



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

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

In the Matter of	)	
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism	)	
	)	
Petition for Review – Administrator’s	)	
Decision on Appeal –Bridgeport School	)	
District, Billed Entity Number 122549 ,	)	
Funding Request Number 1727821	)	

**REQUEST FOR REVIEW**

**BRIDGEPORT SCHOOL DISTRICT**

Deborah Sovereign  
Jane Kellogg

March 19, 2010

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

Bridgeport School District is requesting a review of the Administrator's Decision on Appeal – Funding Year 2008-2009 for the following:

Applicant Name: BRIDGEPORT SCHOOL DISTRICT

Billed Entity Number: 122549

Form 471 Application Number: 610843

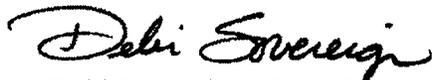
Funding Request Number: 1727821

Decision Letter dated: January 19, 2010

We have attached the following for your review:

- A. Administrator's Decision on Appeal dated 1/19/2010
- B. Original Appeal documentation submitted to USAC 1/3/2010

Respectfully Submitted,

  
Debi Sovereign, Consultant

# **ATTACHMENT A**

USAC Administrator's Decision on Appeal  
January 19, 2010



**Administrator's Decision on Appeal – Funding Year 2008-2009**

January 19, 2010

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

Re: Applicant Name: BRIDGEPORT SCHOOL DISTRICT  
Billed Entity Number: 122549  
Form 471 Application Number: 610843  
Funding Request Number(s): 1727821  
Your Correspondence Dated: January 03, 2010

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2008 Administrator's Decision on Service Substitution Request for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1727821  
Decision on Appeal: **Denied**  
Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, USAC has determined that the Bridgeport School District was requesting a service substitution from 10,000 Microsoft Windows Server 2008 Device CALs to 2,410 Microsoft Windows Server 2008 Device CALS and 20,240 Novell Licenses for Funding Year 2008: FRN 1727821. However, FRN 1727821 had already been approved for 22,000 Novell licenses. During the Service Substitution review, the Bridgeport School District was given multiple opportunities to explain the increase from 22,000 to 42,240 licenses. In the responses, the Bridgeport School District stated that the original 22,000 Novell Licenses were for the 2008-2009 school year and the additional 20,240 Novell licenses are for the 2009-2010 school year. Consequently, the Bridgeport School District is requesting a change from 1 year of Novell licenses to 2 years of Novell licenses. Only 1 year of

funding can be requested on a single FRN. Therefore, the 2nd year of Novell licenses is an ineligible service/product that is outside of the fund year. During the service substitution review, the Bridgeport School District was notified that the 20,240 licenses were ineligible and was given the opportunity to acknowledge that the licenses should be removed. In response, the Bridgeport School District stated that the request is allowable because an extension had been granted to September 30, 2010 to deliver services. However, service delivery extensions only allow the extension of the deadline for delivery and installation of non-recurring services. Therefore, the substitution resulted in an increase in the percentage of ineligible services or functions. This determination is not subject to the 30% rule. See <http://www.usac.org/sl/about/changes-corrections/service-substitutions/default.aspx#1> which shows the FCC criteria for service substitutions. On appeal, you have failed to show that USAC erred in its original decision. Consequently, the appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

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

Schools and Libraries Division  
Universal Service Administrative Company

# **ATTACHMENT B**

Original Appeal submitted to USAC 1/3/2010



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

January 3, 2010

Letter of Appeal  
Schools and Libraries Division-Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685  
Fax: (973) 599-6542

**Contact Name:**

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

**Applicant:**

Bridgeport School District  
Form 471 Application Number: 610843  
Funding Request Number: 1727821  
Funding Year 2008: 07/01/2008 – 06/30/2009  
Billed Entity Number: 122549

Dear Appeals Processor:

We are appealing the "Administrator's Decision on Service Substitution Request" dated December 23, 2009 (See Attachment A).

Decision: Not Approved  
Reason: "The substitution resulted in an increase in the percentage of ineligible services or functions."

The original funding request included the following items which were approved and funded on December 18, 2008 as follows:

Description	Qty	Price	Total	Discount %	Committed Amount
ORIGINAL "FROM" PROPOSAL:					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00
Microsoft Windows 2003 Terminal Server CALs	5,000.00	21.00	105,000.00	89%	93,450.00
			171,000.00		152,190.00

# KELLOGG & SOVEREIGN® CONSULTING, LLC

On April 20, 2009, the applicant submitted a service substitution request for the following changes which were approved on June 26, 2009:

Description	Qty	Price	Total	Discount %	Committed Amount
<b>NEW "TO" PROPOSAL (approved June 26, 2009):</b>					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00
Microsoft Windows Server 2008 Device CALs	10,000.00	8.00	80,000.00	89%	71,200.00
			146,000.00		129,940.00

On September 30, 2009, the applicant submitted a second service substitution request for the following changes which was DENIED on December 23, 2009:

Description	Qty	Price	Total	Discount %	Committed Amount
<b>NEW "TO" PROPOSAL 09/30/09:</b>					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00
Novell Licenses	20,240.00	3.00	60,720.00	89%	54,040.80
Microsoft Windows Server 2008 Device CALs	2,410.00	8.00	19,280.00	89%	17,159.20
<b>TOTAL NEW "TO" PROPOSAL:</b>	<b>44,650.00</b>		<b>146,000.00</b>		<b>129,940.00</b>

The person who reviewed the second SSR request dated 9/30/09, Elvira Coopers, requested that we provide the exact part number for the Novell licenses. The license SKU is 876-000361 which includes Open Enterprise Server ZENworks, Desktop Management ZENworks server, and Management Bundle FTE School License. SKU 876-000361 is 89% ineligible. Therefore, Ms. Coopers explained that the funding should be adjusted down to account for the 11% ineligible portion.

However, since the ineligible portion is not greater than 30% of the request, the rules do not require that the funding be denied.

The new products requested have the same functional purpose as the originally funded products and therefore meet the service substitution requirement.

According to the 30% ineligible rule and the service substitution rules, we believe that the service substitution request on 9/30/09 should have been approved as follows:

Description	Qty	Price	Total	Eligible Portion
<b>NEW "TO" PROPOSAL 09/30/09:</b>				
Novell Licenses	22,000.00	3.00	66,000.00	
Novell Licenses	20,240.00	3.00	60,720.00	
Total Novell Licenses (89% eligible)			126,720.00	
Less ineligible portion 11%			-13,939.20	
Eligible portion- Novell Licenses				112,780.80
Microsoft Windows Server 2008 Device CALs (100% eligible)	2,410.00	8.00	19,280.00	19,280.00
<b>TOTAL NEW "TO" PROPOSAL:</b>				132,060.80
<b>E-Rate discount (Revised Committed Amount)@ 89%:</b>				117,534.12
<b>Committed Amount after SSR dated 4/20/09 approved 6/26/09:</b>				129,940.00
<b>Reduction in committed amount (\$129,940.00 – 117,534.12):</b>				12,405.88

Since the ineligible portion was not greater than 30% of the request and since the substituted products have the same functional purpose as the original funded products and services we respectfully request that the substitution be approved as submitted less the ineligible portion as shown in the table above.

Respectfully submitted,



Debi Sovereign  
Consultant

Attachments:

1. Administrator's Decision on Service Substitution Request
2. Email dated 11/22/09 in response to ineligible portion
3. Service Substitution Request submitted 9/30/09

**ATTACHMENT 1**

Administrator's Decision on Service Substitution  
Request



**ADMINISTRATOR'S DECISION ON SERVICE SUBSTITUTION REQUEST**

December 23, 2009

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

Form 471 Application Number: 610843 (Bridgeport School District)

**Dear Applicant,**

This letter is your notification that the FCC Form 471, *Services Ordered and Certification Form* you submitted for **Minor Modifications** was received and is not approved. You are not authorized to make the changes identified in your submission.

**FRN(s): 1727821**  
**Decision: Not Approved**

Your request is not approved for the following reason(s):

- The substitution resulted in an increase in the percentage of ineligible services or functions.

Please keep this letter for your records. This is the only notification you will receive indicating the processing of the above-submitted form.

If you have any questions regarding the above information, please write to us at "Schools and Libraries Division - Correspondence Unit, 30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685"

**TO APPEAL THIS DECISION**

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - appellant name,
  - applicant or service provider name, if different than appellant,

- applicant BEN and service provider SPIN,
  - application or form number as assigned by the USAC
  - Funding Request Number(s) (FRNs) you are appealing if provided in the letter,
  - Name of letter and funding year – both are located at the top of the letter, and
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
  4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
  5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

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

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

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

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

**ATTACHMENT 2**

Email discussion on ineligible portion

## Debi Sovereign

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**From:** Debi Sovereign [dsveraign@kelloggllc.com]  
**Sent:** Sunday, November 22, 2009 1:46 PM  
**To:** 'Coopers, Elvira'  
**Subject:** RE: Bridgeport SD, Application 610843

Elvira,

The section after the "here is the information for the licenses already renewed" is the detail on the original licenses:

876-000361 EC SLA OES/ZENDT 7.0/ZEN SRVR 7.0 BNDL ELEC FTE Qty 21,100 @ \$3.00/each  
(\$63,300 X 89% = \$56,337.00)

Original "From" Proposal per service substitution request dated 9/30/09:

Novell Licenses – SKU 876-000361 Qty 22,000 x \$3.00 = \$66,000.00  
MS Windows Server 2008 Device CALS Qty 10,000 x \$8.00 = \$80,000.00  
Total original from: \$146,000.00 x 89% Erate Discount = \$129,940.00

Original "From" Proposal adjusted due to 89% eligible SKU 876-000361

Novell Licenses – SKU 876-000361 Qty 22,000 x \$3.00 = \$66,000.00 x 89% (eligible portion) = \$58,740.00  
MS Windows Server 2008 Device CALS Qty 10,000 x \$8.00 = \$80,000.00  
Total original from: \$138,740.00 x 89% Erate Discount = \$123,478.60

New "To" proposal adjusted due to 89% eligible SKU 876-000361

Novell Licenses – SKU 876-000361 Qty 22,000 x \$3.00 = \$66,000.00 x 89% (eligible portion) = \$58,740.00  
Novell Licenses – SKU 876-000361 Qty 20,240 x \$3.00 = \$60,720.00 x 89% (eligible portion) = \$54,040.80  
MS Windows Server 2008 Device CALs 2410 x \$8.00 = \$19,280.00  
**Total new to: \$132,060.80 x 89% Erate Discount = \$117,534.12**

We approve the reduction in the commitment amount down to a total commitment amount of \$117,534.12. According to our calculation, the reduction will be \$12,405.88 (\$129,940.00 - \$117,534.12)

-Debi Sovereign  
Kellogg & Sovereign Consulting, LLC

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Here is the information for the current licenses Bridgeport would like to renew. Information below was provided by Gary Millar with Network Support Company. Since the district does not need the Windows licenses, they would like to use the remaining funding to renew their Novell licenses.

QTY	SKU	Description
20238	876-000361	Open Enterprise Server, ZENworks Desktop Management, ZENworks Server Management Bundle FTE School License

**ATTACHMENT 3**

Service Substitution Request dated 9/30/09



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

September 30, 2009

Service Substitutions  
 Schools and Libraries Division  
 Box 125-Correspondence Unit  
 80 South Jefferson Road  
 Whippany, NJ 07981

### SERVICE SUBSTITUTION REQUEST

**Contact Name:**

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

**FCD Letter:**

Bridgeport School District  
 Form 471 Application : 610843  
 Funding Year: 2008  
 Billed Entity Number: 122549  
 FRN: 1727821

Bridgeport School District is requesting a Service Substitution for funding request number 1727821. This is a revision from the previous service substitution request submitted 4/20/09. The following changes are requested:

Description	Qty	Price	Total	Discount %	Committed Amount
<b>ORIGINAL "FROM" PROPOSAL:</b>					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00
Microsoft Windows 2003 Terminal Server CALs	10,000.00	8.00	80,000.00	89%	71,200.00
<b>TOTAL ORIGINAL PROPOSAL:</b>	<b>32,000.00</b>		<b>146,000.00</b>		<b>129,940.00</b>
<b>NEW "TO" PROPOSAL:</b>					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00
Novell Licenses	20,240.00	3.00	60,720.00	89%	54,040.80
Microsoft Windows Server 2008 Device CALs	2,410.00	8.00	19,280.00	89%	17,159.20
<b>TOTAL NEW "TO" PROPOSAL:</b>	<b>44,650.00</b>		<b>146,000.00</b>		<b>129,940.00</b>
		Reduction:	-		-

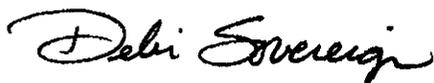
## KELLOGG & SOVEREIGN® CONSULTING, LLC

We previously submitted a service substitution dated April 20, 2009. The previous substitution and approval letter are included as Attachment A.

Regarding the service substitution, we certify the following:

- a. that the substituted products or services have the same functionality as that contained in the original proposal,
- b. that the substitution does not result in an increase in the percentage of ineligible services or functions,
- c. that the substitution does not violate any contract provisions,
- d. that the requested change is consistent with the establishing Form 470 and any Request for Proposal for the original services.
- e. that the requested change is in compliance with all applicable state and local procurement laws, and
- f. that the applicant has secured access to all of the resources necessary to make effective use of the modified services as well as to pay the discounted charges for eligible services.

Respectfully submitted,



Debi Sovereign  
Consultant

Attachments:

- A. Copy of Service Substitution submitted 4/20/09
- B. Funding Commitment Decision Letter
- C. Letter of Agency



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

## ATTACHMENT A

**Service Substitution Request Previously  
submitted April 20, 2009**



**ADMINISTRATOR'S DECISION ON SERVICE SUBSTITUTION REQUEST**

June 26, 2009

Debi Sovereign  
Kellogg & Sovereign Consulting, LLC  
P.O. Box 130  
Allen, OK 74825

Form 471 Application Number: 610843 – Bridgeport School District

Dear Applicant:

This letter is your notification that the FCC Form 471, *Services Ordered and Certification Form* you submitted for **Minor Modifications** was received and approved. You are now authorized to make the changes identified in your submission.

This letter does NOT authorize any increase in funding of any Funding Request Numbers (FRNs) contained in your submission. If the changes represent a cost decrease from the original commitment amount for the Funding Request Numbers (FRNs) listed below, the Schools and Libraries Division (SLD) automatically adjusts the funding commitment for the affected FRNs. If applicable, the amount of the reduction and the revised funding commitment will be shown below for the affected FRNs.

**Do NOT file FCC Form 500 to reflect any funding reduction from this service substitution request, as the funding reduction has already been taken.**

**Please keep this letter for your records. This is the only notification you will receive indicating the processing of the above-submitted form, and of a reduced funding commitment if a cost decrease is included.**

The Funding Request Numbers (FRNs) listed below are the only changes to products or services authorized for this Minor Modification filing.

**FRN: 1727821**  
**Reduction: \$22,250.00**  
**Revised Commitment: \$129,940.00**

**FRN: 1727783**  
**Canceled Service Substitution Request per applicant 6/19/09**

If you have any questions regarding the above information, please write to us at "SLD, Box 902- Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981."

ATTACHMENT # A-1



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

April 20, 2009

*Approved  
6-26-09*

Service Substitutions  
Schools and Libraries Division  
Box 125-Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

**SERVICE SUBSTITUTION REQUEST**

**Contact Name:**

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

**FCD Letter:**

Bridgeport School District  
Form 471 Application : 610843  
Funding Year: 2008  
Billed Entity Number: 122549  
FRN: 1727821

Bridgeport School District is requesting a Service Substitution for funding request number 1727821.

The following changes are requested:

Description	Qty	Price	Total	Discount %	Committed Amount
<b>ORIGINAL "FROM" PROPOSAL:</b>					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00
Microsoft Windows 2003 Terminal Server CALs	5,000.00	21.00	105,000.00	89%	93,450.00
			171,000.00		152,190.00
<b>NEW "TO" PROPOSAL:</b>					
Novell Licenses	22,000.00	3.00	66,000.00	89%	58,740.00

Bridgeport School District, Form 471 App # 610843

*Continued to  
Next Pg →*

ATTACHMENT # A.2

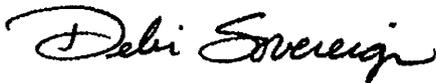
KELLOGG & SOVEREIGN® CONSULTING, LLC

Description	Qty	Price	Total	Discount %	Committed Amount
Microsoft Windows Server 2008 Device CALs	10,000.00	8.00	80,000.00	89%	71,200.00
			146,000.00		129,940.00
		Reduction:	25,000.00		22,250.00

Regarding the service substitution, we certify the following:

- a. that the substituted products or services have the same functionality as that contained in the original proposal,
- b. that the substitution does not result in an increase in the percentage of ineligible services or functions,
- c. that the substitution does not violate any contract provisions,
- d. that the requested change is consistent with the establishing Form 470 and any Request for Proposal for the original services.
- e. that the requested change is in compliance with all applicable state and local procurement laws, and
- f. that the applicant has secured access to all of the resources necessary to make effective use of the modified services as well as to pay the discounted charges for eligible services.

Respectfully submitted,



Debi Sovereign  
Consultant

Attachments:

- A. New "To" Proposal - Changed item only is listed
- B. Original "From" Proposal
- C. Funding Commitment Decision Letter
- D. Letter of Agency

ATTACHMENT # A-3

**ATTACHMENT B**

**Funding Commitment Decision Letter**



**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

December 18, 2008

Jane Kellogg or Debi Sovereign  
BRIDGEPORT SCHOOL DISTRICT  
P.O. Box 130  
Allen, OK 74825-0130

Re: Form 471 Application Number: 610843  
Billed Entity Number (BEN): 122549  
Billed Entity FCC RN: 0011525664  
Applicant's Form Identifier: BRID Y11-2

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$1,757,564.55 is "Approved."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

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

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 610843 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.

**ATTACHMENT # 8-1**

FUNDING COMMITMENT REPORT  
Billed Entity Name: BRIDGEPORT SCHOOL DISTRICT  
BEN: 122549  
Funding Year: 2008

Comment on RAL corrections: MR1:Bridgeport Board of Education and Bridgeport Board of Education Admin have been removed from Block 4, Worksheet 968444 of the Form 471 application at the request of the applicant. <><><><><> MR2:ERN(s) modified in accordance with a RAL request.

Form 471 Application Number: 610843  
Funding Request Number: 1727821  
Funding Status: Funded  
Category of Service: Internal Connections  
Form 470 Application Number: 886830000627018  
SPIN: 143028691  
Service Provider Name: Network Support Company, LLC  
Contract Number: 4232-SRVR SFT  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/05/2008  
Contract Expiration Date: 09/30/2009  
Shared Worksheet Number: 968444  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$171,000.00  
Pre-discount Amount: \$171,000.00  
Discount Percentage Approved by the USAC: 89%  
Funding Commitment Decision: \$152,190.00 - ERN approved as submitted  
FCDL Date: 12/18/2008  
Wave Number: 032  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

**ATTACHMENT C**

**Letter of Agency**

# KELLOGG & SOVEREIGN® CONSULTING, LLC

## LETTER OF AGENCY

E-Rate Funding Year 2008

NOON

I authorize Jane Kellogg, Don Kellogg, Debi Sovereign, and/or Tacy Olivo, representatives of Kellogg & Sovereign® Consulting, LLC to submit the E-rate Forms 470, 471, 486, 500, 472 (BEAR form), and other forms requested by the Schools and Libraries Division of the USAC on behalf of our school system. We also authorize the aforementioned representatives to act as our agents in soliciting, receiving, and preparing comparisons of proposals from service providers.

Name of Applicant (School/Library): Bridgeport School District

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

- ♦ Prepare and submit all paperwork requested by the Schools and Libraries Division of the USAC (SLD)
- ♦ Act as our agent in working with representatives of the FCC, USAC, and or/SLD to provide information as requested during application review, selective reviews, site visits, audits and any other activity associated with review of our applications
- ♦ Prepare Requests for Proposal (RFPs) to be posted to the Kellogg & Sovereign® Consulting, LLC website and distributed to appropriate vendors
- ♦ Provide information to vendors as needed to clarify information in RFPs
- ♦ Receive bids for requested services from vendors
- ♦ Notify vendors of their selection to provide services once the authorized school contact has analyzed comparisons of bids submitted to us through Kellogg & Sovereign® Consulting, LLC and we have notified Kellogg & Sovereign® Consulting, LLC of our selections.
- ♦ Complete contracts as specifically directed by the authorized school contact person for eligible E-Rate service.

**I also understand that in submitting these forms on our behalf, representatives of Kellogg & Sovereign® Consulting are making certifications for our school and/or library system. By signing this letter of agency, I make the following certifications as required by the Schools and Libraries Division:**

1. I certify that the school(s) I represent are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.
2. I certify that the entities I represent will secure access separately or through this program, to all of the resources including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent will secure access to all of the resources to pay the discounted charges for eligible services from funds to which access will be secured in the applicable funding year(s). I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).
3. I certify that all of the individual school(s) I represent are covered by technology plans that are written, that cover all 12 months of the applicable funding year(s), and that have been or will be approved by an SLD-certified technology plan approver prior to the commencement of service.

Entity #122549 (Bridgeport) App #610833  
FCC RN: 0011525664  
Form Identifier: BRIDY11-1  
Contact: Jane Kellogg or Debi Sovereign  
Email: erate@kelloggllc.com

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# KELLOGG & SOVEREIGN® CONSULTING, LLC

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NOON

4. I authorize Kellogg & Sovereign® Consulting, LLC to post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the most cost-effective service offering will be selected, with price being the primary factor considered, and will be the most cost-effective means of meeting educational needs and technology plan goals.
5. I certify that I will review all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities I represent will comply with them.
6. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed will not receive anything of value or a promise of anything of value, other than services and equipment sought by means of applications submitted with the Schools & Libraries Division, from the service provider, or any representative or agent thereof or any consultant in connection with the request for services.
7. I certify that I and the entity(ies) I represent will comply with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There will be signed contracts covering all of the services listed on the Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
8. I acknowledge 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 benefits from those services.
9. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
10. I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) I represent. I certify that I am authorized to sign this Letter of Agency and all information to be provided to Kellogg & Sovereign® Consulting, LLC for the E-Rate submission will be true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to the associated applications have complied with the terms, conditions, and purposes of this program, that no kickbacks were or will be paid to anyone and that false statements on universal service applications can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.

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ATTACHMENT # C-2

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NOON

- 11. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
- 12. I certify that if any of the Funding Requests listed on Form 471 applications are for discounts for products or services that contain both eligible and ineligible components that Kellogg & Sovereign® Consulting, LLC on our behalf will allocate the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F. R. Sec. 54.504(g)(1),(2).
- 13. I certify that funding requests included on the related application(s) will not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F. R. Sec. 54.506(c).
- 14. I acknowledge that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on the applicable Form 471 applications will not be net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision by the provider of a supported service of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.
- 15. I certify that prior to the commencement of service, the school(s) I represent will be in compliance with the requirements of the Children's Internet Protection Act, as codified at 47 U.S. C. Sec. 254(h) and (l).

Applicant Name (School/Library): Bridgeport School District

Signature of Authorized Person: [Signature] Date: 6/7/07

Printed Name of Authorized Person: Richard Huot Title: Director of Business

This authorization shall remain in effect until notified of cancellation in writing.

PLEASE SIGN AND RETURN TO:  
Kellogg & Sovereign® Consulting, LLC P.O. Box 130, Allen, OK 74825