



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor



Donna Jones Morris
State Library Director

May 17, 2016

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

Re: Letter in Support of State E-rate Coordinators' Alliance Petition for Reconsideration of Order DA 16-448, Petition for Waiver and Petition for Rulemaking, CC Docket No. 02-6

Dear Secretary Dortch:

I am writing on behalf of the Utah State Library Division in support of the Petition submitted by the State E-rate Coordinators' Alliance (SECA) on May 12, 2016. The SECA Petition asks the FCC's Wireline Competition Bureau to reconsider and grant relief to the more than 100 E-rate stakeholders, including at least two petitioners in our state, that missed the invoice deadline and are unable to file reimbursement forms and receive their E-rate funding. A solution is also requested for other affected stakeholders that missed the invoice deadline.

We understand that the FCC tightened the invoice deadline procedures in order to improve program efficiency. Unfortunately the new regulation and procedures do not also balance the need to be flexible when a ministerial deadline is missed. For the other major forms required to be filed in the E-rate program, such as Forms 470, 471 and 486, the FCC has adopted a more flexible approach. Reminders of upcoming deadlines are sent to Applicants and grace periods are provided when deadlines are missed. We hope that the FCC will consider adopting similar measures for the invoice deadline.

The new regulation and procedures have a very detrimental impact. Applicants may do everything right and if they miss the invoice deadline or do not ask for an extension by the original deadline, they will lose all of their funding. This result is too extreme and unfair.

We concur with the issues and solutions that have been presented in the SECA petitions and hope that the FCC will take the appropriate steps to remedy the harm caused to schools and districts both in the denial of the related invoice deadline waiver requests and the overly rigid invoicing deadline rules enacted in the Modernization Orders. Accommodating the SECA petitions would correct the wrong done to those that requested reasonable waivers and would also enhance "efficient" E-rate program administration where successful applicant funding is reinstated as a measure of such efficiency.

We also greatly appreciate the Commission's initiatives to modernize and improve the overall efficiency of the E-rate program. For the many reasons stated in the SECA petitions, we respectfully request that the FCC act quickly and favorably on these petitions to reverse the denials of the waiver requests, remediate the unintended consequences of the new invoice deadline rules, and plot a more applicant friendly course for the Modernized E-rate Program.

Sincerely,

Donna Jones Morris
State Librarian/Division Director