

# Exhibit A



Universal Service Administrative Company

Schools and Libraries Program

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**Notification of Commitment Adjustment Letter**

**Funding Year 2003: July 1, 2003 - June 30, 2004**

June 16, 2017

THOMAS STATEN  
MONTCALM AREA INTER SCH DIST  
P.O. Box 367  
STANTON, MI 48888-0367

Re: Form 471 Application Number:	354876
Funding Year:	2003
Applicant's Form Identifier:	INTERNET
Billed Entity Number:	131263
FCC Registration Number:	0011799582
SPIN:	143004346
Service Provider Name:	Crystal Automation Systems Inc
Service Provider Contact Person:	Steve Meinhardt

Our routine review of Schools and Libraries Program (SLP) funding commitments has revealed certain applications where funds were committed in violation of SLP rules.

In order to be sure that no funds are used in violation of SLP rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC, your appeal must be received 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 (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRNs) you are appealing. Your letter of appeal must include the
  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. 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 an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a 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 us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

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

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

# FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letters" posted at <http://www.usac.org/sl/tools/samples.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with SLP rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Program  
Universal Services Administrative Company

cc: Steve Meinhardt  
Crystal Automation Systems Inc

Funding Commitment Adjustment Report for  
Form 471 Application Number: 354876

Funding Request Number:	956609
Services Ordered:	INTERNET ACCESS
SPIN:	143004346
Service Provider Name:	Crystal Automation Systems Inc
Contract Number:	N/A
Billing Account Number:	CAS-Q2168
Site Identifier:	131263
Original Funding Commitment:	\$392,557.20
Commitment Adjustment Amount:	\$392,557.20
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$392,557.20
Funds to be Recovered from Applicant:	\$392,557.20
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. USAC has evidence of a stock purchase agreement between Steven R Meinhardt of Casair, Inc., and Roger Hoezee, which was effective July 1, 2006. In this agreement, Meinhardt sold Elite Fund to Hoezee. This purchase demonstrates that the two companies, Casair and Elite Fund, were a single entity prior to July 1, 2006. During the time when Elite Fund, Inc. was a part of Casair, Inc., Elite is considered a service provider and therefore cannot act as an independent consultant on behalf of applicant or assist them with those tasks that service providers are prohibited from undertaking. The FCC Form 470 must be completed by the entity that will negotiate for eligible products and services with potential service providers and cannot be a service provider. Furthermore, service providers that participate in the competitive bidding process as a bidder cannot be involved in the preparation or certification of the entity's FCC Form 470. Because Elite Fund executed these tasks while it was part of Casair, the applicant was not in compliance with FCC rules which require applicants to conduct a fair and open competitive bidding process free from conflicts of interest. Accordingly, the applicant should not have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. By having the service provider engaged in the preparation and submission of its Form 470, the applicant surrendered control of the competitive bidding process to the service provider who participated in the competitive bidding process as a bidder. Accordingly, the commitment will be rescinded in full and USAC will seek recovery of any funds disbursed in violation of the programs competitive bidding rules from the applicant and service provider.

**Notification of Commitment Adjustment Letter**

**Funding Year 2004: July 1, 2004 - June 30, 2005**

June 16, 2017

Thomas Staten  
MONTCALM AREA INTER SCH DIST  
P.O. Box 367  
STANTON, MI 48888-0367

Re: Form 471 Application Number:	396545
Funding Year:	2004
Applicant's Form Identifier:	Internet
Billed Entity Number:	131263
FCC Registration Number:	0011799582
SPIN:	143004346
Service Provider Name:	Crystal Automation Systems Inc
Service Provider Contact Person:	Steve Meinhardt

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  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
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Schools and Libraries Program  
Universal Services Administrative Company

cc: Steve Meinhardt  
Crystal Automation Systems Inc



**Funding Commitment Adjustment Report for  
Form 471 Application Number: 396545**

Funding Request Number:	1083967
Services Ordered:	INTERNET ACCESS
SPIN:	143004346
Service Provider Name:	Crystal Automation Systems Inc
Contract Number:	CAS-Q2552
Billing Account Number:	
Site Identifier:	131263
Original Funding Commitment:	\$383,761.44
Commitment Adjustment Amount:	\$383,761.44
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$383,761.44
Funds to be Recovered from Applicant:	\$383,761.44
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. USAC has evidence of a stock purchase agreement between Steven R Meinhardt of Casair, Inc., and Roger Hoezee, which was effective July 1, 2006. In this agreement, Meinhardt sold Elite Fund to Hoezee. This purchase demonstrates that the two companies, Casair and Elite Fund, were a single entity prior to July 1, 2006. During the time when Elite Fund, Inc. was a part of Casair, Inc., Elite is considered a service provider and therefore cannot act as an independent consultant on behalf of applicant or assist them with those tasks that service providers are prohibited from undertaking. The FCC Form 470 must be completed by the entity that will negotiate for eligible products and services with potential service providers and cannot be a service provider. Furthermore, service providers that participate in the competitive bidding process as a bidder cannot be involved in the preparation or certification of the entity's FCC Form 470. Because Elite Fund executed these tasks while it was part of Casair, the applicant was not in compliance with FCC rules which require applicants to conduct a fair and open competitive bidding process free from conflicts of interest. Accordingly, the applicant should not have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. By having the service provider engaged in the preparation and submission of its Form 470, the applicant surrendered control of the competitive bidding process to the service provider who participated in the competitive bidding process as a bidder. Accordingly, the commitment will be rescinded in full and USAC will seek recovery of any funds disbursed in violation of the programs competitive bidding rules from the applicant and service provider.

# Exhibit B



Universal Service Administrative Company  
Schools & Libraries Division

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Administrator's Decision on Appeal – Funding Year 2004-2005

August 23, 2017

Charyn Hain  
Varnum  
Bridgewater Place  
PO Box 352  
Grand Rapids, MI 49501-0352

Re: Applicant Name: MONTCALM AREA INTER SCH DIST  
Billed Entity Number: 131263  
Form 471 Application Number: 396545  
Funding Request Number(s): 1083967  
Your Correspondence Dated: August 15, 2017

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 2004 Commitment Adjustment 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. 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): 1083967  
Decision on Appeal: **Denied**  
Explanation:

- USAC determined that the service provider was improperly involved in the competitive bidding process. During the review process, USAC gave you an opportunity to demonstrate that the competitive bidding process was not compromised and you failed to do so. Since you violated the FCC competitive bidding rules, USAC rescinded your funding request and sought recovery of any funds disbursed. On appeal, you have not demonstrated that USAC's determination was incorrect. Consequently, your appeal is denied.

FCC rules require that, except under limited circumstances, an eligible school, library or consortium that includes an eligible school or library shall seek competitive bids for all services eligible for support and must conduct a fair and open competitive bidding process. See 47 C.F.R. sec. 54.503(a) and (b). An applicant violates the FCC's

competitive bidding requirements when it surrenders control of the bidding process to a service provider who participated in the competitive bidding process as a bidder. See Request for Review of the Decisions of the Universal Service Administrator by Mastermind Internet Services, Inc, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45, Order, 16 FCC Rcd 4028, FCC 00-167 para. 9-10 (rel. May 23, 2000). In cases where the Administrator finds "carbon copy" FCC Forms 470 across a series of applications, especially where the services and products requested are complex or substantial, and when the same service provider is involved, it is appropriate for the Administrator to subject such applications to more searching scrutiny to ensure there has been no improper service provider involvement in the competitive bidding process. See Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District, El Paso, Texas, et al., Federal State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., SLD Nos. 321479, et al., CC Docket Nos. 96-45, 97-21, Order, FCC 03-313 para. 30 (rel. Dec. 8, 2003). The FCC's Fifth Report and Order requires recovery of all funds disbursed for any funding request for which the competitive bidding rules have been violated. See Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC Rcd 15815-15816, FCC 04-190 para. 21 (rel. Aug. 13, 2004).

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



Universal Service Administrative Company  
Schools & Libraries Division

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Administrator's Decision on Appeal – Funding Year 2003-2004

August 23, 2017

Charyn Hain  
Varnum  
Bridgewater Place  
PO Box 352  
Grand Rapids, MI 49501-0352

Re: Applicant Name: MONTCALM AREA INTER SCH DIST  
Billed Entity Number: 131263  
Form 471 Application Number: 354876  
Funding Request Number(s): 956609  
Your Correspondence Dated: August 15, 2017

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 2003 Commitment Adjustment 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. 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): 956609  
Decision on Appeal: **Denied**  
Explanation:

- USAC determined that the service provider was improperly involved in the competitive bidding process. During the review process, USAC gave you an opportunity to demonstrate that the competitive bidding process was not compromised and you failed to do so. Since you violated the FCC competitive bidding rules, USAC rescinded your funding request and sought recovery of any funds disbursed. On appeal, you have not demonstrated that USAC's determination was incorrect. Consequently, your appeal is denied.

FCC rules require that, except under limited circumstances, an eligible school, library or consortium that includes an eligible school or library shall seek competitive bids for all services eligible for support and must conduct a fair and open competitive bidding process. See 47 C.F.R. sec. 54.503(a) and (b). An applicant violates the FCC's

competitive bidding requirements when it surrenders control of the bidding process to a service provider who participated in the competitive bidding process as a bidder. See Request for Review of the Decisions of the Universal Service Administrator by Mastermind Internet Services, Inc, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45, Order, 16 FCC Rcd 4028, FCC 00-167 para. 9-10 (rel. May 23, 2000). In cases where the Administrator finds "carbon copy" FCC Forms 470 across a series of applications, especially where the services and products requested are complex or substantial, and when the same service provider is involved, it is appropriate for the Administrator to subject such applications to more searching scrutiny to ensure there has been no improper service provider involvement in the competitive bidding process. See Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District, El Paso, Texas, et al., Federal State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., SLD Nos. 321479, et al., CC Docket Nos. 96-45, 97-21, Order, FCC 03-313 para. 30 (rel. Dec. 8, 2003). The FCC's Fifth Report and Order requires recovery of all funds disbursed for any funding request for which the competitive bidding rules have been violated. See Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC Rcd 15815-15816, FCC 04-190 para. 21 (rel. Aug. 13, 2004).

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We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

# Exhibit C

FCC Form

Approval by OMB  
3060-0806

470

# Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**

<b>Form 470 Application Number:</b> 315280000419357		
<b>Applicant's Form Identifier:</b> Internet		
<b>Application Status:</b> CERTIFIED		
<b>Posting Date:</b> 10/15/2002		
<b>Allowable Contract Date:</b> 11/12/2002		
<b>Certification Received Date:</b> 10/25/2002		
<b>1. Name of Applicant:</b> MONTCALM AREA INTER SCH DIST		
<b>2. Funding Year:</b> 07/01/2003 - 06/30/2004	<b>3. Your Entity Number</b> 131263	
<b>4a. Applicant's Street Address, P.O.Box, or Route Number</b> 621 NEW ST		
<b>City</b> STANTON	<b>State</b> MI	<b>Zip Code</b> 48888
<b>b. Telephone number</b> (989) 831- 5261	<b>c. Fax number</b> (989) 831- 8727	
<b>d. E-mail Address</b> tstaten@maisd.com		
<b>5. Type Of Applicant</b>		
<input type="radio"/> Individual School (individual public or non-public school) <input type="radio"/> School District (LEA, public or non-public [e.g., diocesan] local district representing multiple schools) <input type="radio"/> Library (including library system, library branch, or library consortium applying as a library) <input checked="" type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia)		
<b>6a. Contact Person's Name:</b> Tom Staten		
First, fill in every item of the Contact Person's information below that is different from Item 4, above. Then check the box next to the preferred mode of contact. (At least one box MUST be checked.)		
<b>6b. Street Address, P.O.Box, or Route Number</b> 621 NEW ST		
<b>City</b> STANTON	<b>State</b> MI	<b>Zip Code</b> 48888
<input checked="" type="radio"/> <b>6c. Telephone Number</b> (989) 831- 5261		
<input checked="" type="radio"/> <b>6d. Fax Number</b> (989) 831- 8727		

Exhibit A - Page 49 of 74



6e. E-mail Address [tstaten@maisd.com](mailto:tstaten@maisd.com)

**Block 2: Summary Description of Needs or Services Requested**

**7 This Form 470 describes (check all that apply):**

a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☐ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

**NOTE:** Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

**What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.**

**8 ☒ Telecommunications Services**  
*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?*

a ☒ YES, I have an RFP. It is available on the Web at [usf.crystalauto.com/maisd.htm](http://usf.crystalauto.com/maisd.htm) or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☐ NO, I do not have an RFP for these services.  
 If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

**9 ☐ Internet Access**  
*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?*

a ☒ YES, I have an RFP. It is available on the Web at [usf.crystalauto.com/maisd.htm](http://usf.crystalauto.com/maisd.htm) or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☐ NO, I do not have an RFP for these services.  
 If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internet Access services. Add additional lines if needed.

**10 ☐ Internal Connections**  
*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?*

a ☒ YES, I have an RFP. It is available on the Web at or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☐ NO, I do not have an RFP for these services.  
 If you answered NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms

and 300 computers at 56kbps or better). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections services. Add additional lines if needed.

**11 (Optional)** Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Title:

Telephone number

0 -

Fax number

0 -

E-mail Address

**12.** ☐ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

**13.** If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

### Block 3: Technology Assessment

**14.** ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

**15.** Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop communications software: Software required ☐ has been purchased; and/or ☐ is being sought.

b. Electrical systems: ☐ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☐ are being sought.

e. Staff development: ☐ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

### Block 4: Recipients of Service

**16. Eligible Entities That Will Receive Services:**

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☐ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☐ All public schools/districts in the state:  
☐ All non-public schools in the state:  
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible entities	9
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
231	937
231	
616	
989	352
989	427
989	584
989	831
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

#### 17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity Number	Entity
131263	MONTCALM AREA INTER SCH DIST

**18. Ineligible Participating Entities**

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix
---------------------------------	-----------	--------

**Block 5: Certification****19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☒ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

**20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:**

- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☒ higher-level technology plans for using the services requested in the application, or
- c. ☒ no technology plan needed; application requests basic local and/or long distance telephone service only.

**21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):**

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☒ technology plan(s) will be approved by a state or other authorized body.
- c. ☒ no technology plan needed; application requests basic local and long distance telephone service only. .

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school (s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☒

26. Date (mm/dd/yyyy): 10/21/2002

27. Printed name of authorized person: Tom Staten

28. Title or position of authorized person: **Technology Coordinator**

29a. Address of authorized person:

City: State: Zip:

29b. Telephone number of authorized person: **(989) 831 - 5261**

29c. Fax number of authorized person: **()**

29d. E-mail address number of authorized person:

**Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.**

**Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at [www.sl.universalservice.org/vendor/manual/chapter5.doc](http://www.sl.universalservice.org/vendor/manual/chapter5.doc) or call the Client Service Bureau at 1-888-203-8100.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC, or (b) any employee of the FCC, or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026**

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**1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 470  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
1-888-203-8100**

FCC Form 470  
April 2003

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# Exhibit D

**DECLARATION OF THOMAS STATEN IN SUPPORT  
OF APPEAL BY MONTCALM AREA INTERMEDIATE  
SCHOOL DISTRICT OF COMMITMENT ADJUSTMENT  
DECISIONS RELATING TO E-RATE FUNDING  
FOR FY 2003 AND FY 2004**

I, Thomas Staten, under penalty of perjury, declare:

1. I am over the age of 18 years.
2. I am currently the Director of Technology for Montcalm Area Intermediate School District (the "District"). I have been employed by the District since December of 1997, initially as a Computer Technician.
3. I certified the District's Form 470s for the funding years at issue, with the approval of the Board of Education, and was directly involved in the application, bidding and selection process for the District.
4. For FY 2003, the District utilized certain limited services provided by Crystal Automation Systems, Inc. d/b/a Casair, Inc. ("Casair") with respect to the District's E-Rate application. The only services that Casair provided to the District were vendor neutral services to track timelines, provide guidance and answer questions relating to the application process and ensure program compliance. This assistance was provided at a standard hourly flat rate and was not dependent on whether Casair competed for or was awarded the underlying E-Rate contracts.
5. For FY 2004, Elite Fund, Inc. provided very limited assistance to the District with respect to the District's E-Rate application. The assistance was limited to providing application guidance and posting of the RFP since the District did not have the capability to quickly update its website and post an RFP on its own site.
6. In or about spring of 2004, the District terminated all such assistance services and has not utilized any third parties to provide assistance with E-Rate applications or processes since that time.
7. At all times, including FY 2003 and FY 2004, the District controlled the application, bidding and selection process. The District staff filled out, signed and mailed applications. The District staff received bids, analyzed bids and selected vendors. The District set the scope of necessary services in the RFP, directly received bids from prospective vendors, evaluated the bids independent of any input from a third party, including Casair or Elite, and received approval from its Board of Education to purchase the services.
8. During the funding years at issue, there were significant limits on technology available in the applicable geographical area. Due to the location of the District, there were only a handful of bidders who were qualified to and interested in providing services in that area. The District received bids from several different potential providers, evaluated them, decided to



utilize the most appropriate provider and obtained approval of the provider from its Board of Education. All of this was done independent of input or direction from Casair and Elite.

9. Prior to receiving the funds for the funding years at issue, the District received and responded to routine USAC PIA audits and more extensive USAC Selective Review requests for FY 2003 and FY 2004 relating to the application numbers at issue. These audits occurred during the respective program years and prior to both applications being fully funded after USAC completed its review.

10. Upon information and belief, prior to issuing the June 16, 2017 Commitment Adjustment Decisions at issue, including during the audits mentioned above, USAC never raise any of the issues on which it bases its current decision to rescind over \$776,000 in funds it disbursed to the District 14 and 13 years ago respectively.

**Pursuant to 28 USC 1746, I declare under penalty of perjury that the foregoing is true and correct. This Declaration was executed on this 15th day of August 2017 in Stanton, Michigan.**

By:



Thomas Staten

# Exhibit E



## Department of Licensing and Regulatory Affairs

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## CORPORATE ENTITY DETAILS

**Searched for:** ELITE FUND, INC.**ID Num:** 05846D**Entity Name:** ELITE FUND, INC.**Type of Entity:** Domestic Profit Corporation**Resident Agent:** ROGER L HOEZEE**Registered Office Address:** 1014 CENTRAL AVENUE, SUITE 1 HOLLAND MI 49423**Mailing Address:** P.O. Box 125 STANTON MI 48888**Formed Under Act Number(s):** 284-1972**Incorporation/Qualification Date:** 9-19-2003**Jurisdiction of Origin:** MICHIGAN**Number of Shares:** 60,000**Year of Most Recent Annual Report:** 16**Year of Most Recent Annual Report With Officers & Directors:** 08**Status:** ACTIVE **Date:** Present[View Document Images](#)[Return to Search Results](#)[New Search](#)[Michigan.gov Home](#) | [Business Entity Search Home](#) | [Contact Corporations](#) | [Corps Home](#) | [LARA Home](#)[State Web Sites](#) | [Accessibility Policy](#) | [Link Policy](#) | [Security Policy](#)

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# Exhibit F

FCC Form

Approval by OMB  
3060-0806

470

# Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers)

**Block 1: Applicant Address and Identifications**

Form 470 Application Number: 814170000477476		
Applicant's Form Identifier: Tel/Int		
Application Status: CERTIFIED		
Posting Date: 12/05/2003		
Allowable Contract Date: 01/02/2004		
Certification Received Date: 12/08/2003		
1. Name of Applicant: MONTCALM AREA INTER SCH DIST		
2. Funding Year: 07/01/2004 - 06/30/2005	3. Your Entity Number 131263	
4a. Applicant's Street Address, P.O.Box, or Route Number 621 NEW ST		
City STANTON	State MI	Zip Code 48888
b. Telephone number (517) 831- 5261	c. Fax number (517) 831- 8727	
d. E-mail Address		
5. Type Of Applicant		
<input checked="" type="checkbox"/> Individual School (individual public or non-public school) <input type="checkbox"/> School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools) <input type="checkbox"/> Library (including library system, library branch, or library consortium applying as a library) <input type="checkbox"/> Consortium (intermediate service agencies, states, state networks, special consortia)		
6a. Contact Person's Name: Tom Staten		
First, fill in every item of the Contact Person's information below that is different from Item 4, above. Then check the box next to the preferred mode of contact. (At least one box MUST be checked.)		
6b. Street Address, P.O.Box, or Route Number 621 New St, PO Box 367		
City Stanton	State MI	Zip Code 48888
6c. Telephone Number (989) 831- 5261		
6d. Fax Number (989) 831- 8727		
6e. E-mail Address tstaten@maisd.com		

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<b>Block 2: Summary Description of Needs or Services Requested</b>
--

<b>7 This Form 470 describes (check all that apply):</b>
a. <input checked="" type="checkbox"/> Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
b. <input type="checkbox"/> Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
c. <input checked="" type="checkbox"/> Services for which a new written contract is sought for the funding year in Item 2.
d. <input type="checkbox"/> A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.
<b>NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.</b>

<p><b>What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at <a href="http://www.sl.universalservice.org">www.sl.universalservice.org</a> for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.</b></p>
<p><b>8 <input checked="" type="checkbox"/> Telecommunications Services</b>  <i>Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?</i></p>
<p>a. <input checked="" type="checkbox"/> YES, I have an RFP. It is available on the Web at <a href="http://www.elitefund.com/usf/maisd.htm">www.elitefund.com/usf/maisd.htm</a> or via (check one):  <input type="checkbox"/> the Contact Person in Item 6 or <input type="checkbox"/> the contact listed in Item 11.</p>
<p>b. <input type="checkbox"/> NO, I do not have an RFP for these services.          If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at <a href="http://www.sl.universalservice.org">www.sl.universalservice.org</a> for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.</p>
<p><b>9 <input checked="" type="checkbox"/> Internet Access</b>  <i>Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?</i></p>
<p>a. <input checked="" type="checkbox"/> YES, I have an RFP. It is available on the Web at <a href="http://www.elitefund.com/usf/maisd.htm">www.elitefund.com/usf/maisd.htm</a> or via (check one):  <input type="checkbox"/> the Contact Person in Item 6 or <input type="checkbox"/> the contact listed in Item 11.</p>
<p>b. <input type="checkbox"/> NO, I do not have an RFP for these services.          If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at <a href="http://www.sl.universalservice.org">www.sl.universalservice.org</a> for examples of eligible Internet Access services. Add additional lines if needed.</p>
<p><b>10 <input type="checkbox"/> Internal Connections</b>  <i>Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?</i></p>
<p>a. <input type="checkbox"/> YES, I have an RFP. It is available on the Web at or via (check one):  <input type="checkbox"/> the Contact Person in Item 6 or <input type="checkbox"/> the contact listed in Item 11.</p>
<p>b. <input type="checkbox"/> NO, I do not have an RFP for these services.          If you answered NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms</p>

and 300 computers at 56kbps or better). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections services. Add additional lines if needed.

**11** (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Lynne Hernandez

Title:

Career Technical Education Director

Telephone number

(989) 831 - 5261

Fax number

(989) 831 - 8727

E-mail Address

lhernandez@maisd.com

**12.** ☐ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

**13.** If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

### Block 3: Technology Assessment

**14.** ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

**15.** Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

**a.** Desktop communications software: Software required ☒ has been purchased; and/or ☐ is being sought.

**b.** Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

**c.** Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.

**d.** Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.

**e.** Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.

**f.** Additional details: Use this space to provide additional details to help providers to identify the services you desire.

### Block 4: Recipients of Service

**16. Eligible Entities That Will Receive Services:**

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☐ All public schools/districts in the state:  
☐ All non-public schools in the state:  
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible entities	9
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
231	937
231	
616	
989	352
989	427
989	584
989	831
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

**17. Billed Entities**

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.



<b>Entity Number</b>	<b>Entity</b>
131263	MONTCALM AREA INTER SCH DIST

**18. Ineligible Participating Entities**

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

<b>Ineligible Participating Entity</b>	<b>Area Code</b>	<b>Prefix</b>

**Block 5: Certification****19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

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- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☐ higher-level technology plans for using the services requested in the application, or
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- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
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23. ☒ I recognize that support under this support mechanism is conditional upon the school (s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☒

26. Date (mm/dd/yyyy): 12/05/2003

27. Printed name of authorized person: **TOM STATEN**

28. Title or position of authorized person: **TECHNOLOGY COORDINATOR**

29a. Address of authorized person: **621 New St, PO Box 367**  
**City: Stanton State: MI Zip: 48888**

29b. Telephone number of authorized person: **(989) 831 - 5261**

29c. Fax number of authorized person: **(989) 8318727**

29d. E-mail address number of authorized person: **tstaten@maisd.com**

**Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.**

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The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC, or (b) any employee of the FCC, or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

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Please submit this form to:

Exhibit A - Page 61 of 74

**SLD-Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026  
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 470  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
1-888-203-8100**

FCC Form 470  
April 2002

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