September 12, 2019

Ms. Marlene H. Dortch

Office of the Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

**Re: Ex Parte – In the Matters of Modernizing the E-Rate Program for Schools and Libraries, WC Docket No. 13-184 and Universal Service Contribution Methodology, WC Docket No. 06-122**

Dear Ms. Dortch:

On September 12, 2019, the following individuals met with Joseph Calsacione of Commissioner Brendan Carr’s Office: Jon Bernstein and Sasha Pudelski, representing AASA, The School Superintendents Organization; and the following representatives of New York school districts: Brian Schmitt and Erin Ostrander (Genesee Valley); Mary Beth Fiore (Elmira Heights); Thomas McGurl (Granville district ); John Goralski (Warrensburg); Robert Breidenstein (Salamanca City); Martha Group(Vernon Verona Sherril City); and Frank Sheboy (Highland Falls-Fort Montgomery).  A subset of this same group met with Nirali Patel of Chairman Pai’s office immediately thereafter.

During our meetings, the group discussed issues related to two current rulemakings related to the E-Rate program: the universal service cap NPRM and the Category Two Formula NPRM. Regarding the former, the group noted that it had strong concerns with proposals to cap the overall universal service fund as well as to establish a subcap for the Rural Health Care and E-Rate programs. In both cases, the group expressed concerns with E-Rate having to compete against other worthwhile universal service programs in fund scarcity situations and with the turmoil it might cause in planning their annual budgets. On the topic of the potential subcap, the group was worried about the Rural Health Care program, which continues to grow each year, eating into currently available but unsubscribed E-Rate funds. Their central fear here was that those E-Rate funds could potentially be permanently grafted onto the Rural Health Care program, thereby precluding E-Rate from adding new services or increasing the Category 2 formula.

On the subject of the Category 2 NPRM, the group, which was comprised primarily of rural school superintendents, supported extending the current formula system and raising the current $9,200 floor as that sum was simply inadequate for the needs of small rural schools. Several noted that the $150 per pupil formula also ought to be increased as it was insufficient for schools in rural areas where geography and distance present significant barriers and costs are often higher because of the lack of competition. The group also voiced support for adding Wi-Fi on buses and cybersecurity as new E-Rate eligible services. On Wi-Fi on buses, several gave examples of how their students endured long bus rides to school and to athletic competitions. Some indicated that they were already purchasing Wi-Fi for their school buses without E-Rate support because of the urgent need to provide their students with access while others noted that they had turned the buses into learning spaces by putting teachers and tutors on board. Regarding cybersecurity, several cited the importance of protecting schools from disruptive cyber-attacks and preserving the integrity of E-Rate supported networks.

Respectfully submitted,

/s/ Jon Bernstein