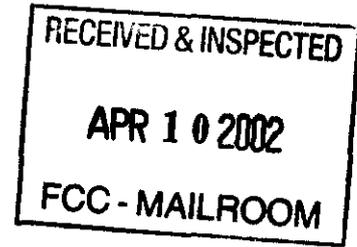


FCC Notice of Proposed Rulemaking  
CC Docket No. 02-6  
Comments by Linda Kay, E-Rate Coordinator for Libraries  
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**Para. 14: Tie eligible services list to Form 471**

Comment: One way to tie eligible services to the Form 471 would be to have separate lists for each service category: telecommunications, internal connections, and Internet access. When the applicant chooses a service, a drop-down list appears. After choosing an item from the list, the applicant goes to a definition of that item, with any conditional provisions, so that the applicant may either select or cancel; after which the applicant would be returned to the application form.

Items that applicants might think belong in one service category, but are really in another, would need to appear in both places, with cross-references from the inappropriate place to the appropriate one.

I would recommend that such a list be updated every year, in June. This would accommodate individuals filing new 470s in July for the program window that ends the following January. Updates would need to take place in both the printable list and in the 471 form information at the same time. The definitions would need to exist separately from the actual online Form 471, so the FCC/ GAO would not have to re-approve the form each year.

**Para. 22: Voice Mail**

Comment: Voice mail is indispensable for contacting library staff and school media specialists in New Jersey. It does serve educational purposes, like email, and thus should be eligible for discounts. Of course, efficiencies for the fund Administrator are a bonus; but making voice mail eligible will also improve program operation for applicants without causing waste, fraud and abuse.

**Para. 29: Compliance with ADA Requirements**

Comment: Schools and libraries believe in accessibility in their physical facilities and programs, and they are aware of ADA requirements and have met, or are struggling to meet them to the best of their ability.

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Requiring certification of compliance with ADA as a condition of receipt for e-rate discounts would mean additional rulemaking to spell out what is considered compliance for each eligible item and every conceivable use by every conceivable population with disabilities.

It would also mean additional mandated but unfunded costs for schools and libraries to comply, or even to determine whether they comply or not. Additional administrative costs by the fund Administrator for institution and compliance would reduce funding available to applicants for eligible services.

In sum, while the goal of accessibility is a laudable one, I think more certification requirements will only further discourage the smaller, poorer applicants from applying.

**Para 37-40 Equipment Transferability:**

Comment: I favor the approach outlined in Paragraph 40 as being the easiest to enforce; where funding of internal connections within a specified period of years (I would suggest two years, given the rate of change of technology) above a specified threshold would be denied. As SLD online forms become more interactive, the computer could check for noncompliance, following the filing of Form 471 for that service, coupled with a contact by PIA.

**Paragraph 51: Time limit for appeals:**

Comment: I would urge that the time limit for appeals be increased from 30 days to 60 days, to allow the aggrieved parties ample time to consult with e-rate assistance offices. This simple change would result in reduced applicant frustration and may prevent some unnecessary appeals from reaching the Committee or Commission, thus streamlining operations.

**Paragraph 52: Appeals timed from date of postmark rather than date of receipt:**

Comment: As one who lives in the Trenton area, which continues to be affected by anthrax remediation, I applaud this idea as one which reduces applicant anxiety and dissatisfaction while not significantly affecting program efficiency.

**Para 63-66: Unused funds:**

Comment: I would encourage strategies to reduce the percentage of committed funds that go unused, including contacting applicants to ascertain their reasons for not fully using available funds. Often, the retirement or job change of the e-rate person or the library director will result in committed funds going unused, simply because knowledge of the existence of committed funds “falls through the cracks.”

**Para 69-70: Treatment of Unused Funds:**

Comment: I would encourage the use of the second option, requiring the distribution of the unused funds in subsequent years through the schools and libraries mechanism in addition to that year's cap. This option would ensure that monies already collected are distributed in the spirit of the enabling legislation, providing further opportunities for competition in the telecommunications sector, and making such services affordable to schools and libraries. Since funding has remained flat as demand has risen, using the unused funds in subsequent years also has the effect of funding internal connections for more than the very neediest libraries.