



March 11, 2019

*Board of Directors*

Leonard Schrager  
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Marlene H. Dortch  
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Federal Communications Commission  
445 12th Street, SW

Austin Hirsch  
Counsel

Washington, DC 20554

Mignon Clyburn

RE: Notice of Ex Parte; Docket No. 02-6, Schools and Libraries Universal Service Support

Robert Cohen

Mechanism; WC Docket No. 13-184, Modernizing the E-rate Program for Schools and Libraries; and

Elizabeth Daley

WC Docket No. 19-2, E-Rate Program Amortization Requirement

Adrienne Benton  
Furniss

Dear Ms. Dortch:

Terry Goddard

On Thursday March 7, 2019, Adrienne Furniss, Benton Executive Director; Jonathan Sallet, Benton Senior Fellow; Evan Marwell, CEO of EducationSuperHighway; Jack Lynch, Director of State

Joanne Hovis

Engagements, EducationSuperHighway; and Jim Kohlenberger, President of JK Strategies and

Jim Kohlenberger

Benton Board Member met with Kris Monteith, Gabriela Gross, Ryan Palmer, and D'wana Terry of

Handy L. Lindsey

the Wireline Competition Bureau; and separately with Nirali Patel, Wireline Advisor to Chairman Pai and Will Holloway, FCC Intern, Office of Chairman Pai; Travis Litman, Chief of Staff and Senior Legal Advisor to Commissioner Rosenworcel; and Michael Scurato, Legal Advisor to Commissioner Starks.

*Trustees*

Marjorie Craig  
Benton

The purpose of the meetings was to discuss the attached E-Rate white paper, entitled *Improving the Administration of E-Rate: Ensuring All Schoolchildren Get the High-Speed Broadband Connections They Need*. Through a careful analysis of the program's implementation, the paper

Adrienne Benton  
Furniss

outlines the amazing progress made possible since the E-Rate Modernization Order, but also looks

Austin Hirsch

more directly at USAC's administration of the program. It identifies three key barriers that are

Leonard Schrager

preventing schools and students from taking full advantage of the promise and potential of E-Rate-

Michael Smith

enabled special construction projects.

While enormous progress has been made, there are three implementation areas identified that have led to delays in critical special construction projects and include 1) the use of an undisclosed cost-model to review a market-based competitive bidding process, 2) the use of an un-vetted questionnaire to review applications (that has not received approval under the Paperwork Reduction Act), and 3) the ambiguity around use of the "cardinal change rule" to force denial or re-institution of bidding processes. The paper also discusses the importance of the Commission



making permanent the wise policy adopted in the Second Modernization Order of allowing reimbursement of cost-effective upfront and recurring costs by permanently resolving the Commission's recent decision to extend the E-Rate amortization requirement.

Respectfully submitted,

Adrienne B. Furniss  
Executive Director

cc: Kris Montieth  
Bureau Chief, FCC Wireline Competition Bureau (WCB)

D'wana Terry  
Associate Bureau Chief, WCB

Ryan Palmer  
Chief, Telecommunications Access Policy Division (TAPD), WCB

Gabriela Gross  
Deputy Division Chief, TAPD, WCB

Nirali Patel  
Wireline Advisor to Chairman Pai

Travis Litman  
Chief of Staff and Senior Legal Advisor to Commissioner Rosenworcel

Michael Scurato  
Legal Advisor to Commissioner Starks