

March 14, 2016

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

Re: CC Docket No. 91-281: Middletown School District Petition for Waiver of
47 CFR § 64.1601(b) Regarding the Transmission of Calling Part Numbers

Dear Ms. Dortch,

E-Rate Central submits these Comments in response to the FCC's Public Notice released March 2, 2016 (designated DA 16-234) seeking comment on the Middletown school district's petition for a limited waiver of the Commission's calling party number ("CPN") rules.

E-Rate Central is an independent firm providing E-rate application and consulting services to schools and libraries nationwide. We recognize that Middletown's petition is not E-rate related, but believe that the petition addresses an issue of broad interest to schools across the country.

As noted in the FCC's request for comments on Middletown's petition, the FCC had previously granted a similar CPN waiver for Liberty Public School District ("LPS") in 2013 ([DA 13-1032](#)). The LPS waiver was conditioned upon district adherence to the same privacy protections as proposed in Middletown's petition. As a result, we would expect — and would support — the FCC to approve a similar waiver for Middletown.

More broadly, however, E-Rate Central encourages the FCC to amend its CPN rules to include a specific CPN exemption, subject to the same protections, for any school receiving threatening phone calls. We have witnessed too many instances of school violence in recent years to permit callers threatening schools to proactively hide behind the privacy requirements for CPN-based services. Calls of this nature are, as one Middletown parent has already commented, akin to yelling "fire" in a crowd theater. Threatening calls need to be taken seriously.

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At the very least, threatening calls, particularly if they come in waves, are highly disruptive to school systems. This appears to have been the case in the LPS situation in which Liberty reportedly received 6-10 such calls in the 2006-2007 school year. Middletown's petition indicates that it has already received 12 "active shooter and bomb threats" in this year alone leading to building lock-downs.

What is needed in these situations — rather than an after-the-fact waiver — is a means for any school district, its carrier, and law enforcement agencies to be able to deal with threatening callers in a timely, yet reasonable, manner.

E-Rate Central urges the Commission, if only on a short-term basis, to grant Middletown's petition. More generally, we believe that the Commission should amend its CPN privacy rules to provide similarly flexible responses for all primary and secondary schools, public or private.

Sincerely,



Winston E. Himsworth
Executive Director