

September 20, 2011

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

Dear Federal Communications Commission:

Please find the enclosed Petition for Waiver of the administrative deadline for submitting a Form 486 for E-rate funding year 2010.

The applicant incorrectly omitted funding request number 1957770 when they filed their original Form 486. The omission was not realized until the service provider notified the applicant in June, 2011.

Respectfully submitted,



Deborah Sovereign, Consultant

Enclosures

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

In the Matter of)
)
Request for Waiver) CC Docket No. 02-6
Form 486 filing deadline)
Wapanucka Indep School Dist 37)
Form 471 Application # 719689)
Funding Request Number: 1957770)
)
)
)

PETITION FOR WAIVER

WAPANUCKA INDEP SCHOOL DIST 37

Deborah Sovereign
Jane Kellogg

September 20, 2011

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

Wapanucka Public Schools, Wapanucka, Oklahoma, hereby petitions the Commission to waive the Form 486 administrative deadline for funding request number 1957770. Additionally, we would like to bring to the Commission's attention that the method USAC uses to adjust the service start date by calculating the date as 120 days prior to the date the Form 486 is postmarked instead of the number of days the Form 486 is actually filed late results in an unusually high penalty for late filing of the Form 486.

We have attached the original appeal filed with USAC which was denied. The applicant accidentally omitted funding request number 1957770 from the original Form 486 that they filed on December 7, 2010 for the services that were funded on Form 471 Application # 719689.

On March 29, 2011, the applicant received a notice that their Form 486 for FRN 1957770 may be late. Since they had already filed the Form 486 on December 7, 2010, the applicant did not take any action on the notice. It wasn't until the service provider contacted the applicant that the applicant realized there was an issue with FRN 1957770, and that it had been accidentally omitted from the Form 486 filed in December, 2010. The service provider, OK Voice & Data, Inc., had indeed provided basic maintenance services for the district for the period July 1, 2010 – June 30, 2011, so the applicant filed the Form 486 for FRN 1957770 on June 28, 2011 with a service start date of July 1, 2010. Copies of the service providers' invoices and Item 21 attachments were included with the USAC appeal which is included as Attachment 1.

The change in the service start date from July 1, 2010 to February 28, 2011 results in a reduction of the funding commitment for the maintenance services from \$3,420.04 to \$1425.02. USAC determines the adjusted service start date by taking the postmark date of the Form 486 and subtracting 120 days. This technique creates an unusually high penalty as it is not related to the number of days that the Form 486 is actually filed late and can be considerable if the amount of the funding request is large.

Using Wapanucka Public School's situation as an example, the deadline for filing the Form 486 was 120 days from the later of the funding commitment decision letter (FCDL) or the service start date. Since the FCDL was issued 11/23/2010, the Form 486 due date was 3/23/2011. The applicant filed the late Form 486 on June 28, 2011 which was 97 days late. If you penalize the applicant for the number of days the Form 486 was filed late, then the adjusted start date would be October 6, 2010 and the reduction in funding would be 29.167% (allowing 8.5 months of funding) or \$1,108.35. Using USAC's method, the penalty is \$2,375.03 (only allowing 4.5 months of funding) which is 62.5% of the funding – a penalty that reflects filing late by 211 days (based on 365 day year) instead of the 97 days the applicant was actually late. An even more appropriate penalty for late filing would be a standard monthly fee which would not be affected by the dollar amount associated with the funding request. See Attachment 2.

We respectfully recommend that the Commission review the method USAC uses to adjust the service start date and determine a method that more accurately reflects the actual number of days late or consider using a late payment penalty which would be more reasonable than the current method.

Additionally, we respectfully request that the 120 day Form 486 deadline for Wapanucka Public Schools be waived since the applicant did file a timely Form 486 but accidentally omitted funding request number 1957770 from the original Form 486 filing.

Respectfully Submitted,



Deborah J. Sovereign, Consultant

ATTACHMENTS

1. USAC Appeal and decision letter
2. Form 486 Late filing penalties – Examples of current method vs. recommended methods
3. Letter of Agency

ATTACHMENT 1

Letter of Appeal to USAC USAC Denial Letter



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2010-2011

July 22, 2011

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

Re: Applicant Name: WAPANUCKA INDEP SCHOOL DIST 37
Billed Entity Number: 139869
Form 471 Application Number: 719689
Form 486 Application Number: 839415
Funding Request Number(s): 1957770
Your Correspondence Dated: July 13, 2011

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 2010 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1957770
Decision on Appeal: **Denied**
Explanation:

- USAC has determined that your FCC Form 486 was not filed within 120 days calculated from November 23, 2010, the date of the FCDL or July 1, 2010, the Service Start Date (SSD) indicated on the FCC Form 486, whichever date is later. On March 29, 2011, USAC mailed an "Urgent Reminder" letter providing you with additional time and a new deadline to submit and/or certify your FCC Form 486. Your FCC Form 486 was postmarked and certified on June 28, 2011, which is after the new deadline. Consequently, the SSD has been revised to February 28, 2011, 120 days before the FCC Form 486 postmark date. If the funding commitment includes recurring charges then the funding commitment has been reduced accordingly. It is the responsibility of the applicant to ensure that all

forms are submitted to USAC in a correct and timely manner. As a result, your appeal is denied.

- FCC rules require applicants to use recurring services within the relevant funding year and to implement non-recurring services by the applicable deadline established by the Commission. *See* 47 C.F.R. sec. 54.507(d). The FCC Form 486 informs USAC when the applicant is scheduled to receive or has received services in the relevant funding year from the named service provider. The receipt of a properly completed FCC Form 486 triggers the process for USAC to receive invoices. In order for an applicant to receive discounts retroactively to the Service Start Date (SSD), the FCC Form 486 should be postmarked no later than 120 days after the SSD featured on the FCC Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter (FCDL), whichever is later. When an applicant has missed a deadline to file its FCC Form 486, it is given an additional 20 calendar days from the date of receipt of USAC's written notice to file or amend its FCC Form 486 and receive services retroactively to the SSD. *See* Request for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-412028, et al., CC Docket No. 02-6, 21 FCC Rcd 10186-10187, DA 06-1871, para. 8 (rel. Sep. 14, 2006).

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



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

July 13, 2011

Letter of Appeal
Schools and Libraries Division
Box 125-Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Contact Name:

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

Applicant:

Wapanucka Indep School Dist 37
Billed Entity # 139869
FY: 2010
Form 471 # 719689
FRN: 1957770

Dear Appeals Processor:

We are appealing the change in the service start date for funding request number 1957770 from July 1, 2010 to February 28, 2011.

The applicant received funding on November 23, 2010 for the services included on their Form 471 # 719689 which included both priority one and priority two services.

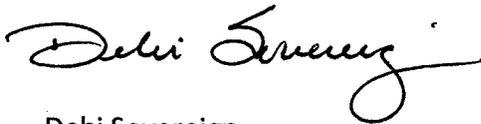
On December 7, 2010, the applicant submitted the Form 486 (application # 822414) for all of their funding requests (priority one services) but accidentally omitted FRN 1957770 which was for basic maintenance services (priority two services).

On March 29, 2011, the applicant received a notice that their Form 486 for FRN 1957770 may be late. Since they had already filed the Form 486 on December 7, 2010, the applicant did not take any action on the notice. It wasn't until the service provider contacted the applicant that the applicant realized there was an issue with FRN 1957770 and that it had been accidentally omitted from the Form 486 filed in December, 2010. The service provider, OK Voice & Data, Inc., had indeed provided basic maintenance services for the district for the period July 1, 2010 – June 30, 2011, so the applicant filed the Form 486 for FRN 1957770 on June 28, 2011 with a service start date of July 1, 2010.

We have attached copies of the service providers' invoices and Item 21 attachments for your reference.

Since the applicant filed a Form 486 for their funding on December 7, 2010 and the reason for the late filing of FRN 1957770 was that it was accidentally omitted from Form 486 # 822414, we are respectfully requesting that the service start date be corrected to July 1, 2010 to reflect the date when services actually began.

Respectfully submitted,



Debi Sovereign
Consultant

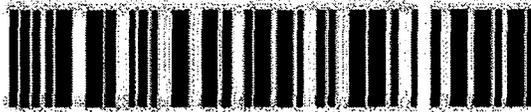
Attachments:

- A. Form 486 # 822414 submitted 12/7/2010
- B. Form 486 # 839415 submitted 6/28/2011
- C. Invoice from service provider and Item 21 attachments
- D. Funding Commitment Decision Letter
- E. Letter of Agency

ATTACHMENT A

Form 486 # 822414
Submitted 12/7/2010

FCC Form 486	Do Not Write in this Area	Approval by OMB 3060-0853 Estimated time per response: 1.5 hours
Schools and Libraries Universal Service Receipt of Service Confirmation Form		
To be completed by the Billed Entity Please read instructions before completing.		
		(You can also file online at www.usac.org/sl .)
Applicant's Form Identifier (Create your own code to identify THIS Form 486)	WAPA Y13a	Form 486 Application# (To be assigned by administrator)
822414		
Block 1: Billed Entity Information		
1. Name of Billed Entity		
WAPANUCKA INDEP SCHOOL DIST 37		
2. Billed Entity Number	139869	3. Funding Year July 1, 2010 through June 30, 2011
4. Complete Mailing Address of Billed Entity Street Address, P.O. Box, or Route Number		
HIGHWAY 48, PO BOX 188		
City	State	Zip Code
WAPANUCKA	OK	73461 -
Telephone Number	Extension	Fax Number
580-937-4288		580-937-4804
5. Contact Person Information		
Contact Person Name Debi Sovereign		
Street Address, P.O. Box or Route Number		
1101 Stadium Drive		
City	State	Zip Code
Ada	OK	74820 - 8459
Check the box next to the preferred mode of contact. (At least one box MUST be checked.)		
<input type="checkbox"/> Telephone Number	Extension	<input type="checkbox"/> Fax Number
580-332-1444	104	580-332-2532
<input checked="" type="checkbox"/> Email Address	dsovereign@kelloggllc.com	



0486010103

ATTACHMENT # A.1

Entity Number	139869	Applicant's Form Identifier	WAPA Y13a
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104

Block 2: Early Filing Information and CIPA Waiver Requests

6a. Early Filing

CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING ON OR BEFORE JULY 31 OF THE FUNDING YEAR.

The Funding Requests listed in Block 3 have been approved by USAC as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.

6b. CIPA Waiver

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

6c. CIPA Waiver for Libraries for Funding Year 2004

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR FUNDING YEAR 2004 IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY FOR THE LIBRARY(IES) REPRESENTED ON THIS FORM 486.

I am providing notification that, as of the date of the start of discounted services in Funding Year 2004, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Funding Year 2005.



0486010203

ATTACHMENT # A-2

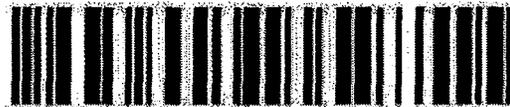
Entity Number	139869	Applicant's Form Identifier	WAPA Y13a
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104

Block 3: Service Information

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named service provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.

Remember: The FRNs listed below must be from the same Funding Year as is listed in Block 1, Item 3. If you need additional pages, please label them 4A, 4B, 4C, etc. and indicate the number in the space provided here:
Page 3

(A) 471 Application Number From FCDL	(B) Funding Request Number (FRN) From FCDL	(C) Service Provider Identification Number (SPIN) From FCDL	(D) Service Provider Name From FCDL	(E) Funding Year Service Start Date (Earliest Date that Discounted Services Will Begin)
719689	1957745	143004662	Southwestern Bell Telephone Company	7/1/2010
719689	1957754	143008823	SBC Long Distance, LLC.	7/1/2010
719689	1957760	143025240	ATT Mobility	7/1/2010
719689	1957766	143015254	OneNet (Oklahoma State Regents)	7/1/2010
719689	1957768	143027725	Scholastic Communications	7/1/2010



0486010303

ATTACHMENT # A-3

Entity Number	139869	Applicant's Form Identifier	WAPA Y13a
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104
Block 4: Certifications and Signature			
8.	<input checked="" type="checkbox"/>	I certify that the entity(ies) receiving discounted services as indicated on this Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body ? a USAC-certified technology plan approver ? prior to the commencement of service and that cover all 12 months of the funding year. If applicable, provide the name(s) of the organization(s) that approved a technology plan for any eligible entity that is receiving services covered under this Form 486. If EVERY FRN listed in the Form 486 is for basic telephone service only, enter "NONE" here.	
Oklahoma Department of Education			
9.	<input checked="" type="checkbox"/>	I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided on a tariff or month-to-month basis. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity; that I have examined this request; and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.	
10.	<input checked="" type="checkbox"/>	I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.	
<p>NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11: A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d. A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.") A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 2001 and who checks Item 11d must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")</p> <p>IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.</p>			



0486010403

ATTACHMENT # A-4

Entity Number	139869	Applicant's Form Identifier	WAPA Y13a
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104

11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

I certify that as of the date of the start of discounted services:

- a. the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b. pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486:

(FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.

(FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (are) in compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.

- c. the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES

- d. I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.
- e. I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply.

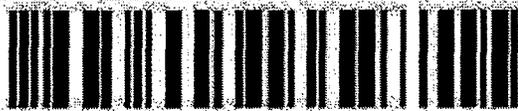
For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:

- f. I certify that some or all of the eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR
- g. I certify that no eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver.

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

¹ See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

The certification language above is not intended to fully set forth or explain all the requirements of the statute.



0 4 8 6 0 1 0 5 0 3

ATTACHMENT # AS

Applicant's Form Identifier: WAPA Y13a

Entity Number: 139869

Contact Person: Debi Sovereign

Phone Number: (580) 332-1444 Ext. 104

Certifications and Signature

Do not write in this area

486 Application Number: 822414

1. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.
2. 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.
3. I certify that the entity(ies) I represent has complied 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.
4. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of benefits from those services.
5. I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.
6. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

7. Cert ID = 698456

8. Date 12/9/2010

8. Printed name of authorized person **Debi Sovereign**9. Title or position of authorized person **Consultant**10a. Street Address, P.O Box or Route Number **1101 Stadium Drive
Ada, OK 74820-8459**10b. Telephone number of authorized person **(580) 332 - 1444 x 104**10c. Fax number of authorized person: **(580) 332-2532**10d. E-mail of authorized person: **dsovereign@kelloggllc.com**

ATTENTION: If you are signing Form 486 using the PIN assigned to you by SLD, you are reminded that using the PIN is equivalent to your handwritten signature on the form. Your use of the PIN to affirm these certifications means that should they prove untrue, you will be held to the same enforcement standards as those who affirm the certifications on paper. Also, by using the PIN, you are affirming that you have the authority to make these certifications and represent the entity featured in Block One of this funding request.

ATTACHMENT # A-6

Please Check to affirm your compliance

**486 Application Number:
WAPANUCKA INDEP SCHOOL DIST 37
HIGHWAY 48, PO BOX 188
WAPANUCKA , OK 73461**

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.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 486) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation of potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, if you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please retain a copy of this page and submit a copy with any communications to the SLD.

[Return to SLD Home Page](#)

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Schools and Libraries Division

ATTACHMENT # A-7

ATTACHMENT B

Form 486 # 839415
Submitted 06/28/2011

Funding Commitment Report, FY 2010

Applicant Name: WAPANUCKA INDEP SCHOOL DIST 37

Billed Entity #: 139869

471 App #	FRN Service Provider	SPIN	Description Category	Billing Acct/ Contract #	FCDL Date Fund Status	Pre-Discct Amount	Discct	Funding Amount	Applicant Share
719689	1957745 Southwestern Bell Telephone	143004662	Telephone Telcom Svc	580 937 4288 615 TEL T	11/23/2010 funded	4,157.76	90%	3,741.98	415.78
	1957754 SBC Long Distance LLC.	143008823	Long Distance Telcom Svc	580 937 4288 715 LD T	11/23/2010 funded	868.44	90%	781.60	86.84
	1957760 ATT Mobility	143025240	Cellular Telcom Svc	827 802 944 CEL MTM	11/23/2010 funded	1,307.04	90%	1,176.34	130.70
	1957766 OneNet (Oklahoma State	143015254	Internet-T1 Internet Access	9876 INT T-1 MTM	11/23/2010 funded	6,168.00	90%	5,551.20	616.80
	1957768 Scholastic Communications	143027725	Web hosting Internet Access	5456-WEB HST	11/23/2010 funded	2,500.00	90%	2,250.00	250.00
* 1957770	OK Voice & Data Inc.	143028361	PBX-Maintenance Maintenance	5617-PBX MTC	11/23/2010 funded	3,800.04	90%	3,420.04	380.00
Totals for 471 App # 719689:						18,801.28		16,921.16	1,880.12
Totals for Billed Entity # 139869:						18,801.28		16,921.16	1,880.12
Totals for all Billed Entitiy #'s:						18,801.28		16,921.16	1,880.12

* Accidentally omitted from 486 filed 12/7/2010
486 submitted for FRN 1957770 on 6/28/2011

ATTACHMENT # B-1

FCC Form 486		Do Not Write in this Area		Approval by OMB 3060-0853 Estimated time per response: 1.5 hours	
Schools and Libraries Universal Service Receipt of Service Confirmation Form					
To be completed by the Billed Entity Please read instructions before completing.			(You can also file online at www.usac.org/sl .)		
Applicant's Form Identifier WAPA Y13z (Create your own code to identify THIS Form 486)			Form 486 Application#: 839415 (To be assigned by administrator)		
Block 1: Billed Entity Information					
1. Name of Billed Entity WAPANUCKA INDEP SCHOOL DIST 37					
2. Billed Entity Number 139869		3. Funding Year July 1, 2010 through June 30, 2011			
4. Complete Mailing Address of Billed Entity Street Address, P.O. Box, or Route Number HIGHWAY 48, PO BOX 188					
City WAPANUCKA		State OK		Zip Code 73461 -	
Telephone Number 580-937-4288		Extension 104		Fax Number 580-937-4804	
5. Contact Person Information Contact Person Name Debi Sovereign					
Street Address, P.O. Box or Route Number 1101 Stadium Drive					
City Ada					
State OK		Zip Code 74820 - 8459			
Check the box next to the preferred mode of contact. (At least one box MUST be checked.)					
<input type="checkbox"/> Telephone Number 580-332-1444		Extension 104		<input type="checkbox"/> Fax Number 580-332-2532	
<input checked="" type="checkbox"/> Email Address dsovereign@kelloggllc.com					



0486010103

ATTACHMENT # B.2

Entity Number	139869	Applicant's Form Identifier	WAPA Y13z
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104
Block 2: Early Filing Information and CIPA Waiver Requests			
6a. Early Filing			
CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING ON OR BEFORE JULY 31 OF THE FUNDING YEAR.			
<input type="checkbox"/> The Funding Requests listed in Block 3 have been approved by USAC as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.			
Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.			
6b. CIPA Waiver			
CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.			
<input type="checkbox"/> I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.			
6c. CIPA Waiver for Libraries for Funding Year 2004			
CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR FUNDING YEAR 2004 IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY FOR THE LIBRARY(IES) REPRESENTED ON THIS FORM 486.			
<input type="checkbox"/> I am providing notification that, as of the date of the start of discounted services in Funding Year 2004, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Funding Year 2005.			



0486010203

ATTACHMENT # B-3

Entity Number	139869	Applicant's Form Identifier	WAPA Y13z
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104

Block 3: Service Information

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named service provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.

Remember: The FRNs listed below must be from the same Funding Year as is listed in Block 1, Item 3. If you need additional pages, please label them 4A, 4B, 4C, etc. and indicate the number in the space provided here:

Page
3

(A) 471 Application Number From FCDL	(B) Funding Request Number (FRN) From FCDL	(C) Service Provider Identification Number (SPIN) From FCDL	(D) Service Provider Name From FCDL	(E) Funding Year Service Start Date (Earliest Date that Discounted Services Will Begin)
719689	1957770	143028361	OK Voice & Data, Inc.	7/1/2010



0486010303

ATTACHMENT # B-4

Entity Number	139869	Applicant's Form Identifier	WAPA Y13z
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104
Block 4: Certifications and Signature			
8.	<input checked="" type="checkbox"/>	I certify that the entity(ies) receiving discounted services as indicated on this Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body ? a USAC-certified technology plan approver ? prior to the commencement of service and that cover all 12 months of the funding year. If applicable, provide the name(s) of the organization(s) that approved a technology plan for any eligible entity that is receiving services covered under this Form 486. If EVERY FRN listed in the Form 486 is for basic telephone service only, enter "NONE" here.	
Oklahoma Department of Education			
9.	<input checked="" type="checkbox"/>	I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided on a tariff or month-to-month basis. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity; that I have examined this request; and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.	
10.	<input checked="" type="checkbox"/>	I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.	
<p>NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11: A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d. A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.") A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 2001 and who checks Item 11d must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")</p> <p style="text-align:center;">IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.</p>			



0486010403

ATTACHMENT # B-5

Entity Number	139869	Applicant's Form Identifier	WAPA Y13z
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104

11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

I certify that as of the date of the start of discounted services:

- a. the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b. pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486:

(FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.

(FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (are) in compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.

- c. the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES

- d. I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.
- e. I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply.

For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:

- f. I certify that some or all of the eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR
- g. I certify that no eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver.

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

¹ See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

The certification language above is not intended to fully set forth or explain all the requirements of the statute.



0486010503

ATTACHMENT # B-6

Applicant's Form Identifier: WAPA Y13z

Entity Number: 139869

Contact Person: Debi Sovereign

Phone Number: (580) 332-1444 Ext. 104

Certifications and Signature

Do not write in this area

486 Application Number: 839415

1. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.
2. 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.
3. I certify that the entity(ies) I represent has complied 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.
4. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of benefits from those services.
5. I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.
6. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

7. Cert ID = 789046	8. Date 6/28/2011
----------------------------	--------------------------

8. Printed name of authorized person Debi Sovereign

9. Title or position of authorized person Consultant

**10a. Street Address, P.O Box or Route Number 1101 Stadium Drive
Ada, OK 74820-8459**

10b. Telephone number of authorized person (580) 332 - 1444 x 104

10c. Fax number of authorized person: (580) 332-2532

10d. E-mail of authorized person: dsovereign@kelloggllc.com

ATTENTION: If you are signing Form 486 using the PIN assigned to you by SLD, you are reminded that using the PIN is equivalent to your handwritten signature on the form. Your use of the PIN to affirm these certifications means that should they prove untrue, you will be held to the same enforcement standards as those who affirm the certifications on paper. Also, by using the PIN, you are affirming that you have the authority to make these certifications and represent the entity featured in Block One of this funding request.

ATTACHMENT # B-1

Please Check to affirm your compliance

**486 Application Number:
WAPANUCKA INDEP SCHOOL DIST 37
HIGHWAY 48, PO BOX 188
WAPANUCKA , OK 73461**

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.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 486) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation of potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, if you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please retain a copy of this page and submit a copy with any communications to the SLD.

[Return to SLD Home Page](#)

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Schools and Libraries Division

ATTACHMENT # B-8

ATTACHMENT C

Invoice from Service Provider
Item 21 Attachments

143028361|1957770|719689|241980000744376|WAPANUCKA INDEP SCHOOL DIST
37|Debi Sovereign or Jane Kellogg|EMAIL|1101 Stadium
Drive|Ada|OK|74820|8459|580|3322532||580|3321444|104|dsovereign@kelloggll
c.com|COMMITTED - FULL|5617-PBX MTC|Basic Maintenance of Internal
Connection|Not
Shared|||02/28/2011|06/30/2011|3800.04|90|1425.02|No|No|07/06/2011||2010|
07/01/2010|06/30/2011|Y|120-DAY 486 DEADLINE|Y
SLD 486 to Service Provider ; Total Records: 1

USAC Invoice payment notification
Showing Change in service start
date to 02/28/2011

ATTACHMENT # C.1

OK Voice & Data, Inc.

4019 W. Hwy. 70, # 311

Durant, OK 74701

State License#1556

Invoice

Phone # 580-924-4949
 Fax # 580-920-9977

Date	Invoice #
6/17/2011	113240



Bill To
Wapanucka Public Schools PO Box 188 Wapanucka, OK 73461-0188

Ship To

P.O. No.	Terms	Project
	Due on receipt	

Description	Qty	Rate	Amount
SPIN# 1430283611 Maintenance of Internal Connections 2010-2011 FRN# 1957770 471# 719689 Maintenance of Internal Connections Nortel Phone System and Drops District	1	3,800.00	3,800.00
Less Discount Amount 90%	1	-3,420.00	-3,420.00

Thank you for your business.	Subtotal	\$380.00
	Sales Tax (6.75%)	\$0.00
	Total	\$380.00
	Payments/Credits	\$-380.00
	Balance Due	\$0.00

ATTACHMENT # C-2

FORM 471, ITEM 21 ATTACHMENT

Erate FY: 2010

ATTACHMENT #6

Applicant: Wapanucka Public Schools
 BEN: 139869
 Wapanucka, OK

Provider: OK Voice & Data, Inc.
 SPIN: 143028361
 Bill Acct:

Contract #: 5617-PBX MTC Award Dt: 01/06/2010

Effective Dt: 07/01/2010 Exp Dt: 06/30/2011

Form 470 #: 241980000744376

Prior Yr FRN:

L4.Basic Maintenance

# Lines	Description	Qty	Pd	Monthly Cost	Non-Recur	Eligible	Page #
<i>Existing Service</i>							
	Basic Mtc - Phone System	1	12	316.67		Yes	1
Total Lines: 0	TOTAL ELIGIBLE			316.67	0.00	Annual: 3,800.04	
	Other			0.00	0.00		
	Current Charges			316.67			
	New Services			0.00			

Entity #139869 (Wapanucka ISD)
 App #719689 FCC RN: 0011642006
 Form Identifier: WAPAY13-1
 Contact: Debi Sovereign or Jane Kellogg
 Email: erate@kelloggllc.com

FORM 471 ITEM 21

ATTACHMENT # C-3

FRN 1957770

FORM 471, ITEM 21 ATTACHMENT

Applicant: Wapanucka Public Schools

BEN: 139869

Provider: OK Voice & Data, Inc.

SPIN: 143028361

FCC RN: 0012050126

Category: L. Maintenance

The following services are included on this bid:

1. L4. Basic Maintenance

Basic maintenance is eligible for discount only if it is a component of a maintenance agreement or contract for eligible services or products, and these maintenance services are cost effective. The agreement or contract must specifically identify the eligible products or services covered, including product name, model number, and location. End user support is not eligible. Network management services, such as monitoring of bandwidth usage, are not eligible.

Entity #139869 (Wapanucka ISD)
App #719689 FCC RN: 0011642006
Form Identifier: WAPAY13-1
Contact: Debi Sovereign or Jane Kellogg
Email: erate@kelloggllc.com

ATTACHMENT # C-4

FORM 471 ITEM 21

ATTACHMENT # _____

FRN 1957770

E-Rate Funding Year 2010 - BID FOR SERVICES

OK Voice & Data, Inc.
 SPIN: 143028361

Wapanucka Public Schools (139869)
 Location: District BEN
 Category: L. Maintenance

Manufacturer	Product Name	Part #	Qty	List Price	Sell Price	Pd	Ext. Price	Elig Pct	Ext. Eligible
L4.Basic Maintenance									
			1	3,800.00	3,800.00	1	3,800.00	100	3,800.00
Description: Basic Maintenance for E-Rate eligible equipment. See attached detail.									
Total for L4.Basic Maintenance:							\$3,800.00		\$3,800.00
Total for L. Maintenance:							\$3,800.00		\$3,800.00

Proposal/Contract Contingent upon E-Rate Funding & School Board Approval

Proposed By:

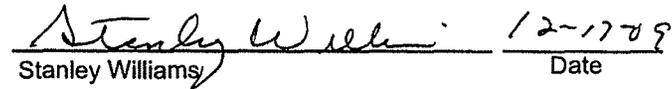


Terry Clement
 President
 OK Voice & Data, Inc.
 367 Silo Road Data, Inc.
 Durant, OK 74702-1015
 (580) 924-4949

11/19/2009

 Date

Accepted By:



Stanley Williams
 Superintendent
 PO Box 188
 Wapanucka, OK 73461-0188
 (580) 937-4288

12-17-09

 Date

Entity #139869 (Wapanucka ISD)
 App #719689 FCC RN: 0011642006
 Form Identifier: WAPAY13-1
 Contact: Debi Sovereign or Jane Kellogg
 Email: erate@kelloggllc.com

ATTACHMENT # C-5

FRN# 1957770 6-1

ATTACHMENT D

Funding Commitment Decision Letter



Universal Service Administrative Company

Schools and Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2010: 07/01/2010 - 06/30/2011)

November 23, 2010

Debi Sovereign or Jane Kellogg
WAPANUCKA INDEP SCHOOL DIST 37
1101 Stadium Drive
Ada, OK 74820-8459

Re: Form 471 Application Number: 719689
Billed Entity Number (BEN): 139869
Billed Entity FCC RN: 0011642006
Applicant's Form Identifier: WAPA Y13-1

Thank you for your Funding Year 2010 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, \$16,921.16 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 719689 as assigned by USAC,
 - "Funding Commitment Decision Letter for Funding Year 2010," AND
 - The exact text or the decision that you are appealing.

Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685
Visit us online at: www.usac.org/sl

ATTACHMENT # D-1

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to 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

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

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must bill the applicant at the same time it bills USAC. If USAC is being billed via the FCC Form 472, the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. If you are using a trade-in as part of your non-discount portion, please refer to our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

ATTACHMENT # D-2

FUNDING COMMITMENT REPORT
Billed Entity Name: WAPANUCKA INDEP SCHOOL DIST 37
BEN: 139869
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 719689
Funding Request Number: 1957745
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 743910000745275
SPIN: 143004662
Service Provider Name: Southwestern Bell Telephone Company
Contract Number: T
Billing Account Number: 580 937 4288 715 TEL
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: 06/30/2011
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1169752
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,157.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,157.76
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$3,741.98 - ERN approved as submitted

FCDL Date: 11/23/2010

Wave Number: 027

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

ATTACHMENT # D-3

FUNDING COMMITMENT REPORT
Billed Entity Name: WAPANUCKA INDEP SCHOOL DIST 37
BEN: 139869
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 719689
Funding Request Number: 1957754
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 743910000745275
SPIN: 143008823
Service Provider Name: SBC Long Distance, LLC.
Contract Number: T
Billing Account Number: 580 937 4288 715 LD
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: 06/30/2011
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1169752
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$868.44
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$868.44
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$781.60 - FRN approved as submitted

FCDL Date: 11/23/2010

Wave Number: 027

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

ATTACHMENT # 0-4

FUNDING COMMITMENT REPORT
Billed Entity Name: WAPANUCKA INDEP SCHOOL DIST 37
BEN: 139869
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 719689
Funding Request Number: 1957760
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 743910000745275
SPIN: 143025240
Service Provider Name: AT&T Mobility
Contract Number: MTM
Billing Account Number: 827 802 944 CEL
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: 06/30/2011
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1169752
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,307.04
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,307.04
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$1,176.34 - FRN approved as submitted

FCDL Date: 11/23/2010

Wave Number: 027

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

ATTACHMENT # D.S

FUNDING COMMITMENT REPORT
Billed Entity Name: WAPANUCKA INDEP SCHOOL DIST 37
BEN: 139869
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 719689
Funding Request Number: 1957766
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 743910000745275
SPIN: 143015254
Service Provider Name: OneNet (Oklahoma State Regents)
Contract Number: MTM
Billing Account Number: 9876 INT T-1
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: 06/30/2011
Contract Award Date: N/A
Contract Expiration Date: N/A
Shared Worksheet Number: 1169752
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$6,168.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$6,168.00
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$5,551.20 - FRN approved as submitted

FCDL Date: 11/23/2010
Wave Number: 027
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

ATTACHMENT # D-6

FUNDING COMMITMENT REPORT
Billed Entity Name: WAPANUCKA INDEP SCHOOL DIST 37
BEN: 139869
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 719689
Funding Request Number: 1957768
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 743910000745275
SPIN: 143027725
Service Provider Name: Gabbart Enterprises LLC
Contract Number: 5456-WebHst
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: N/A
Contract Award Date: 12/30/2009
Contract Expiration Date: 06/30/2011
Shared Worksheet Number: 1169752
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: \$2,500.00
Pre-discount Amount: \$2,500.00
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$2,250.00 - FRN approved as submitted

FCDL Date: 11/23/2010

Wave Number: 027

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

ATTACHMENT # D-1

FUNDING COMMITMENT REPORT

Billed Entity Name: WAPANUCKA INDEP SCHOOL DIST 37
BEN: 139869
Funding Year: 2010

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 719689
Funding Request Number: 1957770
Funding Status: Funded
Category of Service: Basic Maintenance of Internal Connection
Form 470 Application Number: 241980000744376
SPIN: 143028361
Service Provider Name: OK Voice & Data, Inc.
Contract Number: 5617-PBX MTC
Billing Account Number: N/A
Multiple Billing Account Numbers: N
Service Start Date: 07/01/2010
Service End Date: N/A
Contract Award Date: 01/06/2010
Contract Expiration Date: 06/30/2011
Shared Worksheet Number: 1169752
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,800.04
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,800.04
Discount Percentage Approved by the USAC: 90%
Funding Commitment Decision: \$3,420.04 - FRN approved as submitted

FCDL Date: 11/23/2010

Wave Number: 027

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

ATTACHMENT # D-8

ATTACHMENT 2

Form 486 Late Filing Penalties Examples of Current USAC Method vs. Recommended Methods

Form 486 Late Filing Penalties - Examples of current method vs. recommended methods

Current Method - Service Start Date is adjusted by subtracting 120 days from postmark date of Form 486												
Svc Start Date	Svc End Date	FCDL Date	486 Due Date	486 Filed	# Days Late	SSD Adjusted	Funding Commitment	Adjusted Funding	Penalty	# mos	# mos allowed	% funded
7/1/2010	6/30/2011	11/23/2010	3/23/2011	6/28/2011	97	2/28/2011	\$ 3,800.04	\$ 1,425.02	\$ 2,375.03	12	4.5	37.500%

Method based on # days late: Service Start Date is adjusted by subtracting # of days late from the actual service start date												
Svc Start Date	Svc End Date	FCDL Date	486 Due Date	486 Filed	# Days Late	SSD Adjusted	Funding Commitment	Adjusted Funding	Penalty	# mos	# mos allowed	% funded
7/1/2010	6/30/2011	11/23/2010	3/23/2011	6/28/2011	97	10/6/2010	\$ 3,800.04	\$ 2,691.70	\$ 1,108.35	12	8.5	70.833%

Method based on reasonable late fee such as \$30/month												
Svc Start Date	Svc End Date	FCDL Date	486 Due Date	486 Filed	# Days Late	SSD Adjusted	Funding Commitment	Adjusted Funding	Penalty	# mos	# mos late	
7/1/2010	6/30/2011	11/23/2010	3/23/2011	6/28/2011	97	10/6/2010	\$ 3,800.04	\$ 3,695.04	\$ 105.00	12	3.5	

ATTACHMENT 3

Letter of Agency

KELLOGG & SOVEREIGN® CONSULTING, LLC
LETTER OF AGENCY : E-RATE FUNDING YEAR 2010

2010

I authorize Jane Kellogg, Debi Sovereign, and/or Mel Van Patten, 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 (SLD) of the Universal Service Administrative Company (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): Wapanucka Indep Sch Dist 37 (BEN 139869)

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
- ♦ 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 services

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.

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.

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 our universal service applications, or any person associated in any way with my entity and/or the entities listed on our universal service applications, 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 our universal service 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 certify that the non-discount 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 universal service applications will 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/District): Wapanucka Indep Sch Dist 37, Wapanucka, OK

Signature of Authorized Person: Stanley Williams Date: 5-20-09

Printed Name of Authorized Person: Stanley Williams Title: Supt.

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



RETURN ORIGINAL BY MAIL TO:
Kellogg & Sovereign® Consulting
1101 Stadium Drive, Ada, OK 74820