

Stacy Nichols
Elementary/Middle School Principal

Delbert McBroom
Superintendent

Brandon Lindly
High School Principal

Smithville Public School

P.O. Box 8
Smithville, Oklahoma 74957

Received & Inspected

JAN 31 2013

FCC Mail Room

January 25, 2013

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

RE: Schools and Libraries Program
CC Docket Nos. 96-45 and 97-21

| | |
|------------------------------|--------------------------|
| Applicant | Smithville Public School |
| BEN: | 140421 |
| Form 486 Application Number | 934415 |
| Form 471 Application Number: | 813678 |
| Funding Request Number: | 2212633 |

Dear Secretary of the Federal Communications Commission:

This is a letter to request for review of the decision that SLD made on January 11, 2013. (See Attachment 1a and 1b). At the time of the filing of the 471 I had to make an operational spin change because the service promised was not available until the next funding year due to delayed lines and equipment availability. I requested an operational spin change on April 13, 2012 (See attachment 2), and did not receive a decision until November 2, 2012. (See attachment 3) The letter they mailed on July 17, 2012 never reached my desk because I had just taken over the ERATE filing and it was still addressed to the former person who filled out the forms. The summer help did not realize this at the time. I was told by SLD support there was no need to file a 486 to Windstream because they did not provide services and that I would have additional time because I had to file a spin change, I was to file a 486 when the spin change came through. I did not file a form 500 requesting an extension because of this.

Please take in to consideration I did not know that I needed to file an extension for services while the operational spin change was being processed. I received a 471 spin approval dated for November 2, 2012 (Attachment 3) then a 486 dated for November 21, 2012 (Attachment 4) stating that our adjusted funding commitment went from \$27,728.08 to \$450.00. I am new at filling this sort of forms. We are a small school and depend very much on this funding. Please reconsider USAC's decision to reduce our funding amount. Thanks so much for taking time to review this request.

Thank you

Teresa Erickson



Smithville Public School
Computer Technologist

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Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

January 11, 2013

Theresa Erickson
Smithville I-14 School District
PO Box 8
Smithville, OK 74957

Re: Applicant Name: SMITHVILLE I-14 SCHOOL
DISTRICT
Billed Entity Number: 140421
Form 471 Application Number: 813678
Form 486 Application Number: 934415
Funding Request Number(s): 2212633
Your Correspondence Dated: December 19, 2012

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 2011 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): 2212633
Decision on Appeal: **Denied**
Explanation:

- On July 17, 2012 USAC mailed an "Urgent Reminder" letter providing you with additional time to submit and/or certify your FCC Form 486. The letter also informed you about the final deadline after which your SSD will be revised if you fail to submit and/or certify your FCC Form 486. As USAC has not received your FCC Form 486, any invoices submitted for funding requests for which an FCC Form 486 has not been filed have been denied. Consequently, 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

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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

#2

Stacy Nichols
Elementary/Middle School Principal

Delbert McBroom
Superintendent

Delbert McBroom
High School Principal

Smithville Public School

P.O. Box 8
Smithville, Oklahoma 74957

Friday, April 13, 2012

Operational Spin Change

From Windstream Communications to Onenet of Oklahoma

BEN: 140421

Smithville Public School

FRN: 2212633

Form 471 Application Number: 813678

Contact : Teresa Erickson

Phone: 580-244-3281 ext 311

Email: terickson@smithville.k12.ok.us

Original Spin: 143030766

Original Service Provider Contact: Windstream Communications

Original Service Provider Phone: 402-436-5840

Original Service Provider Email: e-rate@windstream.com

New Spin: 143015254

New Service Provider Contact: Ami Layman Accounts Receivable Supervisor

New Service Provider Phone: 405.225.9413

New Service Provider E-mail address: alayman@onenet.net

Has the original service provider supplied any services under this funding request? No

Are all SPIN changes requested in this letter allowed under all applicable state and local procurement rules? Yes

Are the SPIN changes allowable under the terms of the contract, if any, between the applicant and its original service provider? Yes

Have you notified your original service provider of your intent to change service providers? (Yes or No) If your service provider is no longer in business, have you attempted to contact them? Yes

The company Windstream does not have the lines run as of yet in order for us to receive this service so we are using the same and only company available for this service Onenet of Oklahoma.

There was only one or no bids received.

Thanks so much



Teresa Erickson
Smithville Public School

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FUNDING COMMITMENT REPORT
Billed Entity Name: SMITHVILLE I-14 SCHOOL DISTRICT
BEN: 140421
Funding Year: 2011

Form 471 Application Number: 813678
Funding Request Number: 2212633
Funding Status: Funded
Category of Service: INTERNET ACCESS
Form 470 Application Number: 128950000919755
SPIN: 143015254
Service Provider Name: OneNet (Oklahoma State Regents)
Contract Number: MTM
Billing Account Number: 5802443333
Service Start Date: 07/01/2011
Contract Expiration Date: 06/30/2012
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$27,035.64
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$500.00
Pre-discount Amount: \$27,535.64
Discount Percentage Approved by the SLD: 90%
Funding Commitment Decision: \$24,782.08 - Operational SPIN Change
Funding Commitment Decision Explanation: MRL: In consultation with the applicant,
the service provider has been changed to SPIN 143015254, OneNet (Oklahoma State
Regents).

Revised FCDL Date: 11/02/2012
Appeal Wave Number: A15
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2013

Consultant Name:
Consultant Number (CRN):
Consultant Employer:

11/02/2012

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2011)

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Funding Request Number: 2212633
Form 471 Application Number: 813678
Service Provider Name: OneNet (Oklahoma State Regents)
Service Provider Identification Number: 143015254
Billing Account Number: 5802443333
Service Start Date: 07/08/2012*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$450.00

AP486NL/Schools and Libraries/USAC

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11/21/2012