



**Before the
Federal Communications Commission
Washington, D.C. 20554**

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Schools and Libraries Universal Service
Support Mechanism

CC Docket No. 02-6
GN Docket No. 09-51

**REPLY COMMENTS BY SECA
ON THE DRAFT E-RATE ELIGIBLE SERVICES LIST
FOR FUNDING YEAR 2013**

The State E-rate Coordinators' Association (SECA) submits these comments in response to a filing by Funds for Learning regarding the Commission's Public Notice released July 5, 2012, (designated DA 12-1052). The Public Notice concerned the Funding Year 2013 Eligible Services List ("ESL"). SECA filed comments on July 12, 2012, which asserted that the two Priority 1 service categories, Telecommunications and Internet Access, be combined as a single Priority 1 Service. Funds for Learning ("FFL") subsequently filed comments that largely concurred with SECA's position to streamline the ESL for Priority 1 services. SECA wishes to concur with many of the suggestions in the FFL comments.

There should be only two categories of services on the Form 470 and Form 471, and, as a result, the ESL need have only two major sections: Telecommunications and Internet Access (Priority One) and Internal Connections (Priority Two).

In its comments regarding consolidation of Priority One services, FFL, and other commenters supported the SECA proposal to combine Telecommunications and Internet Access into one service category. SECA

reiterates its support for this proposal and takes the opportunity to note that no reply commenters were opposed to this consolidation.

SECA finds the following FFL arguments to be persuasive: *When it comes to making ESL changes, the Commission certainly ought to give priority to simple changes that are clearly going to yield important, positive results. And that, we submit, is exactly what the structural change that SECA has proposed will do. There is no doubt in our mind that this change will help to reduce the amount of complexity in the program and, in turn, help to reduce the number of applicants who wind up having their funding requests denied unfairly.*

Further, SECA asserts that not only will the consolidation of categories favor E-rate applicants, the review process by USAC will be streamlined and made less complex as well. No longer will reviewers need to spend valuable time verifying that the Priority One category of service selected on Form 471 corresponds to the category of service on Form 470. In addition, USAC and the Commission will not have to face countless appeals filed by applicants denied funding because they inadvertently and incorrectly categorized Telecommunications as Internet Access and vice versa. In fact, the 02-6 Docket already contains appeals filed for FY 2012 denials related to this exact issue of applicants filing a service in the wrong Priority One category. Should the FCC make this overdue change to the program for FY 2013, we also request that any FY 2012 Priority One category-related appeals also be approved.

Funds for Learning also provided comments on several other services and program areas as follows:

- A. SECA concurs that the Commission should issue a Notice of Inquiry concerning Basic Maintenance of Internal Connections (“BMIC”). In light of the ever-expanding demand of Priority One and the decreased availability of any Priority Two funding, it would seem appropriate that the scope of BMIC should be re-visited. And should BMIC continue to be eligible, we strongly concur with FFL’s comments that it should be treated as a non-recurring service so that the maintenance service can align with the equipment purchase date so applicants can actually use the service for a full twelve months after the equipment has been received.
- B. SECA strongly agrees with FFL that all telecom surcharges and fees should be eligible, and supports the justification provided by FFL in advocating for such a change. In fact, SECA has urged the Commission to adopt such a change in several previous filings. Allowing such *di minimus* charges would streamline the review and approval process with barely any impact on the fund. The time and expense of review to ferret out such charges is significantly more costly than the surcharges and fees themselves.
- C. FFL advocates for the elimination of other unnecessary review practices and SECA agrees that these specific recommendations and many others would ensure a more streamlined and fair review process. We encourage the Commission to seek input from

stakeholder groups on what other changes can be made to the application, invoicing, service substitution, and SPIN change processes that would streamline the program and make it more user-friendly.

Respectfully Submitted by:

/s/ Gary Rawson

Gary Rawson, Chair

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