

02-6

DOCKET FILE COPY ORIGINAL

MARSHALL COUNTY SCHOOLS



# MARSHALL COUNTY BOARD OF EDUCATION

Received & Inspected  
JUN 05 2014  
FCC Mail Room

May 29<sup>th</sup>, 2014

Reference:

Applicant Name: Marshall County School District  
Billed Entity Number: 128948  
Form 471 Application Number: 919733  
Funding Request Number: 2516631

Dear FCC

I would like to appeal the decision for Billed Entity Number 128948, Form 471-919733, FRN-2516631 being denied. I in error on the Form 471 did not check box 15a that is for non-contracted tariffed month to month services and should have. Also block 18 should have been blank. The reason I made this error is because in the past we had not used the month to month rate provide by WSCA but another month to month rate and that is why I was confused to how it was supposed to be filled out. The service from ATT Mobility is no different than what we have been funded for in past Funding years, it is just that they are pulling their rates from a different source. Please accept this appeal because of the error I made in filing my 471. In previous years and following year this service was a month to month service and should have been for FY 13 also.

Sincerely,

Russ Buchanan

CIO Marshall County School District

No. of Copies rec'd 0  
List ABCDE \_\_\_\_\_

MARSHALL COUNTY SCHOOLS



# MARSHALL COUNTY BOARD OF EDUCATION

86 HIGH SCHOOL ROAD • BENTON, KENTUCKY 42025 • (270) 527-8628 • FAX (270) 527-0804

MARSHALL COUNTY BOARD OF EDUCATION IS AN EQUAL OPPORTUNITY EMPLOYER



**Administrator's Decision on Appeal – Funding Year 2013-2014**

April 02, 2014

Received & Inspected

Russ Buchanan  
Marshall County School District  
86 High School Road  
Benton, KY 42025

JUN 05 2014

FCC Mail Room

Re: Applicant Name: MARSHALL COUNTY SCHOOL DIST  
Billed Entity Number: 128948  
Form 471 Application Number: 919733  
Funding Request Number(s): 2516631  
Your Correspondence Received: March 20, 2014

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 2013 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): 2516631  
Decision on Appeal: **Denied**  
Explanation:

- Upon thorough review of the relevant documentation, USAC has determined that at the time Marshall County School District certified their FCC Form 471 application; the District did not have a signed contract in place with their service provider for Funding Year 07/01/2013-06/30/2014. The record shows that the contract submitted during the PIA review was awarded on 03/21/2013 and the District's FCC Form 471 Certification was postmarked on 03/13/2013. The rules of this support mechanism state that the applicant must sign and date the contract prior to certifying the Form 471. In this case, you have not demonstrated that the District has complied with FCC Rules.
- USAC has determined, that at the time you submitted your FCC Form 471 application, you did not have a contract with your service provider(s), which met

your state and local or the FCC's definition of a contract. Except for services to be delivered under non-contracted tariff or month-to-month arrangements, FCC rules require that applicants submit a completed FCC Form 471 "upon signing a contract for eligible services." The services you requested are not non-contracted tariff or month-to-month services. See 47 C.F.R. sec. 54.504(a). In your appeal, you did not demonstrate that USAC's decision was incorrect. As USAC does not have authority to waive the FCC rules of the program, your appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. 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 under the Reference Area/"Appeals" 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



**E-Rate Proposal for  
Marshall County School District** Received & Inspected

March 8, 2013

To: Russ Buchanan, Chief Information Officer  
Marshall County School District  
86 High School Rd., Benton, KY 42025

JUN 05 2014

FCC Mail Room

From: BONNIE STRASSENBERG, AT&T Sales Marketing Program Support  
2000 W AT&T CENTER DR -- Z1, RM 4B97H, HOFFMAN ESTATES, IL  
60192  
Office: (847) 248-2008  
Email: bs1381@us.att.com

## Introduction

In response to Marshall County School District's Form 470 bid #426660001123506, I'm providing information on an AT&T solution that may meet your requirements and qualify for E-Rate funding. The solution includes the following components:

- Wireless services are a set of mobile solutions—devices, applications, and plans—that help you boost productivity, streamline operations, and improve responsiveness to your clients and colleagues.. Wireless services enable organizations to be more mobile than ever—traveling to clients, working from remote locations, using mobile devices to communicate while on the go or to connect to corporate resources. **AT&T's Service Provider Identification Number (SPIN) for Wireless services (WSCA for E-rateBuilder only) is 143025240.**

We recommend the Western States Contracting Alliance (WSCA) program and contract as the right solution for your needs. The WSCA awarded a contract to AT&T through a competitive process open to all wireless vendors, and this contract is available to thousands of schools and libraries.

Subsidiaries and affiliates of AT&T Inc. provide products and services under the AT&T brand. © 2013 AT&T Intellectual Property. All rights reserved. AT&T, the AT&T logo, and all other AT&T marks contained herein are trademarks of AT&T Intellectual Property and/or AT&T affiliated companies. All other marks contained herein are the property of their respective owners. The contents of this document are proprietary and confidential and may not be copied, disclosed, or used, in whole or in part, without the express written permission of AT&T Intellectual Property or affiliated companies, except to the extent required by law and insofar as is reasonably necessary in order to review and evaluate the information contained herein. End User Equipment—Such as telephone handsets—is ineligible per Eligible Services List found on USAC website [www.usac.org/sl/applicants/step06/](http://www.usac.org/sl/applicants/step06/). Applicants are expected to provide cost allocation of ineligible components as part of their funding request, per cost allocation guidelines [www.universalservice.org/sl/applicants/step06/cost-allocation-guidelines-products-services.aspx](http://www.universalservice.org/sl/applicants/step06/cost-allocation-guidelines-products-services.aspx). If equipment is "free," the value may have to be deducted from the pre-discount cost of services per Free Services Advisory [www.universalservice.org/sl/applicants/step06/free-services-advisory.aspx](http://www.universalservice.org/sl/applicants/step06/free-services-advisory.aspx). Promotional credits may be subject to cost allocation on E-Rate funding requests per E-Rate Free Services Advisory [www.universalservice.org/sl/applicants/step06/free-services-advisory.aspx](http://www.universalservice.org/sl/applicants/step06/free-services-advisory.aspx). Cost allocations are the responsibility of the Applicants. Equipment availability and pricing is subject to change based on when plans are activated. **Proposal Validity Period**—The information and pricing contained in this proposal is valid until 1) the parties enter into a fully executed binding contract, 2) AT&T timely withdraws the proposal, or 3) the E-Rate filing window closes for the then-current E-Rate Funding Year, whichever first occurs. **Terms and Conditions**—Unless otherwise stated herein, this proposal is conditioned upon negotiation of mutually acceptable terms and conditions. **Proposal Pricing**—Pricing proposed herein is based upon the specific product/service mix and locations outlined in this proposal, and is subject to AT&T's standard terms and conditions for those products and services and the AT&T E-Rate Rider unless otherwise stated herein. Any changes or variations in the standard terms and conditions, the products/services, length of term, locations, and/or design described herein may result in different pricing. Prices quoted do not include applicable taxes, surcharges, or fees. In accordance with the tariffs or other applicable service agreement terms, Customer is responsible for payment of such charges. **Disclaimer**—For purposes of this Proposal, the identification of certain services as "eligible" or "non-eligible" for Universal Service ("E-Rate") funding is not dispositive, nor does it suggest that this or any other services in this Proposal will be deemed eligible for such funding. Any conclusions regarding the eligibility of services for E-Rate funding must be based on several factors, many of which have yet to be determined relative to the proposed services and equipment described herein. Such factors will include, without limitation, the ultimate design configuration of the network, the specific products and services provisioned to operate the network, and the type of customer, and whether the services are used for eligible educational purposes at eligible locations. In its proposal, AT&T will take guidance from the "Eligible Services List" and the specific sections on product and service eligibility on the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") website [www.usac.org/sl/](http://www.usac.org/sl/). This site provides a current listing of eligible products and services, as well as conditionally eligible and ineligible services. This guidance notwithstanding, the final determination of eligibility will be made by the SLD after a review of the customer's E-Rate application for this proposal. If AT&T is awarded the bid for this project, AT&T will provide assistance on the E-Rate application solely on matters relative to the functionality of the services and products which comprise the network. Nevertheless, the responsibility for the E-Rate application is with the customer. AT&T is not responsible for the outcome of the SLD's decision on these matters. **Broadband Internet Access**—For information about AT&T's broadband Internet access services, please visit [www.att.com/broadbandinfo](http://www.att.com/broadbandinfo).



FCC Mail Room

Entity Number: 128948		Applicant's Form Identifier: FY13-14							
Contact Person: Russ Buchanan		Contact Phone Number: (270) 527-8628							
<b>Block 5: Discount Funding Request(s)</b> Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as needed, and number the completed pages to assure that they are all processed correctly.		Block 5, page 1 of 7 FRN 2516631 (to be assigned by administrator)							
10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:									
<b>11 Category of Service ( only ONE category should be checked)</b> <table border="1"> <tr> <td>PRIORITY 1</td> <td>PRIORITY 2</td> </tr> <tr> <td><input checked="" type="checkbox"/> Telecommunications Service</td> <td><input type="checkbox"/> Internal Connections Other than Basic Maintenance</td> </tr> <tr> <td><input type="checkbox"/> Internet Access</td> <td><input type="checkbox"/> Basic Maintenance of Internal Connections</td> </tr> </table>		PRIORITY 1	PRIORITY 2	<input checked="" type="checkbox"/> Telecommunications Service	<input type="checkbox"/> Internal Connections Other than Basic Maintenance	<input type="checkbox"/> Internet Access	<input type="checkbox"/> Basic Maintenance of Internal Connections	<b>23 Calculations</b>	
PRIORITY 1	PRIORITY 2								
<input checked="" type="checkbox"/> Telecommunications Service	<input type="checkbox"/> Internal Connections Other than Basic Maintenance								
<input type="checkbox"/> Internet Access	<input type="checkbox"/> Basic Maintenance of Internal Connections								
<b>12 Form 470 Application Number</b> 426660001123506		Recurring Charges A. Monthly charges (total amount per month for service) \$903.00 B. How much of the amount in A is ineligible? \$0.00 C. Eligible monthly pre-discount amount (A minus B) \$903.00 D. Number of months service provided in funding year 12 E. Annual pre-discount amount for eligible recurring charges (C x D) \$10,836.00							
<b>13 SPIN – Service Provider Identification Number</b> 143025240		Non-Recurring Charges F. Annual non-recurring charges \$0.00 G. How much of the amount in F is ineligible? \$0.00 H. Annual eligible pre-discount amount for non-recurring charges (F minus G) \$0.00							
<b>14 Service Provider Name</b> AT&T Mobility		Total Charges I. Total funding year pre-discount amount (E + H) \$10,836.00 J. Discount from Block 4 Worksheet 72.00 K. Funding Commitment Request (I x J) \$7,801.92							
<b>15a</b> <input type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.									
<b>15b Contract Number</b> WSCA 3 1907									
<b>15c</b> <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider).									
<b>15d</b> <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:									
<b>16a Billing Account Number (e.g., billed telephone number)</b> 836375478									
<b>16b</b> <input checked="" type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.									
<b>17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing)</b> 03/11/2013									
<b>18 Contract Award Date (mm/dd/yyyy)</b> 03/21/2013									
<b>19 Service Start Date (mm/dd/yyyy)</b> 07/01/2013									
<b>20a Service End Date (mm/dd/yyyy)</b>									
<b>20b Contract Expiration Date (mm/dd/yyyy)</b> 06/30/2014									
<b>21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window. Attachment</b> You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided.		838344873							
<b>22 Entity/Entities Receiving This Service:</b>		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): 1589642							