

April 17, 2010

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

Dear Federal Communications Commission:

Please find the enclosed Petition for Waiver of the USAC guidelines for invoice deadline extension requests filed on behalf of Harmony School District 21.

Respectfully submitted,



Deborah Sovereign, Consultant

Enclosures

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

In the Matter of )  
 )  
Request for Waiver by ) CC Docket No. 02-6  
Harmony School District 21 )  
Invoice Deadline Extension Request )  
Form 471 Application # 555544 )  
Funding Request Numbers: 1532534 )  
and 1532556 )  
 )

**PETITION FOR WAIVER**

**HARMONY SCHOOL DISTRICT 21**

April 17, 2010

Deborah Sovereign  
Jane Kellogg

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

Harmony School District 21, Atoka, Oklahoma hereby petitions the Commission to waive the Schools & Libraries' Division (SLD) of the Universal Service Administrative Company's (USAC) guidelines that consider an invoice extension is not filed in a timely manner if the extension is requested more than 120 days after the end of the service delivery date. We are requesting the waiver of the invoice extension request deadline for the following:

Billed Entity	Harmony School District 21	
Billed Entity Number	140236	
Form 471 Application #	555544	555544
Funding Request Number	1532534	1532556
Service Provider Name	AT&T Corporation	AT&T Corporation
SPIN	143001192	143001192
SLC Invoice Number	N/A	N/A
Committed Amount	\$3,535.81	\$1,110.46

**The Administrator's decision on Invoice Deadline Extension Request: Denied**

According to the Administrator's Decisions (See Attachment 1) :

"Explanation: Current guidelines and procedures require Invoice Deadline Extension requests to be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). The extension request was not filed in a timely manner, so it is denied."

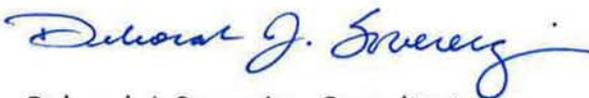
Please review the invoice deadline extension request originally submitted to USAC dated October 1, 2009. The applicant had requested that the service providers discount their bills. However, the discounts were not processed by the service providers because corrective SPIN changes were needed on each of the above listed FRNs. The school district was not aware of the problem until the technology coordinator, Kim Belcher, reviewed the funding and found that the disbursements on the above listed FRNs had not been taken care of. Ms. Belcher contacted Kellogg & Sovereign

Consulting, LLC for assistance and to determine why discounts had not been issued. We contacted the providers who informed us that corrective SPIN changes needed to be issued on both FRNs before invoices could be submitted to SLD/USAC. The correct SPIN for FRN 1532534 is SPIN 143004662 (Southwestern Bell Telephone) instead of 143001192 (AT&T Long Distance) and the correct SPIN for FRN 1532556 is 143008823 (AT&T/SBC Long Distance) instead of 143001192(AT&T Corp.).

We understand that the 120 day guideline used by SLD/USAC in determining whether or not to approve invoicing deadline extension requests is necessary to expedite processing. However, in this particular situation, the applicant was not aware of the incorrect SPIN problems which resulted in circumstances beyond the control of the service provider and an undue hardship on the school district. Ms. Belcher took appropriate action as soon as possible to follow up on the E-Rate funding for FRNs 1532534 and 1532556. Additionally, the district has copies of the bills and cancelled checks related to the funding to document the charges incurred related to both FRNs.

Therefore, we are respectfully requesting a waiver of the SLD guidelines regarding invoice extension requests and respectfully request that an invoice extension be granted for both FRN 1532534 and 1532556.

Respectfully Submitted,



Deborah J. Sovereign, Consultant

#### **ATTACHMENTS**

1. Administrator's Decision on Invoice Deadline Extension Request
2. Invoice Deadline Extension Requested dated 10/01/2009

# **ATTACHMENT 1**

## **Administrator's Decision on Invoice Deadline Extension Request**

**Administrator's Decision on Invoice Deadline Extension Request**

February 1, 2010

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

RE: Harmony School District 21

RE: SLD Invoice #: N/A BEAR or SPI: N/A  
Invoice Date: N/A

SLD Line(s) #: N/A  
Vendor invoice #: N/A  
471 Application Number: 555544  
Funding Request Number(s): 1532534, 1532556  
Your Correspondence Dated: October 01, 2009

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 invoice deadline extension request for the invoice 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 request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: N/A Line(s): N/A  
Decision on Request: **Denied**

Explanation: Current guidelines and procedures require Invoice Deadline Extension requests to be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). The extension request was not filed in a timely manner, so it is denied

**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 e-mail 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 decision letter and the decision you are appealing:
  - Appellant name,
  - Applicant or Service Provider name,
  - BEN and/or SPIN,
  - Form 471 and FRN,
  - Invoice number as assigned by SLD,
  - "Administrator's Decision on Invoice Deadline Extension Request" dated 02/01/2010  
**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 affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, send 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 USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC 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

While we encourage you to resolve your appeal with USAC first, you have the option of filing an appeal 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 in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Laura Roe, AT&T Corp.

# **ATTACHMENT 2**

## **Invoice Deadline Extension Request Filed October 1, 2009**



1101 Stadium Drive • Ada, OK 74820 • p 580.332.1444 • f 580.332.2532 • dsovereign@kelloggllc.com

October 1, 2009

Invoice Deadline Extension Request  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981  
(973) 599-6526

## INVOICING DEADLINE EXTENSION REQUEST

**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)

Billed Entity	Harmony School District 21	
Billed Entity Number	140236	
Form 471 Application Number	555544	
Funding Request Number	1532534	1532556
Service Provider Name	AT&T Corporation	AT&T Corporation
SPIN	143001192	143001192
SLC Invoice Number	N/A	N/A
Commitment Amount	\$3,535.81	\$1,110.46

**Reason for Invoice Deadline Extension Request:**

Documentation requirements that necessitate third-party contact or certification and circumstances beyond the service provider's control.

**Discussion:**

For both funding request numbers 1532534 and 1532556, the SPINs listed were incorrect. FRN 1532534 should be SPIN 143004662 (Southwestern Bell Telephone/ AT&T) and FRN 1532556 SPIN should be 143008823 (SBC Long Distance/ AT&T Long Distance). The service provider has recommended that the applicant file an invoice deadline extension request, then submit the SPIN correction on the two funding requests. Once the SPIN correction is processed, the applicant will be able to file for reimbursement by submitting a Form 472.

The applicant did incur regular monthly charges for E-Rate eligible phone and long distance services during the period July 1, 2007- June 30, 2008. They are making copies of their bills in order to file for reimbursement.

Since the applicant did incur eligible charges during the funding year for FRNs 1532534 and 1532556, and since they need the extension in order to file the SPIN corrections and subsequently prepare and submit the BEAR Forms 472, we are respectfully requesting an invoice deadline extension on funding request numbers 1532534 and 1532556.

Respectfully submitted,



Debi Sovereign  
Consultant

Attachment:

- A. Letter of Agency

## ATTACHMENT A

### Letter of Agency

**KELLOGG & SOVEREIGN® CONSULTING, LLC**  
**LETTER OF AGENCY**  
**E-Rate Funding Year 2007**

I authorize Jane Kellogg, Debi Sovereign, and/or Mel Van Patten, representatives of Kellogg & Sovereign® Consulting, LLC to represent our district related to Form 471 Application # 555544.

Name of Applicant (School/Library): HARMONY SCHOOL DISTRICT 21 (BEN 140236)

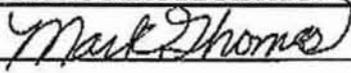
As such, they are authorized to conduct the following on our behalf to:

- ♦ Prepare and submit all paperwork related to Form 471 Application # 555544 to the Schools and Libraries Division of the USAC (SLD). Documentation may include invoice extension requests, service substitutions, Forms 500, Forms 472, appeals, and any other documentation as needed.
- ♦ Act as our agent in working with representatives of USAC and/or the FCC to resolve any questions or problems with the funding request.
- ♦ Provide information to service providers as needed to clarify information for the request

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

that I am authorized to order telecommunications and other supported services for the eligible entity(ies) I represent. I certify that I am authorized to sign this Letter of Agency and all information to be provided to Kellogg & Sovereign® Consulting, LLC for the E-Rate submission will be true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to the associated applications have complied with the terms, conditions, and purposes of this program, that no kickbacks were or will be paid to anyone and that false statements on universal service applications can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.

Applicant Name (School/Library): HARMONY SCHOOL DISTRICT 21

Signature of Authorized Person:  Date: 10/2/2009

Printed Name of Authorized Person: Mark Thomas Title: Superintendent

**PLEASE SIGN AND RETURN TO:**  
**Kellogg & Sovereign® Consulting, LLC**  
**1101 Stadium Drive, Ada, OK 74820**