



April 28, 2023

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Notice of *Ex Parte* Meeting
Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184
Promoting Fair and Open Competitive Bidding in the E-Rate Program,
WC Docket No. 21-455
Establishing the Emergency Connectivity Fund to Close the Homework Gap,
WC Docket No. 21-93

Dear Secretary Dortch:

On April 25, 2023, members of the State E-rate Coordinators' Alliance¹ met on Zoom with the following representatives of the Wireline Competition Bureau:

Sue McNeil	
Jodie Griffin	Veronica Garcia-Ullo
Johnnay Schrieber	Molly O'Conor
James Bachtell	Johnny Roddy
Kristin Berkland	Gregory Vadas
Kate Dumouchel	Joseph Schlingbaum

The following matters were discussed:

- **Timing of ECF Post Commitment Request Decisions**
 - Members expressed concerns at the delays applicants are experiencing with the approval of post commitment requests such as SPIN changes, service substitutions, and invoice mode changes. Delays in these decisions are causing hardship for applicants and service providers to timely order and receive equipment and services. Further, in most cases, post commitment requests must be processed before an invoice on the FRN may be submitted so without timely decision letters on post commitment requests, invoices cannot be submitted.

¹ There were 57 SECA members in attendance. The names of the attendees and the state or territory with which each is associated is listed in an attachment to this letter.

- **Competitive Bidding Portal NPRM**
 - Consistent with our previously filed comments SECA remains opposed to the bidding portal.
 - Additional bid requirements such as addressing SPAM bids and bids submitted after the 470 deadline continue to increase the complexity of the bidding process.
 - It will be difficult if not impossible to accommodate the unique and different bidding requirements already in effect at the state and local level across the country.
 - Applicants will need at least 24 months of lead time if the E-rate national bidding portal is finalized.
 - SECA is continuing to work on an analysis of the difference between state procurement laws and the NPRM to identify those areas where there is a conflict between the two different procurement systems, and will submit our analysis in the coming months.
 - Uploading certain documents in a repository may be a feasible, less burdensome solution to address concerns raised in the NPRM, provided that USAC does not then second guess the bidding process.

- **Streamlining E-rate – Ancillary Use Does Not Require Cost Allocation**
 - The cost allocation regulation has an exception for ancillary use. When there are no separately quantifiable costs and the chosen service or equipment is the most cost effective option even with the ancillary ineligible use, cost allocation is not required.
 - Applicants are not given the opportunity to claim ancillary use when they receive PIA questions about ineligible uses/features/recipients of service.
 - For example, adults have started to take classes during the week at vocational-technical schools. Technically the adult learners would be considered ineligible and there would have to be a cost reduction associated with their use of E-rate services.
 - Because of a national teaching shortage some school districts are offering childcare in school buildings for the children of teachers. A school district offers daycare for the young children of students to enable the students to complete their education. Technically these young children are ineligible and there would be a cost reduction associated with their use of E-rate services, which raises the question of how much internet is used by young children under the age of 3?
 - In both examples the school is not buying additional services to accommodate the ineligible uses of services. The use of the services is incidental or ancillary and a cost reduction should not be demanded.
 - SECA would like USAC to provide the ancillary use option during PIA reviews, BCAP audits and PQA assessments as an alternative to the strict cost allocation requirement that is currently mandated without consideration of the ancillary use exception.

- **Streamlining E-rate – Five-Year Discount Validations**
 - E-rate discount percentages do not vary widely from year to year.
 - The amount of time spent annually on discount validations, by both applicants and USAC, is significant.
 - Typically changes to discounts result in increases and not decreases.
 - Similar to the Category 2 budget program that established a five-year enrollment number for students we believe that five-year discount validations would be a great simplification measure.
 - Applicants could have the chance of updating their enrollments and NSLP numbers during the course of the five year cycle but would not be required to do so.
 - The five-year discount validation cycle could run on the same five-year cycle used for Category 2 budgets.

Respectfully submitted,



Debra M. Kriete
Chairperson
State E-rate Coordinators' Alliance
1300 Bent Creek Blvd, Ste 102
Mechanicsburg, PA 17050
717 232 0222
dmkriete@comcast.net

Enclosure: SECA member attendees

cc: Sue McNeil
Jodie Griffin
Johnnay Schrieber
James Bachtell
Kristin Berkland
Kate Dumouchel
Veronica Garcia-Ullo
Molly O'Conor
Johnny Roddy
Gregory Vadas
Joseph Schlingbaum

SECA Member Attendees at 4/25/2023 Ex Parte Meeting

Name	State/Territory	Name	State/Territory
Sue Ellen Gilliland	Alabama	Rebecca Kingery	Nebraska
Micah Rigdon	Alabama	Christina Struebing	Nebraska
Valerie Oliver	Alaska	John Chadwick	New Mexico
Sophia Fa'agata-Ah Fook	American Samoa	Andy Eisley	New Mexico
Ana Vaiau	American Samoa	Brett Himsworth	New York
Don McDaniel	Arkansas	Winston Himsworth	New York
Dirk Schroeder	Arkansas	Adam Benjamin	North Carolina
Cathy Benham	California	Susan Boros	North Carolina
Rosey Campos	California	Jill Elbersen	North Carolina
Alie Dias	California	Lyell Walker	North Carolina
DeLilah Collins	Colorado	Lorrie Germann	Ohio
Keith McCaskill	Florida	Kimberly Snyder	Oklahoma
Kelly Miller	Florida	Kaylen Dinsmore	Oregon
Charlie Jackson	Georgia	Julie Tritt Schell	Pennsylvania
Cristan McCall	Georgia	Victoria Gooch	South Carolina
Marcus Watson	Georgia	Petra Turner	South Carolina
Kathy Carroll	Hawaii	Kim Friends	Tennessee
Daniel Vogt	Idaho	Candice Hall	Tennessee
Melinda Fiscus	Illinois	Courtney Williams	Texas
Brad Hagg	Indiana	Cathy Cruzan	U.S. Virgin Islands
Pamela Jacobs	Iowa	Aleck Johnson	U.S. Virgin Islands
Caprice Gay	Kentucky	Lisa Helme	Vermont
Scott Kane	Kentucky	Susan Clair	Virginia
Carol Mosley	Louisiana	Ana Ketch	Washington
Caroline Wolf	Louisiana	Susan Tenkhoff	Washington
Anne Perloff	Maine	Mary Aldridge	West Virginia
Andrew Epting	Michigan	Bob Bocher	Wisconsin
Joseph Polasek	Michigan	Rachel Schemelin	Wisconsin
Lee Bray	Mississippi		