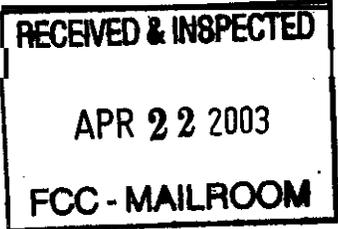




Navajo Education Technology Consortium, Inc.

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In the Matter of: Request for Review by Navajo Education Technology Consortium of a Decision of Universal Service Administrator

April 17, 2003

Ms. Magalie Roman Salas
Secretary
Office of the Secretary
Federal Communications Commission
445 -12th Street, S.W., Rm TW-204B
Washington, D.C. 20554

Re: CC Docket no. 96-45. and CC Docket no. 97- 21
FCC Form 471 Application Number: 306050
FRNs: 864053,864144,86219
Funding Year 2002: 07/01/2002 - 06/30/2003
Billed Entity Number: 226513

The Federal Communications Commission (FCC) **has** stated that:

“Our government-to-government relationship with tribal authorities make us partners in the quest to bring access to all modern communications to Indian Country. We share a common **goal**: to increase the availability of telecommunications services on tribal lands. While penetration rates have increased in the last decade, the chasm between penetration rates on tribal lands and the **national** average **must** be closed. Current penetration rates – which are below 50% of the population in some tribal areas – **are** unacceptable. Spectrum-based services provide an ideal opportunity to close **this** gap.” March 5, 2003 Media Release, “Improving Access to Telecom Services in Indian Country”, http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-231750A1.doc

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However, as demonstrated by this Appeal, what the FCC states and what it does in terms of funding for telecommunications ~~via~~ its Schools and Libraries Division (SLD) of the USAC, are two entirely different matters.

The SLD sent a Funding Commitment Decision Letter (FCDL) to the Navajo Education Technology Consortium (NETC) denying funding for Funding Year 2002, 07/01/2002 – 06/30/2003. In the FCDL, the SLD instructed NETC to Appeal to the FCC if it disagreed with the FCDL.

Also, in accordance with the rules of the FCC, **we are requesting that a decision be issued within ninety-days (90) or less of this Appeal reverse the decision of the SLD, which denies funding to NETC.** See, Subpart I-Review of Decision Issued by Administrator, Section 54.724, 47 Code of Federal Regulations, Ch 1 (10-1-02 Edition). It is the opinion of the Navajo Education Technology Consortium that the action and decision by the SLD is unfair, unreasonable and not supported by the documents provided to the SLD by NETC.*

The SLD denied funding because:

“Services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection per customer agreement; prices of services set after vendor selection.””

* The documents are attached to this Appeal and were either provided to the SLD during a Selective Review, or were available to the SLD ~~via~~ NETC’s filings with the SLD. The documents and records are included here to expedite the review process since the education of approximately 50,000 Navajo children is at stake.

** George McDonald, SLD, stated to me, Karen Leshner, that the reason for the NETC’s denial is that NETC’s 470 “appeared similar” to other 470s. However.

The SLD's denial of the NETC's 471 Application is categorized as a) Services for which funding sought not defined when vendor selected; b) price of services not a factor in vendor selection per customer agreement; c) prices of services set after vendor selection; and, d) 30% of FRN 864144 is for ineligible PIX-SO. This is the basis of NETC's Appeal.

NETC will discuss each issue as stated below and will support its position with documentation. This documentation was previously provided to the SLD but was ignored.

(i) Services for which funding sought was in fact defined before vendors were selected.

NETC's 470 is also "similar" to a sample 470 found at <http://www.e-ratecentral.com/> Document #1. It is an application "tip" published for all to see and use. The "tip" states "[I]n Block 2, be as broad and inclusive as possible in summarizing needs or service requested." Mr. McDonald's statement is confusing and does not seem fair and reasonable. As NETC sets forth in this Appeal, the SLD's process was followed. NETC's starting point for the 470 was the SLD's Eligible Services List. The List is at: <http://www.sl.universalservice.org/reference/eligible.asp> NETC's 470 includes precisely what is set forth in the SLD's Eligible Services List. NETC's 470 is nothing more than a reflection of NETC's needs based on the Eligible Services List. Since the Eligible Services List is based on an SLD document, it is unfair and unreasonable for the SLD to now state that NETC's 470 is flawed. NETC's reason for using the Eligible Services List is to prevent the SLD from saying during the PIA process that funding for the requested services was not included in its 470. Of course, NETC fulfilled the SLD "bid" requirement "[b]y completing and posting" its 470. The FCC made this clear in a decision -*CC Docket No. 96-45, CC Docket No. 97-21, File No. SLD -130114, rel. October 26, 2000* <http://www.e-ratecentral.com/> NETC's 470 described planned service requirements, as well as other information regarding the applicant.

NETC received Letters of Agency (LOA) from members of the Consortium. Document #2 (includes summary & actual LOAs). Each LOA not only authorized the school to participate in the Consortium, but set forth the scope of each project (the services for which funding was required). That is, each LOA set forth the services needed Video (distance learning), Technical Support (maintenance), Infrastructure Upgrades (to support video/other needs), Internet Access, Telecommunications, Cabling. See, Document #2 Each Consortium member set forth the individual buildings included in these projects to determine services required by each member for 471 Application purposes. Document #3.

NETC determined the size of the project through an “E-Rate 5 Planning” process. The Consortium’s E-Rate 5 Planning process further defined the scope of E-Rate for Funding Year 07/01/2002-06/30/2003. This Planning process set forth the schools, by building, that would require E-Rate funds. NETC prepared a “Needs Assessment Survey” or inventory to assist the Consortium in understanding the needs of the Consortium members. Document #4. (The Needs Assessment played a role in overall network planning for the Consortium, not just E-Rate.)

NETC used the state approved Gallup McKinley County School’s, a NETC member, “Educational Technology Plan” as a “model” to determine the parameters of the NETC educational objectives. Document #5. Thus, Document #4 set forth goals and objectives of the Consortium that included the “needs assessment”.

After the scope or needs assessment, of the project was determined and services were defined, the Consortium posted its FCC Form 470 on the SLD's web site as required by the Regulations of the Federal Communications Commission (FCC). Document #6. The 470 clearly defined the services **using the language from the SLD's Eligible Services List** for which the Consortium wanted proposals and prices from vendors. The Instructions for completing the FCC Form 470, Year 5, states that a "summary description of needs and services" is required. See, 470 Instructions, pg. 9. Document #7. The Consortium's posted FCC Form 470 complied in all respects with the 470 Instructions and SLD pronouncements. Specifically, the 470 relates to services for "universal service discounts" and the "competitive bidding process". See, Instructions for Completing the Schools and Libraries Universal Service Description of Services Requested and Certification Form (FCC Form 470), pg.2, "Introduction". Document #8. Additionally, SLD instructional material states that the Form 470 is used by Applicants to begin the competitive bidding process; it indicates the services being sought. See, excerpt from Training Workshop material. Document #9. The Consortia's 470 does in fact list the services in detail for which the Consortia was seeking "universal service discounts". See, attached 470. The SLD "certified this 470 as complying with FCC/SLD regulations. See, Attached certification. Document #10. The SLD posted the 470 on its web site for all potential vendors to see; it specified services/hardware for which USF discounts were requested. ANY vendor could respond to this, and they did. See list below. This is the purpose of the 28 day posting of the 470. The FCC addressed this very issue in *CC docket No. 96-45, FCC 97-157, Report & Order Federal-State Joint Board on Universal*

Service, CC Docket No. 96-45, Report and Order, FCC 97-157 (rel. May 8, 1997)

(Universal Service Order) This decision is found at <http://www.e-ratecentral.com/>

If there was a problem with the District's 471 Application, the SLD should have utilized its much publicized "Problem Resolution" process. Document #11. The SLD did not follow its own process.

Since the services were in fact defined, twelve (12) potential vendors responded to the Consortium's posted 470. Document #12. Those responders included:

IKON Office Solutions

Thruput Solutions, Inc.

Bizco Technologies

CLH International Inc.

Gaggle

Teradon Industries, Inc.

Solutions Integrators

TAMSCO Telecommunications

TRI

IBM

NAS/Williams

Ames Business & Learning Environments, Inc.

The NETC Consortium provided each vendor with:

Educational Goals of the project

NETC E-Rate project vision and design

Size of the Consortium and states covered

Name, location of participating districts, contact information

Student enrollment

Geographic challenges

Contact information for submitting proposals.

Document #13.

(i) Price for services were a factor in vendor selection.

Price was a factor for the NETC Consortium. Document #14.

Document #14 states that the “criteria to be **used** to select a vendor [was] 1) price
2) past experience, 3) vendor capability, 4) proposed solution.”

The Consortium Executive Committee reviewed each proposal and made a selection based on the aforementioned criteria. Document #15. The entire Consortium then ratified the decision of the NETC Executive Committee.

The only documentation available, and that was actually provided to the SLD, states that price was a primary factor in the selection of a vendor.

The FCC addressed this issue too stating:

“First, ... we note that the Joint Board intentionally did not recommend that the Commission require schools and libraries to select the lowest bids offered but rather recommended that the [FCC] permit schools and libraries “maximum flexibility” to take service quality into account and to choose the offering or offerings that meets their needs “most effectively and efficiently,”⁽¹²⁴⁸⁾ where this is consistent with other procurement rules under which they are obligated to **operate**.⁽¹²⁴⁹⁾ We concur with this policy, noting only that price should be the primary factor in selecting a bid. When it specifically addressed this issue in the context of Internet access, the Joint Board only recommended that the **Commission require** schools and libraries to select the most cost-effective supplier of **access**.⁽¹²⁵⁰⁾ By way of example, we also note that the federal procurement regulations (which are inapplicable here) specify that in addition to price, federal contract administrators may take into account factors including the following: prior experience, including **past performance**; **personnel qualifications**, including **technical excellence**; **management capability**, including schedule compliance; and **environmental objectives**.⁽¹²⁵¹⁾ We find that these factors form a reasonable basis on which to evaluate whether an offering is cost-effective.” *See, Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC 97-157 (rel. May 8, 1997) (Universal Service Order)*. (http://www.fcc.gov/wcb/universal_service/fcc97157/97157.html) *para 481*. [Emphasis added]; see also, FCC_00_167A1.pdf

NETC complied with this rule from the FCC.

And, as the FCC also stated:

“Given the varying needs and preferences of different schools and libraries and the relative advantages and disadvantages of different technologies, we agree with the Joint Board that individual schools and libraries are in the best position to evaluate the relative costs and benefits of different services and **technologies**.⁽¹¹¹⁷⁾ We also agree with the Ohio PUC and DOE that our actions should not disadvantage schools and libraries in states that have already aggressively invested in telecommunications technologies in their state schools and **libraries**.⁽¹¹¹⁸⁾ Because we will require schools and libraries to pay a portion of the costs of the services they select,⁽¹¹¹⁹⁾ we agree with the Joint Board that, as recognized by most commenters,⁽¹¹²⁰⁾ allowing schools... to choose the services for which they will receive discounts is most likely to maximize the value to them of universal service support and to minimize inefficient uses of **services**.⁽¹¹²¹⁾” [Emphases added] *Id., para 432*

The Consortium **has** no record or evidence that a “customer agreement” **was** involved in any way with the terms, conditions or prices in the vendor selection process.

(iii) Prices of services were set prior to vendor selection.

NETC documentation clearly states that the vendors responding to the FCC Form 470 submitted proposals, Document #16, and the winning vendors were selected in accordance the following criteria: 1) price, 2) past experience, 3) vendor capability, 4) proposed solution. Document # 14.

The following vendors submitted a quote (“price”) prior to vendor selection:

Citizens

NAS/Williams Communications

TAMSCO

IBM

Document #16.

However, based on the Consortium’s criteria, IBM was selected.

And, for purposes of this Appeal, there is no need to deal with Navajo Communications since they are a telephone company, a sole source provider.

The Western States Contracting Alliance (WSCA) played a role in the Consortium’s process.

NETC was required to select a vendor (s) based on state and Consortium procurement regulations. NETC and each of its member districts must follow state procurement policies, which includes using a state procurement contract such as WSCA. Therefore, the Consortium used WSCA as a state contract for technology service and equipment.

IBM is listed on WSCA. Document #17 reflects pertinent portions of WSCA. WSCA *can* be found at: <http://www.aboutwsca.org/> .

(iv) **The SLD's 30% rule was not applied correctly.**

The SLD concludes that the PIX hardware, and associated services, is ineligible for USF purposes since it is more than 30% of the FRN. This is not accurate.

The PIX percentage is actually 24%, computed as follows:

PIX Total	minus District's 10%	PIX Total
\$2,117,841.83	\$575,758.00	\$1,542,083.83

Based on this illustration. NETC and the vendor can "ensure that the SLD is not invoiced for the ineligible items." See,

<http://www.sl.universalservice.org/reference/esr.asp>

This computation is fair and agrees with the FCC's declaration in *Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC 97-157 (rel. May 8, 1997) (Universal Service Order)* Document #18. There, the FCC clearly stated that:

"individual schools...are in the best position to evaluate the relative costs and benefits of different services and **technologies**.⁽¹¹¹⁷⁾ We also agree with the Ohio PUC and DOE that our actions should not disadvantage schools and libraries in states that have already aggressively invested in telecommunications technologies in their state schools and libraries.⁽¹¹¹⁸⁾ ...we will **require** schools and libraries to pay a portion of the costs of the services they select,⁽¹¹¹⁹⁾ ..."

This SLD's procedure, CC docket No. 96-45, CC Docket No. 97-21, File No. SLD-168883, rel. December 20, 2001, para 38, is unreasonable in light of the Telecommunications Act of 1996. The 30% SLD's practice may be summarized as follows: "This '30% Rule' is used for processing efficiency and for administration of a

program for which there is greater demand than there are funds available.” Document #19.

While the reasonable administration of the USF program is a laudable purpose, neither the SLD nor the FCC, should use “processing efficiency” to disenfranchise needy school children, here approximately 50,000 Native American school children. The principle of “processing efficiency” was unreasonable as applied in this instance; the calculation was inaccurate, based on the facts of the Consortium. How can there be any greater demand for USF than a School District that represents school children that are at the 90% (if not 100%) free and reduced level? Does “processing efficiency” override need?***

George McDonald and the SLD obviously either did not read or believe anything that NETC provided during the Selective Review or PIA process that has taken some fifteen (15) months. The manner in which the SLD reviewed NETC’s documentation and the excessive time to review the NETC 471 is unreasonable and has cost the childrens’ education, time and funding.

The SLD should have authorized funding for this Application, and to not do so was patently unfair and unreasonable.

*** The FCC has stated that it “ recognizes that the telecommunications penetration rate on many tribal lands falls far below the national average. We have taken a *series* of steps, through regulatory action, consumer information and tribal outreach, to address the lack of telecommunications deployment and subscription throughout Indian Country. Our Commission is working hard to promote the availability of telecommunications services to individuals on tribal lands. We hope you will find our Tribal pages to be a valuable resource. --<http://www.fcc.gov/indians/> Theoretically, the FCC’s initiative includes USF funding for NETC schools. **The SLD’s** action in unreasonably and arbitrarily denying NETC’s **471** is out of step with the FCC’s initiative.

NETC is Requesting the Following Action by the FCC:

- (a) Within 90 days or less Order funding for the services/hardware as requested in the Consortium's 471 Application, specifically FRNs 864053,864144,86219;**
- (b) Set aside funds to totally fund the NETC Consortium's request.**

Sincerely,

A handwritten signature in black ink, appearing to read 'K Lesher', followed by a horizontal line.

Karen Lesher
Executive Director (and 471 Contact Person)
Navajo Education Technology Consortium
P.O. Box 1318
Gallup, NM 87305
Phone: (505) 722-7711 x 51230
Fax: **(505) 722-6991**

Cc: Congressman: Rep. Renzi
Senators: Bingaman, Domenici, Kyl, and John McCain

Document#1



Form 470 - Block 2 Examples

Service or Function	Quantity and/or Capacity
Telecommunications – Item (8)	
Local and long distance voice services	50 existing or new phone lines
Cellular/PCS services	20 existing or new users
Paging services	25 existing or new users
High-speed access (ISDN, T-1, OC3, etc.)	5 buildings (wired or wireless)
Videoconferencing links	5 buildings
Internet Access – Item (9)	
Dedicated access services	5 buildings (wired or wireless)
Dial-up services	25 user accounts
Internet access service routers	5 buildings
Internal Connections – Item (10)	
New or upgraded LAN network	5 buildings (wired or wireless)
New or upgraded telephone systems	5 buildings
LAN and/or telephone system maintenance	5 buildings
Video distribution equipment	5 buildings
Internet access service routers	5 buildings

<http://www.e-ratecentral.com/> In Block 2, be as broad and inclusive as possible in summarizing needs or service requested.

Document #2



Consortium Leader: **Erate application 306050, Billed Entity #226513**
 Karen Leshner, NETC Executive Director; Dr. Ralph Friedly, NETC Chairperson 2002
Navajo Education Technology Consortium **E-Rate Year 2002-2003**
Letter of Agency Record

Consortium Member Name	Entity Number	Ltr of Agency date	Name of Authorized Signer	Title	Signing on behalf of District	Tech sppt	Netwk Infr	Vid	Other	bldgs in dist
Black Mesa Community School	98814	5/21/2001	Stuart Ott	Chief OIEP MIS	Black Mesa Community School	x		x	x	
Borrego Pass School	999169	9/7/2001	Gus Keene, Jr.	Exec. Dir.	Borrego Pass School		x		phone	6
Chilchinbeto Day School	98625	12/19/2001	Kado Holiday	Principal	Chilchinbeto Community School	x	x	x		4
Central Consolidated School Dist	declined	declined	declined	declined	declined					
Chinle Primary School	98820	1/8/2002	Phillip Bluehouse	Superintendent	Chinle Unified School District	x	x	x		55
Chinle High School	98817	1/8/2002	Phillip Bluehouse	Superintendent	Chinle Unified School District	x	x	x		
Chinle Jr. High	98818	1/8/2002	Phillip Bluehouse	Superintendent	Chinle Unified School District	x	x	x		
Chinle Kindergarten Ctr	98819	1/8/2002	Phillip Bluehouse	Superintendent	Chinle Unified School District	x	x	x		
Tsaile El	98822	1/8/2002	Phillip Bluehouse	Superintendent	Chinle Unified School District	x	x	x		
Many Farms El	98821	1/8/2002	Phillip Bluehouse	Superintendent	Chinle Unified School District	x	x	x		
Cottonwood Day School	98812	5/21/2001	Stuart Ott	Chief OIEP MIS	Cottonwood Day School	x		x	x	
Dennehotso B. School	98864	12/19/2001	Velma Eisenberger	Principal	Dennehotso B. Sch.	x	x	x		6
Chee Dodge El	99204	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		40
Church Rock El	99165	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Crownpoint El	99171	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Crownpoint High School	99170	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
David Skeet El	99191	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Gallup Cental HS	99160	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Gallup HS	99162	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Gallup JHS	99163	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Gallup Mid S	99157	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Jefferson Elementary School	99149	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Juan De Onate El	99150	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Kennedy Middle School	99148	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Lincoln El	99159	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Navajo Elementary School	99201	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Navajo Pine HS	99200	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Ramah El	99178	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Ramah High School	99177	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Rocky View Elementary School	99147	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Roosevelt El	99158	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Smith Lake El	99203	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Stagecoach El	99161	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Thoreau Elementary School	99185	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Thoreau HS	99182	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Thoreau Mid S	99183	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Tohatchi High School	99187	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Tohatchi Mid S	99189	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Tohatchi El	99186	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Turpen Elementary School	211687	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Twin Lakes El	99145	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Washington El	99152	9/10/2001	Robert Gomez	Superintendent	Gallup McKinley Cnty School District	x	x	x		
Ganado HS	98834	9/18/2001	Ervin Tsosie	Tech Director	Ganado Unified School District	x	x			7
Ganado Inter S	98835	9/18/2001	Ervin Tsosie	Tech Director	Ganado Unified School District	x	x			
Ganado Mid S	98836	9/18/2001	Ervin Tsosie	Tech Director	Ganado Unified School District	x	x			
Ganado Primary	98837	9/18/2001	Ervin Tsosie	Tech Director	Ganado Unified School District	x	x			
Holbrook High School	98608	10/20/2001	Mary Koury	Assistant Superint	Holbrook Unified School District 3	x	x	x		43
Holbrook Jr. High School	98609	10/20/2001	Mary Koury	Assistant Superint	Holbrook Unified School District 3	x	x	x		

Hulet Elementary School	98610	10/20/2001	Mary Koury	Assistant Superint	Holbrook Unified School District 3	x	x	x		
Indian Wells Elementary	224667	12/28/2001	Ann Gardner	Technology Direct	Holbrook Unified School District 3	x	x	x	x	
Park Elementary School	98611	12/28/2001	Ann Gardner	Technology Direct	Holbrook Unified School District 3	x	x	x	x	
Kaibeto Com Sch	98672	12/21/2001	Annie Walker	Acting Principal	Kaibeto Com School	x	x	x		4
Kayenta Com Sch	98620	5/21/2001	Stuart Ott	Chief OIEP MIS	Kayenta Com Sch	x		x	x	12
Kayenta Intermediate School	98621	9/11/2001	William Allsbrooks	Superintendent	Kayenta Unified School District	x	x	x		9
Kayenta Middle School	98622	9/11/2001	William Allsbrooks	Superintendent	Kayenta Unified School District	x	x	x		
Kayenta Primary School	98623	9/11/2001	William Allsbrooks	Superintendent	Kayenta Unified School District	x	x	x		
Monument Valley High School	98624	9/11/2001	William Allsbrooks	Superintendent	Kayenta Unified School District	x	x	x		
Low Mountain Bd. Sch	98813	5/21/2001	Stuart Ott	Chief OIEP MIS	Low Mountain Bd. Sch	x		x	x	
Pine Hill School	99176	9/11/2001	Cedric Wyaco	Tech Director	Pine Hill School	x	x	x	no bandwidth	10
Pinon Dorm Sch	98841	5/21/2001	Stuart Ott	Chief OIEP MIS	Pinon Dorm Sch	x		x	x	
Pinon Elementary School	98842	9/11/2001	Larry E Wallen	Superintendent	Pinon Unified School District	x	x	x		12
Pinon HS	98843	9/11/2001	Larry E Wallen	Superintendent	Pinon Unified School District	x	x	x		
Pinon Mid S	98844	9/11/2001	Larry E Wallen	Superintendent	Pinon Unified School District	x	x	x		
Pinon Dorm Sch	98841	5/21/2001	Stuart Ott	Chief OIEP MIS	Pinon Dorm Sch	x		x	x	
Red Mesa El	98855	9/11/2001	Ralph Friedly	Superintendent	Red Mesa Unified School District	x	x	x		20
Red Mesa High School	98854	9/11/2001	Ralph Friedly	Superintendent	Red Mesa Unified School District	x	x	x	Wire less	
Round Rock El	98857	9/11/2001	Ralph Friedly	Superintendent	Red Mesa Unified School District	x	x	x		
Rock Point Com Sch	98869	5/21/2001	Stuart Ott	Chief OIEP MIS	Rock Point Com Sch	x		x	x	
Rough Rock School	98815	9/12/2001	Monty Roessel	Exec. Dir.	Rough Rock School	x	x	x		35
Sanders El	98850	9/10/2001	Donald Hancock	Superintendent	Sanders Unified School District	vx	vx	vx		13
Sanders Middle School	98851	9/10/2001	Donald Hancock	Superintendent	Sanders Unified School District	vx	vx	vx		
Valley HS	98852	9/10/2001	Donald Hancock	Superintendent	Sanders Unified School District	vx	vx	vx		
St. Michael Indian School	98848	9/20/2001	Robert Becker	Tech Director	St. Michael Indian School		x	x	Int Acc	4
St. Bonaventure Mission Sch	declined	9/11/2001	declined	declined	declined	x	x	x		10
San Juan SD	declined	declined	declined	declined	declined					
Tiis naz bas School	98858	1/22/2001	Patrick Baxtrom	Acting Principal	Tiis Naz bas School	ver x		ver x		8
Cameron Primary	98643	9/12/2001	Moe Zwebti	Tech Director	Tuba City Unified School District	x	x	x		33
Eagles Nest Mid Sch	98644	9/12/2001	Moe Zwebti	Tech Director	Tuba City Unified School District	x	x	x		
Gap-Bodeway Primary S	98645	9/12/2001	Moe Zwebti	Tech Director	Tuba City Unified School District	x	x	x		
Tuba City HS	98646	9/12/2001	Moe Zwebti	Tech Director	Tuba City Unified School District	x	x	x		
Tuba City JHS	98647	9/12/2001	Moe Zwebti	Tech Director	Tuba City Unified School District	x	x	x		
Tuba City Primary	98648	9/12/2001	Moe Zwebti	Tech Director	Tuba City Unified School District	x	x	x		
Tso Ho Tso Inter School	207367	9/11/2001	Christopher Larsen	Technology Coord	Window Rock Unified School District	x		x	cabling	23
Tso Ho Tso Middle School	98827	9/11/2001	Christopher Larsen	Technology Coord	Window Rock Unified School District	x		x	cabling	
Tso Ho Tso Primary School	98826	9/11/2001	Christopher Larsen	Technology Coord	Window Rock Unified School District	x		x	cabling	
Window Rock Elementary School	98829	9/11/2001	Christopher Larsen	Technology Coord	Window Rock Unified School District	x		x	cabling	
Window Rock High School	98830	9/11/2001	Christopher Larsen	Technology Coord	Window Rock Unified School District	x		x	cabling	
Wingate HS	99175	7/30/01 & 10/12/01	Frank Shepherd	Exec. Dir.	Wingate High School	x		x		19

Navajo Education Technology Consortium E-Rate Letter of Agency For the Year 2001 - 2002

This is to confirm Borrego Pass School school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning)
- Technical Support (maintenance)
- Infrastructure Uoerades (to support video/other needs)
- Other Telephone Lines services.

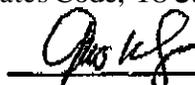
I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. (This LOA does not obligate district funds.)

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephnc service).
- (d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 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.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) 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 service, receive an appropriate share of the benefits from those services.
- (h) I certify that I am authorized to sign this letter of agency for my District and, to the best of my knowledge, information, and belief, all information provided to NETC for E-rate submission is true.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency 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.

District: Borrego Pass School

Signature: 

Name: Gus Keene Jr

Date: September 7th, 2001

Title: Exec. Dir

Navajo Education Technology Consortium E-Rate Letter of Agency
For the Year 2001 - 2002

This is to confirm Chilchinbeto Community school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning)
- Technical Support (maintenance)
- Infrastructure Upgrades (to support video/other needs)
- Other services.

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. (This LOA does not obligate district funds.)

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 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.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) 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 service, receive an appropriate share of the benefits from those services.
- (h) I certify that I am authorized to sign this letter of agency for my District and, to the best of my knowledge, information, and belief, all information provided to NETC for E-rate submission is true.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency 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.

District: Chilchinbeto Community School

Signature: Kado Holiday

Name: Kado Holiday

Date: December 10, 2001

Title: Principal

Navajo Education Technology Consortium E-Rate Letter of Agency
For the Year 2001 - 2002

This is to confirm CHINLE UNIFIED school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning)
- Technical Support (maintenance)
- Infrastructure Upgrades (to support video/other needs)
- Other _____ services

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. (This LOA does not obligate district funds.)

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 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.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) 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 service, receive an appropriate share of the benefits from those services.
- (h) I certify that I am authorized to sign this letter of agency for my District and, to the best of my knowledge, information, and belief, all information provided to NETC for E-rate submission is true.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency 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.

District: CHINLE # 24

Signature: Phillip Bluehouse

Name: PHILLIP BLUEHOUSE

Date: 1/8/02, 2001

Title: SUPT.

01-08-02 11:20

RECEIVED FROM: 505 722 6991

P. 02

@I-68-82 03:35 TO: NETC

FROM: 5206749608

P@2

Date: 12/23/01, 2001

received
12/23/01 MM

12-21-81 02:08 TO: NETC

FROM: 658 3221

P03

Navajo Education Technology Consortium E-Rate Letter of Agency For the Year 2001 - 2002

This is to confirm Donnehntaa Boarding school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning)
- Technical Support (maintenance)
- Infrastructure Upgrades (to support video/other needs)
- Other services.

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. (This LOA does not obligate district funds.)

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 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.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) 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 service, receive an appropriate share of the benefits from those services.
- (h) I certify that I am authorized to sign this letter of agency for my District and, to the best of my knowledge, information, and belief, all information provided to NETC for E-rate submission is true.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency 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.

District: Western Navajo Agency

Signature: *Velma D. Eisenberger*

Name: Velma D. Eisenberger

Title: Principal

Date: 12/19/01, 2001

received
12/28/01 *Nom*

Navajo Education Technology Consortium E-Rate Letter of Agency
For the Year 2001 - 2002

This is to confirm Gallup-McKinley CS school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning) None
- Technical Support (maintenance)
- Infrastructure Upgrades (to support video/other needs) _____ services.

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. *(This LOA is not a commitment of funds.)*

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that the services that our school district purchases using B-rate discounts (as described in the law 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.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) 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 service, receive an appropriate share of the benefits from those services.
- (h) I certify that I am authorized to sign this letter of agency for my District and, to the best of my knowledge, information, and belief, all information provided to NETC for E-rate submission is me.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency 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.

District: GALLUP-MCKINLEY

Signature: [Handwritten Signature]
Name: ROBERT GOMEZ
Title: SUPERINTENDENT

Date: 9/10/01, 2001

Navajo Education Technology Consortium E-Rate Letter of Agency For the Year 2001 - 2002

is to confirm Canonado Unified school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning)
- Technical Support
- Infrastructure Upgrades (to support video/other needs)
- _____ services.

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. (This LOA does not obligate district funds.)

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

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- (d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 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 my other thing of value.
- (e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought
- (f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (g) 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 service, receive an appropriate share of the benefits from those services.
- (h) I certify that I am authorized to sign this letter of agency for my District and, to the best of my knowledge, information, and belief, all information provided to NETC for E-rate submission is true.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency 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.

District:

Signature: [Signature]

Date: 9/17, 2001

Name: Ervin Tsosie
Title: Coordinator of Education Technology.

Navajo Education Technology Consortium E-Rate Letter of Agency
For the Year 2001 - 2002

This is to confirm Holbrook Unified School school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- [X] Video (distance learning)
[X] Technical Support (maintenance)
[X] Infrastructure Upgrades (to support video/other needs)
[X] Other services.

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district (This LOA does not obligate district funds.)

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(d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 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.
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(f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
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District: Holbrook Unified School District 33

Signature: [Handwritten Signature]

Name: Ann Gardner

Date: December 28, 2001



Title: Technology Director

Navajo Education Technology Consortium E-Rate Letter of Agency
For the Year 2001 - 2002

This is to confirm Holbrook school district's participation in the Navajo Education Technology Consortium (NETC) E-rate Consortium for the procurement of

- Video (distance learning)
Technical Support (maintenance)
Infrastructure Upgrades (to support video/other needs)
Other services.

I hereby authorize NETC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of the undersigned school district. (This LOA does not obligate district funds.)

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(c) I certify that the schools in our district are all covered, or will be covered at the time funding is granted, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
(d) I certify that the services that our school district purchases using E-rate discounts (as described in the law 47 U.S.C. Sec. 234) 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.
(e) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
(f) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitment.
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District Holbrook Unified School District #3

Signature: Mary Koury
Name: Mary Koury
Title: Assistant Superintendent

Date: October 20, 2001