



ADMINISTRATION BUILDING

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PINELLAS COUNTY, FLORIDA

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Michael A. Grego, Ed.D.

December 11th, 2013

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

RE: CC Docket No. 96-45 and CC Docket No. 02-6

This letter is a request for review of the decision made by the SLD regarding the appeal of the Funding Commitment Decision for Form 471 Application # 745165, Funding Request Number 2043875, for Funding Year 2010: 07/01/2010 – 06/30/2011 for Billed Entity # 127804. The Administrator's Decision on Appeal, dated October 14, 2013, was sent to the contact for Pinellas County Schools, Shannon Eddinger.

As read from the Funding Commitment Decision letter, the funding request was denied because: "DR1: The FCC Form 470 that established the competitive bidding process for this FRN did not include service of this type; therefore it does not meet the 28 day competitive bidding requirement. DR2: Applicant has not provided sufficient documentation needed to determine eligibility of the following items: Data portion of BlackBerry with voice and data plan. DR3: Thirty percent or more of this FRN includes a request for data which is an ineligible service based on Program rules."

We understand that the Form 470 for this FRN did not include a service of this type; that the check box for Internet Services was not checked on the form. This interpretation was due to the fact that these connections were not solely for internet/data connections. The service we requested on our Form 470 simply stated "Cellular Service" which would include both phone service and data on portable wireless devices such as BlackBerries. The RFP was posted and a form 470 was filed for cellular service under Telecommunication Services since that is the basis for the type of service. For additional specifications the vendors know to go to the RFP online to see that it would include features such as press to talk, voice mail, Microsoft exchange synchronization. ALL of these services run exclusively over a **cellular** network which is what is requested in the 470.

We understand the reasoning and the spirit of the rules behind this in that they are organized to ensure that every bid or RFP that your organization funds receives the very best value for its dollar. But we are certain *that any and all organizations* that would respond to and read our bid would do so regardless of whether the Internet Services box was checked. They are all first and foremost cellular companies that supply a variety of services over their networks. **We can be certain that no potential responder overlooked our RFP because it only asked for cellular services and not specifically data.**

The devices we furnish to our employees are being used for voice and for Microsoft Exchange synchronization, not access to the internet. They have minimal data plans to save expense.

This issue seems to be a very fine line in the definition and how the 470 and RFP were to be posted. They were posted in the way that seemed to be the most logical given the definitions in the works sheets and instructions.

Finally, denying funding for this request would result in a significant financial loss which would cause undue hardship on our school district. Given this information, we feel the Funding Commitment Decision for this FRN should be reconsidered and the funding request approved in full.



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If the request cannot be granted, then we would like assistance with the steps that would be necessary to receive the other portion of the funding that did qualify without question under the 470 as filed.

If you have any questions or require any further information regarding this appeal, please contact the E-Rate contact for Pinellas County Schools, Shannon Eddinger, at eddingersh@pcsb.org or (727) 588-6000 ext. 1815.

Thank you for your consideration,

David Galvin
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Pinellas County Schools
(727) 588 – 6059
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