

November 6, 2014

**Filed Via ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**RE: WC Docket No. 13-184**

Dear Ms. Dortch:

On Wednesday, November 5, 2014, Derrick Owens, Patricia Cave and Gerard Duffy representing WTA – Advocates for Rural Broadband (“WTA”) met with Patrick Halley, Lisa Hone, James Bachtell, Allison Baker, Charles Eberle, Roby Chatterji and Ryan Palmer of the Wireline Competition Bureau to discuss the Commission’s revised definitions of “urban” and “rural” that determine whether a school or library district qualifies for the additional rural discount under the E-Rate Program.

WTA pointed out that the recent addition of “urban clusters” of 2,500 people or more to the definition of “urban” has unexpectedly disqualified many small rural school and library districts that have long received and depended upon the additional 5-to-10 percent rural E-Rate discount. WTA noted that the Census Bureau itself has cautioned federal and state agencies against adopting its definitions of “urban” and “rural” wholesale without investigating their impact upon the purposes and operations of specific programs.

WTA indicated its support for proposals by various interested parties to revise further the definition of “urban” for E-Rate rural discount purposes to include urbanized areas (communities of more than 50,000 people) and communities having more than 25,000 inhabitants. This revised definition would allow schools and libraries in areas that have long been considered to be “rural” to continue to qualify for the E-Rate rural discount.

In response to questions raised during the meeting regarding legal support for a definition of “rural” that would encompass communities with populations below 25,000, WTA notes that the Agricultural Act of 2014 increased the population limit used to define “rural” from 25,000 to 35,000 for purposes of the Department of Agriculture’s rural housing programs. 42 U.S.C. §1490(3)(B). In addition, a Department of Agriculture regulation defines “rural area” as “All territory of a State that is not within the outer boundary of any city having a population of 25,000 or more, according to the latest decennial census.” 7 CFR §4274.302(a).

Given that many schools and libraries are currently planning their E-Rate programs, budgets and purchases, WTA urged that revision of the “urban” and “rural” definitions be undertaken and implemented as soon as possible.

Pursuant to Section 1.1206(b) of the Commission's Rules, this submission is being filed for inclusion in the public record of the referenced proceeding.

Respectfully submitted,

  
Gerard J. Duffy  
WTA Regulatory Counsel

Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP  
2120 L Street NW (Suite 300)  
Washington, DC 20037  
Telephone: (202) 659-0830  
Email: [gjd@bloostonlaw.com](mailto:gjd@bloostonlaw.com)

cc: Patrick Halley  
Lisa Hone  
James Bachtell  
Allison Baker  
Charles Eberle  
Roby Chatterji  
Ryan Palmer