

Congress of the United States
Washington, DC 20515

July 26, 2012

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

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Dear Secretary Dortch:

We write to respectfully request that the Tonasket School District's (TSD) application petitioning the Federal Communications Commission (FCC) to reconsider a recent decision forcing them to pay back \$40,000 in approved grant funds be reconsidered.

TSD provides education to children in Okanogan County in North-Central Washington state. TSD's mission, which has been enhanced by the FCC E-rate program, includes an emphasis on improving technology literacy. However, TSD has been placed in a precarious situation relating to its participating in the FCC E-rate program.

In 2005, TSD applied for and received funding from the E-rate program, administered by the Schools and Libraries Division of the Universal Service Administration Company (USAC). This funding was used for a voicemail system which was installed in the school system as part of a specific funding stream for "internal communications."

TSD received funding through the E-rate program until 2009 when the FCC issued a "Red Light" letter. The "Red Light" letter stated that TSD's application should not have been originally accepted and required TSD to pay back the approximately \$40,000 it had received since 2005. TSD then petitioned for reconsideration. This petition was denied by the FCC in a letter dated February 24, 2012.

We have been assured that TSD attempted to comply with all of the program regulations and were forthright when working with the USAC reviewers. TSD has raised concerns that USAC changed the interpretation of the type of service to be provided and then made the decision to make the policy retroactive, placing an enormous financial burden upon the school district.

We respectfully request that TSD's petition be reevaluated and the accompanying decision rationale to be shared with our offices.

Sincerely,


Rep. Cathy McMorris Rodgers


Rep. Doc Hastings



FEDERAL COMMUNICATIONS COMMISSION

January 3, 2013

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Richard Hastings
U.S. House of Representatives
1203 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Hastings:

Thank you for your letter regarding the Petition for Reconsideration filed by Tonasket School District. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the Wireline Competition Bureau's Telecommunications Access Policy Division.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Genachowski", written over a horizontal line.

Julius Genachowski

Enclosure



Federal Communications Commission
Washington, D.C. 20554

January 3, 2013

The Honorable Richard Hastings
Congress of the United States
1203 Longworth House Office Building
Washington, DC 20515

Dear Congressman Hastings:

Thank you for your inquiry regarding the status of the petition for reconsideration filed by Tonasket School District (TSD). The school district seeks reconsideration of a decision by the Commission's Wireline Competition Bureau (Bureau) that affirmed the Universal Service Administrative Company's decision to seek recovery of funding disbursed to the school district, under the schools and libraries universal service support mechanism, commonly referred to as the E-rate program.

The Commission strives to balance the goal of providing the important benefits of the E-rate program to eligible schools and libraries with the need to protect the integrity of the program and investigate potential waste, fraud and abuse. Our records show that the Commission received TSD's petition for reconsideration on March 19, 2012 and a supplement to its petition for reconsideration on July 23, 2012. The petition for reconsideration is currently under review by the Bureau. Although I am unable to comment on the merits of the petition while it is pending before the Commission, I can assure you that the Bureau is making every effort to conclude its review as quickly and equitably as possible. A copy of your letter supporting the petition will be entered into the record of that proceeding. Once a decision is released, a copy of the decision will be sent directly to the school district.

Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Trent B. Harkrader", with a circled "D" to the right of the signature.

Trent B. Harkrader
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau



FEDERAL COMMUNICATIONS COMMISSION

January 3, 2013

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cathy McMorris Rodgers
U.S. House of Representatives
2421 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman McMorris Rodgers:

Thank you for your letter regarding the Petition for Reconsideration filed by Tonasket School District. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the Wireline Competition Bureau's Telecommunications Access Policy Division.

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Julius Genachowski

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Federal Communications Commission
Washington, D.C. 20554

January 3, 2013

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U.S. House of Representatives
1203 Longworth House Office Building
Washington, DC 20515

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Trent B. Harkrader
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

cc: The Honorable Richard Hastings