Before the
Federal Communications Commission
Washington, DC 20054

In the Matter of:

Modernizing the E-Rate Program for	)	
Schools and Libraries: Improving the FCC	)	**WC Docket No. 13-184**
Form 470 Drop-Down Menu	)	

Reply Comments of the
Wisconsin Department of Public Instruction
(Filed November 15, 2019)

The Wisconsin Department of Public Instruction (WIDPI, department) is the state education and library agency. The department has statutory oversight for our state's 421 public school districts and 384 public libraries. We have provided E-rate support to our schools and libraries since the program's inception. At the national level, our staff are active in the State E-rate Coordinators' Alliance (SECA) and the American Library Association's E-rate Task Force. Our department has commented on many E-rate rulemaking notices back to the start of the program in 1996. We appreciate the opportunity to file these Reply Comments on this notice to improve the FCC's Form 470 drop-down menus.

From a high level we applaud the efforts by the Commission to simplify the Form 470 drop-down menus, especially for Category One (C1) services. However, we are concerned that the proposed drop-down list in Appendix A of the Notice omits reference to leased lit fiber.[1] We definitely think there is a need to retain a "Leased Lit Fiber" drop-down option and we provide some background information and justification for our position below.

---

[1] Notice of Proposed Rulemaking (NPRM): *Improving the FCC Form 470 Drop-Down Menu*, specifically page 6 (released 10/01/19).

Part of our rationale for a leased lit fiber drop-down option is self-serving because 99% of our state's public schools and 98% of our public libraries already have fiber. Most of this fiber is provided and leased from carriers as part of our statewide BadgerNet broadband network.[2] But for various reasons not all of our schools or libraries are part of the BadgerNet network. In these cases the school or library files its own Form 470. With very few exceptions the applicants not on BadgerNet also have fiber and thus will benefit from having a fiber drop-down option too. If applicants have no way to indicate they have fiber on the Form 470 they will likely receive bids from providers proposing a non-fiber transport medium. Submitting non-fiber bids to a school or library that already has fiber is a waste of the provider's time in preparing the bids and it is also a waste of the applicant's time in needing to evaluate and ultimately reject them. Thus there is need for applicants to clearly state right from the start of the Form 470 application process that they have fiber. We note that the need to have a separate fiber option is supported in the initial comments filed by the State E-rate Coordinators' Alliance (SECA).[3] SECA's comments provide a detailed explanation on the need for a fiber option and we encourage the Commission to give their comments a thorough review. Comments filed by EducationSuperHighway (ESH) also support the need for applicants to indicate that they have, or want to have, fiber connectivity. In their "Additional Options" column in the table on p. 3-4 they say schools should be able "to provide preference to fiber."[4] And CenturyLink's flow chart on page 5 of its comments also shows options for "Fiber Based Transport" and "Non-Fiber Based Transport."[5]

We also note that one of the criteria for any changes to the drop-down menu is the intent to make the transport mediums "Technology Neutral and Adaptable".[6] While this may be a laudable criterion we don't know how an applicant can be "neutral" in their choice of transport when they already have fiber. And as we note above, while 99% of Wisconsin schools have fiber from a nationwide perspective this very high percentage is the norm. The EducationSuperHighway's recently released *State of the State* report indicates that 99% of schools nationwide have fiber.[7]

---

[2] The State of Wisconsin has a State Master Contract for the circuits that comprise the BadgerNet network. See the BadgerNet website for details (https://det.wi.gov/pages/badgernet.aspx).
[3] See comments filed by the State E-rate Coordinators' Alliance (SECA), specifically pages 7-8 (10/31/19).
[4] See comments filed by the EducationSuperHighway (ESH), specifically pages 3-4 (10/31/19).
[5] See comments filed by CenturyLink (10/31/19).
[6] NPRM, specifically page 2.
[7] See the State Ranking statistics on the percentage, by state, of the schools that have fiber (https://stateofthestates.educationsuperhighway.org/state_ranking.html) (10/19).

Thus our position that there needs to be a "Leased Lit Fiber" drop-down option on the 470 form has a major, nationwide impact.

CenturyLink suggests that applicants should not have to specify bandwidth quantities for any circuits being bid. The provider comments that by eliminating the bandwidth requirement "Providers could propose more cost effective service options using a different circuit quantity…." [8] We do not understand how a provider can bid a different circuit quantity if the applicant doesn't enter one. We are aware of issues where applicants have bid a specific bandwidth and then have issues if, at a later time, they want to increase the bandwidth beyond that stated on their Form 470. Assuming that the Commission keeps the bandwidth requirement, we agree with SECA's comments that applicants can enter an estimated minimal bandwidth with the option to increase the stated amount.[9]

In conclusion, the Wisconsin Department of Public Instruction appreciates the opportunity to submit these Reply Comments on the Form 470. We look forward to the Commission initiating changes to the Form 470 that will be beneficial to applicants and providers.

Respectfully submitted,

Kurt J. Kiefer
Assistant State Superintendent
Division for Libraries and Technology
Wisconsin Department of Public Instruction
kurt.kiefer@dpi.wi.gov

---

[8] CenturyLink comments, page 3.
[9] SECA comments, specifically their Category 1 Form 470 Flow Chart, page 16.