



June 17, 2010

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC-Docket 02-6 and GN Docket 09-51

Dear Ms. Dortch:

On June 16, 2010, the following representatives of the Education and Library Networks Coalition (EdLiNC) met with Gina Spade, Regina Brown, James Bachtell, Dana Bradford, Ian Forbes, and Sara Herman of the Wireline Bureau and Elizabeth Mumaw of the Office of Intergovernmental Affairs:

Jon Bernstein and Christi Barnhart, International Society for Technology in Education and the Consortium for School Networking
Reg Leichty, Council of Chief State School Officers
Noelle Ellerson and Mary Kusler, American Association of School Administrators
Cynthia Woodside, New York State Department of Education
Sally Shake, Education Legislative Affairs

During the conversation, the EdLiNC representatives discussed the Commission's recent Notice of Proposed Rulemaking (NPRM) on the E-Rate program. EdLiNC advocated strongly for the need to raise the E-Rate's annual cap over and above the inflationary adjustment proposed, arguing that a new cap must reflect current unmet need. The program is oversubscribed by approximately \$1.75 billion each year. EdLiNC indicated that if the cap were raised to adequate levels, proposals such as instituting a per student per school cap would be unnecessary. EdLiNC was specifically concerned about this rule as it could disadvantage small and rural applicants.

EdLiNC also argued against removing from E-Rate support key services – such as voice and maintenance – in an effort to free up Priority I funds for Priority II, contending that economically strapped schools could not absorb the costs engendered by these changes.

EdLiNC also indicated that it opposed the addition of new eligible services to the E-Rate program, regardless of their merits, as the program was unable to cover currently eligible services. In particular, EdLiNC discussed its concerns with the proposal to extend wireless Internet access support to services beyond school grounds because of the cost of such expansion and the financial and practical inability of schools to enforce Children's Internet Protection Act requirements. EdLiNC indicated that it supported the proposal to make dark fiber eligible again because it would save applicants money and leverage existing resources.

EdLiNC raised some questions about some of the NPRM's application streamlining proposals, including a requirement that applicants not serve on provider boards (EdLiNC advocated for recusal rather than outright prohibition) and a ban on provider demonstrations during the bid selection process (EdLiNC indicated that many applicants found helpful and necessary provider demonstrations during the bidding process). EdLiNC also raised a concern that the proposed change in the rural definition would exclude "rural fringe" applicants. Finally, EdLiNC objected to the proposed discount calculation change that would require all schools to use the district's discount rate as their own, contending that schools in many low-income and county-wide districts would be disadvantaged.

EdLiNC informed the Commission that it hoped a proposal to establish E-Z forms, which would allow applicants to apply once every three years for recurring Priority I services, would be part of future Commission rulemakings.

Sincerely,

Jon Bernstein
President