



**JOETEN-KIYU
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September 22, 2017

Letter of Appeal

Federal Communications Commission (FCC)

To Whom It May Concern:

Entity & BEN	Joeten-Kiyu Public Library (BEN 154966) Joeten-Kiyu Public Library (BEN 16066409) Rota Public Library (BEN 16066180)
Contact Person	Erlinda Naputi, Acting Director
Contact Information Mailing Address Phone Number Email	P.O. Box 501092 Susupe (670) 235-7322 cnmistatelibrary@gmail.com
Service Providers	1. Docomo Pacific (SPIN: 143020370 Marianas Cable Vision) 2. IT&E Saipan (SPIN: 143002714 Micronesia Telecommunications)
Funding Year	2017
Application Type & Application Number	Form 471 Application #171049471 Form 471 Application #171049472 Form 471 Application #171049473
Request for Waiver	CC Docket No. 02-6 (filed July 27, 2017)
Appeal Reason	Late-Filed FCC Form 471 Applications 25 FCC Rcd at 9259, para. 8 (Denying requests for waiver of the FCC Form 471 filing window deadline where petitioners failed to present special circumstances justifying waiver of our rules)

Appeal Explanation:

Joeten-Kiyu Public Library (JKPL) previously sole-sourced communications and internet services to one provider, IT&E for many years, and with the coming of a 2nd internet service provider (Docomo Pacific) with viable and competitive services, this would be a first for JKPL to initiate a bidding process.

At first, JKPL Information Technology Center started with a **Request for Proposal (RFP)** to be routed but was changed to an **Invitation to Bid (ITB)** as instructed by the Local Government's Procurement Office. With this change, much of the content in the **RFP** had been revised for specific services. These changes moved the deadline for the bid submission window further.
Note: The Local Government handles all procurement procedures and submits the bid review

within 1 to 2 weeks depending on their queue of all other government agency bids or proposals.

The JKPL Admin and Acting Director took all efforts to push for JKPL's ITB submissions from vendors to be reviewed as soon as possible by procurement so that it could be sent back to JKPL for final selection, as this was already pushing close to going past E-Rate's June 11th final posting deadline. Another factor in pushing the review was in the fact that after JKPL Selects the Vendor or Vendors for Services and submits its selection back to Procurement, the Procurement Process would take added time to review our selection and justification. The timeframe for this process is out of JKPL's hands as this involves other government departments. JKPL was given the **Notice to Proceed on June 30, 2017** indicating that the selected vendors start installation and services within their respective Contract deadline.

- (Please see documents: **DOCOMO 635000 063017.docx**, **IT&E 635001 063017.docx**)

The request for waiver for the late submission of the E-rate Form 471 by the Joeten-Kiyu Public Library was also due to bidding process delays with multiple changes and clarifications on the Invitation to Bid.

These addendum changes were at the Service Providers request and Local Procurement acknowledgment.

(Addendum Changes on the content of the Bid are in Bold Letters)

- Changes made May 1st 2017 (See **ADDENDUM ITB17-JKPL-136 - e-rate addendum 042417 05-01-17.docx**)
- Changes made May 1st 2017 (See **ADDENDUM3 ITB17-JKPL-136- e-rate addendum 042417 05-01-17.docx**)
- Changes made May 9th 2017 (See **ADDENDUM3 UpTo50 ITB17-JKPL-addendum 042417 05-09-17.docx**)

The Joeten-Kiyu Public Library handles the bidding of vendors and e-rate filing for 2 other branches of library services, Rota Public Library and the Joeten-Kiyu Public Library Bookmobile. This appeal to reconsider the denial of the Waiver on the Late-Filed FCC Form 471 will positively affect the CNMI Libraries ability to promote technology, computer, and literacy awareness as it provides internet services to 39,434 patrons most of which consist of low income families, students, and individuals, along with 24,788 patrons who are students at schools and families at community centers in remote areas of the CNMI and are provided internet access from the JKPL Bookmobile.