

UG
/33

Network Operations Control Center

ML
Larry A. Nathaniel

NOCC Service Standards

1.0 Network Surveillance Service Standard

The NOCC will monitor the GCI network on a continuous basis 24 hours per day, 365 days per year. NOCC technicians will investigate all major alarms and prioritize those that are service affecting for immediate response.

Measurement: All Major Outages will be examined for root cause, which will include timing of all related events.

1.1 Response to Service Affecting Alarms Service Standard

The NOCC will investigate all alarms to determine if they are service affecting, and if so, immediately initiate corrective response and notification action(s).

Measurement: All Major Outages will be examined for root cause, which will include timing of all related events.

1.2 Dispatch Service Standard

The NOCC will dispatch maintenance technicians to restore service-affecting outages within 15 minutes of occurrence.

Measurement: All Major Outages will be examined for root cause, which will include timing of all related events.

1.3 Notification Service Standard

The NOCC is responsible for providing notification of network events that impact service to our customers. Notification will be by pager, e-mail, and personal calls as required.

- **Service Affecting Outage**
- **Critical Customer Outage**
- **Customer Scheduled Outage Notification**


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1.4 Trouble Ticketing Service Standard

General

The NOCC will open Remedy trouble tickets on all network events and customer affecting situations for tracking purposes and for purposes of collecting outage statistics.

1.5 Reporting Service Standard

Daily Summary Report

The NOCC will publish a Daily Summary Report 365 days a year. The purpose of the DSR is to provide a summary of the last 24 hours of network activity, network significant statistics, and network scheduled events.

P/L MTTR Report

This report is in development and will not be available without Remedy upgrade. The MTTR report will give customers a Mean Time To Repair figure for P/L service.

1.6 Disaster Recovery Service Standard

Coordination

The NOCC will be responsible for coordination and communications during Disaster Recovery operations. The NOCC will maintain two open conference bridges during catastrophic events. Technical staff working on the problem will use the maintenance bridge. A second bridge will be kept open to disseminate information and status.

Drills

The NOCC will conduct periodic drills to test readiness and to keep disaster recovery plans current.

1.7 Escalation Service Standard

Escalation General

The NOCC is responsible for monitoring network events that impact customers or that pose a threat to network integrity. The NOCC is also responsible for escalation when service standards are in jeopardy. Escalations are required to keep management informed so that situations can be monitored for progress, and to ensure that resources are called in to help if required.

SM
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Private Line/Private Network

Private line or private network outages will follow the escalation schedule. At any time in the schedule a repair will initiate a ticket closure and notification sent to any previously notified individual.

Private Line/Private Network Escalation Table

TIME	STATUS	NOCC ACTION	ESCALATION
15 Min	TT Recorded	Referred to Repair	None
1 Hour	Trouble Isolated/Referred Out	Monitor Progress	TT Updated
2 Hour	Repair in Process	Monitor Progress	TT Updated
4 Hour	Repair Target	Get Status/Update TT	OPS Mgt/Internal Customer
6 Hour	Overdue	Get Status/Update TT	OPS VP/Internal Customer
8 Hour	Overdue	Initiate Conference Call All Parties	GM/Internal Customer
Over 8 Hours	Critical	Following Action Plan	GCI GM/Internal Customer

Service Affecting Network Outages

Any outage on the network that affects more than a single customer will follow the Service Affecting Network Outage escalation table.

TIME	STATUS	NOCC ACTION	ESCALATION
15 Min	Outage Occurs	Investigate, Restore, or Referred to Repair	NOCC Supervisor
1 Hour	Trouble Isolated	Repair or Dispatch Out	OPS Duty Mgt
2 Hour	Repair Target	Get Status	OPS VP/GM/Engineering
3 Hour	Overdue	Initiate Conference/Action Plan	GCI GM/Internal Customers
4 Hour	Critical	Get Status/Update TT	Executive Alert
8 Hour	Catastrophic	Get Status/Update TT	

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Hazcon's

A Hazardous Condition (Hazcon) is a condition that may become service affecting if conditions deteriorate or if another failure occurs. The NOCC will publish all Hazcons in the daily summary report and will update them daily. Hazcon's of the most serious nature that can result in major or catastrophic events will be communicated via pager and personal contact with Sr. Managers and business unit leaders. Thereafter the Hazcon status will be broadcast every two hours or upon significant change in the status.

1.8 Network Analysis

1.9 Network Quality

2.0 Network Change Management

2.1 General

The NOCC is responsible for reviewing and publishing Network Change Schedule Requests (NCSR). An NCSR is required for any work on the network, or in network facilities, that may have a service impact if not planned and executed flawlessly. The NOCC role in the NCSR process is to ensure that the NCSR is published in the DSR, to accept notice upon work commencing and upon work completion, and to monitor the network during the work.. While NCSR work is in progress the surveillance technicians will be especially alert for network alarms which result from the work that are not expected. The surveillance technicians will immediately notify the technician(s) performing the work of the unexpected alarms. At the completion of work the the NOCC updates NCSR status on the DSR.


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Field Maintenance Group

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Rural Network Maintenance Service Standards

1.0 General

The Field Maintenance Group is responsible for the operation and maintenance of all rural network and satellite assets, and for supporting all rural products including School Access, Internet, MTS, P/L, P/N and Telemedicine.

2.0 Rural Response Service Standards

Location /Service	Initial Response	Response Time	Secondary Response	Response Time	Tertiary Response	Response Time
Regional Sites	Regional Tech/Agent	30 Minutes	FMG Tech Dispatch	Next Flight/Charter	Nearest Available Tech	Next Flight or Charter
Southeast Sites	Site Tech/Agent	30 Minutes	Juneau Tech	Next Flight/Charter	FMG Dispatch	Next Flight or Charter
Village Sites	Site Agent	1 Hour	Regional Tech	Next Flight/Charter	FMG Dispatch	Next Flight/Charter
Core Earth Stations/MW	FMG/Site Tech/On Call	30 Minutes	FMG Dispatch	Next Flight/Charter		
School Access Sites	Site Agent If Available	4 Hours	Regional Tech	Next Flight/Business Day	FMG Dispatch	Next Flight
Internet POP's	Regional Tech	30 Minutes	FMG Dispatch	Next Flight/Charter		
Telemedicine Rural Sites	Site Agent	1 Hour	Regional Tech	Next Flight	FMG Tech	Next Flight

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3.0 Rural Daily Bridge Meeting

The FMG will host a meeting every morning on the conference bridge at 07:30. The FMG manager will provide customers the current bridge code to all customers who request it. The code will be changed quarterly and a notice sent out. The conference bridge number is 1-800-315-6338.

The purpose of the daily meeting is to review key events from the last 24 hours and to communicate plans for that business day. This meeting is important because it is at this time that tactical decisions are made as to the day's activities and priorities. Customers have an opportunity to influence daily activities and ensure that their priorities are heard.

4.0 Remedy Trouble Tickets

The FMG will consistently use the Remedy system to document network troubles so that the NOCC can effectively keep customers informed and initiate the appropriate escalations and notifications. Information on trouble tickets will be kept current and accurate.


Larry A. Nathaniel

Monthly Network Status Reports

ML
Larry A. Nathaniel



To: Chief Information Officer

Date: 2/4 / 2002

From: James Kostka
Senior Manager, Network Services
907-868-7171

Subject: Monthly Network Status Report – January 2002

Attached is the monthly status report for Eastern Aleutians Tribes Consortium

GCI is interested in any feedback as to format of the report or content. If you have any questions or comments, please don't hesitate to call.

cc:

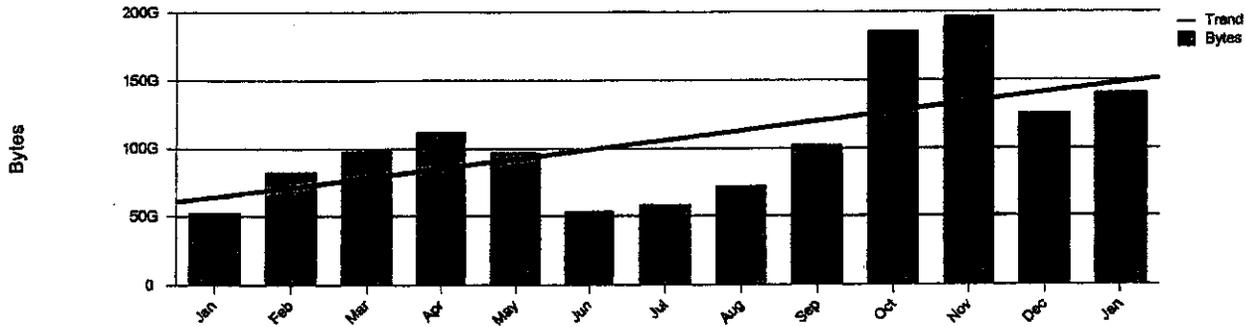
JK
James Kostka

Monthly Health Report

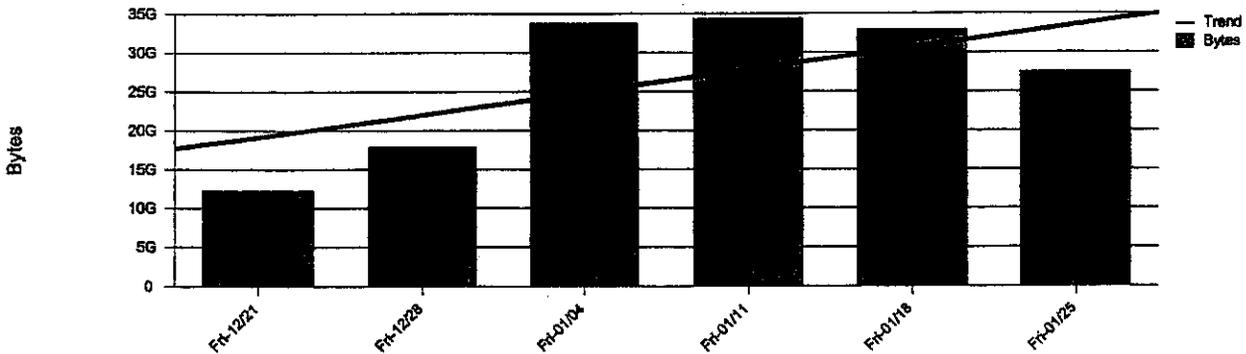
Report for 01/31/2002

WAN Interface

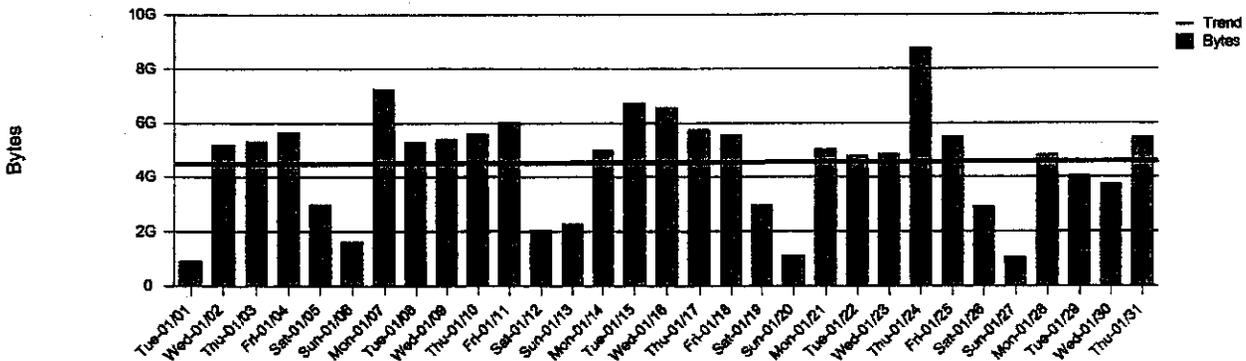
Total Network Volume by Month



Total Network Volume by Week



Total Network Volume by Day



Situations to Watch

Rank	Element Name	Variable	Threshold	Monthly Average		Days to (from) Threshold
			Value	Actual	Predicted	
1	InetAncSADCDist-2-S4/0/5:1-EAT(Out)	Volume (Bandwidth %)	80.000	4.051	4.806	Increasing
2	InetAncEATCPE-1-S1(In)	Volume (Bandwidth %)	80.000	4.049	4.794	Increasing
3	EACAnchColoDist-1-S1/8:0(Out)	Volume (Bandwidth %)	80.000	2.198	2.465	Increasing
4	EACSPntClnMult-1-S0/0(In)	Volume (Bandwidth %)	80.000	2.180	2.447	Increasing
5	InetAncSADCDist-2-S4/0/5:1-EAT(In)	Volume (Bandwidth %)	80.000	1.733	1.757	Increasing
6	InetAncEATCPE-1-S1(Out)	Volume (Bandwidth %)	80.000	1.733	1.753	Increasing
7	EACAnchColoDist-1-S1/8:0(In)	Volume (Bandwidth %)	80.000	1.147	1.098	Increasing
8	EACSPntClnMult-1-S0/0(Out)	Volume (Bandwidth %)	80.000	1.160	1.106	Increasing
9	EACAnchColoDist-1-S1/2:0(Out)	Discards (% Frames)	10.000	0.289	0.075	Increasing
10	EACNLagClnMult-1-S0/0(Out)	Volume (Bandwidth %)	80.000	0.575	0.685	Increasing

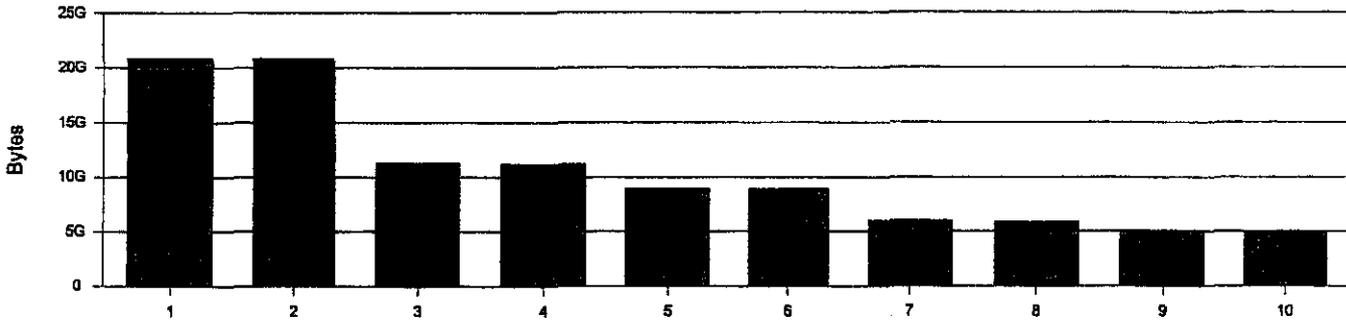
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Monthly Health Report

Report for 01/31/2002

WAN Interface

Volume Leaders



Volume Leaders in Bytes

Rank	Prior Rank	Element Name	Speed	Volume		Bandwidth		Health Index	
				Bytes	vs Baseline	Avg	Peak	Avg	Peak
1	1	InetAncEATCPE-1-S1(In)	1.5 Mbs	20.8 G	16.5%	4.0%	67.5%	0.0	8.0
2	2	InetAncSADCDist-2-S4/0/5:1-EAT(Out)	1.5 Mbs	20.8 G	16.4%	4.1%	65.0%	0.0	2.0
3	5	EACAnchColoDist-1-S1/6:0(Out)	1.5 Mbs	11.3 G	32.3%	2.2%	28.1%	0.0	0.0
4	6	EACSPntClnMult-1-S0/0(In)	1.5 Mbs	11.2 G	31.7%	2.2%	27.8%	0.0	0.0
5	3	InetAncEATCPE-1-S1(Out)	1.5 Mbs	8.9 G	62.5%	1.7%	30.0%	0.0	0.0
6	4	InetAncSADCDist-2-S4/0/5:1-EAT(In)	1.5 Mbs	8.9 G	64.4%	1.7%	29.7%	0.0	0.0
7	13	EACSPntClnMult-1-S0/0(Out)	1.5 Mbs	5.9 G	73.8%	1.2%	10.1%	0.0	0.0
8	14	EACAnchColoDist-1-S1/6:0(In)	1.5 Mbs	5.9 G	73.7%	1.1%	10.1%	0.0	0.0
9	7	EACAnchColoDist-1-S1/4:0(Out)	1.5 Mbs	5.1 G	13.6%	1.0%	10.8%	0.0	0.0
10	6	EACKCovrClnMult-1-S0/0(In)	1.5 Mbs	5.0 G	13.7%	1.0%	10.7%	0.0	0.0

Health Index Leaders

Rank	Prior Rank	Element Name	Contributor	Health Index		Bandwidth	
				Avg	Peak	Avg	Peak
1	6	EACAKutClnMult-1-S0/0(In)	Errors	0.0	8.0	0.2%	5.8%
2	11	EACAnchColoDist-1-S1/2:0(Out)	Discards	0.0	8.0	0.5%	8.5%
3	14	EACAnchColoDist-1-S1/5:0(In)	Errors	0.0	4.0	0.6%	18.1%
4	29	InetAncEATCPE-1-S1(In)	Errors	0.0	8.0	4.0%	67.5%
5	32	InetAncSADCDist-2-S4/0/5:1-EAT(Out)	Discards	0.0	2.0	4.1%	65.0%

Volume Change Leaders

Rank	Prior Rank	Element Name	Volume	
			Bytes	vs Baseline
1	20	EACCBayClnMult-1-S0/0(Out)	2.7 G	270.4%
2	7	EACAnchColoDist-1-S1/2:0(In)	2.6 G	269.4%
3	26	EACSPntClnMult-1-S0/0(Out)	5.9 G	73.8%
4	15	EACAnchColoDist-1-S1/6:0(In)	5.9 G	73.7%
5	19	EACCBayClnMult-1-S0/0(In)	2.7 G	65.9%
6	8	EACAnchColoDist-1-S1/2:0(Out)	2.7 G	65.7%
7	31	InetAncSADCDist-2-S4/0/5:1-EAT(In)	8.9 G	64.4%
8	30	InetAncEATCPE-1-S1(Out)	8.9 G	62.5%
9	10	EACAnchColoDist-1-S1/3:0(Out)	1.4 G	59.9%
10	21	EACFPassClnMult-1-S0/0(In)	1.4 G	59.7%

Health Index Change Leaders

Rank	Prior Rank	Element Name	Health Index		
			Avg	Prior	Change
1	3	EACAnchColoDist-1-S1/2:0(In)	0.00	0.08	-0.08
2	2	EACAnchColoDist-1-S1/1:0(In)	0.00	0.08	-0.08
3	4	EACAnchColoDist-1-S1/4:0(In)	0.00	0.08	-0.08
4	5	EACCBayClnMult-1-S0/0(In)	0.00	0.07	-0.07
5	7	EACAKutClnMult-1-S0/0(In)	0.03	0.00	0.03
6	6	EACAnchColoDist-1-S1/3:0(In)	0.00	0.01	-0.01
7	12	EACAnchColoDist-1-S1/2:0(Out)	0.01	0.00	0.01
8	16	EACAnchColoDist-1-S1/5:0(In)	0.01	0.00	0.01
9	29	InetAncEATCPE-1-S1(In)	0.00	0.00	0.00
10	32	InetAncSADCDist-2-S4/0/5:1-EAT(Out)	0.00	0.00	0.00

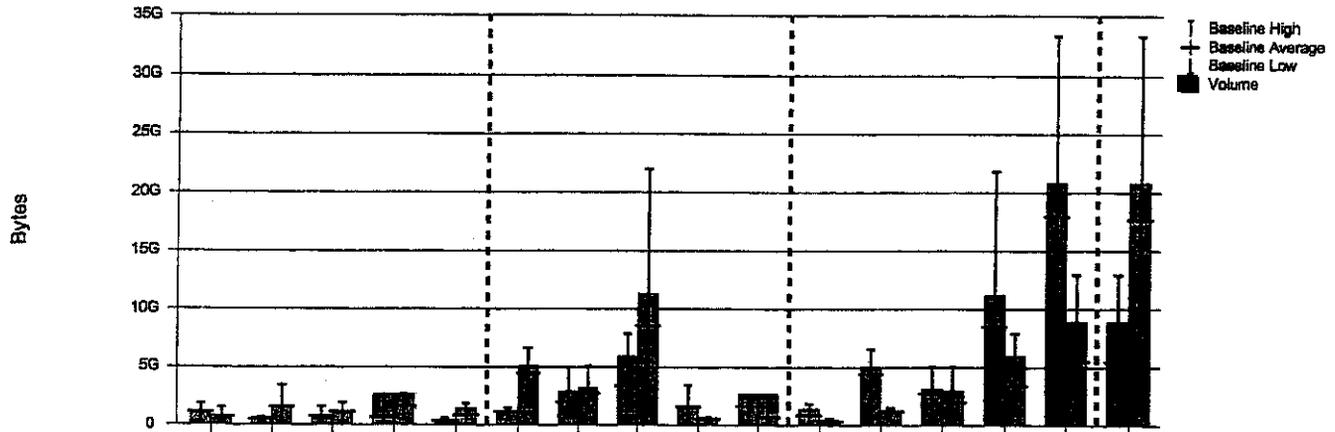
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Monthly Health Report

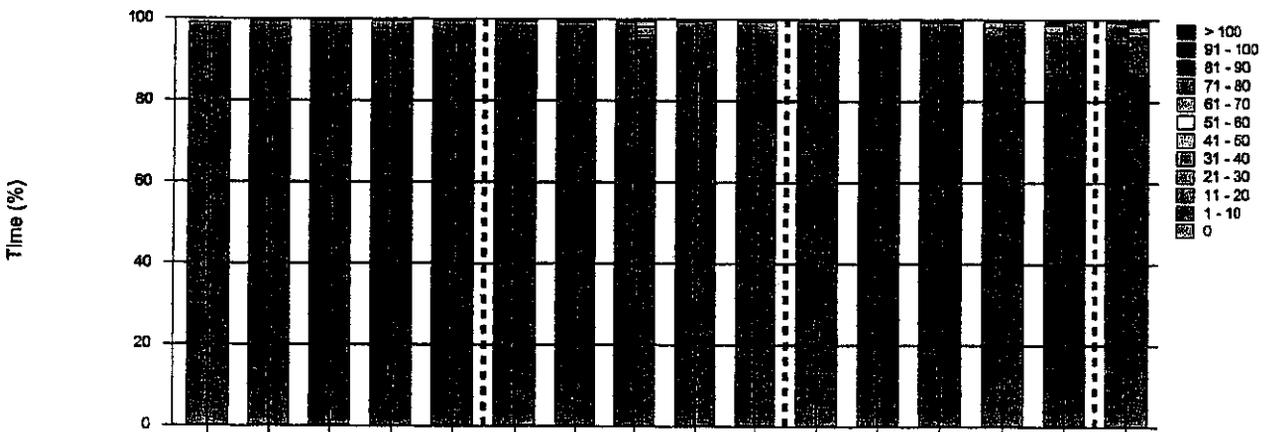
Report for 01/31/2002

WAN Interface

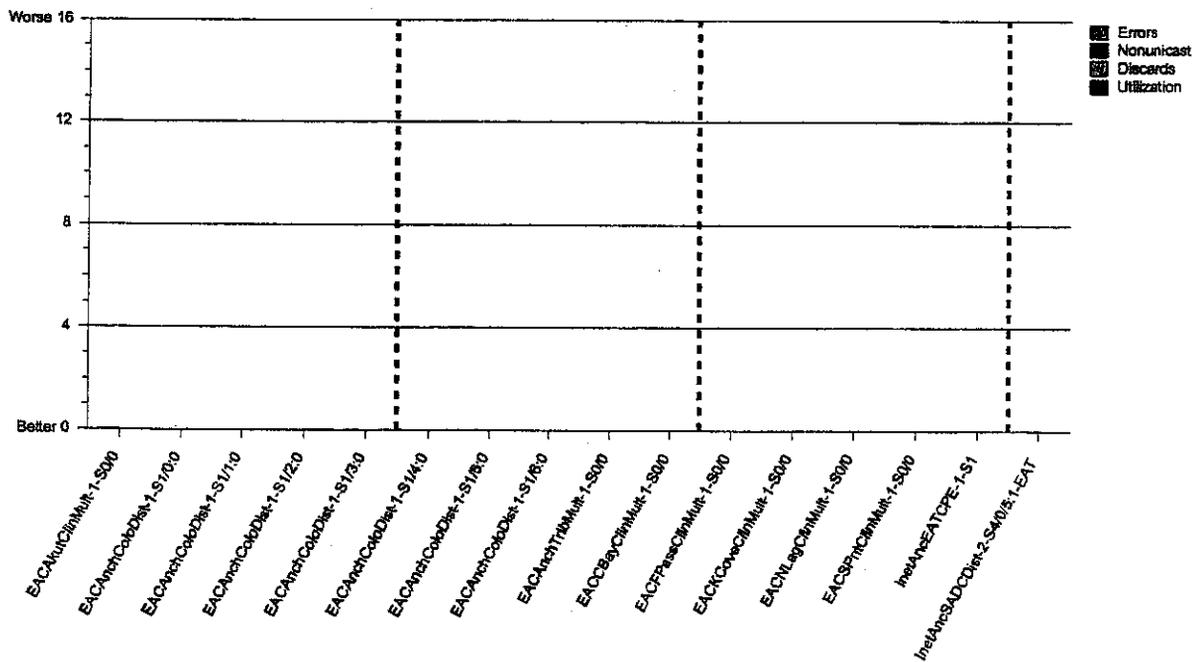
Element Volume vs Baseline by Month



Bandwidth Utilization



Element Health Index

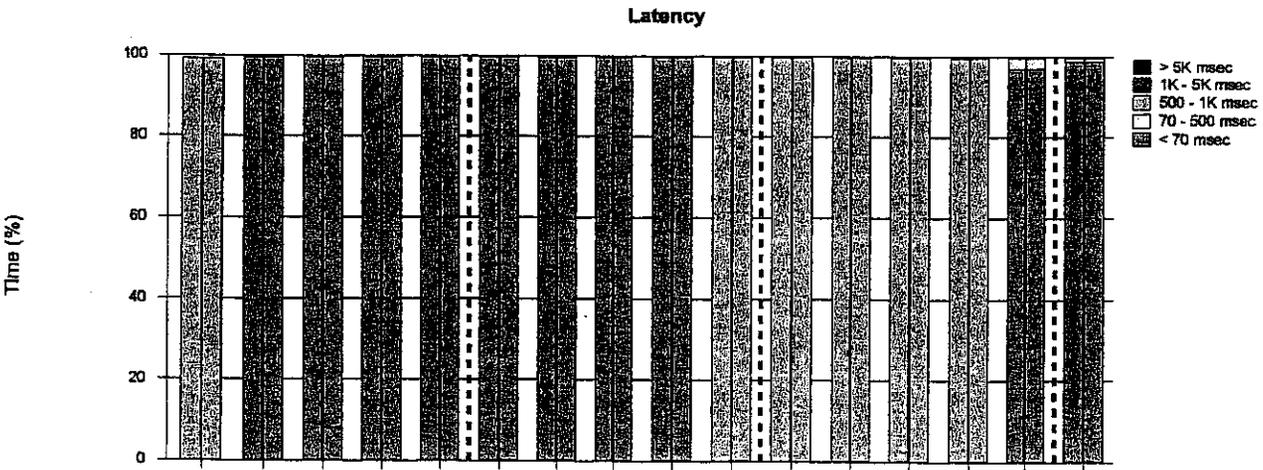
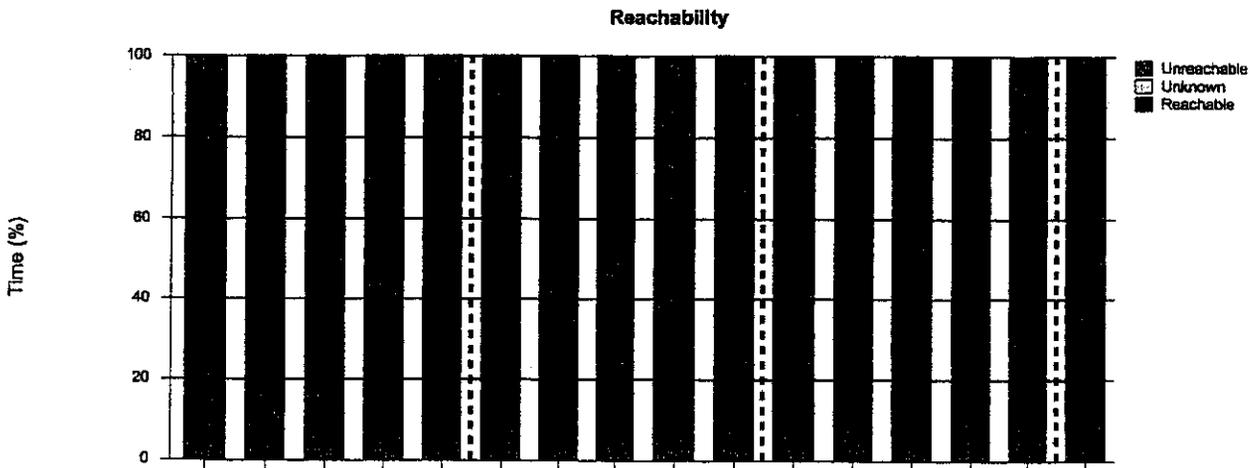
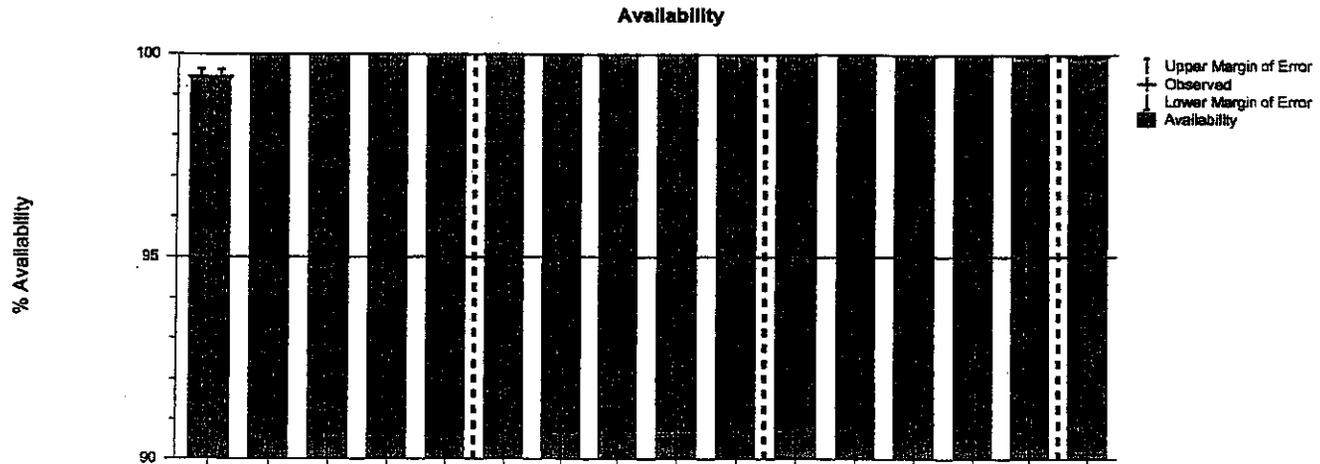


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Monthly Health Report

Report for 01/31/2002

WAN Interface



EACAnchCobMulk-1-S0/D
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 EACAnchCobDist-1-S1/D1
 EACAnchCobDist-1-S1/D2
 EACAnchCobDist-1-S1/D3
 EACAnchCobDist-1-S1/D4
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 EACAnchCobDist-1-S1/D100

Larry & Nathaniel

Managed Internet Access Features

Broadband Internet Access

The core feature of SchoolAccess is access to the Internet via asymmetric broadband satellite technology. SchoolAccess delivers broadband Internet at speeds numerous times faster than a standard dial-up Internet connection. With broadband access, students and teachers will experience Internet connectivity at its best. Access to high bandwidth applications like streaming media and large file downloads is easily achieved.

Content Filtering

The Internet contains a vast array of useful information, but there is also content on the Internet that may not be appropriate for students. With SchoolAccess, schools can tailor their own filtering requirements to match those of their Acceptable Use Policy. Since filtering requirements vary from school to school, each school has the ability to choose from over a dozen different filtering categories to customize their service.

E-mail

Each school has a full-featured mail service allowing students, teachers, administrators and staff to send and receive e-mail from other SchoolAccess users and Internet users around the world. Mail services include a user directory of all local and nationwide SchoolAccess users allowing for easy look up and retrieval of e-mail addresses. Supported protocols include SMTP, POP3, IMAP4, and LDAP; therefore users can use any standards-based mail client for accessing their SchoolAccess mail. Users also have access to a SchoolAccess web-based e-mail front-end to facilitate quick and remote access to mailboxes.

Web Hosting

Each school has a SchoolAccess maintained web hosting service to host content and school web pages. Schools can also choose to take advantage of a SchoolAccess Central Server to establish a central web site that has a high-speed link to the SchoolAccess network and the Internet. SchoolAccess makes web publishing easy by allowing users to take advantage of Microsoft FrontPage® extensions and a library of CGI scripts.

Security

SchoolAccess maintains network security while offering schools the ability to customize their individual level of internal security. To aid in security services, each user possesses his or her personal account on the SchoolAccess network. Schools wishing for a higher level of security can require each user to authenticate before accessing network services.

Network Optimization

To help optimize each school's Internet communications, SchoolAccess includes a local proxy and cache. The local proxy works in conjunction with the central proxy to provide caching of frequently visited Internet sites. This greatly improves the performance of each school's Internet connection. Combined with broadband Internet, the local proxy helps to ensure the fastest Internet access possible.



MLC
Larry B. Nathaniel

EXHIBIT D

FROM HOBBS, STRAUS, DEAN & WALKER

(WED) 5. 21' 03 15:26/ST. 15:16/NO. 4864420260 P 2



Rural Health Care Division
80 S. Jefferson
Whippany, NJ 07981

www.rhc.universalservice.org
Phone: 1-800-229-5476

November 25, 2002

Anna Huntington-Kriska
Council of Athabascan Tribal Governments
E. 3rd & Birch
P. O. Box 33
Fort Yukon, AK 99740

RE: Funding Year 2002 Service Request for Council of Athabascan Tribal Governments

Dear Applicant:

The Rural Health Care Division (RHCD) of the Universal Service Administrative Company (USAC) reviewed the Form 465 you submitted, and determined that you are eligible to participate in this program. Your request for service was posted on the RHCD Web Site on **November 25, 2002**. Completing Form 465 is the **first** step in applying for universal service support. A complete overview of the process is available on the RHCD Web Site (www.rhc.universalservice.org).

All requests for "new service" support must comply with the competitive bidding requirement, which requires Form 465 be posted for bids on the RHCD Web Site for **28 days before reaching an agreement to purchase services**. Services purchased under an existing written contract, signed and dated **before July 11, 1997**, are considered "existing service," and are exempt from the posting requirement.

RHCD will post all Form 465s. Unless you are exempt, you must wait 28 days before determining your most cost-effective offer and selecting a telecommunications carrier.

Ideally, telecommunications carriers will contact you during the 28-day posting period, to bid on rates and conditions of providing your requested service(s). It is not necessary to wait for a bid. Proactively contact eligible telecommunications carriers, so you are ready to complete Form 466 (and Form 468) as soon as the 28-day posting period ends.

Next Steps

- Complete Form 466. Refer to the enclosed Form 466 Instructions to complete Form 466.

Exh. D

FROM: HOBBS, STRAUS, DEAN & WALKER

(WED) 5. 21' 03 15:26/ST. 15:16/NO. 4864420260 P 3

- Instruct your telecommunications carrier to complete Form 468. Form 468 verifies the type of service and determines the amount of support.
- If your service agreement is based on a written contract, you must enclose a copy of the contract with Form 466. If your agreement is based on a tariff, you must provide the tariff number and name of the tariff issuing entity in the state.
- Once Forms 466 and 468 are complete, package them with a copy of the contract (s), or documentation of the tariff number and issuer. Mail the package(s) to the RHCD. Failure to include all documents will delay processing of your application.
- The last step in the application process is to complete Form 467. It verifies that you are receiving the approved telecommunications service(s). Complete this form only after you receive a Funding Commitment Letter from RHCD.
- Note: If you should decide to change or upgrade to a new service after you submit Form 467, you must submit a new Form 465 and post for another 28 days to allow telecommunications carriers to bid on your new request.

If you have questions or concerns, please contact the Customer Service Support Center at 1-800-229-5476. Hours of operation are 8AM to 8PM, Eastern Time, Monday through Friday.

Sincerely,

USAC, RHCD

EXHIBIT E



Universal Service Administrative Company
Rural Health Care Division

rec'd
5/2/03

80 South Jefferson Road
Whippany, NJ 07981
Phone: 1-800-229-5476

April 28, 2003

Anna Huntington-Kriska
Council of Athabascan Tribal Governments
PO Box 33
Fort Yukon, Alaska 99740-0033

#11013 #11018
#11014 #11022
#11015 #1102
#11016
#11017

RE: Universal Service Support Denial for HCP #11011 Council of Athabascan Tribal Governments-Circle, for Funding Year 2001 (July 1, 2001-June 30, 2002)

Dear Ms. Huntington-Kriska:

The Rural Health Care Division (RHCD) of the Universal Service Administrative Company (USAC) has completed a review of the Federal Communications Commission (FCC) forms that you submitted to RHCD for the purpose of receiving universal service support. We are unable to proceed with processing your request for support of discounted telecommunications services for the funding year July 1, 2001 to June 30, 2002 for the following reason:

The FCC established a deadline of October 11, 2002, for the submission of Forms 466 and 468 for Funding Year 2001. The Form 466 you submitted for Council of Athabascan Tribal Governments-Circle was signed by you on December 20, 2002, and was received along with your Form 468 by RHCD on December 27, 2002. Since this request was submitted well after the October 11, 2002 deadline, we must deny your request for support for Funding Year 2001.

We have sent this letter to both the rural HCP mailing address (above) and the rural HCP physical location (below) if these addresses are different.

HCP Number: 11011
HCP Contact Name: Anna Huntington-Kriska
HCP Name: Council of Athabascan Tribal Governments-Circle
HCP Address: Yukon Drive
Circle, Alaska 99733

In addition, a copy of this letter has been sent to the entities identified below as your selected telecommunications carriers.

Exh. E

April 28, 2003
Anna Huntington-Kriska, Council of Athabaskan Tribal Governments
Page 2 of 4

Telecommunications Carrier Name: GCI Communication Corporation
Service Provider Identification Number: 143001199

The RHCD recognizes that you may disagree with our decision. If you wish to file an appeal, your appeal must be *received* no later than 60 days after this letter was issued, starting with the date at the top of the letter. There are two appeal options:

- A. Write an RHCD Letter of Appeal explaining why you disagree with the Funding Commitment Letter and what outcome you request, **OR**;
- B. Write an appeal directly to the Federal Communications Commission (FCC) —skipping Option A— explaining why you disagree with the RHCD's decisions. The FCC rules governing the appeals process (Part 54 of Title 47 of the Code of Federal Regulations 54.719 – 54.725) are available on the RHCD web site (www.rhc.universalservice.org). While you may write directly to the FCC without first presenting your appeal to the RHCD, you are encouraged to write first to the RHCD so that we have an opportunity to review your appeal and grant it, if appropriate.

Please follow these guidelines when submitting a letter of appeal to the RHCD:

1. Write and mail your letter to:

Letter of Appeal
Rural Health Care Division / USAC
2120 L Street N. W., Suite 600
Washington, D.C. 20037
Phone: (800) 229-5476

2. Appeals may be submitted to the RHCD electronically, by fax or by e-mail. E-mail submissions must be submitted to rhc-admin@universalservice.org. The RHCD will automatically reply to incoming e-mails to confirm receipt. E-mails can be submitted in any commonly used word processing format. Appeals to the RHCD filed by fax must be faxed to 202-776-0080. Appeals submitted by e-mail will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Standard Time. Similarly, fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 a.m.
3. Please provide necessary contact information. List the name, address, telephone number, fax number, and e-mail address (if available) of the person who can most readily discuss this appeal with the RHCD.

April 28, 2003

Anna Huntington-Kriska, Council of Athabascan Tribal Governments

Page 3 of 4

4. Identify the rural HCP Name, HCP Number, and Funding Request Number(s) from this letter.
5. Explain the appeal to the RHCD. Please keep your letter brief and to the point. It must identify a problem and why it is being appealed. RHCD support decisions are made by applying non-discretionary program rules to information submitted by applicants, so a letter simply stating, "We appeal the amount of support" provides no information that could lead to a different decision. Please review the information submitted, and explain precisely what alternate decision you believe RHCD should have reached using that information, within program rules. Please provide documentation to support your appeal.
6. Unless you are filing the appeal via e-mail, you must attach a photocopy of the Funding Commitment Letter you are appealing.
7. The RHCD will review all letters of appeal and respond in writing within 45 days of receipt of the appeal. The response will either grant the appeal or will explain why the appeal was not granted.
8. If the rural HCP disagrees with the RHCD's response, it may file an appeal with the FCC within 60 days of the date the RHCD issued its decision in response to the rural HCP letter of appeal. The FCC address to which a rural HCP may direct its appeal is:

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Documents sent by Federal Express or any other express mail should use the following address:

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

The FCC will no longer accept hand-delivered or messenger-delivered paper filings at its headquarters. They will be accepted only at the following address:

MAY-02-2003 FRI 09:53 AM CATG

FAX NO. 907 662 3333

P. 05

April 28, 2003

Anna Huntington-Kriska, Council of Athabascan Tribal Governments

Page 4 of 4

Federal Communications Commission
Office of the Secretary
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

For security purposes, hand-delivered or messenger-delivered filings will not be accepted for filing if they are enclosed in an envelope.

Appeals may also be submitted to the FCC electronically, by fax or e-mail. E-mail submissions must be submitted to CCBSecretary@fcc.gov. The FCC will automatically reply to incoming e-mails to confirm receipt. E-mails can be submitted in any commonly used word processing format. Appeals to the FCC filed by fax must be faxed to 202-418-0187. Appeals submitted by e-mail will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Standard Time. Similarly, fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 a.m.

Please be sure to indicate Docket Nos. 96-45 and 97-21 on all communications with the FCC. The appeal transmission must also provide the rural HCP name and HCP number from the letter(s) being appealed, plus necessary contact information, including the name, address, telephone number, fax number, and e-mail address (if available) of the person filing the appeal. Unless the appeal is by e-mail, please include a copy of the letter being appealed.

If you have any questions or need help, please call the Customer Service Support Center at 1-800-229-5476, Monday through Friday, 8am - 8pm, Eastern Time. Please have your HCP Number available as a reference.

Sincerely,

RHCD - USAC

cc: Steve Walker, GCI Communication Corporation

EXHIBIT F



Universal Service Administrative Company
Rural Health Care Division

80 S. Jefferson
Whippany, NJ 07981
Phone: 1-800-229-5476

RCD 4/1/03

March 28, 2003

Anna Huntington-Kriska
Council of Athabascan Tribal Governments
E. 3rd & Birch Street
Fort Yukon, AK 99740

Subject: Funding Year 2002 applications

Dear Ms. Huntington-Kriska:

Thank you for your interest in the telecommunications service support program for rural health care providers that the Universal Service Administrative Company (USAC) administers for the Federal Communications Commission (FCC). We have reviewed the Funding Year 2002 applications that you submitted and have determined that your applications did not comply with FCC rules for competitive bidding. We therefore must deny these applications for support.

The health care providers affected by this decision include:

HCP#	Applicant Name
11011	Council of Athabascan Tribal Governments - Circle Drive
11012	Council of Athabascan Tribal Governments - Spruce Street
11013	Council of Athabascan Tribal Governments - Rampart
11014	Council of Athabascan Tribal Governments - Stevens Village
11015	Council of Athabascan Tribal Governments - Venetie
11016	Council of Athabascan Tribal Governments - Birch Creek
11017	Council of Athabascan Tribal Governments - Beaver
11018	Council of Athabascan Tribal Governments - Arctic Village
11019	Council of Athabascan Tribal Governments - E. 6th and Spruce
11022	Council of Athabascan Tribal Governments - Chalkyitsik
11023	Council of Athabascan Tribal Governments

You certified at Item 36 on the FCC Form(s) 466 you submitted to RHCD that you did not receive any bids in response to the Year 2002 FCC Form(s) 465 posted to the RHCD web site. RCHD's Bill England sought to verify that you had not received any bids in an email to you on 1/7/03. You responded via email dated 1/21/03 that "The only full proposal/bid we rec'd was from GCI. How else do we verify that we did not receive any bids this fall?" RHCD subsequently contacted AT&T Alascom, Inc, who indicated they did bid on your circuits as a result of the Year 2002 Form 465 posting. At RHCD's request, Alascom provided to RHCD a copy of their bid.

Exh. F

03/28/2003

Anna Huntington-Kriska

Page 2 of 5

FCC rules require eligible health care providers to participate in a competitive bidding process and to comply with any applicable state, local or other procurement requirements. *See* 47 C.F.R. § 54.603(a). The competitive bidding process requires that applicants wait 28 days after their FCC Form 465 has been posted on the USAC web site before making commitments with the selected telecommunications carrier(s). *See* 47 C.F.R. § 54.603(b)(3). The rules further require applicants to certify that they selected the most cost-effective method of providing the requested service or service(s). *See* 47 C.F.R. § 54.603(b)(4). The rules define cost-effective as “the method that costs the least after consideration of the features, quality of transmission, reliability, and other factors that the health care provider deems relevant to choosing a method of providing the required health care services.” 47 C.F.R. § 54.603(b)(4). The rules also require applicants to submit paper copies of the responses or bids that they received in response to the Form 465 posting. *See id.*

Under the order establishing the universal service support mechanisms, the FCC requires applicants and service providers to comply with self-certification requirements as a condition of participating in the universal service support mechanisms. *See e.g.*, Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 ¶ 425, 522-525 (rel. May 8, 1997)(“*Universal Service Order*”). On program forms, participants certify to the accuracy of the facts contained in the application. Program forms also warn participants that:

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

E.g., Health Care Providers Universal Service, Funding Request and Certification Form, OBM 3060-0804 (April 2001) (*FCC Form 466*)

RHCD’s review of the Alascom bid indicates that it is a complete bid that you should have acknowledged and provided to RHCD. Furthermore, the Alascom bid appears to be for a lower cost than the bid you selected. Because you indicated and subsequently confirmed that you did not receive any bids in response to your Year 2002 FCC Form(s) 465 posting to the RHCD web site, RHCD has determined that you violated the certification(s) you made on your FCC Form(s). Consequently, RCHD must deny the funding request(s) indicated above.

A copy of this letter was sent to the telecommunications carrier listed below.

Telecommunications Carrier Name: GCI Communications Corp.
Service Provider Identification Number (SPIN): 143001199

The RHCD recognizes that you may disagree with our decision. **If you wish to file an appeal, your appeal must be received no later than 60 days after this letter was issued, starting with the date at the top of the letter.** There are two appeal options:

03/28/2003

Anna Huntington-Kriska

Page 3 of 5

- A. Write an RHCD Letter of Appeal explaining why you disagree with the RHCD's decisions and what outcome you request, **OR**;
- B. Write an appeal directly to the Federal Communications Commission (FCC) — skipping Option A— explaining why you disagree with the RHCD's decisions. The FCC rules governing the appeals process (Part 54 of Title 47 of the Code of Federal Regulations 54.719 – 54.725) are available on the RHCD web site (www.rhc.universalservice.org). While you may write directly to the FCC without first presenting your appeal to the RHCD, you are encouraged to write first to the RHCD so that we have an opportunity to review your appeal and grant it, if appropriate.

Please follow these guidelines when submitting a letter of appeal to the RHCD:

1. Write and mail your letter to:

Letter of Appeal
Rural Health Care Division / USAC
2120 L Street N. W., Suite 600
Washington, D.C. 20037
Phone: (800) 229-5476

2. Appeals may be submitted to the RHCD electronically, by fax or by e-mail . E-mail submissions must be submitted to rhc-admin@universalservice.org. The RHCD will automatically reply to incoming e-mails to confirm receipt. E-mails can be submitted in any commonly used word processing format. Appeals to the RHCD filed by fax must be faxed to 202-776-0080. Appeals submitted by e-mail will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Standard Time. Similarly, fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 a.m.
3. Please provide necessary contact information. List the name, address, telephone number, fax number, and e-mail address (if available) of the person who can most readily discuss this appeal with the RHCD.
4. Identify the rural HCP Name and Number from this letter.
5. Explain the appeal to the RHCD. Please keep your letter brief and to the point. It must identify a problem and why it is being appealed. RHCD support decisions are made by applying non-discretionary program rules to information submitted by applicants, so a letter simply stating, "We appeal the amount of support" provides no information that could lead to a different decision. Please review the information submitted, and explain precisely what alternate decision you believe RHCD should have reached using that

03/28/2003

Anna Huntington-Kriska

Page 4 of 5

information, within program rules. Please provide documentation to support your appeal.

6. Unless you are filing the appeal via e-mail, you MUST attach a photocopy of the RHCD decision letter you are appealing.
7. The RHCD will review all letters of appeal and respond in writing within 45 days of receipt of the appeal. The response will either grant the appeal or will explain why the appeal was not granted.
8. If you disagree with the RHCD's response, you may file an appeal with the FCC within 60 days of the date the RHCD issued its decision in response to your letter of appeal. The FCC address to which you may direct your appeal is:

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

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Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

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Federal Communications Commission
Office of the Secretary
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

For security purposes, hand-delivered or messenger-delivered filings will not be accepted for filing if they are enclosed in an envelope.

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03/28/2003

Anna Huntington-Kriska

Page 5 of 5

be submitted in any commonly used word processing format. Appeals to the FCC filed by fax must be faxed to 202-418-0187. Appeals submitted by e-mail will be considered filed on a business day if they are received at any time before 12:00 a.m. (midnight), Eastern Standard Time. Similarly, fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 a.m.

Please be sure to indicate Docket Nos. 96-45 and 97-21 on all communications with the FCC. The appeal transmission must also provide the rural HCP name and HCP number from the letter(s) being appealed, plus necessary contact information, including the name, address, telephone number, fax number, and e-mail address (if available) of the person filing the appeal. Unless the appeal is by e-mail, please include a copy of the letter being appealed.

If you have any questions or need help, please call the Customer Service Support Center at 1-800-229-5476, Monday through Friday, 8am - 8pm, Eastern Time. Please have your HCP Number available as a reference.

Sincerely,

RHCD – USAC

Cc: Steve Walker, GCI Communications Corp.

EXHIBIT G

HOBBS, STRAUS, DEAN & WALKER, LLP

ATTORNEYS AT LAW

851 S.W. SIXTH AVENUE • SUITE 1650 • PORTLAND, OR 97204

TEL: 503.242.1745 • FAX: 503.242.1072

WWW.HSDWLAW.COM

May 22, 2003

VIA OVERNIGHT MAIL

Letter of Appeal
Rural Health Care Division/USAC
2120 L Street NW, Suite 600
Washington, D.C. 20037

Re: CATG Appeal of Funding Year 2002 Applications

Dear Sir or Madame:

This appeal of the enclosed March 28, 2003 decision (Attachment 1) is being submitted on behalf of the Council of Athabaskan Tribal Governments (CATG) for the following HCPs:

HCP# Applicant Name:

- 11011 – Council of Athabaskan Tribal Governments – Circle Drive
- 11012 – Council of Athabaskan Tribal Governments – Spruce Street
- 11013 – Council of Athabaskan Tribal Governments – Rampart
- 11014 – Council of Athabaskan Tribal Governments – Stevens Village
- 11015 – Council of Athabaskan Tribal Governments – Venetie
- 11016 – Council of Athabaskan Tribal Governments – Birch Creek
- 11017 – Council of Athabaskan Tribal Governments – Beaver
- 11018 – Council of Athabaskan Tribal Governments – Arctic Village
- 11019 – Council of Athabaskan Tribal Governments – E. 6th and Spruce
- 11022 – Council of Athabaskan Tribal Governments – Chalkyitsik
- 11023 – Council of Athabaskan Tribal Governments

On March 28, 2003, the Rural Health Care Division of the Universal Service Administrative Company (RHCD) denied the CATG's applications for support for the above-listed HCPs for FY 2002 on the ground that CATG had violated the certification on Line 36 on Form(s) 466 submitted to RHCD.

On November 25, 2002, RHCD posted CATG's Form(s) 465 for FY 2002. See e.g., Attachment 2 (Letter of the USAC to Anna Huntington-Kriska (Nov. 25, 2002)). CATG then indicated on its Form 466s that it did not receive any bids in response to the Year 2002 FCC Form 465 posting to the RHCD website. The RHCD claims that AT&T Alascom in fact submitted a bid in response to the posting and thus the Line 36

certification was inaccurate. Attachment 1 at 1-2. The decision letter points out that applicants and service providers must comply with the self-certification process and warns against willfully making false statements on the FCC forms. *Id.* at 2. As a result, the RHCD determined that CATG “violated the certification(s) [it] made” on the FCC forms and denied the applications. *Id.*

This decision is in error because the CATG did not receive a timely bid from AT&T Alascom.

CATG submitted Form 465 for each of its HCPs to the RHCD on November 20, 2002 for broadband packet based satellite delivery service for the CATG’s tele-medicine program. The submission was part of the typical funding process followed by CATG for what would be CATG’s fifth funding year in the program. The RHCD posted the CATG’s Form 465s on the RHCD website on November 25, 2002. See e.g., Attachment 2. Under the applicable regulations, an applicant’s FCC Form 465 must be posted on the website for at least 28 days before an applicant enters into a contract for telecommunications services. See 47 C.F.R. 54.603(b)(3). The allowable contract date for CATG was thus December 23, 2003. Attachment 3 at 2 (print-out of postings from the RHCD website). Bids not received prior to that date need not be considered.

The submission from AT&T referenced in the RHCD letter of decision was late. Maryann Flowers of AT&T Alascom sent an electronic mail message to the CATG on December 23, 2002. Attached to the message was a two-page letter and a one-page spreadsheet, presumably constituting a bid in response to the posting on the RHCD web site.¹ In the message, Ms. Flowers indicated that she would provide the CATG with hard copies of the proposal and a multi-year contract with terms. However, as far as the CATG can determine, AT&T did not provide the CATG with such further information. Regardless, AT&T sent its electronic message to the CATG on December 23, 2002, which was the 29th day of the posting. As such, the AT&T submission was not made within the 28 day window.

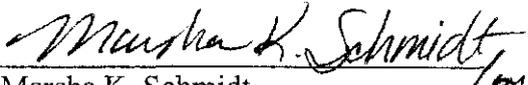
Since there were no bids submitted within the 28-day timeframe in response to the Year 2002 Form 465s posted to the RHCD web site, the 466 forms filed by the CATG accurately certified on line 36 that no bids were received. Because the AT&T Alascom submission was late and the certification was accurate (lacking any willful false statements), the CATG respectfully requests the RHCD to reverse its March 28, 2003 decision denying the CATG’s applications for the HCPs referenced above.

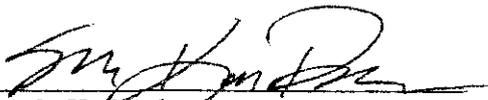
¹ The CATG questions whether the submission actually constituted a valid bid. ATT offered to follow up with additional information and did not. In addition, attached is a guideline used by CATG to evaluate bids (Attachment 4). ATT’s email does not meet these guidelines.

Should you have any questions about this appeal, please contact Marsha Schmidt at 301-949-5176, (mks@mac.com) or Starla Roels at 503-242-1745 (sroels@hswor.com).

Sincerely

HOBBS, STRAUS, DEAN & WALKER, LLP

By: 
Marsha K. Schmidt

By: 
Starla K. Roels

Attachments

cc: Anna Huntington-Kriska, Executive Director, CATG
Steve Walker, GCI Communications Corp.