



July 10, 2009

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Ex parte comments on the proposed Eligible Services List (“ESL”)
for FY 2010, CC Docket No. 02-6

Dear Ms. Dortch:

The State E-Rate Coordinators Alliance (“SECA”) did not initially reply to comments by Sprint Nextel and by Verizon and Verizon Wireless proposing expanded any-time-any-place eligibility of wireless Internet access. SECA believed, and still believes, that this proposal represented a major change in E-rate funding and purpose that was so far beyond the scope of the draft ESL process as to not require a reply comment. However, given supporting reply comments by Qualcomm and the San Diego Unified School District, SECA believes it is important for the Commission to recognize that there is far from universal support for greatly expanded eligibility of wireless Internet services.

SECA does not disagree with the comments of Sprint Nextel and others that schools and libraries “are turning more and more to mobile technologies to engage in school and library-related work at all hours, and from many locations other than the classroom or the library.” We do believe, however, that the statutory intent of the E-rate program was to provide Internet access to schools and libraries. The intention was not to support Internet access, whatever the technology, to all Americans — as would be implied by providing wireless Internet access for any and all students and library patrons. Most certainly, the current level of E-rate program funding would not support such an initiative.

To the extent that the Commission wishes to support any-time-any-place Internet access, SECA proposes that such an objective be incorporated in a technology-neutral, national broadband plan on which the Commission has begun work.

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For purposes of the FY 2010 ESL, we encourage the Commission to retain its current definition of locational eligibility for mobile services.

Respectfully submitted by:

/s/ Gary Rawson

Gary Rawson, Chair
State E-Rate Coordinators Alliance

Mississippi Department for Information Technology Services
301 North Lamar Street, Suite 508
Jackson, Mississippi 39201
601-359-2613
rawson@its.state.ms.us