



PAPERWORK REDUCTION ACT COMMENTS
OMB CONTROL NO. 3060-0806
Universal Service – Schools and Libraries Universal Service Program
FCC Forms 470 and 471

I. Introduction

The State E-rate Coordinators' Alliance ("SECA")¹ submits these comments to identify questions that have arisen in connection with Items 24a, 24b and 24c on FCC Form 471 entitled "Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request." This part of the information collection is new and did not appear in former editions of the form. We do not have any comments to offer concerning FCC Form 470 and instructions.

Initially before setting forth our substantive questions, we wish to make absolutely clear that in no way do we want the review and approval of these forms to be delayed. We recognize that the need for OMB approval of these forms and instructions is extremely time sensitive. The forms are needed in order to meet a January 9, 2014 start date for the acceptance of FCC Form 471 applications for funding for the FY 2014 E-rate year. In order to be able to accept online applications, which is the predominant manner in which applicants submit their requests, the administrator needs sufficient time to re-engineer its website to match the fields of the new forms. Any changes to those fields at this time could threaten to delay the January 9, 2014 start date, which would in turn delay the administrator's ability to issue funding decisions.

None of these comments affect the fields or information collected on FCC Form 471 but rather are intended to request clarifications to the instructions associated with Items 24a, 24b and 25c. If, however, the requested clarifications below will jeopardize the availability of the new FCC Form 471 instructions and application as of January 9, 2014, then SECA requests that the FCC instruct the E-rate administrator to provide guidance on these questions in a forthcoming Schools and Libraries Division News Brief.

Our comments are based on the version of the instructions issued by the FCC on July 17, 2013 via Public Notice DA13-1590. The more recent instructions that were submitted to OMB for approval as of October 24, 2013 are not available on the OMB website and despite our efforts to obtain a copy for review, we have been unable to do so. Consequently we do not know whether any of these comments or concerns may have already been addressed in the more recent, proposed final version of the instructions.

¹ SECA accomplishes its work through the resources of its 98 individual members who provide statewide E-rate coordination activities in 46 states and 2 U.S. territories. The four states that are not represented in SECA are Maryland, Minnesota, Montana and Nevada. The territories not included in SECA are Guam and Northern Mariana Islands. Invitations are routinely extended to these entities to join SECA. Representatives of SECA typically have daily interactions with E-rate applicants to provide assistance concerning all aspects of the program. SECA provides face-to face E-Rate training for applicants and service providers. As state E-rate coordinators, members serve as intermediaries between the applicant and service provider communities, the Administrator, and the Federal Communications Commission (FCC or Commission). SECA members typically provide more than 1300 hours of E-rate training workshops annually to E-rate applicants and service providers. In addition to the formal training hours, SECA members spend thousands of hours offering daily E-rate assistance to individual applicants through calls and e-mails. We do not have any administrative staff and rely full time on our members' volunteer activities.

Further, several members of SECA work for and apply for E-rate on behalf of large, statewide networks and consortia that further Congress' and the FCC's goals of providing universal access to modern telecommunications services to schools and libraries across the nation.

II. FCC Instructions to Block 5, Item 26

The July 17, 2013 draft instructions to Block 5, Item 24 state in full:

This item is required to help the SLD document the impact of the universal service program for schools and libraries across the country, and compare that impact from year to year. Complete the information for this funding request only if requesting Telecommunications Services or Internet Access for the purpose of providing broadband connectivity to school and/or library facilities.

A response to this Item is not a substitute for a complete response to Item 21 but should be consistent with the description of services in the response to Item 21. Please ask your service provider if you need assistance.

Item 24a – List the number of lines and average speed for the lines included in this funding request. If there are multiple speeds for the lines within one type of broadband connection, provide that information in one of the two additional lines provided beneath the broadband type entry. If you need additional space, please make copies of this page and number the completed pages to assure that they are all processed correctly.

The average speeds for three types of broadband connections (dial-up, T1/DS-1, and T3/DS-3) are already filled in since the speeds for each are standard.

Item 24b – Estimate the percentage of the school classroom or public library spaces included in the Block 4 worksheet for this FRN that will have access to wired drops and Wi-Fi connections. Note that the two percentages do not need to equal 100 percent.

Item 24c – For consortia and statewide applications, indicate whether the connections in this funding request include the last mile connection to the school or library. If the request does not include the last mile connection, indicate whether these connections are only for the backbone connections.

Our specific questions that we request the instructions to be clarified to address:

1. Do state network and/or other consortium applicants have to complete 24.a and 25.b, or just 24.c?
2. If the answer to question 1 yes, then for state network consortium applicants, if the state network provides connectivity that is a wired/landline circuit but the building into which the circuit is delivered has wireless Internet access, should 24.b.1 only be answered or should 24.b.2 *also* be answered?

We believe that the connectivity percentage should only be reported for the type of circuit included in the FRN. That is, if the FRN is for wireless connectivity then only the percentage of wireless connectivity should be reported in 24b; if the FRN is for wired connectivity then only the percentage of wired connectivity should be reported in 24b.

3. For state network consortium applicants that provide last mile connectivity, must the consortium lead request the percentage of wired and wireless classrooms that each consortium member has in order to report this information?

4. In Item 24 c, how is last mile connectivity defined? For example, if there is a regional wide area network where the connection goes to the District's head-end, does that constitute a last mile to the school? Or is this a literal question asking if the connection goes to individual school buildings? Does this answer change if the District's head-end IS a school building?
5. For FRNs that contain charges for mobile Internet access such as air card service, how should the percentage of classrooms with wireless broadband connectivity be computed? By definition this service is mobile and the question seems to be seeking information about which classrooms have wireless access. We believe that the questions should not have to be answered for air card service or Smartphone service used as a hot spot.

We suggest that when the form is distributed and implemented online, the collection of information from applicants on Block 5, Item 25 be made optional in the first year of the rollout of the new form, for E-rate FY 2014 applications. This will enable the E-rate administrator to perform additional outreach to educate applicants on how to complete these fields in the next application cycle.

II. FCC Form 471 Instructions to Block 6, Item 26

The July 17, 2013 version of the instructions refer to Item 25 but in fact should refer to Item 26 in various places. All of the references that should be changed are noted as follows:

Item 26 – Check this box to certify that you can demonstrate that you have secured access to all of the resources necessary to make effective use of the products and services for which they receive discounts.

As part of our review of your Item **25 26** certification, the SLD may request additional documentation to support your certification. The certification in Item 32 below states that you will retain for at least five years after the last day of service delivered any and all worksheets and other records that you rely upon to fill out your Form 471. For Item **25, 26** these worksheets and records include:

- **Paying your share of E-rate eligible costs.** You may be asked to provide documentation of your ability to pay the non-discount portion of the products and services for which you have applied for discounts. You are required to already have the funds identified in your budget to pay for these costs. If your budget is not yet final, we may request additional documentation to substantiate your certification.
- **Paying for ineligible costs.** You may be asked to provide more detailed estimates of hardware, software, professional development, retrofitting (construction and electrical work necessary to prepare a building for technology), maintenance investments and other resources that are necessary to make effective use of the E-rate discounts you have requested. If these resources will be purchased under your budget, you must already have the funds identified in your budget to pay for them. However, these resources may also be ones that you already have or own, such as computers purchased or donated in a prior year.

- **Technology Plan.** You may be asked to provide a copy of your Technology Plan. Your Technology Plan should include a description of the products and services necessary to accomplish your technology service goals, whether they are eligible or ineligible for E-rate discounts.
- **Status of technology before and after E-rate discounts.** You may be asked to provide a more detailed estimate of the level of technology for all recipients of discounted services included in your application. This estimate would describe the level of technology for each recipient both at the beginning of the funding year and after the planned products and services in your technology plan are delivered and installed.

Item 26a – Add your entries from Items 23I, Total funding year pre-discount amount, on all Block 5 Discount Funding Requests and enter the total here. If you file online, the system will calculate this figure for you.

Item 26b –Add your entries from Items 23K, Funding Commitment Request, on all Block 5 Discount Funding Requests and enter the total here. If you file online, the system will calculate this figure for you.

Item 26c – Subtract Item **25b 26b** from Item **25a 26b** and enter the result here. This is the total non-discount share for the funding requests on this Form 471. Remember that applicants are required to pay this non-discount portion of the cost of E-rate eligible products and services to their service providers. If you file online, the system will calculate this figure for you.

Item 26d – Enter the total amount in your budget that has been allocated for resources not eligible for E-rate support. These are the resources that are necessary for you to support and improve education and library services and to make effective use of the eligible services you have requested in all Block 5 funding requests across all Forms 471 you will submit for this funding year. These resources may include, but are not limited to:

- Hardware, such as computers, printers, fax machines, video equipment, scanners, CD-ROM drives, and servers;
- Professional development, such as ongoing technology-related training for technical staff, teachers and/or librarians;
- Software, such as end-user applications;
- Maintenance, such as systems maintenance and operations costs for ineligible hardware and software and salaries of technical staff;
- Retrofitting, such as electrical wiring, asbestos removal, building modifications, renovations, and repairs.

If you file multiple Forms 471 for this funding year, you must calculate your total budgeted amount allocated for these resources and enter that total on Item 25d of each Form 471. Consortia must add the budgeted amounts for all of their member entities and enter that total on this line.

Item 26e – Add your entries for Item **25e 26c** and Item **25d 26d** and enter the total here. This is the amount necessary to pay the non-discount share of the services requested on this Form 471 AND to make effective use of the discounts requested on all your

applications for this funding year. This amount will not include amounts necessary to pay the non-discount share of requests on other Forms 471.

Item 26f – Check this box if your service provider has provided direct financial assistance to you for any of the funds in Item **25e 26c** or Item **25d 26d**. Also, check this box if your service provider assisted you in locating funding for any of the funds in Item **25e 26c** or Item **25d 26d**. Service providers may assist applicants in locating grants and donations consistent with program rules and the Obligation to Pay Non-Discount Portion notice on the SLD section of the USAC web site. Service providers may provide assistance to applicants for ineligible products and services consistent with program rules and the Free Services Advisory as explained on the web site.

Thank you for considering our concerns and questions.

Respectfully Submitted by:

/s/ Gary Rawson

Gary Rawson, Chair

State E-Rate Coordinators' Alliance

Mississippi Department for Information Technology Services

3771 Eastwood Drive

Jackson, Mississippi 39211

601-432-8113

Gary.Rawson@its.ms.gov

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