March 11, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St, SW
Washington, D.C. 20554

Re: Notice of *Ex Parte* presentation
WC Docket No. 11-42, 09-197 and 10-90

Dear Ms. Dortch:

The Schools, Health & Libraries Broadband (SHLB) Coalition supports allowing non-traditional providers such as schools, libraries, and other anchor institutions to participate in the Lifeline program even if they do not qualify as "eligible telecommunications carriers (ETC)." We agree with the comments of Public Knowledge, the Benton Foundation, AT&T, Comcast and others that Lifeline consumers will benefit by policies that encourage competition from a variety of broadband providers. The Commission can best stimulate such competition by creating a process for certifying Lifeline providers separate from the ETC process and allowing non-traditional providers such as schools, libraries and other anchor institutions to offer Lifeline service to low-income consumers.

In order to solve the "homework gap" and enhance their service to their communities, school and library systems are increasingly exploring how they can provide broadband services to residential consumers.[1]

- Albemarle County Public School system is in the process of deploying a wireless (LTE) broadband network using EBS spectrum to provide wireless Internet service to students living in low-income remote areas. It is also working on a residential pilot with public housing agencies.
- In Beaufort County, SC, the Superintendent of Schools is working with the county government to create a wireless mesh network to provide out-of-school Internet access.

[1] These examples are drawn from "Digital Equity: Supporting Students & Families in Out-of-School Learning", published by the Consortium for School Networking (CoSN), February 2016, pp. 16-18, available at http://www.cosn.org/focus-areas/leadership-vision/digital-equity-action-agenda.

In addition, a number of schools and libraries are loaning out devices for students and library patrons to take home for use with WiFi networks, or are making WiFi connectivity available on school buses. While these WiFi examples do not generally involve consumers subscribing to a service that would be eligible for Lifeline support today, they nonetheless demonstrate the active involvement of schools and libraries in providing Internet access outside the school/library grounds. If the FCC reforms the Lifeline program in a way that allows anchor institutions to participate in the Lifeline program as service providers, these anchor institutions will have an even greater incentive to expand the level of broadband support they provide to their communities in the future.

In order to allow room for anchor institutions to explore and develop innovative strategies for providing broadband connectivity to consumers in their communities, the FCC should establish a national certification process that is separate from the legacy "eligible telecommunications carrier (ETC)" process. The ETC policy was created by Congress in the Telecommunications Act of 1996 to solve a very different problem – protecting rural telephone companies against "cream-skimming" by competitors entering rural markets.[2] Rather than relying on the ETC process as a proxy for enforcing the Lifeline program, the FCC should design a process that is more tailored to achieving the Commission's broadband adoption goals and more suited to preventing against waste, fraud and abuse in the program.

We recognize that establishing the details of such a national certification process will require further input and analysis. We respectfully suggest that the details of such a certification process can be addressed in a subsequent proceeding, perhaps delegated to the Bureau. The Commission may also wish to establish a pilot program that allows a small number of anchor institutions to participate in the near future as a way to inform the certification process. A pilot program could allow the FCC to learn how anchor institutions could benefit low-income consumers directly and how to safeguard the integrity of the program.[3]

Anchor institutions are trusted members of their community and are "missioned" to serve the needs of their students, patrons, and patients. This is especially true of public schools and other public institutions that are subject to strict local government oversight. The process should allow for the level of local government oversight to be an important factor in evaluating whether an anchor institution is certified to participate in the program.

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[2] We agree with the filings previously submitted in this docket by Public Knowledge (http://apps.fcc.gov/ecfs/document/view?id=60001408875) and the Benton Foundation (http://apps.fcc.gov/ecfs/document/view?id=60001528068) that the statutory language does not require a Lifeline provider to be an ETC. Section 254(j) recognizes that the FCC has general public interest authority to design the Lifeline program rules so as to best serve the interests of low-income consumers.

[3] The additional proceeding could also ensure that the Lifeline program and E-rate program work together.

We also recognize that states can play an important role in implementing the Lifeline program. While the FCC has already determined that broadband is an interstate service subject to FCC jurisdiction, the FCC should establish a process whereby states that wish to be involved in the certification and enforcement process should be permitted to play such a role.

If the Commission, nevertheless, decides that it wishes to apply a version of the ETC process to the Lifeline proceeding (even though such a decision is not required by the law and is not best-suited to ensure the integrity of the program), the Commission should adopt a streamlined ETC process that leaves the door open for participation by anchor institutions. If the Commission chooses to go this route, it may wish to include language like the following:

> We recognize that schools, libraries and other anchor institutions are increasing their involvement in the provision of broadband services to low-income consumers. Anchor institutions are trusted members of the community that are subject to strict oversight by their local and state governments. We seek to encourage anchor institutions to explore these broadband opportunities within the Lifeline program, and our ETC policies and criteria are designed to allow schools, libraries and other anchor institutions the opportunity to participate in the program.

In addition, anchor institutions should be allowed to apply for Lifeline benefits on behalf of Lifeline consumers ("demand aggregation"), just as Research and Education networks are allowed to apply for E-rate benefits on behalf of schools and libraries today.

Finally, we also agree with the filing submitted jointly by ALA and the Benton Foundation (http://apps.fcc.gov/ecfs/document/view?id=60001425268) that suggests the Lifeline program should leverage the expertise of libraries and other anchor institutions in facilitating broadband adoption and digital literacy training. The SHLB Coalition would be pleased to participate in any convenings that the Commission might wish to put together to highlight the various roles that anchor institutions can play to serve these goals.

Anchor institutions have a strong interest serving the needs of their surrounding communities, not just the broadband needs within the school or library buildings. Allowing non-traditional providers, such as schools, libraries and other anchor institutions, to receive Lifeline support when they operate as broadband providers will promote competition for Lifeline services and benefit Lifeline consumers.[4] We urge the FCC to adopt Lifeline rules that give anchor

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[4] While we disagree with the use of the ETC process, we agree with the sentiment expressed by the California Emerging Technology Fund that "the ETC designation process should be simplified to make it less burdensome for broadband providers to participate. The universe of ETCs should include landline broadband companies, Wireless Internet Service Providers (WISPs), community and muni broadband providers, schools, libraries and non-profit organizations who provide low cost broadband access to residential households." (http://apps.fcc.gov/ecfs/document/view?id=60001426712).

institutions an opportunity to help make the Lifeline program successful in promoting broadband adoption and addressing the "homework gap."

Sincerely,

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