



October 10, 2014

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

RE: Ex Parte Notice in CC Docket No. 02-6, GN Docket No. 09-51, WC Docket No. 13-184

Dear Ms. Dortch:

On September 30, 2014, the State E-rate Coordinators' Alliance (SECA) met with the following members of the Federal Communications Commission (FCC) staff: James Bachtell, Allison Baker, Bryan Boyle, Jonathan Chambers, Sean Conway, Soumitra Das, Kate Dumouchel, Charles Eberle, Patrick Halley, Trent Harkrader, Erica Myers, Ryan Palmer and Melanie Tiano. The 48 SECA members in attendance are set forth on the attached list.

The discussion included SECA's Initial Comments to the Further Notice of Proposed Rulemaking submitted on September 15 and the SECA Petition for Reconsideration of FCC Order 14-99 submitted on September 18, 2014. The following specific items were discussed during the meeting:

- Clarification that the "legally binding agreement" language in FCC Order 14-99 also requires that the legally binding agreement must also meet minimum state law requirements.
- Clarification of our understanding of the "Lowest Corresponding Price" obligation and how the obligation may interplay with pricing provisions of multi-year contracts that require periodic review of the prices to ensure that they remain competitive.
- Explained how the new requirement for requesting invoice deadline extension requests on or before the date that the invoice is due interplays with "\$0 Funded BEAR" notification letters that may be issued after the original invoice deadline. The new rules state USAC's authority is limited to granting one 120-day invoice deadline extension provided that the request is submitted *on or before* the original invoice deadline. In those situations where the BEAR notification letter is issued *after* the original invoice deadline, and there are \$0 funds authorized to be paid, SECA recommended that there should be an automatic 120 day extension provided in order to avoid the FCC being flooded with requests for waivers of the original invoice deadline extension.
- Requested access to the draft new Form 471 online screen shots in order to use in our upcoming nationwide applicant trainings.
- Discussed SECA's Petition for Reconsideration related to the new definition of urban and the fact that schools in Urban Clusters, in most cases, located in rural areas.
- Telephone service components and DID numbers should be considered part of voice and phased out with voice service rather than becoming fully ineligible beginning FY 2015 as set forth in SECA's Petition for Reconsideration.
- SECA's requests for increased predictability of the availability of Category 2 funds as set forth in the Petition for Reconsideration.
- Consortium-wide discount requirement clarification to allow for consortium Form 471 applications to be filed on behalf of only those consortium members that will receive a particular service rather than requiring the inclusion of all consortium members (even those members that will not receive service) and requiring the inclusion of those members in the calculation of the discount percentage.
- Discussion of simple average versus weighted average discount calculation for consortia: Five SECA member states that file statewide consortia applications (Iowa, Pennsylvania, South Dakota, Washington, West Virginia) have computed their consortium discount using the simple average method for each

district member and then using a simple average and weighted average calculation. In each situation, the weighted average discount is about 4 to 5 percentage points lower than the consortium simple average discount. Much more importantly, the amount of funding needed to allocate the benefit of each member's discount is more than the amount of funding that is available when the consortium weighted average discount calculation is used. In the case of South Dakota, the simple average discount is 68% and the weighted average discount is 64%. The amount of funding needed to allocate the benefit of each member's discount is \$137,000 more than the amount of funding available when the weighted average discount is used to compute the FRN amount. When the simple average discount for the consortium is used, there is a \$15,000 shortfall (attributable to rounding). SECA, therefore, supports the continued use of the simple average method for computing the consortia discount.

- Reasons why SECA members strongly oppose the imposition of a mandatory five year limitation of contract terms consistent with our FNPRM comments.
- Concerns about standardizing the reporting of NSLP data on Form 471 applications consistent with our FNPRM comments.

Respectfully submitted,

/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

cc: FCC Staff Members in attendance as noted above

Enclosure: List of SECA Members in attendance

State E-rate Coordinators' Alliance Meeting Attendees

Alabama	Jerome Browning	Mississippi	Gary Rawson
Alaska	Valerie Oliver	Missouri	Chris Schneider
Arizona	Brenda Wright	Nebraska	Tom Rolfes
Arkansas	Neil Pennick	Nebraska	SuAnn Witt
Arkansas	Becky Rains	New Jersey	Sandy O'Neil
California	Russ Selken	New York	Bretton Himsworth
California	Rachel White	New York	George McDonald
Colorado	DeLilah Collins	North Carolina	Jeannene Hurley
Delaware	Kay Buck	North Carolina	Greg Weisiger
Delaware	Dan Farslow	Ohio	Lorrie Germann
Florida	Al Arauz	Oklahoma	Derrel Fincher
Florida	Lauren Harris	Pennsylvania	Julie Tritt Schell
Georgia	Charlie Jackson	South Carolina	Valarie Byrd
Georgia	Dave Nix	South Dakota	Debra Kriete
Iowa	Pamela Jacobs	Tennessee	Cathy Benham
Kentucky	Scott Kane	Tennessee	Eric Brown
Kentucky	Mike Leadingham	Tennessee	Kim Friends
Kentucky	Anne Rothenburger-Day	Texas	Richard LaGow
Louisiana	Carol Mosley	Utah	Melinda Brereton
Louisiana	Caroline Wolf	Washington	Susan Tenkhoff
Michigan	John Piznak	Washington	Tom Tenkhoff
Michigan	Ann-Marie Smith	West Virginia	Julia Legg
Michigan	Michael Andrews	Wisconsin	Robert Bocher
Mississippi	Lee Bray	Wisconsin	Stuart Ciske