

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

In the Matter of)	
Promoting Fair and Open Competitive)	WC Docket No. 21-455
Bidding in the E-rate Program)	

**REPLY COMMENTS OF
THE CORPORATION FOR EDUCATION NETWORK INITIATIVES
IN CALIFORNIA (CENIC)**

The Corporation for Education Network Initiatives in California (“CENIC”) appreciates the opportunity to submit a reply to comments filed regarding the Federal Communications Commission’s (“FCC”) notice of proposed rulemaking on “Promoting Fair and Open Competitive Bidding in the E-Rate Program.”

CENIC operates the California Research and Education Network (CalREN), a high-capacity network designed to meet the unique requirements of over 20 million users, including the vast majority of K-20 students together with educators, researchers and others at vital public-serving institutions. CENIC provides connectivity to the over 10,000 public schools and over 1,100 libraries in California. Further, CENIC serves as the Consortium Leader on behalf of schools and libraries in California for Category 1 data transmission services.

CENIC believes in and supports the worthy goals of the FCC through this Rulemaking: “to enhance program integrity and administrative efficiency.” Unfortunately, we must agree with a number of the commenters, including the Schools, Health, and Libraries Broadband Coalition (SHLB), which stated:

“The proposals will be overly burdensome to implement, conflict with existing state and local procurement processes, hinder competition and participation in the program, and will not address any well-identified or quantified fraudulent practices. In short, the contemplated rule changes are unnecessary, unwieldy, and unwise.”¹

In particular, CENIC wishes to emphasize that **the Rulemaking conflicts with existing state procurement processes**. The Rulemaking asks: “Would a bidding portal complement or supplement existing rules and procedures to reduce bid collusion and the risk of fraud in the competitive bidding process?” Unfortunately, the portal would neither complement nor supplement existing rules and procedures. In fact, such a portal as envisioned in the Rulemaking would violate the State of California’s strict procurement requirements, which are already in place and apply to procurement activities for public schools and libraries. The new Rulemaking would force schools and libraries in California into a difficult choice: abide by local and state laws or use the proposed new E-rate bidding portal. Both Los Angeles Unified School District (LAUSD) and California K12 High Speed Network (K12HSN) have provided comments to the Commission with detailed explanations for the dilemma that the Rulemaking will create for K12 public schools in California. CENIC concurs with them and urges the FCC to reconsider its position on procurement processes within the Rulemaking.

We believe that other parties, in their opening comments, have provided excellent suggestions for the FCC to consider and pursue. We encourage the FCC to improve the bidding process without causing schools and libraries undue harm. The E-rate program provides a valuable benefit to schools and libraries in improving broadband access and securing affordable telecommunications and broadband services, which have become vitally important for the education community in the 21st century.

¹ See SHLB Comments, page 1

Respectfully submitted,

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May 27, 2022