



June 22, 2015

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

Re: Comments On Proposed Eligible Services List, WC Docket 13-184

Dear Ms Dortch,

The proposed Eligible Services List (ESL) continues to contain language that I cannot support.

The specific language is found on page 3,

“Eligible voice services are subject to an annual 20 percentage point phase down of E-rate support beginning in FY 2015, as described in the *E-rate Modernization Order*. For FY 2016, the effective reduced discount rate will be 40 percentage points. The reduced discount rate for voice services will apply to all applicants and all costs for the provision of telephone services and circuit capacity dedicated to providing voice services...”

Also additional language is found on page 4,

“As clarified in the *Second E-rate Modernization Order*, data plans and air cards for mobile devices are eligible only in instances when the school or library seeking support demonstrates that the individual data plans are the most cost-effective option for providing internal broadband access for mobile devices at schools and libraries.”

This language limits and hinders the local administration for both schools and libraries who have the direct responsibility to fulfill their duty to the general public for education, public health, and public safety. I do not believe it was ever the intention of the to limit local administration’s tools in an emergency situation. In fact, the FCC recognizes this responsibility in its own rules by stating in section 254(c)(1)(A) requires the Commission, in designating supported services to consider the extent to which services “are essential to education, public health, *or* public safety.”

It concerns me that the FCC would limit E-rate support of data plans and air cards through a cost comparison rather than allowing for support of these devices for staff only as a service essential to education, public health, and public safety of students, staff, and the general public that takes place within E-Rate eligible facilities.

I understand the FCC’s desire to maximize the cost effectiveness of the services that receive E-Rate funding and acknowledge that in everyday use, cellular data service looks very much like accessing WiFi networks within a school building. The problem continues to be if the WiFi network becomes disabled then the local administration for both schools and libraries who has the direct responsibility to fulfill their duty to the general public for education, public health,

and public safety will have limited ability to coordinate local agencies in the event of a public health and/or safety crisis.

By this same standard, I ask why the Federal Communication Commission has also decided to eliminate (through a phase down) support for voice service. The recent emphasis on internet access is very important for our students' growing educational needs, but in an emergency, nothing replaces a plain old telephone line as the initial line of communication with emergency responders.

The record demonstrates the FCC is achieving its goal of providing more funding for broadband services. See, for example, Exhibit A and B. When comparing FY2014 and FY2015 Demand of Estimate the casual observer would come to the conclusion the voice phase down and elimination of individual data plans is having its desired effect. The question arising is, "How much phase down is too much?" This author suggests to the FCC that when it comes to public health and/or safety of students and patrons there is no cost reduction that will be acceptable to the public. Why eliminate support for these valuable communication tools in a program that has just received an excess of funding through a combination of initial phase down in FY2015, carryover of unused funds from previous funding years, and the ability to increase funds through rate increases?

In summary I respectfully request the FCC to reconsider its position and allow for E-rate support of data plans and air cards for staff only that "are essential to education, public health, or public safety." I further encourage the FCC to limit the phasedown of local and long distance telephone service and cellular service since these too "are essential to education, public health, or public safety." In Exhibit C I propose a reduced phase down plan of voice services that would represent a win/win for both the FCC and the general public.

I do not believe that one administrator can be found that would support the FCC's decision to not support these critical services with E-rate funding as they fulfill their role in providing for the education, public health, and public safety of students, staff, and the general public that takes place within E-Rate eligible entities.

Should you have further questions about the information contained within this letter, please do not hesitate to contact me at [charlie@adtecerate.com](mailto:charlie@adtecerate.com).

Thank you for your consideration.

Sincerely,



Charles F. Hobbs, PhD  
President