

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

In the Matter of	)	
	)	WC Docket No. 09-197
Request for Reconsideration of	)	
Free Press et al. Concerning Lifeline	)	WC Docket No.11-42
Broadband Providers	)	
	)	DA 17-213
	)	

**COMMENTS OF THE  
CONSORTIUM FOR SCHOOL NETWORKING,  
STATE EDUCATIONAL TECHNOLOGY DIRECTORS ASSOCIATION, ALLIANCE FOR  
EXCELLENT EDUCATION, AND COMMON SENSE KIDS ACTION**

The Consortium for School Networking (CoSN), the State Educational Technology Directors Association (SETDA), the Alliance for Excellent Education (Alliance), and Common Sense Kids Action (Common Sense) submit these comments supporting the request for reconsideration filed by Free Press et al. concerning the Federal Communications Commission’s (Commission) Lifeline program.<sup>1</sup> CoSN, SETDA, the Alliance, and Common Sense oppose the Commission’s decision to revoke the Lifeline Broadband Provider (LBP) designations for Spot On Networks LLC, Boomerang Wireless LLC, KonaTel Inc., STS Media, Inc., Applied Research Designs, Inc., Kajeet Inc., Liberty Cablevision of Puerto Rico, LLC, Northland Cable Television, Inc., and Wabash Independent Networks, Inc.<sup>2</sup> Designating these providers as LBPs is in the public interest and low income households should be allowed to benefit from their services as quickly as possible.

CoSN is the premier professional association for school system technology leaders. For nearly 25 years, CoSN has provided leaders with the management, community building, and advocacy tools they need to succeed. Today, CoSN represents over 13 million students in

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<sup>1</sup> See Letter from Jessica J. Gonzalez, Free Press et al. to Chairman Pai, Commissioner Clyburn and Commissioner O’Rielly, FCC, WC Docket No. 11-42 (filed February 23, 2017), <https://www.fcc.gov/ecfs/filing/10223875430616>.

<sup>2</sup> See *Telecommunications Carriers Eligible for Universal Service Support et al.*, Order on Reconsideration, WC Docket No. 09-197, et al., DA 17-128 (WCB 2016).

school districts nationwide. SETDA is a not-for-profit membership association launched by state education agency leaders in 2001 to serve, support and represent their emerging interests and needs with respect to the use of technology for teaching, learning, and school operations. The Alliance is a national education advocacy, policy, and best practices nonprofit dedicated to ensuring that all students, particularly those who are traditionally underserved, graduate from high school ready for success in college, work, and citizenship. Future Ready Schools (FRS) is an initiative of the Alliance. FRS helps districts plan for the best ways to incorporate technology and broadband to improve and personalize learning for all students. Common Sense Kids Action is the policy arm of Common Sense Media, the nation's leading nonprofit organization dedicated to improving the lives of kids and their families by providing the trustworthy information, education, and independent voice they need to thrive in our 24/7 digital world. CoSN, SETDA, the Alliance, and Common Sense are working closely together to help ensure all students have access to high capacity broadband for learning at school and at home.

The Commission's 2016 Lifeline update is in the public interest. State and school district education technology leaders strongly support the Commission's decision to expand the Lifeline program to cover home broadband services. Far too many low-income students lack access to high capacity broadband outside of school, which limits their ability to complete assigned homework and fully benefit from digital learning opportunities. In 2015, the Pew Research Center found that approximately 5 million households with school-age children do not have high-speed Internet service to utilize for learning when they are at home. While Pew reported that 82.5 percent of households with school age children have Internet access at home, the number fell to just 60.3 percent for families with incomes under \$25,000. The numbers declined even more for minority families with incomes below \$25,000 with African American families at

53.6 percent and Hispanic families at 54.8 percent.<sup>3</sup> This “Homework Gap” will become even more pronounced if policy improvements, like the 2016 Lifeline reform, are not fully implemented. Nearly 90% of district technology leaders responding to CoSN’s 2016 IT Leadership Survey said they expect their district’s instructional materials to be at least 50% digital within the next 3 years.<sup>4</sup> Expanded home Internet access is needed to ensure more students will be ready for this fast moving transition to digital instructional content and Lifeline Broadband support is a proven solution for achieving that goal in low income communities.

Last year, the Commission’s Enforcement Bureau entered into a Consent Decree with T-Mobile that clearly acknowledged the Homework Gap and validated the important public interest at stake in this proceeding. Under the Consent Decree with the Commission, T-Mobile agreed to spend \$5 million dollars, plus other un-redeemed funds from a related consumer benefit program, to help low-income school districts overcome the Homework Gap. T-Mobile agreed to work with approved schools to purchase devices that students may take home and use for schoolwork, and provide mobile broadband to those devices at no cost to the students or their families. T-Mobile will implement the program later this year, aiming “to enroll 5,000 students per quarter, for a total of at least 80,000 students during the program’s four year term, provided that funds are available.”<sup>5</sup> These types of single company efforts – whether independently started or through a similar consent decree – are not sufficient to address the Homework Gap at scale.

The new Lifeline structures, however, offer a tool for making significant national progress toward more universal home broadband access. For example, the streamlined federal LBP designation process established in 2016, and at issue in this proceeding, provides a practical

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<sup>3</sup> John B. Horrigan, “The Numbers Behind the Broadband Homework Gap” April 20, 2015 (Washington, DC) <http://www.pewresearch.org/fact-tank/2015/04/20/the-numbers-behind-the-broadband-homework-gap/> (accessed March 10, 2017).

<sup>4</sup> *2016 IT Leadership Survey*, Consortium for School Networking, <http://cosn.org/itsurvey>

<sup>5</sup> FCC Enforcement Bureau Order regarding T-Mobile Consent Decree, File No.: EB-IHD-15-00018093, (October 2016).

and indispensable alternative to the state-centric Eligible Telecommunications Carrier designation system. The new approach will work effectively without compromising the vital consumer protections associated with ETC status. Past practice and persistent service gaps show that states are not succeeding on their own in addressing the Homework Gap, especially in the places where low-income consumers are often most in need of Lifeline broadband support. The less burdensome federal LBP designation will promote competition by enabling additional providers to serve low-income households, without increasing the risk of waste, fraud and abuse. Absent this balanced, strategic approach, many low-income students and their families will continue to lack the broadband access they need to learn and succeed.

The revocation order undermines the Commission's efforts to address the Homework Gap and is against the public interest. It creates an unnecessary hold on companies seeking to empower low-income consumers, and unnecessary uncertainty for the consumers themselves. Furthermore, it may dampen the interests of other companies who seek to enter the Lifeline broadband market, chilling future competition. All of the issues raised by the Order are better addressed through other means. Corporate fraud and abuse concerns continue to be addressed by the Enforcement Bureau and by the comprehensive steps taken in the Modernization Order, such as a national eligibility verifier. Moreover, there is no indication in the Order that concerns of fraud and abuse relate to any of the pending LBPs. Disputes over technical filing obligations can be addressed without revoking provider status. And any concerns about sufficient time for public comment have been addressed through this additional comment period. The Commission should move forward with enabling a robust market for low-cost broadband offerings that will enable students the opportunity to learn and succeed at school and at home.

For the reasons described above, CoSN, SETDA, the Alliance, and Common Sense urge the Commission to reconsider the Wireless Competition Bureau's decision and restore the LBP designation previously granted to these nine companies. This approach will best serve the

public interest by helping to ensure all students have access to the broadband capacity required to support learning inside and outside the classroom.

Respectfully submitted,

By:  
/s/Keith Krueger  
CEO  
CoSN  
1025 Vermont Avenue, NW  
Washington, D.C. 20005

By:  
/s/Tracy Weeks  
Executive Director  
SETDA  
P.O. Box 10  
Glen Burnie, MD 21060

By:  
/s/Bob Wise  
President  
Alliance for Excellent Education  
1201 Connecticut Avenue, NW  
Suite 901  
Washington, D.C. 20036

By:  
/s/Danny Weiss  
VP, Federal Policy  
Common Sense Kids Action  
2200 Pennsylvania Ave NW, 4E  
Washington, D.C. 20037