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COUNCIL OF CHIEF STATE SCHOOL OFFICERS

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April 7, 1998

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DUPLICATE ORIGINAL

REQUEST FOR ACCEPTANCE OF LATE-FILED PLEADING

Re: Docket no. 98-11

William E. Kennard
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

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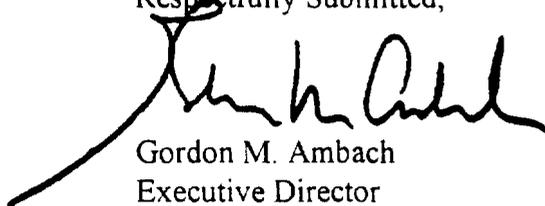
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Dear FCC Chairman Kennard:

The Council of Chief State School Officers (CCSSO) hereby respectfully requests that the Commission accept the attached letter filed by CCSSO in the matter of the Petition of Bell Atlantic Corporation for relief from barriers to deployment of advanced telecommunications services, CC Docket NO. 98-11.

Respectfully Submitted,


Gordon M. Ambach
Executive Director

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Re: Docket no. 98-11

William E. Kennard
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Dear FCC Chairman Kennard:

The Council of Chief State School Officers (CCSSO), a nationwide organization of public officials who head departments of public education in the fifty states, supports the goal to make advanced telecommunications services available to all regions of the nation and to all schools and libraries. Accordingly, CCSSO supports decisions by the Federal Communications Commission (FCC) that encourage investments in the existing telecommunications infrastructure and in the removal of artificial barriers that may serve to inhibit the availability and deployment of broadband telecommunications to schools, libraries, and residential areas.

CCSSO supports policies and strategies that encourage telecommunications carriers to invest in the development and expanded use of advanced telecommunications facilities, particularly those having the capacity to deliver interactive and high-speed services for schools and libraries. In this regard, CCSSO believes the FCC should give serious consideration to the Bell Atlantic Corporation's petition (filed with the FCC on January 26, 1998) and to other in-region inter-LATA partitions, that request relief from barriers to deployment of advanced telecommunications. It is our belief that the Bell Atlantic petition is consistent with and complementary to the mandates included in Sections 254(h) and 706 of the Telecommunications Act of 1996 [the "Act"]. In these provisions, Congress directed the FCC "to encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans" [and to] "all public and nonprofit elementary and secondary classrooms, health care providers, and libraries." Partitions for regulatory forbearance may represent concomitant opportunities to advance competition, stimulate investments, and add to the array of technological solutions for schools, libraries, and local communities.

CCSSO urges the FCC to review all petitions for regulatory forbearance based on principles and standards for achieving universal service goals. Congress directed the FCC to promote the deployment of "advanced telecommunications capability" throughout the nation. These services are defined as "high-speed, switched, broadband telecommunications capabilities that enable users to

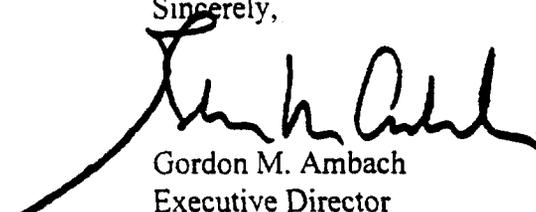
originate and receive high-quality voice, data, graphics, and video telecommunications using any technology." The statute also directed the FCC to promote these capabilities through a variety of methods, including regulatory forbearance. Promoting investments in the nation's telecommunications infrastructure and hastening the period when all Americans receive the benefits of advanced telecommunications were the two objectives Congress had in mind when they rewrote the universal service provisions for the 1996 Act.

The elimination of artificial jurisdictional barriers and the acceleration of investments in broadband and digital technologies could have a significant impact on schools and libraries and for the effective delivery of distance learning services across state lines and existing service areas. Assuring adequate connectivity is an important goal of universal service for schools and libraries and the discounts, as outlined in Section 254 (h) of the Telecommunications Act of 1996, could expand the distribution of cost-effective and cooperative distance learning programs. Access to high-bandwidth across state lines and existing LATA's should also be affordable. Without affordable access, schools and libraries will be unable to take advantage of the broadband applications that already exist or are being developed for education and related purposes.

Schools and libraries continually make important purchasing decisions about the type of advanced telecommunications services they need. We see no reason for a school or library to purchase broadband linkages to the Internet if the network backbone is unable to support enhanced services. Section 254(h) of the Act established an important incentive for schools and libraries to purchase advanced telecommunications services. This affects bandwidth in two ways: (1) because of increased purchasing power, more schools and libraries will come on-line quickly, increasing the demand on the network; and, (2) without access to higher bandwidth, the benefit of Section 254(h) is much more limited.

States have developed plans to improve and expand educational services through uses of advanced telecommunications technologies. Making substantial investments to improve the quality of school facilities is based on the assumption that all school and libraries will have access to an upgraded and enhanced telecommunications infrastructure. It is critical that schools and libraries can recognize the full potential of the Internet and of universal service. By granting incumbent local exchange carriers the regulatory relief requested under Section 706 of the Telecommunications Act, the FCC could accelerate the achievement of goals incorporated in the Sections 254(h) and 706. We urge the Commission to consider the merits of granting regulatory forbearance to all incumbent telecommunications carriers that are willing to invest in the development of broadband applications, but with the condition that they remain committed to the universal service goals incorporated in the Telecommunications Act of 1996.

Sincerely,



Gordon M. Ambach
Executive Director