



DELAINE EASTIN

State Superintendent of Public Instruction

EX PARTE OR LATE FILED

RECEIVED **CC: 96-45**

FEB - 5 1999

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

December 22, 1998

Mr. William E. Kennard, Chairman
Federal Communications Commission
1919 M Street, NW, Room 814
Washington, DC 20554

Dear Chairman Kennard:

On October 16, Gordon Ambach, Executive Director of the Council of Chief State School Officers wrote a letter of concern to the Commission. It urged the Commission to reconsider its June 5 decision prohibiting schools and libraries with telecommunication services and Internet access contracts expiring before December 31, 1998 from benefiting from universal service discounts until June 30, 1999.

I am writing today in support of Mr. Ambach's letter to the Commission. In California, we have a State Master Contract System for procurement and several major contracts will expire before December 31, 1998. If the Commission's June 5 decision is implemented, a third of California's schools will be adversely affected. As clearly indicated in Mr. Ambach's letter, the decision did not take into account that eligible and successful applicants with contracts that expired prior to December 31, 1998, will experience a loss of discounts during the period January 1 through June 30, 1999.

Since June 1998, the California Department of Education has been receiving extensive complaints about the Commission's decision on this issue. The E-rate program was intended to help our children to receive up-to-date technology. However, this privilege will be taken away from many children in California if the Commission refuses to reconsider its decision.

No. of Copies rec'd 011
List ABCDE

Mr. William E. Kennard, Chairman
December 22, 1998
Page Two

I sincerely hope the Commission will reconsider its decision on this matter and provide adjustments for accommodations to California's schools for the period January 1 through June 30, 1999.

Thank you for considering this request.

Sincerely,



DELAINE EASTIN
State Superintendent of Public Instruction

DE:khe

cc: Kathryn C. Brown, Chief, Common Carrier Bureau, FCC
Lisa Zaina, Senior Counsel and Associate Bureau Chief, Common
Carrier Bureau, FCC