

November 16, 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 the 60 day requirement for filing an appeal and request for correction in funding due to a ministerial error for Erick Indep School District 51, FY 2008-09, Form 471 # 627982, FRN 1733154.

Respectfully submitted,



Deborah Sovereign, Consultant

Enclosures

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

In the Matter of

Ministerial Error

Erick Indep School District 51

Form 471 Application #627982

Funding Request Number: 1733154

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CC Docket No. 02-6

**PETITION FOR WAIVER**

**ERICK INDEP SCHOOL DISTRICT 51**

Deborah Sovereign

Jane Kellogg

November 16, 2011

Kellogg & Sovereign Consulting, LLC

1101 Stadium Drive

Ada, OK 74820

(580) 332-1444

(580) 332-2532 (facsimile)

Email: [dsovereign@kelloggllc.com](mailto:dsovereign@kelloggllc.com)

Erick Indep School District 51, USAC Billed Entity Number 139934, hereby submits a Petition for Waiver of the 60-day requirement for filing an appeal and request to correct a ministerial error on FCC Form 471 Application Number 627982, Funding Request Number 1733154.

The applicant correctly requested for funding on FRN 1733154 the monthly amount of \$1250.00 for circuit charges for a total annual request of \$15,000. However, when the consultant, John Vogt, who was assisting the school with their Form 471 Item 21 attachments submitted the details for the Form 471, he inadvertently used the amount due on the bill of \$125.00 instead of the actual charges for the circuit of \$1250.00. The Item 21 attachments were completed to state that the charges were for “long distance phone service” instead of digital transmission services. On the Item 21 attachments, Mr. Vogt wrote in “125.00” for the monthly amount and noted in further information “data entry error on the Form 471, will fax correct Item 21 documentation.”

The USAC Program Integrity Assurance (PIA) reviewer changed the monthly amount from \$1,250.00 to \$125.00 and noted in the funding commitment decision explanation, “the FRN was modified from \$1,250 to \$125 to agree with the applicant documentation.”

The oversight of both Mr. Vogt on behalf of the applicant as well as the PIA reviewer was that the amount of the bill that was submitted for review was actually \$1,250.00/month with an amount due of \$125.00. The bill had an E-rate credit of \$1,125.00 applied to the bill that should have been added back to accurately reflect the total charges of \$1,250.00/mo.

The funding commitment decision letter was issued July 22, 2008. On August 28, 2008, Mr. Vogt prepared a letter of appeal to USAC. In his appeal letter Mr. Vogt explained that the error “has just now come to light as a result of communication with the service provider.” He continued to state, “The first page of the Intelleg bill reflected a monthly charge of \$125.00 per month, but in accordance with the SLD recommended billing process, that amount only reflects the applicant’s share of this expense. The following page of the Item 21 Attachment reflects the entire amount of \$1,250.00 per month.”

Mr. Vogt's August 28, 2008 appeal letter was not received by USAC until March 17, 2009. Thus, USAC's Administrator's Decision on Appeal stated that the applicant missed the 60 day window in which to file an appeal and "If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC."

Mr. Phil Compton, Superintendent, was monitoring the E-rate application and the problem associated with the error on the Intelleg funding request. Mr. Vogt was keeping the school updated and sent an email to Mr. Compton on May 6, 2009 stating that they would be sending an appeal to the FCC.

The school district assumed there was an appeal in process and properly filed with the FCC so no further action was taken.

The service provider, Intelleg, also noted there was an appeal in process and did not pursue collection actions against the school district until September, 2011. The school district recently contacted Kellogg & Sovereign Consulting, LLC (KSLLC) to review their applications and determine the next course of action.

Since there has not been an FCC decision, and we have not been able to locate an appeal in process with the FCC, we are submitting a new appeal with the FCC for this particular funding request.

In summary, this was simply an error on the Item 21 attachments that were keyed online. The original amount requested of \$1,250.00 per month was correct and the bill that was submitted during PIA review also supported the \$1,250.00 per month charge and showed the type of service requested was circuits (digital transmission service).

Therefore, we respectfully request that FRN 1733154 be reviewed for funding as originally filed in the amount of \$1,250.00 per month.

Respectfully Submitted,



Deborah J. Sovereign, Consultant

**ATTACHMENTS**

1. Email dated 5/6/2009 to Superintendent stating FCC appeal to be filed
2. USAC denial letter 3/27/09 regarding appeal letter submitted 3/17/09
3. USAC Appeal letter dated 8/28/2008
4. Funding Commitment Decision Letter dated 7/22/2008
5. Intelleg bill for services dated 1/1/2008
6. Item 21 attachments for FRN 1733154 submitted to USAC
7. Original Form 471 for FRN 1733154
8. Letter of Agency

# **ATTACHMENT 1**

**Email dated 5/6/2009 to Superintendent  
stating FCC appeal to be filed**

**Marty Woolsey**

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**From:** John Vogt [john@helpmyschool.net]  
**Sent:** Wednesday, May 06, 2009 9:00 PM  
**To:** Phil Compton  
**Cc:** Mary Burrows; Marty Woolsey  
**Subject:** Intelliq Appeal Update

Phil,

The SLD has responded to our appeal on the Intelliq funding. They have directed me to file a document with the FCC that they need to continue evaluating the appeal. I have completed this document and will be sending it via Certified Mail to the FCC on Friday. Following the FCC's action on this document, the SLD can then progress with getting the Intelliq funding released.

I will update you on the progress as I know more. I will also update the contacts at Dobson Telephone regarding this information on Thursday.

Thank You,  
John Vogt, HelpMySchool  
PO Box 368  
Blackwell, OK 74631  
E-mail: [john@helpmyschool.net](mailto:john@helpmyschool.net)  
Direct: (918) 398-0110  
Fax: (918) 516-0238  
Mobile: (580) 401-0497

Keep your technology on target with HelpMySchool.

## **ATTACHMENT 2**

**USAC denial letter 3/27/09 regarding appeal  
letter submitted 3/17/09**



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

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

March 27, 2009

John Vogt  
Erick Indep School District 51  
1101 S. 2nd Street  
Blackwell, OK 74631

Re: Applicant Name: ERICK INDEP SCHOOL DISTRICT 51  
Billed Entity Number: 139934  
Form 471 Application Number: 627982  
Funding Request Number(s): 1733154  
Your Correspondence Received: March 17, 2009

The Universal Service Administrative Company (USAC) received your request for a waiver of the 60 day deadline to file appeals for Funding Year 2008 of the Schools and Libraries Universal Service Support Mechanism.

Federal Communications Commission (FCC) rules do not permit USAC to consider requests for waivers. If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. You should refer to CC Docket No. 02-6 on the first page of your waiver request to the FCC. If you are submitting your waiver request 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 a waiver request 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

John Vogt  
Erick Indep School District 51  
1101 S. 2nd Street  
Blackwell, OK 74631

Billed Entity Number: 139934  
Form 471 Application Number: 627982  
Form 486 Application Number:

## **ATTACHMENT 3**

**USAC Appeal letter dated 8/28/2008**

August 28, 2008

Erick Public Schools  
404 S. Oak  
Erick, OK 73645

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Rd  
P.O. Box 902  
Whippany, NJ 07981

RE: Form 471 Application Number: 627982

Dear Sirs,

I am writing to appeal the funding commitment decision regarding Erick Public Schools; Form 471 Application Number: **627982** and specifically FRN: **1733154**.

I would first respectfully request an appeal and extension of the deadline date for submitting this request. This error has just now come to light as a result of a communication with the service provider.

Secondly, we feel that there has been an error in the process of committing the funds to this FRN. Due to an input error creating the online Item 21 Attachment, a "zero" was left off of the monthly charge. However, I had submitted a copy of the actual bills via fax to substantiate the complete charges of \$1,250.00 per month for this service.

The first page of the Intelliq bill reflected a monthly charge of \$125.00 per month, but in accordance with the SLD recommended billing process, that amount only reflects the applicant's share of this expense. The following page of the Item 21 Attachment reflects the entire amount of \$1,250.00 per month. I believe in the PIA process, the reviewer inadvertently missed this page in his/her review and consequently adjusted the amount to \$125.00 per month on the funding commitment.

This digital service is crucial to the operation of the school district and we plead for a reconsideration on this funding commitment. Furthermore, funding for the entire amount was not planned for in our budgeting process and causes the possibility of a tremendous burden on the district. We ask for special consideration on this appeal and greatly appreciate any assistance you can offer.

Please reference the attached documentation. It is copies of the actual fax transmitted to the SLD following the creation of the online Item 21 Attachments. We sincerely appreciate your attention to this matter and look forward to hearing from you.

Sincerely,



John Vogt  
Erick Public Schools

## **ATTACHMENT 4**

**Funding Commitment Decision Letter  
dated 7/22/2008**



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

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

July 22, 2008

John Vogt  
ERICK INDEP SCHOOL DISTRICT 51  
1101 S. 2nd Street  
Blackwell, OK 74631

Re: Form 471 Application Number: 627982  
Billed Entity Number (BEN): 139934  
Billed Entity FCC RN: 0001690437  
Applicant's Form Identifier: 0809-TC

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

- The amount, \$13,734.00 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 627982 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.

DUPLICATE LETTER

FUNDING COMMITMENT REPORT  
Billed Entity Name: ERICK INDEP SCHOOL DISTRICT 51  
BEN: 139934  
Funding Year: 2008

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

Form 471 Application Number: 627982  
Funding Request Number: 1733139  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 492990000644792  
SPIN: 143025240  
Service Provider Name: ATT Mobility  
Contract Number: MTM  
Billing Account Number: CellularOne-0310187859  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1007313  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,041.24  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$1,041.24  
Discount Percentage Approved by the USAC: 75%  
Funding Commitment Decision: \$780.93 - FRN approved as submitted

FCDL Date: 07/22/2008  
Wave Number: 014  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009

Funding Request Number: 1733154  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 492990000644792  
SPIN: 143009815  
Service Provider Name: Intelleg Communications Corporation  
Contract Number: MTM  
Billing Account Number: 0000000021  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 1007313  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,500.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$1,500.00  
Discount Percentage Approved by the USAC: 75%  
Funding Commitment Decision: \$1,125.00 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The FRN was modified from \$1,250 to \$125 to agree with the applicant documentation.

FCDL Date: 07/22/2008  
Wave Number: 014  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2009



# **ATTACHMENT 5**

**Intelleg bill for services dated 1/1/2008**



INTELLEQ COMMUNICATIONS CORP  
14101 WIRELESS WAY, SUITE 300  
OKLAHOMA CITY OK 73134

Page 1

000065 F0116

For Billing Inquiries, call 405-242-0300

Account Number: 0000000021  
Account Name: ERICK PUBLIC SCHOOLS

Bill Date: January 1, 2008  
Due Date: 15TH OF MONTH

#8

Last Month		This Month	
Balance from last statement	125.00	Special Circuit Charges	125.00
Payment Received 12/13/2007	125.00	Current Charges	125.00
Thank You Balance	0.00	<b>Total Amount Due</b>	<b>125.00</b>

WARR# 656  
1-14-08

MW

LONG DISTANCE DEFINITIONS

Period

D = Day  
E = Evening  
N = Night  
W = Weekend

MP = Multi Rate Periods  
P = Peak  
O = Off Peak

Type

CB = Person Call Back  
CP = Calling Plan  
CC = Calling Card  
CL = Collect  
DC = Directory Assistance Call Completion  
DD = Direct Dialed  
DI = International Evenings

EC = International Nights  
OP = Operator Handled  
PF = Pay Phone  
PP = Person to Person  
TF = Toll Free  
TN = Third Number



For Billing Inquiries, call 405-242-0300  
Account Number: 0000000021  
Account Name: ERICK PUBLIC SCHOOLS  
Due Date: 15TH OF MONTH

Page 3

000065 F0116

**Current Special Circuit Service**

**Special Circuit ID 1911 ERICK PUBLIC SCHOOLS**

**Circuit ID: 1911**

**Monthly Charges**

Service	From Date-To Date	Dur	Qty	Cost Each	Amount
FIBER SERVICES	01/01/08-01/31/08	1 MONTH	1	1,250.00	1,250.00
SL DISCOUNT	01/01/08-01/31/08	1 MONTH	1	-1,125.00	1,125.00 CR

Subtotal Monthly Charges

125.00

*The Special Circuit charges shown above are being billed on behalf of INTELLEQ COMMUNICATIONS CORP 405-242-0300*

**Special Circuit Charges for 1911  
Circuit ID: 1911**

Monthly Charges	<u>125.00</u>
Charge Summary	125.00

# **ATTACHMENT 6**

**Item 21 attachments for FRN 1733154  
submitted to USAC**

Further information:

Number of Line Items: 1

Service Type	Service Description	Number of Telecom Lines (if applicable)	
1 of 1 Wireless Telephone Service (i.e., cellular)	Cellular service	3	
<b>Recurring Charges</b>		<b>Non Recurring Charges</b>	
Monthly Recurring Charges	\$86.77	One-time non-recurring charges	\$0.00
Less Ineligible Amount (if any)	\$0.00	Less Ineligible Amount (if any)	\$0.00
Number of Months	12	Eligible non-recurring charges	\$0.00
Eligible recurring charges	\$1,041.24	Line item TOTAL	\$1041.24
		FRN total:	\$1,041.24
		Funding Requested on 471:	\$1,041.24
		Difference:	0.00

FRN: 1733154 Funding Category: TELCOMM SERVICES  
 Service Provider: Intelleg Communications Corporation  
 SPIN: 143009815  
 Attachment Number: TC-4  
 Narrative description of this Funding Request: Long distance phone service  
 Further information: \* Data entry error on the Form 471, will fax correct Item 21 documentation.  
 Number of Line Items: 1

*Digital Transmission Service*

*Item 21 was incorrectly filed 6/6 1250/mo.*

Service Type	Service Description	Number of Telecom Lines (if applicable)	
1 of 1 Long Distance Telephone Service	State-wide long distance service	8	
<b>Recurring Charges</b>		<b>Non Recurring Charges</b>	
Monthly Recurring Charges	\$125.00	One-time non-recurring charges	\$0.00
Less Ineligible Amount (if any)	\$0.00	Less Ineligible Amount (if any)	\$0.00
Number of Months	12	Eligible non-recurring charges	\$0.00
Eligible recurring charges	\$1,500.00	Line item TOTAL	\$1500
		FRN total:	\$1,500.00
		Funding Requested on 471:	\$15,000.00
		Difference:	-(13,500.00)

FRN: 1733156 Funding Category: INTERNET ACCESS  
 Service Provider: OneNet (Oklahoma State Regents)  
 SPIN: 143015254  
 Attachment Number: IC-1  
 Narrative description of this Funding Request: Internet access circuit for district computers  
 Further information:  
 Number of Line Items: 1

Service Type	Service Description	Number of Internet Access Lines (if applicable)	
1 of 1 Broadband Internet Access (e.g. T-1, DSL, Frame Relay, Cable Modem, Wireless)	T1 Level Internet Access	0	
<b>Recurring Charges</b>		<b>Non Recurring Charges</b>	
Monthly Recurring Charges	\$1,028.00	One-time non-recurring charges	\$0.00
Less Ineligible Amount (if any)	\$0.00	Less Ineligible Amount (if any)	\$0.00
Number of Months	12	Eligible non-recurring charges	\$0.00
Eligible recurring charges	\$12,336.00		

# **ATTACHMENT 7**

**Original Form 471 for FRN 1733154**

FCC Form 471

Do not write in this area.

Approval by OMB  
3060-0806

**Schools and Libraries Universal Service  
Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

**Please read instructions before beginning this application. (You can also file online at [www.sl.universalservice.org](http://www.sl.universalservice.org).)**  
The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier

(Create your own code to identify THIS form 471) 0809-TC

Form 471 Application#

(To be assigned by administrator)

627982

**Block 1: Billed Entity Information** (The "Billed Entity" is the entity paying the bills for the service listed on this form.)

**1 a** Name of Billed Entity ERICK INDEP SCHOOL DISTRICT 51

**2 a** Funding Year: July 1, 2008 Through June 30: 2009 Billed Entity Number: 139934

**4 a** Street Address, P.O. Box, or Routing Number 404 SOUTH OAK STREET

City ERICK

State OK Zip Code 73645

**5 a** Type of Application  
 Individual School (individual public or non-public school)  
 School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)  
 Library (including library system, library outlet/branch or library consortium as defined under LSTA)  
 Consortium  Check here if any members of this consortium are ineligible or non-governmental entities

**6** Contact Person's Name John Vogt

First, if the Contact Person's Street Address is the same as in Item 4, check this box.  If not, please complete the entries for the Street Address below.

**b** Street Address, P.O. Box, or Routing Number 1101 S. 2nd Street

City Blackwell

State OK Zip Code 74631



FY 2008

FRN: 1733154		FCDL Date:	
10. Original FRN:			
11. Category of Service: Telecommunications Service		12. 470 Application Number: 492990000644792	
13. SPIN: 143009815		14. Service Provider Name: Intelleg Communications Corporation	
15a. Non-Contracted tariffed/Month to Month Service:		15b. Contract Number: MTM	
15c. Covered under State Master Contract:		15d. FRN from Previous Year:	
16a. Billing Account Number: 0000000021		16b. Multiple Billing Account Numbers?:	
17. Allowable Contract Date: 12/31/2007		18. Contract Award Date:	
19a. Service Start Date: 07/01/2008		19b. Service End Date: 06/30/2009	
20. Contract Expiration Date:			
21. Attachment #: TC-4		22. Block 4 Worksheet No.: 1007313	
23a. Monthly Charges: \$1,250.00		23b. Ineligible monthly amt.: \$0.00	
23c. Eligible monthly amt.: \$1,250.00		23d. Number of months of service: 12	
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$15,000.00			
23f. Annual non-recurring (one-time) charges: 0		23g. Ineligible non-recurring amt.: 0	
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00			
23i. Total program year pre-discount amount ( 23e + 23h): \$15,000.00			
23j. % discount (from Block 4): 75			
23k. Funding Commitment Request ( 23i x 23j): \$11,250.00			

= Correct as originally filed =

FY 2008

# **ATTACHMENT 8**

## **Letter of Agency**

**KELLOGG & SOVEREIGN® CONSULTING, LLC**  
**LETTER OF AGENCY : E-RATE FUNDING YEARS 2008-2012**

2012

I authorize Jane Kellogg, Debi Sovereign, Mel Van Patten, and/or Mandy Harmon, 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): **Erick Indep School District 51 (BEN 139934)**

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): Erick Independent School District, Erick, Oklahoma  
Signature of Authorized Person: *Phil Compton* Date: 9-8-2011  
Printed Name of Authorized Person: Phil Compton Title: Super

*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