

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
Modernizing the E-rate Program)	CC Docket No. 13-184
For Schools and Libraries)	

REPLY COMMENTS OF AT&T

AT&T Services, Inc. on behalf of its affiliates (“AT&T”) files the following reply comments in response the Wireline Competition Bureau’s Public Notice seeking comment on how the Universal Service Administrative Company’s (USAC) drop-down menu options for the FCC Form 470 (“Form 470”) may be improved to minimize the potential for applicant confusion and reduce administrative burdens on applicants and service providers.¹ Since its creation, the Form 470 has played a vitally important role in the E-rate program, and AT&T supports the Commission’s efforts to ensure that the processes associated with this form are easy to understand, promote transparency and facilitate fair and open competitive bidding processes.

AT&T supports USTelecom’s proposal to require applicants seeking premises-based services identify in the Form 470 the locations where they seek services to be installed and/or delivered based on the quantity selected. In order to facilitate this process for applicants, AT&T supports USTelecom’s proposal that the Commission direct USAC to add a drop-down list to the Form 470 interface that displays the applicant’s eligible locations and their physical addresses. This information already exists within the USAC E-rate Productivity Center (“EPC”) portal. Using this interface, the applicant would then select the actual locations where services and/or

¹ Public Notice, “Wireline Competition Bureau and Office of the Managing Director Seek Comment on Improving FCC Form 470 Drop-Down Menu,” WC Docket No. 13-184, DA 19-986 (Oct. 1, 2019) (PN).

installations are requested. As USTelecom explained, this proposal promotes transparency and a fair competitive bidding process by ensuring all potential service providers have access to the same level of information. USTelecom's proposal is consistent with the competitive bidding rules which require that the applicant provide sufficient information in the Form 470 "to enable bidders to reasonably determine the needs of the applicant."² Currently, applicants are not required to provide location information in the Form 470. When applicants do not choose to provide this information in the Form 470 or in an RFP, potential bidders are left with the burden of obtaining this critical information necessary to evaluate a potential bid by fielding multiple questions to the applicant. This process is cumbersome and time consuming for service providers and applicants alike and may not result in a fair and open competitive process, if one provider is privy to more information than other potential providers.³

AT&T also supports State E-rate Coordinators Alliance's ("SECA") proposal to modify the language used in the Form 470 to align it with the terms and phrases in the Eligible Services List ("ESL"). AT&T agrees that these changes should promote clarity, minimize confusion and make it easier for service providers to search for bidding opportunities. Similarly, applicants should not be penalized for ministerial errors on the Form 470s by inadvertently using the wrong terminology. However, AT&T opposes Step 4 of SECA's proposal where it suggests the Form 470 only collect "estimated" quantity and "estimated" bandwidth service requirements from applicants. AT&T agrees that applicants need to account for growth in their Form 470 to avoid funding denials in the future, but the growth estimates cannot be limitless. SECA's proposal, as written, adds ambiguity and uncertainty to the Form 470 process. The E-rate rules do not permit

² See 47 CFR § 54.503(c)(1)(ii).

³ *Id.* (Note to paragraph (a)).

service providers to submit an “estimated” bid for service.⁴ Further, this proposal does not promote a fair and open competitive bidding process because applicants would not be able to fairly compare competing bid responses. For example, if a Form 470 requests bids on an estimated 20 or greater circuits, and service provider “A” submits a bid for 20 circuits, service provider “B” submits a bid for 25 circuits, and service provider “C” submits a bid for 30 circuits, the applicant has inconsistent responses to review, and consequently, the applicant cannot conduct a fair comparison. Moreover, if service provider “C” was the incumbent provider and knew how many circuits are actually in service and had insight into the projected growth volume, the other bidders would not have access to this information and therefore, competition would not be a fair and open. As such, service providers need applicants to publish clear and unambiguous requests for service, so they can, in turn, prepare competitive and compliant bid responses to Form 470s.

Respectfully submitted,

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⁴ See 47 CFR § 54.511(b).