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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In The Matter of	)	
	)	WC Docket No. 13-184
Proposed Eligible Services List for the E-rate Program	)	

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Reply Comments of EducationSuperHighway on the FY2016 Draft Eligible Services List

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EducationSuperHighway respectfully submits these reply comments regarding the draft E-rate Eligible Services List for funding year 2016 (FY2016 ESL) in response to the Wireline Competition Bureau's request in the Public Notice of May 21, 2015.

1. The Eligible Services List for Digital Transmission Services and Internet Access Should Be Simplified

Expanding on our initial comments on the FY2016 ESL, we believe that there is an opportunity to simplify the Digital Transmission and Internet Access section of the Eligible Services List, removing outdated items in order to provide more clarity to applicants and better data to the policy community to understand which technologies are in active use.

We have included a proposed listing of services as Appendix A of these comments. While some outdated services have been removed consistent with our initial comments, we believe our proposed list represents no policy change from the original proposal, just additional clarity of categorization. We also suggest renaming this category "Data Network or Internet Services," which will be clearer to most applicants than "Digital Transmission Services."

2. Network Monitoring Tools Should Be Explicitly Listed as an Eligible Category Two Service

We agree with the comments of Funds For Learning, LLC[1] suggesting that the ESL provide greater consistency in eligibility of network monitoring hardware and software to align with those services available as Managed Internal Broadband Services. Expanding the eligibility of network monitoring solutions would be a cost-effective benefit to applicants and ultimately to the E-rate program overall.

Given the sharp increases in bandwidth demands on today's networks, school districts need to forecast and respond to their actual network bandwidth needs in a timely and accurate manner. Network monitoring solutions provide applicants with improved forecasting and planning tools, allowing them to more appropriately determine their current and future bandwidth needs. Without these tools, many applicants choose to buy significantly more bandwidth than necessary to avoid the risks of network congestion. While this can be an appropriate risk management strategy in the absence of better information, network performance monitoring solutions offer a more robust way in which to appropriately dimension and purchase capacity, thereby increasing the cost effectiveness of the overall program.

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[1] June 22nd, 2015 Comments of Funds for Learning LLC, docket WC 13-184, pages 3-4.

3. Applicants Should Be Encouraged to Submit Architectural Descriptions and Rationale to Clarify Complex Configurations

We generally agree with the comments of CRW Consulting[2] with respect to Duplicative Services and additionally would like to highlight that there is significant difficulty in establishing whether a requested service is duplicative or complementary based solely on the contents of the current Form 471.

We do believe that cases with multiple services of the same type to the same location merit careful review to ensure that the services ordered are consistent with eligibility rules and do not exceed the needs of the applicant, so we suggest that applicants be provided the opportunity to optionally submit additional technical diagrams and explanations along with their Form 471 to provide context for the individual line items.

Using this strategy would incur no change for the majority of applicants with straightforward network architectures, while giving applicants with more network complexity a clear method to proactively explain their needs and potentially reduce the amount of post-application review.

4. Cost Effectiveness of Mobile Broadband Services Should Not Be Based on Number of Bids Received

EducationSuperHighway acknowledges that a small number of applicants could have their network needs most cost-effectively served by mobile broadband providers, however we do not believe that a simple lack of bids to an RFP reflects the due diligence necessary to establish cost-effectiveness given the rarity of these circumstances. We support a stronger standard that ensures mobile broadband services are only ordered out of necessity rather than out of convenience, and the simple lack of qualified WLAN bids does not meet this standard.

5. Eligibility for Category Two Services Should Be Inclusive of All Technology Approaches

Other commenters raised issues of eligibility for various types of Category Two services, from robust next-generation firewall solutions[3] to switches and Wi-Fi controllers based on a software-defined networking (SDN) architecture[4]. While the merits of any particular technology approach vary from applicant to applicant, we believe that eligibility of Category Two services should accommodate the wide variety of approaches currently available in the marketplace, leaving applicants the flexibility to choose the solution that will work best for them and relying on the overall per-student budget to minimize any potential waste, fraud, or abuse.

While we believe that applicants should have flexibility to choose the technology approach that best meets their needs, we do not agree with those commenters who suggest an immediate expansion in the scope of Category Two eligible services, as there is insufficient data to understand how to best address any potential shortcomings of the current definitions adopted in the Second Modernization Order.

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[2] June 22nd, 2015 Comments of CRW Consulting, docket WC 13-184
[3] June 22nd, 2015 Comments of Funds for Learning LLC, docket WC 13-184, page 2.
[4] June 22nd, 2015 Comments of Hewlett Packard Company, docket WC 13-184, pages 4-5.

We also do not support broadening the eligible services within Category One at this time, as there is significant potential for waste and abuse without the budget controls established for Category Two services.

Respectfully Submitted,

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Appendix A -- Proposed Category One Service Types

- T1/DS1, T3/DS3, Frame Relay
- DSL
- Cable Modem
- Leased Dark Fiber / Wavelength services
- Ethernet over Fiber
- Ethernet over Copper
- OC-n (TDM fiber)
- Satellite
- Fixed Wireless / Microwave
- Mobile Broadband / Hotspot
- Telephone Dial-up
- MPLS