

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

In The Matter of

Universal Service Contribution  
Methodology

WC Docket No. 06-122

**COMMENTS OF THE  
CALIFORNIA EDUCATIONAL TECHNOLOGY PROFESSIONALS ASSOCIATION  
(CETPA)**

The California Educational Technology Professionals Association (CETPA) is the only professional association in California focused on supporting the IT Professionals working in schools. For almost 60 years, we have advocated for and supported the use of technology in education for administration, facilities, and in the classroom. Our members lead schools' decisions on broadband and other technology use. They are dedicated to promoting equitable broadband access that helps improve teaching and learning. They are responsible for their organizations' participation in the vitally important USF Schools and Libraries Program ("E-Rate) and rely on this program for adequate broadband access for their schools.

CETPA respectfully submits these comments and stands with the California Department of Education and many other organizations in opposing an overall funding cap for the Universal Service Fund. An overall funding cap would not help close the digital divide and thereby would impede the advancement of the Commission's goals and slow schools' progress in creating equitable access for students. The following comments we submitted on July 26, 2019 by the

California Department of Education in a letter from Stephanie Gregson, Ed.D., Deputy Superintendent, Performance, Planning, and Technology Branch.

### **CONGRESS ESTABLISHED DISTINCT USF PROGRAMS FOR A PURPOSE AND ESTABLISHING A SINGLE USF CAP WOULD FRUSTRATE CONGRESS'S INTENT**

The Commission's proposal in this rulemaking exceeds the Commission's regulatory authority as it conflicts with underlying statutes providing that "specific, predictable and sufficient" support is needed for each of the USF programs. Establishing an aggregate USF cap and a statutorily-baseless system for measuring the relative value of the four USF programs would frustrate Congress's intent and the programs' vitally important and unique high-need consumer focus areas. Moreover, on June 25, 2019, the US House of Representatives unanimously adopted House Amendment 483 to H.R. 3551, the FY2020 Appropriations Act prohibiting the implementation of any rule that would effectively impose a cap on the USF or place USF programs under a shared cap.

If the Commission truly desired to consolidate programs without violating Congressional intent, it could simply revise the rules to allow for the coordinated allocation of costs between the various projects and programs.

### **COMBINING THE E-RATE AND RURAL HEALTH CARE PROGRAM CAPS COULD SLOW SCHOOLS' PROGRESS TOWARD THE MODERNIZATION ORDER'S CONNECTIVITY GOALS**

The FCC'S proposal to establish a single budgetary cap for the E-Rate and Rural Health Care programs could divert needed broadband resources away from students. Sharing resources between these two unique programs could result in less available E-Rate funding during any

funding year. The threat of money diversion is real because the Rural Health Care Program demand has “risen over the past three years with a sharp increase in demand in FY2017...”<sup>1</sup> Although E-Rate demand did not meet the program’s cap in the most recent funding year, it was not because schools’ broadband needs have reduced. Rather, they have shifted from Category one to Category two, but the per pupil limitations on Category two funding for internal connections at schools is prohibitive. The CDE believes that if the Category two limitations were eased and per pupil funding increased, the cap would be easily reached.

## **CONCLUSION**

CETPA strongly urges the FCC not implement a universal cap for the USF programs. Adequate broadband access is essential for schools to continue to close the “homework gap” and provide the high-quality learning environments our children deserve. We stand ready to help the FCC continue to improve the program in ways that help schools.

---