

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

In the Matter of)	
)	
Petitions Regarding Off-Campus Use of)	CC Docket No. 02-6
Existing E-rate Supported Connectivity)	WC Docket No. 10-90
)	WC Docket No. 13-184
Schools and Libraries Universal Service)	
Support Mechanism)	

**COMMENTS ON PETITIONS REGARDING OFF-CAMPUS USE OF EXISTING
E-RATE SUPPORTED CONNECTIVITY
(DA 16-1051)**

The New York City Department of Education (NYC DOE) respectfully submits its comments to the Wireline Competition Bureau in response to the request for comments on the petitions regarding off-campus use of existing E-rate supported connectivity. The NYC DOE supports the Boulder Valley School District’s request for waiver of the cost allocation rule in 47 C.F.R. § 54.504(e) to allow school districts to provide Internet access not only to students during non-operating hours, but to nearby communities, using E-rate funded broadband networks. The NYC DOE also supports the request from the Charlotte County and Halifax County Public School Districts that urges the Federal Communications Commission to declare that such efforts proposed in the petitions do not require cost allocation for traffic that originates off-campus.

Granting the petitions:

- Encourages innovative uses of E-rate funded services that would reach far beyond the classroom.
- Embraces federal initiatives to close the digital gap for students, older adults, rural communities and persons of lower-incomes.
- Promotes the goals of the Universal Service Fund (USF) principle that all Americans have access to communications services.
- Safeguards schools’ E-rate funding by eliminating the requirement to reduce E-rate funding for service hours used by the community.

- Eliminates the cost and administrative burdens of determining cost allocations for reductions in E-rate eligible costs.
- Maximizes the use of facilities and services supported by the E-rate program that would otherwise not be in use during non-operating hours.
- Ensures that NYC DOE's 1.1 million students and their families have access to affordable, reliable broadband services, and that all Schools and Libraries Universal Service Support Mechanism participants can offer such services to their respective communities.

NYC DOE urges the Federal Communications Commission to grant Boulder Valley School District's request and make a declaratory ruling to waive the cost-allocation rule for similar efforts as a means to encourage use of the Internet services outside of school hours, when the demand is typically low or not used at all. Where there is no increase in the cost to the service or to make the wireless network available after school hours, the waiver would be consistent with Sixth Report and Order's provisions on community use for E-rate funded services.

If E-rate applicants are required to cost allocate services for the activities described in the Charlotte and Halifax County Petition, such allocations would first be difficult to determine, and moreover would result in an artificial decrease of eligible E-rate funding to the applicant. Such reductions in funding are contrary to the intended goals of the E-rate program and would impede the deployment of broadband access to communities throughout the nation.

Respectfully Submitted by:



/s/ Teresa L. Ball

Teresa L. Ball, E-Rate Compliance Officer
New York City Department of Education
Office of the General Counsel
Office of Federal and State Regulatory Compliance
52 Chambers Street, Room 308
New York, NY 10007

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