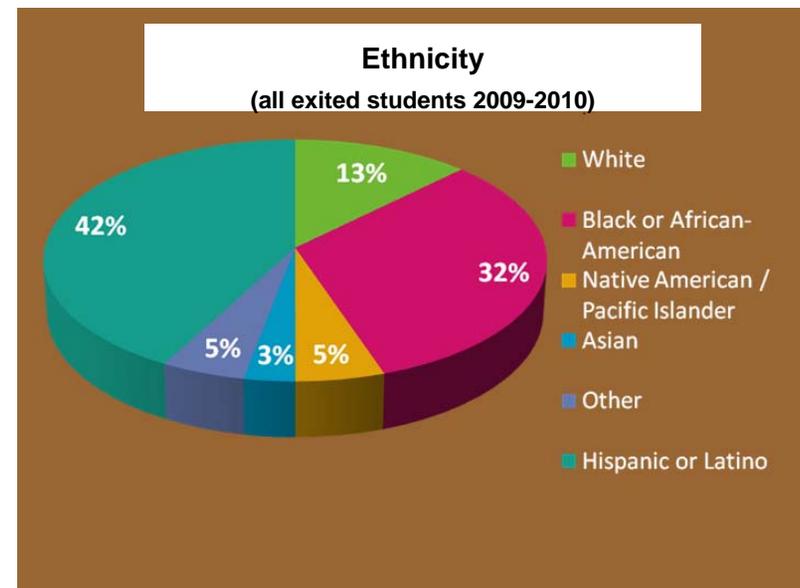
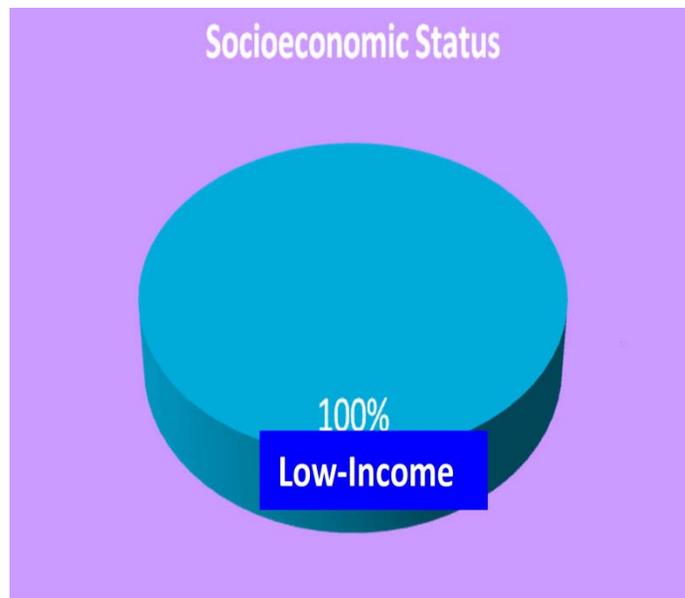


Applicants

- Applicants serve approximately 3,400 students nationwide.
 - Percentage of high school drop-outs: 95% - 100%.
 - Percentage of minority students: 87%.
 - Participated in E-Rate program since 2003.
 - Reimbursement rate is 90%.
- **SIATech** - State accredited public charter high school with seven campus locations in California.
 - All of the campuses are located on Job Corps sites (a federal program providing vocational training to teenagers and young adults).
 - Serves approximately 1,900 students in California.
- **NEWCorp** - Not-for-profit Consortium that applies for E-Rate funds for accredited public charter schools in Arkansas, Arizona, New Mexico and Florida.
 - Serves approximately 1,500 students outside of California.

Applicants' Mission

- Every year, over 1.2 million students dropout of high school in the United States – that is 7,000 students a day.
 - Applicants' mission is to respond to the dropout crisis by focusing on dropouts who have re-enrolled in school to prepare them for careers and higher education.
 - All of the students served come from households below Federally-defined poverty line and over 80% are minorities:



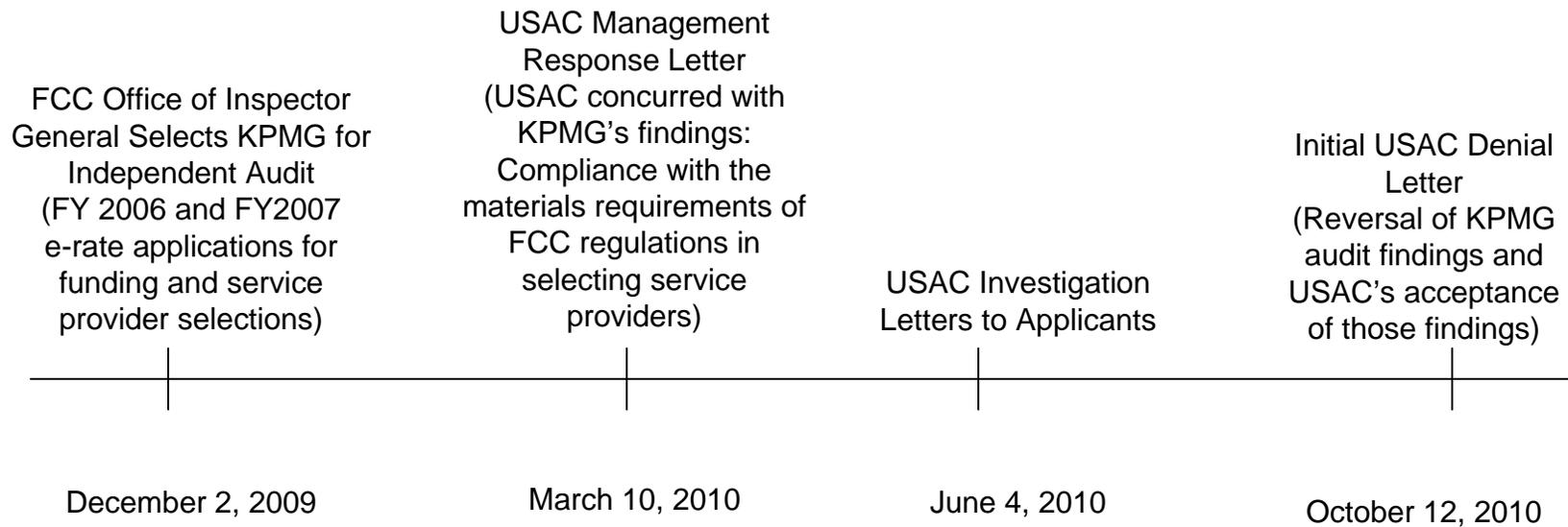


Applicants

- Applicants apply for E-Rate funding independently of each other.
- SIATech and NEWCorp are separate but affiliated legal entities that share many administrative services, including information technology.
 - Each Applicant has its own board of directors, with two overlapping directors, including Dr. Dawson.
 - Each Applicant has its own officers.
 - Thomas Halfaker was responsible for handling both Applicants' participation in the E-Rate program.
 - Regarding the vendor selection process, Mr. Halfaker would make a recommendation to Dr. Dawson and to the board of directors of each Applicant.
 - Vendor selection decisions were made exclusively by the boards of directors of each Applicant.



Timeline





KPMG Audit of SIATech

- In 2009, KPMG (retained by the FCC) conducted a random audit of, among other things, SIATech's E-Rate service provider selection procedures used for fiscal years 2006 and 2007.
- The final audit report states:
 - "...in our opinion, except for the material noncompliance described in the third paragraph [which is not relevant here], SIATech complied in all material respects with the aforementioned requirements ... relative to its application process for Funding Year 2006 and 2007 applications for ... service provider selection"
- Auditor found, as a matter of fact, that SIATech's service provider selection process for 2006 and 2007 complied with all FCC requirements.



USAC Denial/Rescission Letters

- ❑ October 12, 2010 FCDLs - - Denied FY2010 applications for SIATech and NEWCorp
- ❑ October 20, 2010 FCDLs - - Denied FY2009 applications for SIATech and NEWCorp
- ❑ October 21, 2010 Commitment Adjustment letters - - Seek reimbursement from SIATech for FY2008 and FY2007
- ❑ October 25, 2010 Administrator's Decision on FCC Remand letters - - Denied FY2006 and FY2007 applications for SIATech and NEWCorp
- ❑ USAC denied / rescinded funding in the aggregate amount of **\$3,825,482**.
- ❑ USAC letters to SIATech indicate that:
 - “the school district engaged in **numerous meetings, e-mail discussions, and/or verbal discussions** with Trillion employees prior to the posting of the Form 470 and throughout the competitive bidding process which tainted the competitive bidding process” and “you were offered and accepted **gifts, meals, gratuities, or entertainment** from the service provider, which resulted in a competitive process that was no longer fair and open.” (emphasis added).
- ❑ USAC letters to NEWCorp indicate that:
 - “the school district engaged in **numerous meetings, email discussions and/or verbal discussions** with Trillion employees prior to the posting of the Form 470 and throughout the competitive bidding process which tainted the competitive bidding process.” (emphasis added).



USAC's Inquiries re: SIATech

- USAC's letters to SIATech do not specify the facts upon which USAC relied in its decisions. Therefore, SIATech can only assume USAC's decisions were based on the issues USAC inquired about in its June 4, 2010 letter to SIATech.
 - a) Meals
 - b) Email re: whether SIATech will be requiring WAN services and the proper procedure to follow (dated Jan. 19, 2006).
 - c) Email re: proper procedure for categorizing WAN services (dated Jan. 8, 2008).
 - d) Email re: conference call to discuss WAN design (dated Dec. 10, 2007).
 - e) Emails re: estimate for IP Centrex Solution (dated Jun. 1, 2007, Aug. 23, 2007 and Mar. 19, 2008).
 - f) Email re: new contract for FY2011 (dated Sep. 23, 2008).
 - g) Email re: invitation to Annual At-Promise Students National Conference (dated Sept. 16, 2008).
 - h) Form Identifier on Form 470.



(a) Meals

- USAC inquired about the following meals in its June 4, 2010 letter to SIATech:
 - 2/12/2006 Dinner \$22.67 each, 2 attendees
 - 2/13/2006 Lunch \$17.07 each, 4 attendees
 - 4/15/2006 Dinner \$22.75, 1 attendee
 - 5/9/2006 Lunch \$17.46, 1 attendee
 - 12/5/2007 Lunch \$8.03 each, 2 attendees
 - 1/14/2008 Lunch \$18.81, 1 attendee
 - 1/31/2008 Lunch \$8.57, 1 attendee
 - 5/1/2008 Lunch \$8.20, 2 attendees
 - 7/17/2008 Lunch \$8.57 each, 3 attendees
 - 9/25/2008 Lunch \$16.45, 1 attendee
 - 9/25/2008 Snack \$3.54, 1 attendee



(a) Meals (cont'd)

- From January 1, 2005 through December 31, 2008, state employees were prohibited from accepting gifts totaling more than **\$390** in a calendar year from a single, reportable source. (*California Government Code* § 89503; *California Code of Regulations*, Title 2, § 18940.2.)
- Applicants adhered to the statutes on the acceptance and reporting of gifts.
- The meals totaled approximately \$260 over a 3-year period.
 - Mr. Halfaker denies the occurrence of the 4/15/06 dinner and the 9/25/08 snack.
- Meals were not received by employees with authority over Applicants' procurement decisions.



(b) Email re: whether SIATech will be requiring WAN services and the proper procedure to follow
(dated Jan. 19, 2006)

- USAC's June 4, 2010 letter said: *“E-mail correspondence that you provided shows that on January 19, 2006 Trillion states that they would like to respond to the Form 470 but WAN services are not listed. They ask you if you will be requiring WAN services, and if so, then, please file another Form 470 so that they can respond.”*
 - The e-mail merely inquires whether the Applicants are going to request quotes for WAN services. Trillion suggests that, if Applicants intend to do so, Applicants need to file another Form 470.
 - Trillion noticed that in past Forms 470, SIATech had mistakenly checked the service box for “Internet Access” and not “Telecommunications Services” for Priority 1 WAN services. Trillion pointed out that “Priority 1 WAN services” were more appropriately characterized in “Telecommunications Services.”
 - By making this inquiry, Trillion did not gain any unfair advantage over other potential bidders, as they, too, would be able to see the inclusion of WAN services in the Form 470 and, if interested, submit a bid.
 - If unsolicited inquiries from vendors can render an application defective, this is highly unfair to applicants because applicants have no control over unsolicited inquiries vendors may elect to make.
 - Applicants, not Trillion, prepared, signed and maintained total control of the Form 470 process.



(c) Email re: proper procedure for categorizing WAN services (dated Jan. 8, 2008)

- USAC's June 4, 2010 letter said: *“E-mail correspondence that you provided shows that there was a discussion with Trillion on January 8, 2008 regarding the issuance of the Form 470's, RFP's, and services to be requested. Trillion provides you with suggestions so that nothing slips through the cracks regarding getting the e-rate process to guarantee funding. They state that all you have to do is select, confirm contract and file the Form 471's, and you'll be set.”*
 - Applicants had been unsure what category of service was correct for Priority 1 WAN services as these services cover both Telecom Services and Internet Access, which are separate categories on the Form 470.
 - Trillion provided neutral technical information to an existing customer re: how WAN services should be classified on the Form 470.
 - Trillion did not prepare or sign the Form 470. The Applicants, not Trillion, maintained total control of the Form 470 process.
 - USAC does not explain how, by providing this neutral technical information, Trillion gained any unfair advantage over other potential bidders. In fact, no unfair advantage was gained.

(d) Email re: conference call to discuss WAN design (dated Dec. 10, 2007)

- USAC's June 4, 2010 letter said: "*E-mail correspondence provided by Trillion (sic) dated December 10, 2007 indicates that they are setting up a conference call to discuss the Trillion, WAN design. In FY2008, the referenced Form 470 # 586640000660709 for WAN circuits was posted on January 8, 2008.*"
 - It was customary, necessary and appropriate for SIATech to have discussions with Trillion regarding WAN performance issues because Trillion was SIATech's WAN service provider and had been since February 2004.
 - Pursuant to this existing relationship, the discussions covered a range of topics designed to ensure that the WAN architecture and implementation, including WAN design, were working as expected. The network was a complex one with services at many locations in four states. Therefore, it is to be expected that these discussions would occur.
 - These discussions were held to assure proper operation of this complex network not to influence, nor did they actually influence, the issuance of future Forms 470.
 - SIATech did not find this specific e-mail in the documents provided by USAC and Mr. Halfaker did not have any recollection regarding this e-mail or conference call.



(e) Emails re: estimate for IP Centrex Solution
(dated Jun. 1, 2007, Aug. 23, 2007 and Mar. 19, 2008)

- USAC’s June 4, 2010 letter said: *“E-mail correspondence provided by Trillion dated June 1, 2007, August 23, 2007 and March 19, 2008 discuss a good faith estimate for an IP Centrex solution and the Trillion Shortel Solution. The correspondence took place prior to the posting on the VoIP Form 470 on December 19, 2008.”*
 - Referenced e-mails consist of discussions regarding a VoIP system, which SIATech was considering.
 - As part of its due diligence, and to determine the economic feasibility of such a system, SIATech asked Trillion for a good faith estimate.
 - Nothing in the FCC rules or USAC guidance prohibits applicants from seeking good faith estimates from vendors as part of their due diligence efforts to determine whether a particular service or product solution would make sense for a school district.
 - SIATech ultimately decided not to implement a VoIP system, cancelled the existing Form 470, and there was no vendor selection process.



(f) Email re: new contract for FY2011 (dated Sep. 23, 2008)

- USAC's June 4, 2010 letter said: *“In the e-mail correspondence provided by Trillion dated September 23, 2008 you state that at the meeting with Trillion you will discuss including a Year 10 contract renewal or a Year 11 new contract option (e-rate approval risk).”*
 - SIATech awarded Trillion a multi-year contract for WAN services during FY2007.
 - USAC had not acted on the FY2007 multi-year contract prior to the filing window deadline for FY2008.
 - Fearing that a denial of the FY2007 multi-year contract would invalidate a Form 471 filed in FY2008 for the continuation of that contract, SIATech made the decision to file a second Form 470 for WAN services for FY2008.
 - The two FY2008 pending applications were filed long before the September 23, 2008 meeting.
 - The discussion at the September 23, 2008 meeting focused on the status of pending FY2008 applications, not future applications.
 - The discussions did not compromise the fair and open nature of the competitive bidding process.



(g) Email re: Invitation to Annual At-Promise Students National Conference (dated Sept. 16, 2008)

- USAC's June 4, 2010 letter said that SIATech, in an e-mail dated September 16, 2008, invited Trillion to either be a sponsor or contribute to a teacher's raffle prize at the Annual Reaching At Promise Students National Conference. USAC requested information regarding the Conference, including information about Trillion attendees, if any, and whether it played any role in the competitive bidding process.
 - Since 2005, SIATech and NEWCorp have sponsored a conference called "Reaching at-Promise Students Annual Conference" and have solicited charitable donations to help defer the costs of the conference.
 - SIATech sent an email to Trillion, as well as most of their service providers, asking if they would make a donation.
 - SIATech's records show that it has never received any donations from Trillion for the conference or any other purpose.
 - Furthermore, SIATech has no record of any Trillion personnel attending any of these annual conferences.



(h) Form Identifier on Form 470

- USAC’s June 4, 2010 letter asked SIATech to explain why it used the identifier “NC YR10 Trill” on its Forms 470.
 - In FY2006, SIATech awarded a WAN contract to Trillion and, from that point, SIATech referred to the WAN as the “Trillion WAN” for internal purposes.
 - Form 470 allows for an “internal identifier” to be created by the applicant.
 - SIATech used “Trill” to distinguish the Trillion WAN from the one provided by Applicant’s former service provider.
 - The identifier was not used to indicate or suggest that the SIATech had pre-selected Trillion or that Trillion would be given preference in the bidding process.



USAC's Inquiries re: NEWCorp

- USAC's letters to NEWCorp do not specify the facts upon which USAC relied in its decisions. Therefore, NEWCorp can only assume USAC's decisions were based on the issues USAC inquired about in its June 3, 2010 letter to NEWCorp.
 - Email re: whether NEWCorp will be requiring WAN services and the proper procedure to follow (Jan. 19, 2006).
 - Identical request to SIATech (addressed on slide 12).
 - Email re: proper procedure for categorizing WAN services (Jan. 8, 2008).
 - Identical request to SIATech (addressed on slide 13).
 - Form Identifier on Form 470.
 - Identical request to SIATech except that USAC references NEWCorp's applications (addressed on slide 18).
 - Emails re: invitation to Trillion's Customer Council Meeting in 2007 (Jun. 8-13, 2007).
 - Unique to NEWCorp.



Emails re: Invitation to Trillion's Customer Council Meeting in 2007 (dated Jun. 8-13, 2007)

- USAC's June 3, 2010 letter said that Trillion, in e-mails dated June 8, 2007 through June 13, 2007 invited NEWCorp to Trillion's Customer Council Meeting. USAC requested information regarding the Meeting, including information about NEWCorp attendees, if any, and whether it played any role in the competitive bidding process.
 - Neither Mr. Halfaker nor any other employee of NEWCorp or SIATech attended this meeting.
 - Neither Applicant has ever had a representative attend or participate in a Trillion Customer Council Meeting.



Conclusion

- USAC erred in denying/rescinding the applications because Applicants complied with all of the competitive bidding rules.
 - Applicants posted the Forms 470 through USAC to all potential service providers.
 - All potential bidders were treated the same and received the same information.
 - Communications between Applicants and Trillion took place to clarify Form 470 requirements and services specific to an existing contract. Trillion did not gain “inside information” regarding future competitive bidding processes.
 - Inexpensive meals were given and received over a 3-year period, prior to the FCC’s gift rules, and were in full compliance with state law.
- USAC’s actions have placed Applicants’ education programs in California, Arizona, New Mexico and Florida in jeopardy.
 - The loss of over \$3.8 million will have devastating consequences for Applicants, likely forcing the termination of all manner of services to their Job Corps students and requiring Applicants to file bankruptcy.

SIATech FY2006 - FY2010 Applications

Funding Year	471 #	FRN #	Service	FCDL	COMAD	Decision on Remand	Amount
FY2010	728534	1971060	Telecom	Denied funding via FCDL dated 10/12/10			485,902.80
FY 2009	686078	1877489	Telecom	Denied funding via FCDL dated 10/20/10			485,902.80
FY 2008	635283	1757276	Telecom		Seeks recovery of disbursed funds via COMAD dated 10/21/10		358,127.93
FY 2007	584060	1619254	Internet Access		Seeks recovery of disbursed funds via COMAD dated 10/21/10		358,127.89
FY 2006	536126	1483818	Internet Access			Denied funding via Decision on Remand dated 10/25/10	358,127.89
Total denied							1,329,933.49
Total funds being recovered by USAC							716,255.82
Grand total							2,046,189.31

NEWCorp FY2006 – FY2010 Applications

Funding Year	471 #	FRN #	Service	FCDL	COMAD	Decision on Remand	Amount
FY2010	733636	1983953	Telecom	Denied funding via FCDL dated 10/12/10			\$17,703.14
FY2010	733636	1984051	Telecom	Denied funding via FCDL dated 10/12/10			\$6,692.65
FY2010	733636	1984041	Telecom	Denied funding via FCDL dated 10/12/10			\$3,454.27
FY2010	728420	1970898	Telecom	Denied funding via FCDL dated 10/12/10			\$53,989.20
FY2010	728420	1970878	Telecom	Denied funding via FCDL dated 10/12/10			\$269,946.00
FY2010	728420	1970863	Telecom	Denied funding via FCDL dated 10/12/10			\$107,978.40
FY2009	694690	1907687	Telecom	Denied funding via FCDL dated 10/20/10			\$53,989.20
FY2009	694690	1907614	Telecom	Denied funding via FCDL dated 10/20/10			\$107,978.40
FY2009	694690	1907658	Telecom	Denied funding via FCDL dated 10/20/10			\$269,946.00
FY2009	694279	1905905	Telecom	Denied funding via FCDL dated 10/20/10			\$17,703.14
FY2009	694279	1905746	Telecom	Denied funding via FCDL dated 10/20/10			\$6,692.65
FY2009	694279	1905998	Telecom	Denied funding via FCDL dated 10/20/10			\$3,454.27
FY2008	635394	1758214	Telecom		Seeks recovery of		\$155,011.97

NEWCorp FY2006 – FY2010 Applications

Funding Year	471 #	FRN #	Service	FCDL	COMAD	Decision on Remand	Amount
					disbursed funds via COMAD dated 11/5/10		
FY2008	635394	1758160	Telecom		Seeks recovery of disbursed funds via COMAD dated 11/5/10		\$77,505.98
FY2008	635394	1758290	Telecom		Seeks recovery of disbursed funds via COMAD dated 11/5/10		\$38,752.99
FY2007	584000	1618918	Telecom		Seeks recovery of disbursed funds via COMAD dated 11/5/10		\$77,505.98
FY2007	583950	1618798	Telecom		Seeks recovery of disbursed funds via COMAD dated 11/5/10		\$38,752.99
FY2007	583858	1618542	Telecom		Seeks recovery of disbursed funds via COMAD dated 11/5/10		\$155,011.97
FY2006	537176	1486990	Internet Access			Denied via Decision on Remand dated 10/25/10	\$155,011.97
FY2006	537090	1486706	Internet Access			Denied via Decision on Remand dated 10/25/10	\$38,752.99
FY2006	537265	1487203	Internet Access			Denied via Decision on Remand dated 10/25/10	\$38,752.99
FY2006	536824	1485668	Internet Access			Denied via Decision on	\$77,505.98

NEWCorp FY2006 – FY2010 Applications

Funding Year	471 #	FRN #	Service	FCDL	COMAD	Decision on Remand	Amount
						Remand dated 10/25/10	
Total denied							1,229,550.90
Total funds being recovered by USAC							542,541.88
Grand total							1,772,092.70

Attachment

Email re: whether SIATech will be requiring WAN services and the proper procedure to follow (dated Jan. 19, 2006) – Slide 11

Halfaker, Tom

From: Gina Espinoza [Gina.Espinoza@trillion.net]
Sent: Thursday, January 19, 2006 8:42 AM
To: Halfaker, Tom
Cc: Range, Angela; Davis, David
Subject: Re: Your form 470
Importance: High
Follow Up Flag: Follow up
Due By: Thursday, January 19, 2006 10:00 AM
Flag Status: Flagged

Tom, Angela, Dave,

I would like to respond to your form 470 – however I don't see that WAN services are listed on you 470. Will you be requiring a quote for WAN services? If so then please file another 470 so that we may respond to your request on your RFP.

FYI- Today is last day to file...

Thank you,

Gina

Gina Espinoza-Price

Regional Sales Manager

Trillion

www.trillion.net

512.334.4100 x 236

619.665.1432 Mobile

Our Values:

- Integrity & Ethics
 - Professionalism & Respect
 - Customer Driven
 - Having Fun!
-

Email re: proper procedure for categorizing WAN services (dated Jan. 8, 2008) – Slide 12

From: Roger Clague
Sent: Tuesday, January 08, 2008 3:13 PM
To: 'Halfaker, Tom'
Cc: Jennifer Carter
Subject: RE: Forms 470

Tom,

In case we don't connect later today – I suggest you consider the following small changes to ensure that nothing slips through the cracks regarding getting the ERate process to guarantee funding.

1. Issue new 470's for NewCorp and SIATech with Telco Services (WAN) checked, as per your existing 470s. Reference the existing rfp
2. Issue a WAN addendum/amendments to reference the new 470's in addition to existing 470's
3. Include INet Bandwidth needs in RFP addendum/amendment if you want bids on Internet access as part of this years ERate needs.
4. Do NOT cancel any existing 470's – keep them all live.

That way any vendors responding will be able to address WAN and INET and reference/connect to an applicable 470. All your bases will be covered.

Then all you have to do is select, confirm contract and file 471's, and you'll be set.

Best
R

From: Halfaker, Tom [mailto:halfakerto@siatech.org]
Sent: Tuesday, January 08, 2008 12:10 PM
To: Roger Clague
Subject: RE: Forms 470

Hi Roger,

In my conversation with Jennifer, we discussed whether to submit new 470's just for Telco services or for both Telco and Internet Access. Any thoughts?

Tom

From: Roger Clague [mailto:roger.clague@trillion.net]
Sent: Tuesday, January 08, 2008 10:59 AM
To: Halfaker, Tom
Subject: Forms 470

Hi Tom,

I owe you an apology. When reviewing docs today I noted that your 470 was for INET not WAN, so I asked Jennifer and Becky to follow up. I do not want you to get into the issues of what a specific PIA reviewer thinks is INET Vs WAN and thus jeopardize your funding again.

I really do think it would be better to reissue your 470 for Telco services (WAN). You might also want to issue an addendum to your RFP's confirming that you are seeking Pri 1 Telco Services (WAN).

Also, if you can get this in before 9pm PST today that will give you an extra day at the backend for processing paperwork.

Sorry I did not pick this up sooner.
Best...
R

Email re: conference call to discuss WAN design (dated Dec. 10, 2007) – Slide 13

From: Becky Bayless
Sent: Monday, December 10, 2007 4:11 PM
To: 'davisda@siatech.org'; Scott Kirby
Subject: SiaTech / Trillion Conference
Dave and Scott,
We are scheduled for 11:30 am Pacific (1:30 pm Central) tomorrow to walk about Trillion WAN design. Attendees will be:
Dave Davis, Director of Network Operations
SiaTech, Inc.
760.631.3421
davisda@siatech.org
Scott Kirby
Director Wide Area Network Design
Trillion Partners, Inc.
(512) 334-4088
scott.kirby@trillion.net
I will also join you.
I set up a conference bridge. The number is listed below.
Starting Time: Dec 11, 2007 at 11:30 AM US/Pacific
Duration: 1 hour
To join the call, do one of the following:
a. Dial +1-888-334-4096 or x4096 and enter access code 0175649, or
b. To have the system call you, click here: <http://conf.trillion.net/call/0175649>
If you have any questions or your schedule changes, please let me know.
49
Becky Bayless
Regional Sales Manager
Trillion Partners, Inc.
www.trillion.net
310.325.5050 Office
310.704.5123 Mobile
310.325.6008 Fax
Our Values:
- Integrity & Ethics
- Professionalism & Respect
- Customer Driven
- Having fun!

Emails re: estimate for IP Centrex Solution (dated Jun. 1, 2007, Aug. 23, 2007 and Mar. 19, 2008) – Slide 14

June 1, 2007 email

From: Roger Clague
Sent: Friday, June 01, 2007 11:43 AM
To: 'Davis, David'
Cc: Kevin Bethke; Lee Balliet
Subject: Good faith estimate for Trillion IP Centrex solution

Hi Dave,

Thanks for getting back to me.

To get this turned round quickly for you we have not completed a full "engineered" solution, we have used some broad assumptions, and our team used a Trillion standard design with 2 voice mail servers (1 for failover, 1 main), not the three regionalized servers you had suggested.

With 17 sites and 284 ports we expect the price per port (pre E-Rate) to be no more than \$30 per month. That translates into \$8520 total (per month) for the whole 9 yards (pre E-Rate) or \$500pm per site per month, which brings your cost down to \$50pm per site after your Erate discount kicks in.

Assuming, as we are, that our CTF application is fully approved that could potentially further reduce the cost net to you to \$25 per month per site for a fully managed voice service of the CA sites!

There may be a slight bump for adding in regionalized VM but that again would not be significant after discounts have kicked in.

We estimate the total cost of IP phones for all 284 ports to be about \$79k, with a mix of higher end phones and more modest phones for classrooms etc.

None of this takes into account any of the switches and IP handsets that you currently own, which could mitigate some of your costs.

When calculating TCO, I believe that you will be able to who significant savings on long distance calls between all of your dispersed locations as all of those would be carried by the IP solution over your existing WAN.

Hope this gives you enough to go on – any more questions please feel free to call – 916 600 2107

Best...

R

From: Davis, David [mailto:davisda@siatech.org]

Sent: Friday, June 01, 2007 8:58 AM

To: Roger Clague

Subject: Sorry

Hi Roger:

Sorry about not calling you back, I ended up being tied up until 11:30pm and it looks like it is going to be a very busy day for me again today. Can you send me the figures via email?

Dave

August 23, 2007 email

From: Roger Clague [mailto:roger.clague@trillion.net]

Sent: Thursday, August 23, 2007 4:58 PM

To: Halfaker, Tom; Davis, David

Cc: Kevin Bethke; Barbara Santos; Erik Heitmeier

Subject: Update meeting.

Hi Tom and Dave,

I am planning on being in your neck of the woods Tue/Wed next week. Would you be available for a short in office update session followed by lunch either of those days?

Items for discussion

1. Upgrade WAN request – increased bandwidth
2. CTF update for additional CA discounts
3. VoIP status.

Thanks.

R

Roger Clague
Vice President of Sales
Trillion

www.trillion.net

916 359 1506 Office

916 600 2107 Mobile

Roger.Clague@Trillion.Net

Our Values:

- _ Integrity & Ethics
- _ Professionalism & Respect
- _ Customer Driven
- _ Having Fun!

March 19, 2008 email

From: Marty Ortiz

Sent: Wednesday, March 19, 2008 2:19 PM

To: 'davisda@siatech.org'

Cc: Barbara Santos; Roger Clague; Becky Bayless

Subject: RE: Trillion Shoretel System

Hello Dave,

The Shoretel System provides access to the intercom features out of the box (conference bridge not needed), provided the phone you are conducting the intercom to has a speaker phone (All IP phones, except the IP100).

All users have the ability to conference up to two other parties simultaneously. If additional callers need to be conferenced in or if callers prefer to dial-in to a number with a conference code a separate "conference bridge" switch is required.

Keep in mind that if you go with a conference bridge solution you will also need to account for inbound trunks from the LEC to that bridge for anyone not on the local LAN.

If you have additional questions or need clarification you may email or call at you convenience.

Marty

Martin Ortiz

Service Delivery Manager

Trillion

www.trillion.net

9208 Waterford Centre Blvd., Suite 150

Austin, TX 78758

512.334.4066 Direct

512.762.8280 Cell

512.334.4099 Fax

Our Values:

- Integrity & Ethics
- Professionalism & Respect
- Customer Driven
- Having Fun!

From: Davis, Dave [mailto:davisda@siatech.org]

Sent: Tuesday, March 18, 2008 2:32 PM

To: Roger Clague

Cc: Halfaker, Tom; Oswald, Bryan

Subject: Trillion Shoretel System

Importance: High
Hi Roger:

Will the Trillion Managed Shoretel system allow us to use the intercom feature and do conference bridging? Also, is the conference bridge required to use the intercom feature? I need an answer on this ASAP because I have a site that wants intercom features and they are looking to spend monies that I'm not sure they need to spend. Also, what is the status of my ASA replacement of PIX request?

Dave

Email re: new contract for FY2011 (dated Sep. 23, 2008) – Slide 15

From: Halfaker, Tom [mailto:Tom.Halfaker@siatech.org]
Sent: Tuesday, September 23, 2008 4:40 PM
To: Roger Clague
Subject: Meeting on Thursday

School for Integrated Academics and Technologies Memorandum

To: Roger Clague

From: Tom Halfaker

Attn:

Date: 09/23/2008

Re: Topics for our Meeting on Thursday 9/25

Hey Roger,

I wanted to give you a heads up on topic ideas for our meeting on Thursday. I'm hopeful we can discuss:

1. Year 11 PIA review status
2. Year 10 contract renewal vs. Year 11 new contract option (E-Rate approval risk)
3. Mechanics of adding new sites under Year 11 contract (process, length of contract)
4. Moving from 6Mbps to 9Mbps during Year 11 contract term (costs and term)
5. Bandwidth requirements in 3 – 5 year timeframe (best practices for control of unauthorized usage)
6. Account management transition (role of Robert Forman)
7. Status of replacement for Erik Heitmeier
8. Trillion business plan update

That's all I have for now. Please add anything additional that you would like to discuss.

Assuming I'm on time, I'll see you around 10:30.

Tom

DISCLAIMER:

This e-mail message may contain confidential, privileged information and is intended solely for the addressee. Please do not read, copy or disseminate it unless you are the addressee. If you received this message in error, please forward the message back to the sender and delete from your email system. The sender does not accept liability for any errors or omissions in the contents of this message which arise as a result of transmission. This e-mail and all other electronic (including voice) communications from Trillion Partners, Inc., its affiliates or subsidiaries are for informational purposes only and sender expressly disclaims, unless otherwise specifically indicated, any intent for this email to constitute either an electronic record, electronic signature, or to constitute any agreement by the sender to conduct a transaction by electronic means.

Email re: Invitation to Annual At-Promise Students National Conference (dated Sept. 16, 2008) – Slide 16

From: Motz, Joanne [Joanne.Motz@siatech.org]
Sent: Tuesday, September 16, 2008 5:05 PM
To: Robert Forman
Subject: SIATech Conference
Attachments: Sponsor Letter-Trillion .doc
Sponsor
Letter-Trillion .doc (...)

Hi Robert

I received your contact information from Dave Davis at SIATech. My name is Joanne Motz, and I am the exhibit/sponsor manager for the 4th Annual Reaching At Promise Students National Conference that is sponsored by SIATech. I had sent a letter to Becky Bayless a few months ago requesting that Trillion possibly become a sponsor at our upcoming event. Here is the website for the conference that will be held at the SD Marriott Hotel & Marina -February 20-22, 2009 <http://www.atpromiseconference.org/general/overview.php>.

We have an internet cafe at the conference and every year a vendor sponsors the cafe. The sponsor's logo is displayed on signage throughout the conference and appears as the screensaver on all the computers that the attendees use at the Internet Cafe.

If sponsorship is not possible would Trillion consider donating a raffle prize for the teacher's raffle? The raffle takes place at our -*Welcome Reception*. I have attached a copy of the letter I sent to Becky in June 2008.

Thanks so much for your help

Joanne
Joanne Motz
2605 Temple Heights Drive Suite F
Oceanside, CA 92056
760 594 4866
motzjo@siatech.org
Reaching At-Promise Students Association
Leaders in Education Inspiring Students
Join RAPSA now!

Emails re: Invitation to Trillion's Customer Council Meeting in 2007 (dated Jun. 8-13, 2007) – Slide 19

From: Renaye Thornborrow
Sent: Wednesday, June 13, 2007 10:27 AM
To: 'Halfaker, Tom'
Subject: RE: Trillion 2007 Customer Council
Attachments: image001.jpg image001.jpg (59KB)

Sorry to hear you can't make it. We will definitely invite David.

Thank you Tom!

Renaye
Renaye Thornborrow
Marketing Director
Trillion Partners, Inc.
www.trillion.net
Phone: 512-334-4076
Fax: 512-334-4099
Our Values:
- Integrity & Ethics
- Professionalism & Respect
- Customer Driven
- Having fun!

From: Halfaker, Tom [mailto:halfakerto@siatech.org]
Sent: Monday, June 11, 2007 4:58 PM
To: Renaye Thornborrow
Subject: RE: Trillion 2007 Customer Council

Hi Renaye,

Thank you very much for inviting me to participate in the Trillion Customer Council. Unfortunately, I am unavailable on the dates you folks have the meeting scheduled. If you would like to have another member from our organization attend, I would suggest you try Dave Davis who is our Director of the Network Operations Center. Dave has worked very closely with Trillion and would make a good representative to your Council.

If you wish to contact him, he can be reached at davisda@siatech.org. Good luck with your meeting.

Tom Halfaker

From: Renaye Thornborrow [mailto:renaye.thornborrow@trillion.net]
Sent: Friday, June 08, 2007 7:25 AM
To: Halfaker, Tom
Subject: Trillion 2007 Customer Council

Hello Tom,

Please see the invitation below for the 2007 Trillion Customer Council. We hope you can make it!
Another email will follow next week with more information about travel, etc.

If you have any questions, feel free to call me!

Renaye Thornborrow
Marketing Director
[Trillion Partners, Inc.](#)
www.trillion.net

Phone: 512-334-4076

Fax: 512-334-4099

Our Values:

- Integrity & Ethics
- Professionalism & Respect
- Customer Driven
- Having fun!