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WASHINGTON, DC 20006

August 13, 2019

SUBMITTED ELECTRONICALLY VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte in the Matter of Petition for Rulemaking to Amend and Modernize
Part 54 of the Commission's Rules, RM-11841
CC Docket No. 02-6 and WC Docket No. 13-184

Dear Ms. Dortch:

On August 9, 2019, representatives of the Texas Education Service Centers (ESC) Regions 10, 11 and 15 met with Arielle Roth, wireline advisor for Commissioner O'Rielly¹ regarding the Petition for Rulemaking filed by Central Texas Telephone Cooperative, Inc., Peoples Telephone Cooperative, Inc, and Totelcom Communications, LLC.² During our meeting, we discussed various issues raised in the comments and replies filed by Regions 10 and 11.

Attendees were Dr. Gordon Taylor, Executive Director, Region 10 ESC; Brent Goerner, Director/Chief Technology Officer, Region 10 ESC; Dr. Clyde Steelman, Executive Director, ESC Region 11; Rory Peacock, Deputy Executive Director, Technology, ESC Region 11; Randon Lance, Director of Network Services, ESC Region 15 (collectively, the ESCs); Russell Neal, VST Services, E-rate consultant for Regions 10 and 11; and myself.

We discussed how the consortium approach has helped Texas school districts obtain better service for lower prices, especially when compared to some of the existing carriers. We discussed how the Texas Carriers' Petition mischaracterized the competitive bidding processes conducted by the ESCs. In response to a previous question from Ms. Roth, we explained that petitioners are members of the Texas Lone Star Network, a group of 41 incumbent local exchange carriers in Texas that join together to bid on region-wide and state-wide projects.³ While petitioners have alleged that they were too small to bid on a region-wide project,

¹ 47 C.F.R. § 1.1206.

² Petition for Rulemaking of Central Texas Telephone Cooperative, Inc., Peoples Telephone Cooperative, Inc. and Totelcom Communications, LLC, RM-11841, CC Docket No. 02-6, WC Docket No. 13-184 (filed May 22, 2019).

³ For more information, *see* <http://www.tlsn.us/about>.

petitioners could have used the Texas Lone Star Network to submit a bid in response to the ESC's requests for proposals publicly issued during the past few years, if they so desired.

We also discussed how the Texas Carriers' proposed approach would harm, rather than foster, competition in the E-rate program, by giving incumbents a second bite at the apple and potentially disincentivizing competitors from bidding. Finally, we explained that the high-cost and E-rate programs have different goals, and thus that the Texas Carriers' characterization of new fiber installation as duplicative and wasteful is incorrect.

Please let us know if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script, reading "Gina Spade".

Gina Spade
Counsel to Texas ESC Region 10

cc: Arielle Roth, Office of Commissioner O'Rielly