

HERMAN & WHITEAKER, LLC

DONALD L. HERMAN, JR  
GREGORY W. WHITEAKER  
ROBIN E. TUTTLE<sup>†</sup>  
CARRIE L. DEVIER<sup>††</sup>  
CLARE L. ANDONOV  
MOLLY O'CONNOR

<sup>†</sup> Admitted in DC, SC and FL only  
<sup>††</sup> Admitted in SC only

TEL 202-600-7272  
FAX 202-706-6056  
6720 B Rockledge Drive, Suite 150  
Bethesda, MD 20817

August 21, 2019

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

**Re: Notice of Ex Parte; *Modernizing the E-Rate Program for Schools and Libraries*,  
RM-11841, WC Docket No. 13-184, CC Docket No. 02-6.**

Dear Ms. Dortch:

On Monday, August 19, 2019, Steven Metts, General Manager of Valley Telephone Cooperative, and his counsel, Clare L. Andonov and the undersigned with Herman & Whiteaker, LLC, met with Commissioner Michael O'Rielly of the Federal Communications Commission's (the "Commission") and Arielle Roth, Wireline Advisor to Commissioner O'Rielly. During the meeting, Mr. Metts discussed the potential waste in the Schools and Libraries ("E-Rate") Program created in the services project awarded for funding year 2019 in the Cochise County Educational Technology Consortium (the "Consortium") in Arizona. The Consortium is seeking special construction costs, in excess of \$29 million dollars, to lay new fiber to reach schools, many of which are already served with existing fiber. Mr. Metts demonstrated that largely due to the construction costs, the proposed project, at minimum, will cost rate payers an additional \$17,873,966. The parties in general discussed the Petition for Rulemaking in the above captioned proceeding and urged the Commission to release a Notice of Proposed Rulemaking to address the overbuild and waste concerns described in the Petition.

Pursuant to Section 1.1206(b) of the Commission's Rules, we are filing this letter electronically in the above-captioned docket. Please contact the undersigned if you have any questions.

Respectfully submitted,



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Donald L. Herman, Jr.  
Clare L. Andonov  
*Counsel to Valley Telephone Cooperative*

Cc: Arielle Roth (via email)