

May 15, 2018

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

Appellant: Kountze Public Library  
Applicant BEN: 141368  
Form 471 Number: 161022709  
FRN: 1699043544  
BEAR Invoice Number: 2714780

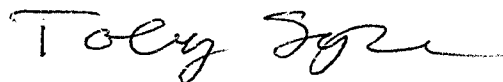
To whom it may concern,

We are appealing the decision to dismiss the request for reimbursement for BEAR 2714780, FRN 1699043544 in the amount of \$484.18.

We ask that the reimbursement be approved for FRN 1699043544 for \$484.18.

The FRN 1699043544 commitment amount was reduced to \$0.00 but this was not requested by the applicant or service provider. Another FRN (1699043550) from Form 471 161022709 was cancelled on July 21, 2016, but FRN 1699043544 was not cancelled. The FRN was funded in full and then reduced on March 6, 2018, after the BEAR had been submitted on October 25, 2017.

Thank you for your help in this matter,

A handwritten signature in black ink, appearing to read "Toby Sykes", with a horizontal line extending from the end of the signature.

Toby Sykes  
eRate Solutions  
1-785-840-0100 Ext 101  
tobysykes@eratesolutions.com  
PO Box 1426  
Lawrence KS 66044

Attachments: LOA, BEAR ID 2714780, Form 472 (BEAR) Notification Letter, Commitment Adjustment Letter and spreadsheet, My Submitted Modification Requests (RAL)



800 S. Redwood Ave., Kountze, TX 77625  
Phone: (409) 246-2826 Fax: (409) 246-4659  
Laverne Crysel, Director

\* Member of Texas State Library and  
CTLS (Connecting Texas Libraries Statewide)

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July 30, 2015

To Whom It May Concern,

Toby Sykes, eRate Solutions, LLC, is authorized to act on our behalf regarding the E-Rate program for Funding Years 18, 2015-2016 through 22, 2019-2020.

Thank you,

A handwritten signature in cursive script that reads "Laverne Crysel".

Laverne Crysel  
Library Director

**The City of Kountze/ Kountze Public Library is an equal opportunity provider and employer.**

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY).

[Need Help?](#)

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## View BEAR Invoice

 [PRINTABLE PAGE](#)

The following has been successfully certified:

Certified on 10/25/2017 10:57 AM

Invoice ID: 2714780

Created on 10/25/2017 10:57 AM

Last updated on 10/25/2017 10:57 AM

Applicant Form Identifier SWBINT2016

### Block 1: Header Information

[Need Help?](#)

|                        |                         |                              |
|------------------------|-------------------------|------------------------------|
| 1. Billed Entity Name  | 2. Billed Entity Number | 3. Service Provider          |
| Kountze Public Library | 141368                  | Identification Number (SPIN) |
|                        |                         | 143004611                    |

Applicant FCC Form 498 ID  
443023657

|                            |                              |
|----------------------------|------------------------------|
| 4. Contact Name            | Toby Sykes                   |
| 5. Contact Telephone Phone | ( 785 ) 840-0100 ext. 101    |
| Contact Fax                | ( 785 ) 749-7381             |
| Contact Email              | tobysykes@eratesolutions.com |

6. Total Reimbursement Amount  
(total from Block 2, Column 14)  
\$ 484.18

### Block 2: Line Item Information Per Funding Request Number

[Need Help?](#)

| 7. FCC Form<br>471 Application<br>Number<br><br>(from Funding<br>Commitment<br>Decision<br>Letter) | 8. Funding<br>Request<br>Number<br>(FRN)<br><br>(from<br>Funding<br>Commitment<br>Decision<br>Letter) | 9. Bill<br>Frequency | 10. Customer<br>Billed Date | 11. Shipping<br>date to<br>Customer or<br>Last Day of<br>Work<br>Performed<br>(mm/dd/yyyy) | 12. Total<br>(Undiscounted)<br>Amount for Service | 13.<br>Discount<br>Rate | 14. Discount<br>Amount Billed<br>to USAC<br>(Column 12<br>multiplied by<br>Column 13) | Approval<br>Status |
|--|---|----------------------|-----------------------------|--|---|-------------------------|---|--------------------|
| 1) 161022709   | 1699043544  | MONTHLY              | 7/1/2016                    |  | \$ 691.68   | 70                      | \$ 484.18   | CERTIFIED          |

### Block 3: Billed Entity Certification

[Need Help?](#)

Contact Information for Billed Entity Authorized Person:

By logging into your account using your PIN, checking this box, and clicking the "certify" button at the end of the form, you have electronically signed the form. You are reminded that an electronic signature is the same as a handwritten signature on the form. To see a copy of the Terms and Conditions to which you previously agreed, please click on the "Terms and Conditions" menu above.

**Submission Date** 10/25/2017

|                           |             |  |                              |
|---------------------------|-------------|--|------------------------------|
| <b>17. Name</b>           | Toby Sykes  | <b>19. Phone Number</b>                          | ( 409 ) 246-2826             |
| <b>18. Title/Position</b> | Consultant  | <b>19a. Fax Number</b>                           | ( 409 ) 246-4659             |
| <b>20. Address 1</b>      | PO Box 1426 | <b>19b. Email</b>                                | tobysykes@eratesolutions.com |
| <b>Address 2</b>          |             | <b>19c. Name of Authorized Person's Employer</b> | Kountze Public Library       |
| <b>City</b>               | Lawrence    |  |                              |
| <b>State</b>              | KS          |  |                              |
| <b>Zip Code</b>           | 66044 -     |  |                              |

OMB Number 3060 - 0856 Form 472

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[SLD Home](#) | [Contact Us](#)

[Client Service Bureau: 1-888-203-8100](#)

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Form 472 (BEAR) Notification Letter

March 16, 2018

Jessica Moritz  
Southwestern Bell Telephone Company  
311 West Washington Blvd  
Fl 16  
Chicago, IL 60606

Re: Invoice Number - as assigned by USAC: 2714780  
Service Provider Identification Number: 143004611  
Reimbursement Form Number: SWBINT2016  
Billed Entity Number: 141368

Sykes Toby  
KOUNTZE PUBLIC LIBRARY  
PO BOX 1426  
Lawrence, KS 66044

Preferred Mode of Contact: E-mail at [tobysykes@eratesolutions.com](mailto:tobysykes@eratesolutions.com)  
Total Amount of Reimbursement Approved for Payment: \$0.00

This letter is your notification that the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has processed an FCC Form 472, "Billed Entity Applicant Reimbursement (BEAR)" Form from the above named applicant listing you as the service provider. USAC has committed to reimburse the discounted portion of the cost of eligible services provided to eligible entities pursuant to one or more FCC Forms 471, "Description of Services Ordered and Certification Form".

In certain instances, a line may not have been paid. Review the BEAR Letter Applicant Reimbursement Report (Report) following this letter for the reason(s) this may have occurred. For more information about lines that have not been paid, see the explanation of Invoice Error Codes in Step 9 on our website. Work with the applicant (your customer) to correct any errors. Once corrected, your customer may submit a new BEAR using the BEAR Online tool from the Apply Online area or Required Forms section of our website to request reimbursement for any unpaid lines.

If a new BEAR cannot be submitted before the invoice deadline passes, you or your customer may submit a request for a deadline extension. (See "Invoice Deadlines and Extension Requests" posted in the SLD section of our website for more information.)

TO APPEAL THIS DECISION:

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 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 USAC decision letter (e.g., FCDL) 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), - FCC Form 471 Application Number and the Funding Request Number (FRN) or Numbers as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2015," 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.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. 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

For more information on submitting an appeal to USAC, please see "Appeals" in the Schools and Libraries section of the USAC website.

The maximum remaining amount available for each Funding Request Number (FRN) listed on the Report will be the original commitment less the amount approved herein for reimbursement and less any earlier disbursements to your customer.

PLEASE NOTE: The type of invoice form (BEAR or SPI) for the funding year is established by the receipt and approval of the first invoice submitted for the FRN for the funding year. For example, if we successfully process a BEAR for an FRN, we will not approve a

SPI for that same FRN at a later time.

Please see the Guide to Letter Reports posted on our website for an explanation of the items listed in the attached Report.

COMPLETE PROGRAM INFORMATION is posted on our website. You may also contact our Client

Service Bureau using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736 or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division  
Universal Service Administrative Company

CC: KOUNTZE PUBLIC LIBRARY

## BEAR NOTIFICATION LETTER APPLICANT REIMBURSEMENT REPORT

Form 471 Application Number: 161022709

Funding Request Number: 1699043544

Funding Year 2016: 07/01/2016 - 06/30/2017

Contract Number: N/A

Funding Commitment Decision: \$0.00

Reimbursement Amount for this FRN: \$0.00

Reimbursement Request Decision Explanation:

FRN Fully Paid;

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# Commitment Adjustment Letter

Laverne Crysel  
KOUNTZE PUBLIC LIBRARY  
800 SOUTH REDWOOD ST  
KOUNTZE, TX 77625

03/06/2018

Our review of your Schools and Libraries Universal Service Support Program (or E-rate) funding request has determined funds were committed in violation of Federal Communications Commission (FCC) rules. You have 60 days from the date of this letter to appeal the following decision(s). For more detailed information see below.

**Total commitment adjustment:** \$484.18

**Total amount to be recovered:** \$0.00

| FCC Form 471 | FRN        | Commitment adjustment | Total amount to be recovered | Explanation(s)  | Party to recover from |
|--------------|------------|-----------------------|------------------------------|---|-----------------------|
| 161022709    | 1699043544 | \$484.18              | \$0.00                       | The Applicant or Service Provider voluntarily requested commitment adjustment or cancellation of funding commitment | BEN                   |

See Attached Adjustment Report for more information on the specific FRNs and Explanations listed above.

## Commitment Adjustment

FCC rules require the Universal Service Administrative Company (USAC) to rescind commitments and recover funding when it is determined that funding was committed and disbursed in violation of the rules. This letter notifies you that USAC will be adjusting your funding commitment(s) and provides information on how to appeal this decision.

This is NOT a bill. If disbursed funds need to be recovered, USAC will issue a Demand Payment Letter. The debt referenced in the Demand Payment Letter will be due within 30 days of that letter's date. Failure to pay the debt may result in interest, late payment fees, and administrative charges and will invoke the FCC's "Red Light Rule."

## FCC's Red Light Rule

The FCC Red Light Rule requires USAC to dismiss pending FCC Form 471 applications, appeals, and invoices or to net disbursements offsetting the debt if the entity responsible for paying the outstanding debt owed to the FCC has not paid the debt or made satisfactory arrangements to pay the debt within 30 days of the Demand Payment Letter. For information on the Red Light Rule, see

<https://www.fcc.gov/licensing-databases/fees/debt-collection-improvement-act-implementation>.

## To Appeal This Decision

If you wish to contest any part of this letter, you must first file an appeal with USAC to seek review of the decision. Parties that have filed an appeal with USAC and received an adverse decision may, if they choose, appeal USAC's decision to the FCC. Parties seeking a waiver of a codified FCC rule should file a request for waiver directly with the FCC because



USAC cannot waive FCC rules. Your appeal to USAC or waiver request to the FCC must be filed within 60 days of the date of this letter.

All appeals filed with USAC must be filed in EPC by selecting "Appeal" from the menu in the top right hand corner of your landing page and providing the requested information.

Your appeal should include the following information. (Because you file the appeal through your EPC account, the system will automatically fill in some of these components for you).

- 1) Name, address, telephone number, and email address for the contact person for this appeal.
- 2) Indicate specifically that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., Commitment Adjustment Letter) and the decision you are appealing:
  - a. Appellant name;
  - b. Applicant name and service provider name, if different from appellant;
  - c. Applicant BEN and Service Provider Identification Number (SPIN);
  - d. FCC Form 471 Application Number and the Funding Request Number (FRN) or Numbers as assigned by USAC;
  - e. "Commitment Adjustment Letter," AND the exact text or the decision that you are appealing.
- 3) Identify the problem and the reason for the appeal and explain precisely the relief sought. Please keep your appeal to the point, and provide supporting documentation. Be sure to keep a copy of your entire appeal, including any correspondence and documentation. A copy will automatically be saved for you in EPC. USAC will reply to your appeal submission to confirm receipt.

For more information on submitting an appeal to USAC including step by step instructions on how to file the appeal through EPC, please see "Appeals" in the Schools and Libraries section of the USAC website.

As mentioned, parties seeking a waiver of FCC rules or that have filed an appeal with USAC and received a decision may file a request for waiver or appeal USAC's decision to the FCC. Waiver requests or appeals to the FCC must be made within 60 days of the issuance of USAC's decision and include all of the information referenced above for appeals to USAC.

The FCC recommends filing appeals or waiver requests with the Electronic Comment Filing System (ECFS) to ensure timely filing. Electronic waiver requests or appeals will be considered filed on a business day if they are received at any time before 11:59 PM ET. If you have questions or comments about using the ECFS, please contact the FCC directly at (202) 418-0193.

For more information about submitting waiver requests or appeals to the FCC, including options to submit the waiver request or appeal via U.S. mail or hand delivery, visit the FCC's website.

Schools and Libraries Division



## Adjustment Report

|                                  |   |
|----------------------------------|---|
| FCC Form 471 Application Number: | 161022709   |
| Funding Request Number:          | 1699043544  |
| Commitment Adjustment:           | \$484.18  |
| Total Amount to Be Recovered:    | \$0.00  |
| Explanation(s):                  | The Applicant or Service Provider voluntarily requested commitment adjustment or cancellation of funding commitment |
| Party to Recover From:           | BEN   |
| Funding Year:                    | 2016  |
| Billed Entity Number:            | 141368  |
| Services Ordered:                | Data Transmission and/or Internet Access  |
| Service Provider Name:           | Southwestern Bell Telephone Company   |
| SPIN:                            | 143004611   |
| Original Funding Commitment:     | \$484.18  |
| Adjusted Funding Commitment:     | \$0.00  |
| Funds Disbursed to Date:         | \$0.00  |

## Funding Commitment Adjustment Explanation:

We have processed your request of 07/21/16 RAL. Your funding commitment for FRN 1699043544 has been cancelled in its entirety as of the date of this letter.

| Letter Type    | Funding Year       | Letter Date   | Contact Person | Address 1            | Address 2 |
|----------------|--------------------|---------------|----------------|----------------------|-----------|
| Commitment Adj | July 1, 2016 - Jun | March 6, 2018 | Laverne Crysel | 800 SOUTH REDWOOD ST |           |

|         |       |       |                 |                 |                 |
|---------|-------|-------|-----------------|-----------------|-----------------|
| City    | State | Zip   | Funding Request | FCC Form 471 Ni | FCC Form 471 Ni |
| KOUNTZE | TX    | 77625 | 1699043544      | 161022709       | Kountze FY2016  |

| Service Type     | Billed Entity Num | Billed Entity Name | FCC Registration | SPIN      | Service Provider I |
|------------------|-------------------|--------------------|------------------|-----------|--------------------|
| Data Transmissio | 141368            | KOUNTZE PUBL       | 0001665389       | 143004611 | Southwestern Bel   |

| Original Funding ( | Commitment Adj | Adjusted Funding | Funds Disbursed | Funds To Be Rec | Funds To Be Rec |
|--------------------|----------------|------------------|-----------------|-----------------|-----------------|
| 484.18             | 484.18         | 0                | 0               |                 | KOUNTZE PUBLI   |

#### Explanation

We have processed your request of 07/21/16 RAL. Your funding commitment for FRN 1699043544 has beer



1 cancelled in its entirety as of the date of this letter.

## My Submitted Modification Requests (RAL)

### FCC Form 471 RAL Request(s)

Application Number

Entity Name

| RAL Request ID | Application Number | Category                | Name/Number            | Action  | Old Value   | New Value                      | Requested Date and Time | Status   | Supporting Document(s) |
|----------------|--------------------|-------------------------|------------------------|---|---|--------------------------------|-------------------------|----------|------------------------|
| 5088           | 161022709          | Funding Request Details | 1699043550             | Cancel FRN  | Pending   | Cancelled                      | 7/21/2016 9:06 AM CDT   | Approved | <a href="#">View</a>   |
| 4885           | 161059690          | Funding Request Details | 1699138603             | Cancel FRN  | Pending   | Cancelled                      | 7/15/2016 10:29 AM CDT  | Approved | <a href="#">View</a>   |
| 4359           | 161029636          | Funding Request Details | 1699060465             | Modify Associated Service Provider (Tariff/Month -To-Month) | Big Bend Telephone Company, Inc.                    | Big Bend Telecom, LTD          | 6/27/2016 11:14 AM CDT  | Approved | <a href="#">View</a>   |
| 4359           | 161029636          | Funding Request Details | 1699060451             | Modify Associated Service Provider (Tariff/Month -To-Month) | Big Bend Telephone Company, Inc.                    | Big Bend Telecom, LTD          | 6/27/2016 11:13 AM CDT  | Approved | <a href="#">View</a>   |
| 3357           | 161024836          | Application Details     | 161024836- Hope FY2016 | Cancel Application  | Certified   | Cancelled                      | 6/6/2016 10:21 AM CDT   | Approved | <a href="#">View</a>   |
| 3234           | 161034417          | Funding Request Details | 1699072104             | Cancel FRN  | Pending   | Cancelled                      | 6/2/2016 11:22 AM CDT   | Approved | <a href="#">View</a>   |
| 401            | 161022894          | Funding Request Details | 1699043980             | Modify Associated Service Provider (Tariff/Month -To-Month) | Time Warner Cable Information Services (Texas), LLC | Time Warner Cable Business LLC | 4/14/2016 3:06 PM CDT   | Approved | <a href="#">View</a>   |
| 268            | 161023326          | Funding Request Details | 1699045102             | Modify Associated Service Provider (Tariff/Month -To-Month) | Southwestern Bell Telephone Company                 | SBC Long Distance, LLC.        | 4/8/2016 12:26 PM CDT   | Approved | <a href="#">View</a>   |
| 8 items        |                    |                         |                        |   |   |                                |                         |          |                        |

| Document Name      | Description |
|--------------------|-------------|
| No items available |             |