



1101 Stadium Drive, Ada, OK 74820
p. 580-332-1444 f. 580-332-2532
info@kelloggllc.com
www.kelloggllc.com

October 17, 2014

Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Dear Federal Communications Commission:

We are enclosing an appeal of the Administrator's Decision on Implementation Extension Request dated July 23, 2014 and subsequent Administrator's Decision on Appeal – Funding Year 2009-2010 for Harlandale Indep School Dist, San Antonio, Texas. The Service Provider was unable to install by the due date of September 30, 2013 for reasons beyond their control.

Respectfully submitted,

A handwritten signature in black ink that reads "Deborah J. Sovereign". The signature is written in a cursive style with a large, flowing 'S' at the end.

Deborah Sovereign, Consultant

Enclosures



1101 Stadium Drive · Ada, OK 74820 · office: 580.332.1444 · fax: 580.332.2532 · email:dsovereign@kelloggllc.com

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Letter of Appeal)	CC Docket No. 02-6
Implementation Deadline Extension Request)	
Harlandale Indep School Dist)	
San Antonio, Texas)	
Form 471 # 679511)	
Erate FY2009)	
)	

LETTER OF APPEAL

Harlandale Indep School Dist, San Antonio, TX

October 17, 2014

Deborah Sovereign
Jane Kellogg

Kellogg & Sovereign Consulting, LLC
1101 Stadium Drive
Ada, OK 74820
(580) 332-1444
(580) 332-2532 (facsimile)
Email: dsovereign@kelloggllc.com

We are appealing the Administrator's Decision on Implementation Extension Request for the following:

Billed Entity: Harlandale Indep School Dist
BEN: 141545
Funding Year: 2009
Form 471: 679511

FRN	Service Provider/SPIN	Description
1857317	Layer 3 Communications 143026409	Cabling – still in process
2396600	Layer 3 Communications 143026409	Cabling – still in process

Administrator's Decision dated September 3, 2014: Denied

Denial Explanation: FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the Reference area on the USAC website. (See Service Delivery Extensions for more information). In accordance with FCC Report and Order (FCC 01-195) released on June 29, 2001, in order to provide additional time to implement contracts or agreements with service providers for non-recurring services, applicants must submit documentation to the Administrator requesting relief on or before the original non-recurring services deadline. Your appeal has not brought forth clear information establishing that application for relief was made prior to this deadline. Therefore, your appeal is denied.

Administrator's Decision dated July 23, 2014: Denied in full

Denial Explanation: Request received after the FCC deadline for Implementation Deadline Extension Requests which was 9/30/2013.

Reason for Service Delivery Deadline Extension Request

Service provider was unable to complete delivery and installation by 9/30/2013 for reasons beyond the service provider's control.

Letter of Appeal – CC Docket No. 02-6
Harlandale Indep School Dist, Billed Entity Number 141545, 471# 679511, Erate FY2009
Kellogg & Sovereign Consulting, LLC Phone: 580-332-1444

Discussion:

The district received late funding for FRN 1857317 on September 15, 2011 and FRN 2396600 is the result of a SPIN Split approved on 1/29/2013. A Form 500 was submitted on 7/14/2013 and approved for FRN 2396600 to update the Contract Expiration Date to 9/30/2014.

September 30, 2013 was the last date to install the cabling associated with both FRNs, however due to circumstances beyond the service provider's control the work was not completed. According to Raymond Phillips, Information Services Specialist, Harlandale ISD, and confirmed by Harlandale ISD's Technology Director, Myrna Martinez, "August and September of last year was like a perfect storm." The already over-loaded technology department due to getting systems ready for the start of school was "exacerbated by an usually high number of room changes and almost a complete change in staffing in the Curriculum & Instruction division. The staffing changes in that division were top down including the Assistant Superintendent for C&I, Director of Secondary Education and several subject area coordinators and facilitators." Throughout this school year, they were not able to get caught up as staff, tasks and assignments were constantly changing in reaction to immediate needs while falling behind on planned projects. Decisions on all E-Rate projects were delayed as staff was reforming and settling into new positions and responsibilities.

Craig Wall, VP and GM, Western Region, Layer 3 Communications, provided the following details:

"Some of the planned work for Harlandale ISD's FY 2009 FRNs 2396600 and 1857317 was not completed before the deadline of 9/30/2013. It was beyond our control to not be able to complete this work because the School District was unable to provide us with permission or specific requirements to proceed with the final stages of the project. The project involves running Ethernet drops to classrooms for specific instructional needs. There was a number of changes in leadership in the Curriculum and Instruction Department at Harlandale ISD up to and including the Assistant Superintendent. In addition, the classrooms were going through a number of changes in assignments to specific instructional purposes. There was nobody at Harlandale ISD that was in position to know what were the specific cabling needs on a classroom by classroom basis.

The staff at Harlandale ISD is now settled into their positions and are aware of the specific needs of each classroom. We hope to be able to proceed with this project in a timely manner so that the work may be completed before the start of school in the Fall."

Letter of Appeal – CC Docket No. 02-6
Harlandale Indep School Dist, Billed Entity Number 141545, 471# 679511, Erate FY2009
Kellogg & Sovereign Consulting, LLC Phone: 580-332-1444

We understand that normal USAC procedures require the service delivery deadline extension request be submitted prior to September 30, 2013. However, due to circumstances beyond the service provider's control, we are asking for consideration of this extension request.

The circumstances in this case are similar to those approved by the FCC in the recent order, Academy Charter School et al., Pittsburg, PA (DA 14-738) released May 29, 2014.

Therefore, we are respectfully requesting a service delivery deadline extension request for the funding request numbers listed above.

Respectfully submitted,


Deborah J. Sovereign
Consultant

Attachments:

- A. Administrator's Decision on Appeal – Funding Year 2009-2010
- B. Administrator's Decision on Implementation Extension Request
- C. Letter of Appeal filed with USAC August 10, 2014

Letter of Appeal – CC Docket No. 02-6
Harlandale Indep School Dist, Billed Entity Number 141545, 471# 679511, Erate FY2009
Kellogg & Sovereign Consulting, LLC Phone: 580-332-1444

ATTACHMENT A

Administrator's Decision on Appeal – Funding Year 2009-2010 September 3, 2014

Letter of Appeal – CC Docket No. 02-6
Harlandale Indep School Dist, Billed Entity Number 141545, 471# 679511, Erate FY2009
Kellogg & Sovereign Consulting, LLC Phone: 580-332-1444



Administrator's Decision on Appeal – Funding Year 2009-2010

September 03, 2014

Debi Sovereign
Kellogg & Sovereign Consulting LLC
1101 Stadium Drive
Ada, OK 74820

Re: Applicant Name: HARLANDALE INDEP SCHOOL DIST
Billed Entity Number: 141545
Form 471 Application Number: 679511
Funding Request Number(s): 1857317, 2396600
Your Correspondence Dated: August 10, 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 2009 Administrator's Decision on Implementation Extension Request 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): 1857317, 2396600

Decision on Appeal: **Denied**

Explanation:

- FCC Rules related to the payment of support for discounted services establish deadlines for service providers to deliver services/products to the applicant. The FCC provides an extension of this deadline under certain conditions. Those conditions are documented in the Reference area on the USAC website. (See Service Delivery Extensions for more information). In accordance with FCC Report and Order (FCC 01-195) released on June 29, 2001, in order to provide additional time to implement contracts or agreements with service providers for non-recurring services, applicants must submit documentation to the Administrator requesting relief on or before the original non-recurring services deadline. Your appeal has not brought forth clear information establishing that application for relief was made prior to this deadline. Therefore, 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

cc: Leonora Rodriguez

ATTACHMENT B

Administrator's Decision on Implementation Extension Request – Harlandale Indep School Dist July 23, 2014

Letter of Appeal – CC Docket No. 02-6
Harlandale Indep School Dist, Billed Entity Number 141545, 471# 679511, Erate FY2009
Kellogg & Sovereign Consulting, LLC Phone: 580-332-1444

Administrator's Decision on Implementation Extension Request

July 23rd, 2014

Debi Sovereign or Jane Kellogg
Kellogg & Sovereign Consulting LLC
1101 Stadium Drive
Ada, OK 74820

Re; HARLANDALE INDEP SCHOOL DIST

FCC Form 471 Application Number: 679511
Funding Request Number(s): 1857317 & 2396600
Your Correspondence Dated: June 11, 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 implementation extension request. 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 request included more than one FCC Form 471 Application, please note that for each application you will receive a separate determination letter.

Decision on request: **Denied in full**

Explanation: Request received after the FCC deadline for Implementation Deadline Extension requests which was 9/30/2013.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

TO APPEAL THIS DECISION

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

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 and service provider names, if different than appellant
 - applicant BEN and service provider SPIN
 - **<insert application or form number>** as assigned by USAC
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
 - **<insert name of the letter and funding year - both are located at the top of the letter>** 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 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 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.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in "Appeals" in the "Schools and Libraries" section of the USAC website. 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.

Schools and Libraries Division
Universal Service Administrative Company

cc: Marshall Hicks, Layer 3 Communications, LLC.

ATTACHMENT C

**Letter of Appeal filed with USAC
August 10, 2014**

Letter of Appeal – CC Docket No. 02-6
Harlandale Indep School Dist, Billed Entity Number 141545, 471# 679511, Erate FY2009
Kellogg & Sovereign Consulting, LLC Phone: 580-332-1444



1101 Stadium Drive · Ada, OK 74820 · office: 580.332.1444 · fax: 580.332.2532 · email: dsovereign@kelloggllc.com

August 10, 2014

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

Contact Name:

Debi Sovereign, Consultant
1101 Stadium Drive
Ada, OK 74820
Phone: 580.332.1444, Fax: 580.332.2532
Email: dsovereign@kelloggllc.com

Applicant:

Harlandale Indep School Dist
Billed Entity # 141545
FY: 2009
Form 471 # 679511
FRN: 1857317 and 2396600

Dear Appeals Processor:

We are appealing the Administrator's Decision on Implementation Extension Request for the following:

FRN	Service Provider/SPIN	Description
1857317	Layer 3 Communications 143026409	Cabling – still in process
2396600	Layer 3 Communications 143026409	Cabling – still in process

Administrator's Decision dated July 23, 2014: Denied in full

Denial Explanation: Request received after the FCC deadline for Implementation Deadline Extension Requests which was 9/30/2013.

Reason for Service Delivery Deadline Extension Request

Service provider was unable to complete delivery and installation by 9/30/2013 for reasons beyond the service provider's control.

Discussion:

The district received late funding for FRN 1857317 on September 15, 2011 and FRN 2396600 is the result of a SPIN Split approved on 1/29/2013. A Form 500 was submitted on 7/14/2013 and approved for FRN 2396600 to update the Contract Expiration Date to 9/30/2014.

September 30, 2013 was the last date to install the cabling associated with both FRNs, however due to circumstances beyond the service provider's control the work was not completed. According to Raymond Phillips, Information Services Specialist, Harlandale ISD, and confirmed by Harlandale ISD's Technology Director, Myrna Martinez, "August and September of last year was like a perfect storm." The already over-loaded technology department due to getting systems ready for the start of school was "exacerbated by an unusually high number of room changes and almost a complete change in staffing in the Curriculum & Instruction division. The staffing changes in that division were top down including the Assistant Superintendent for C&I, Director of Secondary Education and several subject area coordinators and facilitators. " Throughout this school year, they were not able to get caught up as staff, tasks and assignments were constantly changing in reaction to immediate needs while falling behind on planned projects. Decisions on all E-Rate projects were delayed as staff was reforming and settling into new positions and responsibilities.

Craig Wall, VP and GM, Western Region, Layer 3 Communications, provided the following details:

"Some of the planned work for Harlandale ISD's FY 2009 FRNs 2396600 and 1857317 was not completed before the deadline of 9/30/2013. It was beyond our control to not be able to complete this work because the School District was unable to provide us with permission or specific requirements to proceed with the final stages of the project. The project involves running Ethernet drops to classrooms for specific instructional needs. There were a number of changes in leadership in the Curriculum and Instruction Department at Harlandale ISD up to and including the Assistant Superintendent. In addition, the classrooms were going through a number of changes in assignments to specific instructional purposes. There was nobody at Harlandale ISD that was in position to know what were the specific cabling needs on a classroom by classroom basis.

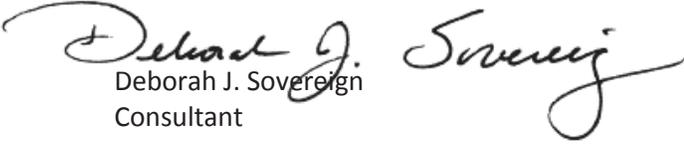
The staff at Harlandale ISD is now settled into their positions and are aware of the specific needs of each classroom. We hope to be able to proceed with this project in a timely manner so that the work may be completed before the start of school in the Fall."

We understand that normal USAC procedures require the service delivery deadline extension request be submitted prior to September 30, 2013. However, due to circumstances beyond the service provider's control, we are asking for consideration of this extension request.

The circumstances in this case are similar to those approved by the FCC in the recent order, Academy Charter School et al., Pittsburg, PA (DA 14-738) released May 29,2014.

Therefore, we are respectfully requesting a service delivery deadline extension request for the funding request numbers listed above.

Respectfully submitted,


Deborah J. Sovereign
Consultant

Attachments:

- A. Administrator's Decision on Implementation Extension Request
- B. FCC Form 500 – NEW FILING – Includes service delivery deadline extension request along with contract expiration date change for FRN 1857317.
- C. Layer 3 Letter – explaining reasons for delay in delivery of service
- D. FCC Appeal Decision – Academy Charter School et al., Pittsburg, PA (DA 14-738) released May 29,2014.
- E. Letter of Agency

ATTACHMENT A

Administrator's Decision on Implementation Extension Request – Harlandale Indep School Dist July 23, 2014

Administrator's Decision on Implementation Extension Request

July 23rd, 2014

Debi Sovereign or Jane Kellogg
Kellogg & Sovereign Consulting LLC
1101 Stadium Drive
Ada, OK 74820

Re; HARLANDALE INDEP SCHOOL DIST

FCC Form 471 Application Number: 679511
Funding Request Number(s): 1857317 & 2396600
Your Correspondence Dated: June 11, 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 implementation extension request. 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 request included more than one FCC Form 471 Application, please note that for each application you will receive a separate determination letter.

Decision on request: **Denied in full**

Explanation: Request received after the FCC deadline for Implementation Deadline Extension requests which was 9/30/2013.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

TO APPEAL THIS DECISION

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

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 and service provider names, if different than appellant
 - applicant BEN and service provider SPIN
 - **<insert application or form number>** as assigned by USAC
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
 - **<insert name of the letter and funding year - both are located at the top of the letter>** 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.

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To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

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

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If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in "Appeals" in the "Schools and Libraries" section of the USAC website. 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.

Schools and Libraries Division
Universal Service Administrative Company

cc: Marshall Hicks, Layer 3 Communications, LLC.

ATTACHMENT B

Form 500

NEW SUBMISSION

FCC Form 500
DO NOT STAPLE

Do Not Write In This Area

OMB Control No. 3060-0853
Estimated time per response:
1.5 hours

**Universal Service for Schools and Libraries
Funding Commitment Adjustment Request Form**

Please read instructions before completing.

(To be completed by schools, libraries or consortia.)

Applicant's Form Identifier: **HARL-2009-f**
(Create your own code to identify THIS FCC Form 500)FCC Form 500 Application Number:
(To be assigned by administrator.) _____**Block 1: Applicant Information**

1. Name of Billed Entity Harlandale Indep School Dist		2. Billed Entity Number 141545	3. Funding Year 2009
4. Complete Mailing Address of Billed Entity Applicant			
Street Address, P.O. Box or Route Number 632 W. Vestal		City San Antonio	State TX
		Zip Code 78221	
Telephone Number 210-989-5122	Fax Number 210-977-9424	Email Address myrna.martinez@harlandale.net	
5. Contact Person Information			
Contact Person Name Debi Sovereign			
Mailing Address			
Street Address, P.O. Box or Route Number 1101 Stadium Drive		City Ada	State OK
		Zip Code 74820-8459	
Telephone Number 580-332-1444	Fax Number 580-332-2532	Email Address dsovereign@kelloggllc.com	
Type of Adjustment (Check all that apply)			
<input checked="" type="checkbox"/> Block 2: Services Adjustment		<input type="checkbox"/> Block 4: Equipment Transfer Notification	
<input type="checkbox"/> Block 3: Cancellation or Reduction of an FRN			

DO NOT STAPLE	
Billed Entity Name: Harlandale Indep School Dist	Contact Name: Debi Sovereign
Billed Entity Number: 141545	Contact Telephone Number: 580-332-1444 Page 4

Block 4: Equipment Transfer Notification

Remember: The FRNs listed on this form must be for the same Funding Year as listed in Block 1, Item 3.

11. **Equipment Transfer:** Complete this section if you are transferring equipment from a closed entity to other eligible entities within three years of the date of purchase. Both the transferring and receiving entities must maintain detailed records documenting the transfer and the reason for the transfer for at least five years (or whatever retention period is required by the rules in effect at the time of this certification).

Make as many copies of this page as needed, and number the completed pages so that they are all processed correctly. Please number your pages 4A, 4B, 4C, etc. and provide the number in space provided in Block 4.

FCC Form 471	FRN
Closed Entity Number	Closed Entity Name
Purchase Date	Transfer Date
Transfer Reason	

Check here if transfer is temporary. Enter projected return date _____

List all entities receiving the equipment. Receiving Entity(s) Number(s)	Receiving Entity Name (s)	Equipment Received Equipment name, make and model

DO NOT STAPLE**Billed Entity Name: Harlandale Indep School Dist****Contact Name: Debi Sovereign****Billed Entity Number: 141545****Contact Telephone Number: 580-332-1444****Block 5: Certification**

12. I certify that I am authorized to submit this form on behalf of the above-named billed entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
13. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services.
14. I will retain for at least five years (or whatever retention period is required by the rules in effect at the time of this certification), after the last day of delivery of discount services (or after the date of transfer for equipment transfers), (1) any and all records that I rely upon to complete this form and (2) all documents necessary to demonstrate compliance with the statutory or regulatory requirements for the schools and libraries universal service support program. I recognize that I may be audited pursuant to this application and the applicant must produce such records as required by 47 C.F.R. § 54.516.

15. Signature 	16. Date 6-6-2014
17. Printed name of authorized person Debi Sovereign	
18. Title or position of authorized person Consultant	
19. Telephone number of authorized person 580-332-1444	
20. Email address of authorized person dsovereign@kelloggllc.com	
21. Address of authorized person 1101 Stadium Drive, Ada, OK 74820	
22. Name of Authorized Person's Employer Kellogg & Sovereign Consulting, LLC	

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

A paper copy of this form, with an authorized signature in Block 5, Item 15 should be mailed to:

**SLD Form 500
P.O. Box 7026
Lawrence, KS 66044-7026**

If sent by express delivery services or U.S. Postal Service, Return Receipt Requested, the form should be mailed to:

**SLD Forms
ATTN: Form 500
3833 Greenway Dr.
Lawrence, KS 66046
888-203-8100**

ATTACHMENT C

Service Provider Letter Layer3 Communications



June 3, 2014

USAC
Schools and Libraries Program
PO Box 7026
Lawrence, KS 66044-7026

To Whom It May Concern:

Some of the planned work for Harlandale ISD's FY 2009 FRNs 2396600 and 1857317 was not completed before the deadline of 9/30/2013. It was beyond our control to not be able to complete this work because the School District was unable to provide us with permission or specific requirements to proceed with the final stages of the project. The project involves running Ethernet drops to classrooms for specific instructional needs. There was a number of changes in leadership in the Curriculum and Instruction Department at Harlandale ISD up to including the Assistant Superintendent. In addition, the classrooms were going through a number of changes in assignments to specific instructional purposes. There was nobody at Harlandale ISD that was in position to know what were the specific cabling needs on a classroom by classroom basis.

The staff at Harlandale ISD is now settled into their positions and are aware of the specific needs of each classroom. We hope to be able to proceed with this project in a timely manner so that the work may be completed before the start of school in the Fall.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Wall". The signature is fluid and somewhat stylized, with a long horizontal stroke at the end.

Craig Wall
VP and GM, Western Region
Layer 3 Communications, llc
512 656-9161 mobile
cwall@layer3com.com

Layer 3 Communications, llc
4856 Research Dr.
San Antonio, TX 78240
SvcDel Extension Appeal FY2009

ATTACHMENT D

FCC Appeal Decision - Academy Charter School et al., Pittsburg, PA
(DA 14-738) released May 29,2014

Also included copy of appeals that were approved for Academy Charter School and ASPIRA School District - These cases have similar facts to those of Harlandale ISD.

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
Requests for Review of)
Decisions of the)
Universal Service Administrator by)
Academy Charter School et al.) File Nos. SLD-688812 et al.
Pittsburgh, Pennsylvania)
Schools and Libraries Universal Service) CC Docket No. 02-6
Support Mechanism)

ORDER

Adopted: May 29, 2014

Released: May 29, 2014

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Consistent with precedent,1 we grant 11 requests from petitioners2 seeking review of decisions made by the Universal Service Administrative Company (USAC) under the E-rate program (more formally known as the schools and libraries universal service support program).3 In each case, USAC found that the petitioners failed to secure timely extensions of the deadlines for service implementation, as required by section 54.507(d) of the Commissions' rules.4 Based on our review of the record, we find that the petitioners were unable to complete implementation on time for reasons beyond the service providers' control, one of the criteria required by the rule for an extension of services implementation, and subsequently failed to timely file a substitution request.5 In all cases, we find the

1 Request for Waiver of the Decision of the Universal Service Administrator by Great Rivers Education Cooperative and I-K Electric Company; Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, 21 FCC Rcd 14115 (Wireline Comp. Bur. 2006); Request for Review of the Decision of the Universal Service Administrator by Tekoa Academy of Accelerated Studies, CC Docket No. 02-6, Order, 23 FCC Rcd 15456, 15458, para. 5 (Wireline Comp. Bur. 2008); Request for Waiver and Review of the Decision of the Universal Service Administrator by Academy Charter School et al., CC Docket No. 02-6, Order, 28 FCC Rcd 12685 (Wireline Comp. Bur. 2013) (all three orders granting extensions of the services implementation deadline when petitioners failed to timely file requests to extend the deadline for reasons beyond their control or because of clerical error).

2 The requests for review are listed in the Appendix.

3 Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

4 47 C.F.R. § 54.507(d) (requiring non-recurring services to be implemented by September 30 following the close of the funding year, and providing criteria for applicants to request an extension). A request for an extension must be submitted to USAC on or before the September 30 deadline. See USAC, Service Delivery Deadlines and Extension Requests, http://www.usac.org/sl/applicants/before-youre-done/delivery-extension.aspx (last visited May 29, 2014).

5 See 47 C.F.R. § 54.507(d)(3).

petitioners made significant efforts to secure the necessary extensions. Furthermore, there is no evidence of waste, fraud and abuse in the record at this time.

2. Therefore, we grant the petitioners' requests under section 54.507(d) of the Commission's rules and remand the underlying applications listed in the Appendix to USAC for further action consistent with this Order.⁶ To ensure that the underlying applications are resolved expeditiously, we direct USAC to complete its review of the submitted invoices related to each application and issue an award or a denial based on a complete review and analysis no later than 90 calendar days from its receipt of the submitted invoices. In remanding these applications to USAC, we make no finding as to the ultimate eligibility of the services requested or the petitioners' applications.

3. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291 and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291 and 54.722(a), that the requests for review filed by the petitioners listed in the Appendix ARE GRANTED and their underlying applications ARE REMANDED to USAC for further consideration in accordance with the terms of this Order.

FEDERAL COMMUNICATIONS COMMISSION

Vickie S. Robinson
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁶ Eaton Academy was also denied a service substitution for funding request number (FRN) 2062849 because the service substitution request was received after the last date to implement service. *See* Letter from USAC, Schools and Libraries Division, to John Egan, Eaton Academy (dated Nov. 12, 2012). Because we now extend the deadline for service implementation, we direct USAC to revisit this service substitution request on remand.

APPENDIX

Petitioner	Application Number(s)	Funding Year	Date Request for Review Filed
Academy Charter School Pittsburgh, PA	688812	2009	Apr. 6, 2011 (filed for FRN 1898727)
			May 26, 2011 (filed for FRN 1898650)
Aspira School District Chicago, IL	672048	2009	Oct. 22, 2013
Eaton Academy Eastpointe, MI	763416	2010	Sept. 9, 2013 (filed for FRNs 2062825, 2062875)
			Jan. 29, 2013 (filed for FRN 2062849)
Elementary Site 4 Bakersfield, CA	848197, 848215, 848221	2013	Apr. 10, 2014
Espiritu Community Development Corp. Phoenix, AZ	728964	2010	Oct. 1, 2013
Los Angeles Leadership Academy High School Los Angeles, CA	870563	2012	Mar. 21, 2014
Prologue-CPS Chicago, IL	819328	2011	Apr. 14, 2014
Prologue-Joshua Johnston Chicago, IL	818591	2011	Apr. 14, 2014
Taylor School District Taylor, MI	850979	2012	Mar. 14, 2014

The Academy Charter School

May 25, 2011

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

Received & Inspected

MAY 26 2011

FCC Mail Room

RE: Academy Charter School Request for Waiver of Service Delivery Deadline

CC: 02-6

Dear Ms. Dortch,

Academy Charter School is writing to respectfully request a waiver of the Service Delivery Deadline for FRN 1898650. Due to delays caused by the school's need to secure service substitutions, various technical issues encountered by the IT Consultants, and vendor personnel changes the deadline of September 30, 2010 was not met. Unfortunately, the delays were beyond the school's control.

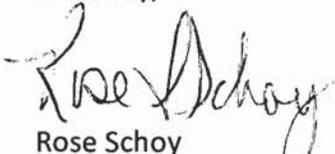
The Academy Charter is a non-profit school for at-risk children, and it would place a financial hardship on the school if the eRate funding is not secured. As such, we remain hopeful that you will grant the school the waiver request. Details of the FRN and project follow:

Contact Person Name: Rose Schoy
Contact Mailing Address: 900 Agnew Road, Pittsburgh, PA 15227
Contact Phone Number: (412) 885-5200
Contact Fax Number: (412) 885-3895
Contact e-mail address: schoyr@theacademysystem.com
Applicant Name: Academy Charter School
Billed Entity Number: 16038442
Form 471 Application Number: 688812
Funding Request Number: 1898650
Service Provider Name: ePlus Technology Inc.
Service Provider Identification Number (SPIN) 143006553

APPEAL APPROVED
BY THE FCC - DA
14-738

We appreciate your consideration. Please contact me with any questions.

Sincerely,


Rose Schoy
Contract Administrator

Administrative Offices
900 Agnew Road • Pittsburgh, PA 15227
412/885-5200 • Facsimile 412/885-3895

www.TheAcademySystem.com

No. of Copies rec'd 041
List ABCDE

October 22, 2013

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554
Reference: CC Docket No. 96-45 and CC Docket No. 02-6

**APPEAL APPROVED
BY THE FCC - DA
14-738**

Ms. Dortch:

This will serve to formally submit an FCC Appeal for a request for Aspira School District as it pertains to the following applicant information:

- **Billed Entity Name:** Aspira School District
- **Billed Entity Number:** 16035377
- **Form 471 Application Number:** 672048
- **Application Type:** Priority Two
- **FRN:** 1876864
- **Service Provider:** NetMedic Inc.
- **Funding Year:** 2009
- **Contact Information:**
 - **John Egan**
 - **Phone:** (480) 473-5785 **Fax:** 866-800-5147
 - **E mail-** John.egan@getfunded.net
- **Appeal Reason:**

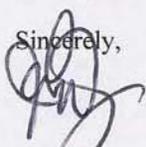
FundED Consulting, on behalf of ASPIRA School District, would like to file an appeal on the denial of the implementation extension request for application # 672048, FRN 1876864. Please see the attached letter from the service provider explaining why they were not able to complete the work before the original service delivery date deadline.

We are hereby requesting an extension of the service delivery date of 9/30/12 to allow for a service substitution request as this approved technological decision is sorely needed by the applicant school.

Please forward all questions or requests for clarification to the contact information cited below my signature line herein.

Thank you in advance for your consideration in this important matter.

Sincerely,


John Egan

The FundEd Consulting Group
Office: 480-473-5785
Fax: 866-800-5147
E-Mail: John.Egan@getfunded.net
www.getfunded.net



1S280 Summit Ave • Court A2 • Oakbrook Terrace • IL • 60181 • Telephone: 630.916.4600 • Fax: 630.916.4646 • www.netmedic.com

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14-738

September 27, 2013

To Whom It May Concern;

RE: SPIN 143015152

This is in reference to the FRN 1876864 for FY2009. At the time this funding request was approved by USAC NetMedic was unable to perform the task due to the existing Network not being ready for Video.

The Network at Aspira Inc of Illinois is now ready for Video which enables us to proceed as previously planned.

Sincerely,

Ted Lemmy
Principal

ATTACHMENT E

Letter of Agency

KELLOGG & SOVEREIGN® CONSULTING, LLC
LETTER OF AGENCY
E-Rate Funding Year 2009

I authorize Jane Kellogg, Debi Sovereign, Mandy Harmon and/or Mel Van Patten, representatives of Kellogg & Sovereign® Consulting, LLC to represent our school district related to Form 471 Applications for E-rate FY 2009-10.

Name of Applicant (School/Library): HARLANDALE INDEP SCHOOL DIST (BEN 141545)

As such, they are authorized to conduct the following on our behalf to:

- ♦ Prepare and submit all paperwork related to Form 471 Application # 679511 to the Schools and Libraries Division of the USAC (SLD) or the Federal Communications Commission (FCC). Documentation may include service delivery deadline extension requests, invoice extension requests, service substitutions, Forms 486 and 500, appeals, and any other documentation as needed.
- ♦ Act as our agent in working with representatives of USAC and/or the FCC to resolve any questions or problems with the funding requests.
- ♦ Provide information to service providers as needed to clarify information for the requests.

I also understand that in submitting these forms on our behalf, representatives of Kellogg & Sovereign® Consulting are making certifications for our school system. By signing this letter of agency, I certify:

that I am authorized to order telecommunications and other supported services for the eligible entity(ies) I represent. I certify that I am authorized to sign this Letter of Agency and all information to be provided to Kellogg & Sovereign® Consulting, LLC for the E-Rate submission will be true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to the associated applications have complied with the terms, conditions, and purposes of this program, that no kickbacks were or will be paid to anyone and that false statements on universal service applications 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 and civil violations of the False Claims Act.

Applicant (School/Library): Harlandale Indep School Dist, San Antonio, TX 78214

Signature of Authorized Person: _____

Date: January 6, 2011

Printed Name of Authorized Person: Myrna Martinez

Title: Information Services
Coordinator

PLEASE SIGN AND RETURN BY BOTH MAIL & FAX/EMAIL TO:
Kellogg & Sovereign® Consulting, LLC
Attention: Debi Sovereign
1101 Stadium Drive, Ada, OK 74820
Fax: 580-332-2532 Email: dsovereign@kelloggllc.com