



February 5, 2021

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

Re: Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184
Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6
Emergency Broadband Connectivity Fund Assistance, WC Docket No. 20-445
Notice of *Ex Parte Meeting*

Dear Secretary Dortch:

The attached list of members of the State E-rate Coordinators' Alliance met via an online video conference with the following members of the Wireline Competition Bureau:

James Bachtell, Esq.
Zack DiLeo, Esq.
Kate Dumouchel, Esq.
Gabriela Gross, Esq.

Gavin Logan, Esq.
Sue McNeil, Esq.
Ryan Palmer, Esq.
Johnnay Schrieber, Esq.

We discussed the following topics:

1) SECA's Petitions for Reconsideration of the FCC's Category Two Report and Order (Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184, FCC 19-117 (Rel. December 3, 2019).

SECA requested the FCC to reconsider the decision to require the cost allocation of a NIF's associated costs of shared network equipment. The original petition for reconsideration was filed January 21, 2020 and a later petition for reconsideration was submitted on November 13, 2020 to the Bureau's October 14, 2020 Public Notice DA 20-1218. SECA members encouraged the WCB to raise this pending petition with the Commission and to grant the petition as quickly as possible.

2) GAO and FCC's Office of Inspector General's Recommendations to direct USAC to develop an online competitive bidding portal, and the recent NPRM on this topic.

SECA discussed our concerns with the recommendation in the GAO Report (GAO-20-606) (<https://www.gao.gov/assets/710/709440.pdf>) issued in September 2020 and the FCC's Office of Inspector General's semi-annual report (https://www.fcc.gov/sites/default/files/fcc_oig_sar_09302020.pdf). In the OIG semi-annual report, it

stated that sometime prior to May 19, 2020, the FCC already directed USAC to move forward with planning and developing a competitive bidding portal for the E-rate Program.

- The creation of a nationwide bidders' portal will interfere with state bidding laws and regulations regarding the submission of sealed bids.
- Requiring vendors to submit bids in the competitive bidding portal will undermine vendors' willingness to participate in the E-rate program.
- There are many different details to competitive bidding that the portal would need to address, such as best and final offers.
- There is a mini-bid process that is used with E-rate qualified state master contracts. How would a competitive bidding portal address mini bids?
- If there are concerns with applicants' lack of required document retention or knowledge of the competitive bidding requirements, then additional training and outreach should be undertaken.

3) USAC National Supply Chain Audits (https://www.usac.org/wp-content/uploads/about/documents/pdf/audit/National_Supply_Chain_Audit_Strategy.pdf)

- We discussed our concerns about the impact on schools and libraries of audits that will seek to obtain their affirmative demonstration that no universal service funds were used to purchase, obtain, maintain, improve, modify, or otherwise support any equipment or services provided or manufactured by covered companies.
- We requested that the audits focus on the services and equipment supported with E-rate funding and to not delve into the other equipment in a school or library network for which the school or library may have no way of knowing whether the covered companies' components may be included in the equipment.

4) Emergency Broadband Benefit Program Public Notice DA 21-6. SECA reviewed the initial comments submitted in the proceeding.

5) Form 470 dropdown menu for Internet choices and combination of C2 subcategories

- SECA has submitted its recommendations in numerous filings which were discussed.
- We appreciate that the FCC invited public comment on the Form 470 in 2019. We submitted a detailed proposal and modified it during the reply comment phase to address the initial comments submitted by other parties.
- The need for Form 470 reform is for both Category one service requests and also the Category two service requests.
- The Category two subcategories of internal connections, managed internal broadband service and basic maintenance of internal connections should be eliminated because they no longer are needed and creates inadvertent mismatches between the Form 470 and Form 471 categories, and results in funding denials.

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- SECA encouraged the FCC to publish the new version of the Form 470 when the request for approval of the information collection pursuant to the Paperwork Reduction Act is submitted to the Office of Management and Budget. It is extremely helpful when the draft form is made available for public review and comment prior to the form being finalized.

Respectfully Submitted,



Debra M. Kriete, Chair
State E-Rate Coordinators' Alliance
1300 Bent Creek Blvd., Suite 102
Mechanicsburg, PA 17050
(717) 232-0222
dmkriete@comcast.net

cc: James Bachtell, Esq.
Zack DiLeo, Esq.
Kate Dumouchel, Esq.
Gabriela Gross, Esq.
Gavin Logan, Esq.
Sue McNeil, Esq.
Ryan Palmer, Esq.
Johnnay Schrieber, Esq.

Enclosure (SECA List of Attendees)

SECA List of Attendees

Michael Andrews, Michigan
DeLynne Barnes, Alabama
Geoff Belleau, California
Cathy Benham, California
Bob Bocher, Wisconsin
Michelle Boling, Utah
Devin Boyd, Florida
Lee Bray, Mississippi
Jerome Browning, Utah
Rosy Campos, California
Kathy Carroll, Hawaii
John Chadwick, New Mexico
Susan Clair, Virginia
Cathy Cruzan, U.S. Virgin Islands
Laura Dennis, Texas
Andy Easley, New Mexico
Andrew Epting, South Carolina
Mindy Fiscus, Illinois
Kim Friends, Tennessee
Caprice Gay, Kentucky
Lorrie Germann, Ohio
Candice Hall, Tennessee
Brett Himsworth, New York
Win Himsworth, New York
Charlie Jackson, Georgia

Pamela Jacobs, Iowa
Aleck Johnson, U.S. Virgin Islands
Clementina Jimenez, Wyoming
Debra M. Kriete
Vince LaForgia, Delaware
Todd Lawrence, Idaho
Julia Legg, West Virginia
Rebecca Martin, North Carolina
Cristan McCall, Georgia
Don McDaniel, Arkansas
Roxie Miller, North Carolina
Carol Mosley, Louisiana
Valerie Oliver, Alaska
Anne Perloff, Maine
Joe Polasek, Michigan
DeAnne Rand, Alaska
Micah Rignon, Alabama
Julie Tritt Schell, Pennsylvania
Stephen Sharp, Arkansas
Mel Van Patten, Michigan
Rachel Schemelin, Wisconsin
Cece Terry, Utah
Debra Wallace, Alabama
Greg Weisiger, North Carolina
Caroline Wolf, Louisiana