



# OFFICE OF THE SUPERINTENDENT

Patrick Nelson  
Superintendent  
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## GOVERNING BOARD MEMBERS

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SUPERINTENDENT  
Patrick Nelson

Received & Inspected

JAN 16 2013

FCC Mail Room

January 7, 2013

Letter of Appeal  
FCC - Office of the Secretary  
445 12th Street SW  
Washington, DC 20554

**RE: Form 471 Application Number: 859888 Billed Entry FCC RN: 0004526037**  
**BEN: 143117 Funding Request Number: 2341062 CC Docket Number: 02-06**

Dear Sir or Madam:

Amphitheater Public Schools hereby formally appeals the denial of funding of the above referenced FRN on the grounds of delay in receipt of contract and simple clerical error in dating of documentation.

Amphitheater Public Schools was under a 4-year contract with Conterra Ultra Broadband, LLC ("Conterra") through January 2013. The District filed a FCC Form 470 for FY2012 reviewing all contracts. Conterra and other bidders responded to our Request for Proposal on February 23, 2012. Conterra was again awarded the bid at the March 6, 2012 Governing Board Meeting. The Conterra contract was finalized on March 13, 2012, but needed revision due to errors. Conterra corrected the contract and sent it via Federal Express March 14, 2012 with a new effective date of March 15, 2012. Amphitheater began preparing the FCC Form 471 on-line expecting the contract to arrive, however it was delayed. The contract was then inadvertently signed and dated late, in effect putting it after the date of the FCC Form 471. We were unaware that a new contract would in any way void the current contract before the new effective date, leaving us, as stated by USAC, "without a contract with your service provider" at the time we submitted our Form 471.

This situation has significantly negatively impacted needed technology upgrades for our classrooms. The employee who was in charge of coordinating and submitting the documentation is no longer in our employment. We respectfully request a restoration of FRN#2341062 funding of \$239,841.00 which will greatly benefit the students of Amphitheater School District under the No Child Left Behind program. If I can help in any way, or provide further clarification, please contact me at (520) 696-5205, or via e-mail at pnelson@amphi.com. Thank you for your consideration on this matter.

Sincerely,

Patrick Nelson  
Superintendent

For no further record  
The ABCD