

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Federal-State Joint Board on)	
Universal Service)	CC Docket No. 96-45
)	
Petition for Waiver for the)	
Utilization of Schools and Libraries)	
Internet Point-Of-Presence in Rural)	
Remote Alaska Villages Where No)	
Local or Toll-Free Access Exists)	
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Ex Parte Comments of the Alaska Telephone Association

The Commission is well aware of the Alaska Telephone Association’s lack of support for the State of Alaska’s Petition for Waiver of E-rate rules. Without retreating from any aspects of our opposition, this communication is offered specifically to address the substance of a recommendation from Robert M. Halperin, Counsel for the State of Alaska to Eller Blackler of the Common Carrier Bureau as described in an ex parte disclosure dated November 20, 2001.

At issue is the discretion of schools to choose among multiple potential ISPs. We agree with the State that more potential ISPs may seek to provide service in a community than can be technologically accommodated. If the Commission is disposed to granting the waiver request, we encourage it – when there are multiple potential ISPs -- to place the responsibility for conducting the random selection process to choose among those qualified ISPs upon the Regulatory Commission of Alaska. Consistent statewide standards of “random” and “qualified” are more likely to be attained by a single professional body in a public forum than by an array of administrators and teachers whose primary focus is to provide education.

The state commission should likewise be the arbiter in disputes over minimum technical requirements and, when necessary, should conduct a random selection process by following a standardized and accepted process. Potential ISPs not included in the random selection pool should have recourse for appeal of that status before the commission.

Like the State, we desire local Internet access for all Alaskans, however we continue to believe that the State's proposal can only result in a quagmire that will frustrate the delivery of affordable full-time service comparable to that presently available in urban areas.

Respectfully submitted,

ALASKA TELEPHONE ASSOCIATION

November 30, 2001

By: _____/s/_____

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