

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
Modernizing the E-Rate Program for Schools ) WC Docket No. 13-184  
and Libraries )  
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**COMMENTS OF EDUCATIONSUPERHIGHWAY**

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October 31, 2019

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EducationSuperHighway respectfully submits these comments in response to the Notice of Proposed Rulemaking in the above referenced proceeding.<sup>1</sup>

**INTRODUCTION AND SUMMARY**

EducationSuperHighway enthusiastically agrees with the Commission’s statement that the E-Rate Form 470 drop-down menu for services requested should be improved to minimize confusion and make the filing process more efficient.

**I. Suggested Changes**

**Suggested options for Category 1 Drop-Down Menu**

While EducationSuperHighway sees some merit in the FCC’s proposed drop-down options, we recommend going further to simplify and clarify the list. Over the last few E-rate cycles, the “Internet Access: ISP Service Only” has caused consistent confusion for applicants. Analysis on Funding Year 2019 Form 470 and 471 data alone reveals that “698 applicants

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<sup>1</sup> FCC 19-58, Notice of Proposed Rulemaking, DA 19-986, Released 10/1/2019

submitted a Category One transport-related FY2019 Form 471 that exclusively references an ‘Internet Only – No Transport’ Form 470.’<sup>2</sup> Applicants without a technical or networking background do not recognize that they need to lease both transport and Internet access for a functional connection and therefore see “Internet Access/ISP Service Only” as an appropriate choice. If an applicant files for Internet access/ISP service only, any charges on their bill related to transport, such as cross-connect charges, would be ineligible; however, filing for the same service as ‘bundled’ with transport would allow those charges to be covered. Therefore, we recommend eliminating the Internet Access/ISP Service Only option, and replacing it with “Internet Service (With or Without Transport).” For the minority of applicants who own transport to an Internet provider’s Point of Presence or Network Access Point and genuinely do not need any transport services, they can explain their needs in the narrative section of the Form 470 and/or in an attached Request for Proposal (RFP). EducationSuperHighway used two primary criteria when developing our suggested drop-down options for 2021 and beyond:

1. The terminology should be understandable to a layperson/non-technical staff
2. Where jargon must be used, it should be the jargon used in the telecommunications and technology industries

<b>FY2021 and Future Funding Years Potential Drop-Down Menu Options</b>	<b>Notes on Changes</b>	<b>Additional Options</b>
Internet Service (With or Without Transport)	This option should be at the top of the list and fully technology neutral, including Leased Lit Fiber and non-fiber options. As the technology type of each connection will be gathered on the Form 471, there is more need for applicants to	<ul style="list-style-type: none"> <li>● Enable districts to provide preference to fiber.</li> <li>● Other potential options to pick from: dedicated service, symmetrical</li> </ul>

<sup>2</sup> Funds For Learning, *Ex Parte* Submission to WC Docket No. 13-184 and CC Docket No. 02-6, submitted May 6, 2019, page 1.

	have a simple, technology neutral option than to isolate leased lit fiber from other options.	
WAN Service Only (transport circuits/No Internet Access included)	Technology neutral for Leased Services providing Wide Area Network connectivity, without Internet Access/ISP service included	<ul style="list-style-type: none"> <li>• Enable districts to provide preference to fiber.</li> <li>• Other potential options to pick from: dedicated service, symmetrical</li> </ul>
Leased Dark Fiber or Leased Lit Fiber	(unchanged)	
Self-Provisioned Network (Applicant Owned and Operated Network) or Services Provided Over Third-Party Networks	(unchanged)	
Category One Network Equipment	Should include a parenthetical or otherwise clarify that this is typically for dark or self-provisioned service only	
Category One Maintenance & Operations	Should include a parenthetical or otherwise clarify that this is typically for dark or self-provisioned service only	
LTE/Cellular Data Services	(unchanged)	

**Suggested options for Category 2 Drop-Down Menu**

We do not have extensive recommendations for the Category 2 drop-down menu, as there is a separate, active Notice of Proposed Rulemaking on extending and improving the Category 2 rules. We applaud the addition of the clarification language “& necessary software” to each of the equipment categories, and have the following recommendations for further clarifying the language used in the menu:

- In our comments on the Category 2 NPRM<sup>3</sup> we recommended eliminating the subcategories for Basic Maintenance of Internal Connections (BMIC) and Managed Internal Broadband Services (MIBS). In alignment with those comments, we recommend eliminating those options from the Category 2 drop-down menu.
  - For BMIC, a check box titled “Basic Maintenance Needed” could be added to the other service categories, with which applicants may indicate that they are requesting quotes on BMIC for the selected device.
  - For MIBS, a check box titled “Applicant will consider Managed Services” could be added to the other service categories, with which applicants may indicate that they are open to MIBS-based solutions.
  - If it is decided to retain MIBS as a drop-down option, we recommend changing the name of this service category to Managed Internal Connections Services (MICS) to better align with standard USAC terminology.

## **II. Comments on Flow Charts**

In Appendices C and D of the NPRM, diagrams illustrate possible changes to the 470 filing process, moving various decision points to funnel applicants to shorter drop-down lists. We urge the FCC and USAC to consider their customers before launching any major revamps of the look and feel of the Form 470 filing process.

The average E-rate applicant only completes one or perhaps two Forms 470 each year, and if they are applying for contracted services, they may not file a Form 470 at all. The current

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<sup>3</sup> EducationSuperHighway, “Comments on Category 2 Notice of Proposed Rulemaking” submitted August 19, 2019, page 5.

filing process, using the EPC online portal, has looked and operated more or less the same for three filing cycles, which has allowed applicants to grow familiar with the process.

The stated intent of this NPRM is to make the application process “intuitive and easy to understand,” as well as compliant and searchable. Fixing the issues with the drop-down menus can achieve this without a complete revamp of the process. EducationSuperHighway looks forward to reviewing the comments from other stakeholders and concerned parties on this issue.

### **CONCLUSION**

EducationSuperHighway applauds the intent of this NPRM to simplify the 470 filing process for applicants and appreciates the opportunity to comment on this Proceeding.

Respectfully submitted,

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