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VIA ELECTRONIC FILING
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: FCC DA 16-1051, September 19, 2016, CC Docket No. 02-6; WC Docket 10-90;
WC Docket No. 13-184, Wireline Competition Bureau Seeks Comment on Petitions
Regarding Off-Campus Use of Existing E-rate Supported Connectivity

Dear Sir or Madam:

By its outside counsel, the California Emerging Technology Fund (CETF) hereby files Reply Comments in the above-referenced dockets relating to petitions regarding off-campus use of existing E-rate supported connectivity. CETF is a non-profit organization located in California whose mission is to close the Digital Divide in California by breaking down barriers to high-speed Internet access at home. CETF's goal is to reach 98% of all residences with broadband infrastructure and to achieve 80% home adoption by 2017. In the past, CETF has participated in numerous FCC dockets, including in the E-rate modernization docket in 2014, various merger dockets involving broadband providers, and the Connect America Fund. CETF did not file comments as to this issue, and only was alerted today of the deadline for Reply Comments.

CETF strongly supports the FCC's action on petitions by Microsoft Corp, Mid-Atlantic Broadband Communities Corp., Charlotte County Public Schools, Halifax County Public Schools, GCR Company, Kinex Telecom, Samuel Glushko Technology Law and Policy Clinic on behalf of the Boulder Valley School District (collectively, the Petitioners) which urge the Commission to allow E-rate subsidized broadband networks to be accessed by students at home for educational purposes, without an obligation on the E-rate applicant to cost allocate the portion of the traffic attributable to off-campus use. CETF urges the FCC to grant these petitions in order to bring broadband services via the schools to students residing in very rural areas, and low-income students whose families cannot afford home broadband service in their home, including in affordable housing units. This grant would be consistent with the overarching goals

of the universal service programs to promote access to telecommunications and information services, including by those are low income and by those who live in very rural, remote or tribal areas. See 47 USC 254(b). Further, allowing this usage will allow greater use of government-supported services and facilities and will help resolve important Digital Divide issues relating to the Achievement Gap. By the latter, CETF refers to the distinct academic disadvantage a student experiences if his or her family cannot afford home broadband service in order for the student to complete Internet-enabled homework. CETF has experience given its School2Home program that a lack of home Internet access does put a student at an academic disadvantage compared to his or her peers. CETF supports waiver of E-rate rules for minor expansion of Internet access to the immediate neighborhood of the school, particularly where the school is in a low-income neighborhood, close to an affordable housing unit complex, or is located in a rural, remote or tribal area.

In the petition, the Petitioners seek to allow schools and school districts to leverage existing E-rate supported services to allow Internet traffic originating at students' homes to be directed to and carried over E-rate supported networks without creating an obligation of the applicant to cost allocate out the portion of the traffic attributable to off-campus use. CETF supports this common sense proposal. It does not have any negative impacts. First, it does not increase overall E-rate costs to the program. Second, it serves the statutory Universal Service goal of providing access to all people, no matter where they live. Third, it will allow the students who receive the benefits to be on equal footing in terms of the ability to do their Internet-enabled homework with a student whose family can afford broadband. This will improve academic outcomes which is a core mission of the school districts. Just as telephone and electric service discount programs help low-income families, this minor waiver of rules could bring broadband service to low-income and remote families at a very modest cost, leveraging an existing and successful E-rate universal service program. Thus, CETF supports a declaratory ruling by the FCC clarifying that participating schools' E-rate funded Internet access service may be used for projects like this, and that such a project does not violate E-rate rules.

In its prior E-rate modernization comments, CETF discussed at length its School2Home program which provides electronic devices to middle school students at low performing middle schools in California. Significant teacher, parent and student training integrate digital literacy into the curriculum, and the resulting student engagement has brought improved academic outcomes. One major obstacle the School2Home program has encountered is the lack of home broadband service by a number of students in the program. While most are low-income students, other are foster youth or youth from remote, rural or tribal areas. While the school district, CETF and community partners make strong efforts to assist participating School2Home households in the program to obtain low cost broadband service, often the cost of broadband access or challenging terms and conditions of service (such as credit checks, long term contracts,

or deposits) prove to be insurmountable hurdles for some families. Students without home Internet access find themselves doing their homework in the parking lot of the school, or if they are lucky to have access, at the McDonalds, Starbucks and other free WiFi hotspots in the community. Even with the rise of low cost broadband access offers by Comcast, Charter, Frontier and AT&T in our state, many low-income families struggle to provide basic Internet service to their children for educational purposes. CETF urges the FCC to allow innovative programs like the ones proposed by Petitioners to be allowed, or at minimum a waiver to be granted.

CETF also urges the relief requested by Boulder Valley School District to waive the cost allocation rules in order to allow students in neighboring housing authorities to get Internet access through the Boulder Valley's E-rate subsidized, self-provisioned fiber network after school hours, without Boulder Valley having to cost allocate for the amount of service attributable to off campus use. This waiver should be granted to Boulder Valley and others like it because allowing low-income families who live in the housing authority facility to obtain Internet access after school hours serves the goals of Universal Service to connect all people to the network, including those who reside in housing authorities that lack free Internet access.¹ This will not impact the school's use of the Internet access, and will not increase the school district's E-rate costs.

Finally, CETF requests the Commission grant waivers for all similarly situated E-rate applicants in its decision, to avoid each E-rate applicant having to file for similar waivers or rulings. CETF thanks the Commission for this opportunity to file reply comments on this important issue.

Sincerely yours,

/s/ Rachelle Chong

Rachelle Chong
Outside Counsel to CETF

¹ CETF notes that the California PUC has a specific program under its California Advanced Services Fund program that helps affordable housing units obtain Internet access to units if the affordable housing units lack such access at state mandated broadband speeds.

