

October 20, 2011

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 both the deadline for submitting a Form 486 and the 60 day deadline for submitting an appeal to USAC.

Respectfully submitted,



Deborah Sovereign, Consultant

Enclosures

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

In the Matter of

Request for Waiver  
Form 486 Filing Deadline  
Idabel School District 5  
Form 471 Application #718144  
Funding Request Number: 1981907

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CC Docket No. 02-6

**PETITION FOR WAIVER**

October 20, 2011

**IDABEL SCHOOL DISTRICT 5**

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

Idabel School District 5, Idabel, Oklahoma (“Idabel”) hereby petitions the Commission to waive the 120 day procedural deadline for filing the Form 486 for Idabel’s FY 2010 Form 471 application number 718144, funding request number 1981907. Additionally, we are requesting a waiver of the 60 day filing deadline for appeals.

In Idabel’s situation, a wide variety of circumstances occurred which resulted in the district missing both the Form 486 and appeals filing deadlines. We have summarized the various circumstances in the following timeline. We used the following abbreviations:

Idabel – Applicant, Idabel School District 5

KSLLC – Consulting firm, Kellogg & Sovereign Consulting

WPS – Service Provider, Workable Programs & Systems

Date	Occurrence
1/19/2011	Funding Commitment Decision Letter (FCDL) issued for priority one (P1) services on Form 471 # 715184
1/19/2011	Funding Commitment Decision Letter (FCDL) issued for priority two (P2) services on Form 471 # 718144
1/24/2011 to 1/26/2011	Idabel correspondence regarding PQA (Payment Quality Assurance) review for FY 2009. Idabel responded timely and sent needed documentation to KSLLC who submitted to PQA reviewer.
1/26/2011	Applicant’s consultant, KSLLC, emails and mails FCDL for Form 471 # 715184 (P1) to Idabel along with follow up form to be returned to KSLLC which directs KSLLC to file Form 486.
1/27/2011	Applicant’s consultant, KSLLC, emails and mails FCDL for Form 471 # 718144 (P2) to Idabel along with follow up form to be returned to KSLLC which directs KSLLC to file Form 486.
2/1/2011	Idabel signs the follow up form related to priority one services (Form 471 # 715184) which directs KSLLC to file Form 486 and faxes to KSLLC on 2/1/2011.
2/7/2011	KSLLC files, submits and certifies Form 486 for priority one services included on Form 471 # 715184 (P1)
2/14/2011	Various emails with Idabel and WPS (service provider for maintenance) regarding detail on maintenance bids for FY 2011 Erate application
2/16/2011	Email from Bruce Jones, owner, WPS discussing loss of emails and that issue has been corrected.
2/17/2011 to 3/16/2011	Large volume of emails and faxes related to FY 2011 Erate application including contracts with AT&T, Spring Break contact information, maintenance charges. Also emails related to FY 2009 funding requests from WPS that needed Form 500 filed to extend funding for implementation prior to 9/30/2011.

Date	Occurrence
3/1/2011	WPS changes administrative staff- Michelle Baker newly assigned to handle E-rate for WPS. Michelle corresponds with Idabel regarding extensions for FY 2009 internal connections .
3/10/2011 to 3/24/2011	Series of emails related to AT&T contracts that had to be re-done three times. Final version signed by both parties on E-rate filing deadline.
3/29/2011	Email from Michelle Baker with WPS regarding Form 500 for 2009 internal connections to be processed.
3/30/2011	Emails from KSLLC to AT&T regarding setting up discounts on 2011 P1 funding for Idabel
4/1/2011	KSLLC sends email reminder to Idabel requesting follow up form to direct KSLLC to file P2 Form 486 and leaves voice mail for Idabel
5/25/2011	USAC issues urgent reminder that Form 486 may be late for Form 471 # 718144, FRNs 1981906 and 1981907.
6/1/2011	KSLLC re-sends email reminder to Idabel requesting follow up form to direct KSLLC to file P2 Form 486 and leaves voice mail for Idabel
6/28/2011	KSLLC contacts WPS to verify maintenance provided to Idabel for the year. KSLLC verifies by phone call with Idabel, then KSLLC files Form 486 for maintenance FRN 1981907.
7/6/2011	USAC issues Form 486 notification letter for FRN 1981907 showing change in SSD from 7/1/2010 to 2/28/2011 based on postmark date of the Form 486.
7/26/2011	After phone call with Idabel regarding whether or not district will be implementing internal connections on FRN 1981906, KSLLC files Form 486 for FRN 1981906.
8/3/2011	USAC issues Form 486 notification letter for FRN 1981906 showing change in SSD from 7/1/2010 to 3/28/2011 based on postmark date of the Form 486.
8/16/2011	Discussion with WPS regarding maintenance billing for Idabel. Confirm services provided starting July 1 and need to file appeal.
8/4/2011	KSLLC records that appeal for 486 related to Form 471 #718144 FRN 1981907 needs to be filed within 60 days to USAC by 10/3/2011. Internally used date from 486 notification letter for FRN 1981906 instead of 1981907.
9/6/2011	KSLLC prepares appeal to USAC for maintenance FRN 1981907 regarding change in service start date for late filing of Form 486
9/9/2011	KSLLC submits appeal to USAC for maintenance FRN 1981907
9/20/2011	USAC issues Administrator's decision on appeal for FRN 1981907 that appeal was postmarked more than 60 days after the date Form 486 notification letter was issued. Appeal denial shows correspondence was due 9/6/2011 since 486 notification letter was dated 7/6/2011.

The timeline above shows that the district had a large volume of E-rate activities to process during the period from January 19, 2011 when they received funding through the end of the funding year, June 30, 2011. The technology coordinator, Robert Thornton, was handling two years of funding (2009-10, 2010-11) plus filing for FY 2011-12. The fact that both his priority one funding and priority two funding were received on the same day (1/19/2011) also added to the complexities.

To ensure that services are indeed delivered prior to filing a Form 486, Kellogg & Sovereign Consulting (KSLLC) uses an internal follow up form that the applicant completes to direct KSLLC to file the Form 486 on their behalf. After funding was received, Idabel completed the follow up form in February, 2011 for their priority one services but omitted the follow up form for their priority two services. Even though KSLLC sent reminders to Mr. Thornton in April and June, Mr. Thornton explained that he didn't send in his instructions for the priority two funding as he was only thinking about the internal connections funded on FRN 1981906 which he had not yet installed and not the fact that his maintenance funding was also on the same application. To further complicate the issue, the service provider changed their E-rate administrator on March 1, 2011 and their new E-rate administrative staff person, Michelle Baker, waited to invoice USAC for Idabel's maintenance until the end of the year so WPS did not notify Idabel of any problems related to the maintenance funding until they were contacted by KSLLC in June, 2011.

We are also requesting a waiver of the 60 day deadline in which to submit an appeal. The confusion on this issue arose from the fact that there were two separate Forms 486 filed for Form 471 application # 718144. The Form 486 filed for FRN 1981907 had an appeal due date of 9/6/2011 and the Form 486 filed for FRN 1981906 had an appeal due date of 10/3/2011. Internally, KSLLC recorded the due date of the appeal for FRN 1981907 as 10/3/2011. KSLLC prepared the appeal for FRN 1981907 on 9/6/2011 but did not submit it until 9/9/2011 which was 3 days after the due date for the appeal on the 486 associated with FRN 1981907 but 23 days early based on the due date of an appeal for the 486 associated with FRN 1981906.

As the Commission noted in the *Alaska Gateway Order*<sup>1</sup> the timely filing of the FCC Form 486 "ensures that disbursements for discounts on eligible services are done in a prompt and efficient manner." One of the underlying reasons that the Form 486 was not filed timely was because both the applicant and consultant wanted to be sure that the 486 was only filed after services were started. They did not want to submit a Form 486 that would allow for the service provider to invoice for services that were not delivered. Other reasons that the 486 was not filed in a timely manner were confusion

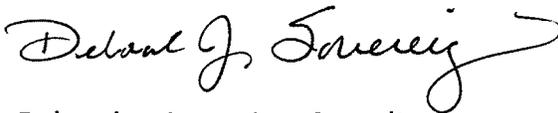
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<sup>1</sup> *Request for Review of the Decision of the Universal Service Administrator by Alaska Gateway School District, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-412028, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 10182 (Wireline Comp. Bur. 2006) (*Alaska Gateway Order*)

on the applicant's part regarding the two funding letters received on the same day in January, the large volume of E-rate activity for the applicant during the time the Form 486 needed to be filed, and the accidental oversight by the applicant that they needed to address both the funding for maintenance services that started on July 1, 2010 and the internal connections that had not yet been installed.

We therefore respectfully request that the applicant have an additional opportunity to file the FCC Form 486 for FRN 1981907.

Respectfully Submitted,

A handwritten signature in black ink, reading "Deborah J. Sovereign". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Deborah J. Sovereign, Consultant

**ATTACHMENTS**

1. Form 486 for Priority one services and follow up form
2. Form 486 for FRN 1981907 (maintenance)
3. Form 486 for FRN 1981906 (internal connections)
4. USAC appeal denial letter
5. Letter of Agency

# **ATTACHMENT 1**

**Form 486 for Priority One Services  
Certification pages included to show date filed  
2/7/2011**

**Internal Follow up Form  
completed by Idabel 2/1/2011**

**Applicant's Form Identifier: IDAB Y13a**

**Entity Number: 140315**

**Contact Person: Debi Sovereign**

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

**Certifications and Signature**

**Do not write in this area**

**486 Application Number: 828203**

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.

<b>7. Cert ID = 724396</b>	<b>8. Date 2/7/2011</b>
<b>8. Printed name of authorized person Debi Sovereign</b>	
<b>9. Title or position of authorized person Consultant</b>	
<b>10a. Street Address, P.O Box or Route Number 1101 Stadium Drive Ada, OK 74820-8459</b>	
<b>10b. Telephone number of authorized person (580) 332 - 1444 x 104</b>	
<b>10c. Fax number of authorized person: (580) 332-2532</b>	
<b>10d. E-mail of authorized person: dsovereign@kelloggllc.com</b>	

**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.**

Entity Number	140315	Applicant's Form Identifier	IDAB Y13a
Contact Person	Debi Sovereign	Phone Number	580-332-1444 x 104

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

Please submit this form to:

SLD Form 486  
P. O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, send this form to:

SLD Forms  
ATTN: SLD Form 486  
3833 Greenway Drive  
Lawrence, Kansas 66046  
888-203-8100



0486010703

# E-Rate FY 2010 Telcomm & Internet Access Follow Up Report - COMPLETE AND FAX TO 580-332-2532

**Applicant Name:** IDABEL SCHOOL DISTRICT 5

**Billed Entity #:** 140315

471 App #	FRN Service Provider	SPIN	Description Category	Billing Acct/ Contract #	FCDL Date Fund Status	Pre-Disc't Amount	Disct	Funding Amount	Applicant Share	SPI* or Bear? (SPI/Bear)	Is Service Provider Correct? If Yes, write YES, if No, write NAME OF CORRECT SERVICE PROVIDER
715184	2023496	143004662	Telephone	580 286 7639 828	01/19/2011	22,042.68	90%	19,838.41	2,204.27	Spi	Yes
	Southwestern Bell Telephone		Telcom Svc	T	funded						
	2023499	143004611	Internet Access	580 286 7639 828 INT	01/19/2011	599.88	90%	539.89	59.99	Spi	Yes
	SBC Internet Services Inc. dba		Internet Access	MTM	funded						
	2023501	143027542	Long Distance	580 286 7639 LD	01/19/2011	2,212.32	90%	1,991.09	221.23	BEAR	Yes
	TouchTone Communications Inc.		Telcom Svc	T	funded						
	2023505	143011191	Cellular	942 103 986 CEL	01/19/2011	5,736.84	90%	5,163.16	573.68	Spi	Yes
	U.S. Cellular		Telcom Svc	MTM	funded						
	2023507	143004662	Circuits	405 145 0033 987	01/19/2011	105,600.00	90%	95,040.00	10,560.00	Spi	Yes
	Southwestern Bell Telephone		Telcom Svc	Idabel CSME	funded						
	2023510	143004611	Internet-6.0 MB	844 604 064	01/19/2011	5,376.00	90%	4,838.40	537.60	Spi	Yes
	SBC Internet Services Inc. dba		Internet Access	IDAB INT 6MB	funded						
	2023512	143022137	Internet-6.0 MB	054 011 0602 850	01/19/2011	22,422.00	90%	20,179.80	2,242.20	Spi	Yes
	AT&T Corp.		Internet Access	IDAB ATM 6 MB	funded						
	2023514	143004812	Internet Mtc	IDAB IMS 6MB	01/19/2011	10,350.00	90%	9,315.00	1,035.00	Spi	Yes
	AT&T DataComm Inc.		Internet Access	MTM	funded						
	2023517	143027725	Web hosting		01/19/2011	4,000.00	90%	3,600.00	400.00	Spi	Yes
	Gabbart Enterprises LLC		Internet Access	6304-WebHst	funded						
	2023518	143001192	Internet-10 MB		01/19/2011	55,070.88	90%	49,563.79	5,507.09	BEAR	Yes
	AT&T Corp.		Internet Access	IDAB AVPN INT 10MB	funded						
	2023526	143010163	Dial Up Int Access	Idabel DialUp	01/19/2011	239.40	90%	215.46	23.94	BEAR	Drop
	SimplyNet LTD		Internet Access	MTM	funded						

\*If SPI Method is selected, it is the beneficiary's (school/library) responsibility to review all service provider bills and E-rate discounts provided to ensure the services were used solely for educational purposes and the service provider only requested discounts for eligible goods and services. Additionally, the beneficiary must retain all documents related to the service providers' request for discounts on behalf of the beneficiary for a period of five years from the last date of service.

Approved By  Title: Technology Coord Date: 2/1/2011

## **ATTACHMENT 2**

**Form 486 Notification Letter 7/6/2011**

**FRN 1981907**

**Maintenance**



Universal Service Administrative Company

Schools and Libraries Division

**FORM 486 NOTIFICATION LETTER**  
**(Funding Year 2010: 07/01/2010 - 06/30/2011)**

July 6, 2011

Debi Sovereign  
IDABEL SCHOOL DISTRICT 5  
1101 Stadium Drive  
Ada, OK 74820-8459

**Re: Form 486 Application Number: 839506**  
**Applicant's Form 486 Identifier: IDAB Y13z**

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

**NEXT STEPS**

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

**TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION**

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on 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.

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](http://www.usac.org/sl)

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2010)

Funding Request Number: 1981907  
Form 471 Application Number: 718144  
Service Provider Name: Workable Programs & Systems Inc  
Service Provider Identification Number: 143013381  
Billing Account Number: N/A  
Service Start Date: 02/28/2011\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$23,960.25



# **ATTACHMENT 3**

**Form 486 Notification Letter 8/3/2011  
FRN 1981906  
Internal Connections**



Universal Service Administrative Company

Schools and Libraries Division

**FORM 486 NOTIFICATION LETTER**  
**(Funding Year 2010: 07/01/2010 - 06/30/2011)**

August 3, 2011

Debi Sovereign  
IDABEL SCHOOL DISTRICT 5  
1101 Stadium Drive  
Ada, OK 74820-8459

**Re: Form 486 Application Number: 850784**  
**Applicant's Form 486 Identifier: IDAB Y13y**

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

**NEXT STEPS**

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

**TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION**

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on 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 email address for the person who can most readily discuss this appeal with us.

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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](http://www.usac.org/sl)

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2010)

Funding Request Number: 1981906  
Form 471 Application Number: 718144  
Service Provider Name: AT&T DataComm, Inc.  
Service Provider Identification Number: 143004812  
Billing Account Number: N/A  
Service Start Date: 03/28/2011\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE



# **ATTACHMENT 4**

## **USAC Appeal Administrator's Decision on Appeal 9/20/2011**



**Universal Service Administrative Company**  
Schools & Libraries Division

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

September 20, 2011

Jane Kellogg Or Debi Sovereign  
Kellogg and Sovereign Consulting, LLC  
1101 Stadium Drive  
Ada, OK 74820-8459

Re: Applicant Name: IDABEL SCHOOL DISTRICT 5  
Billed Entity Number: 140315  
Form 471 Application Number: 718144  
Funding Request Number(s): 1981907  
Decision Letter Date: July 06, 2011  
Date Appeal Postmarked: September 09, 2011  
Your Correspondence Dated: September 06, 2011

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Our records show that your appeal was postmarked more than 60 days after the date your Form 486 Notification Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, 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 POSTMARKED within 60 days of the above 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.

Schools and Libraries Division  
Universal Service Administrative Company

# **ATTACHMENT 5**

## **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): Idabel School District 5 (BEN 140315)

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): Idabel School District 5, Idabel, OK

Signature of Authorized Person: James R. Sharpe Date: 7/14/09

Printed Name of Authorized Person: JAMES R. SHARPE Title: Superintendent

*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