

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Schools and Libraries Universal Service
Support Mechanism

CC Docket No. 02-6

SECA Petition Concerning Technology
Plan Creation Requirements

Public Notice DA 07-1846

**Comments regarding Public Notice, DA 07-1846
State E-rate Coordinators' Alliance petition for clarification or waiver of E-rate
rules concerning technology plans**

The Colorado Department of Education is filing comments regarding the Public Notice released April 25, 2007. The Public Notice, DA 07-1846, seeks comment on the State E-Rate Coordinators' Alliance ("SECA") petition for clarification or waiver of E-rate rules concerning technology plan creation and/or approval under the Schools and Libraries Support Mechanism (commonly known as the "E-rate" program).

Discussion

Colorado as with many states receives federal funds to support schools and public libraries. Some of the requirements for these federal funds are the need to create and submit technology plans to the state for approval. This process is a requirement to receive federal funds however; the lack of an adequate technology plan does not prevent districts and libraries from receiving these funds. States allow districts and public

libraries the opportunity to correct and or update their plans before funds can be disbursed.

Private schools that wish to receive federal funds are subject to the same requirements as public schools; technology plans are submitted to the state for approval.

Colorado has experience monitoring district and library technology plans. The state is more than capable and willing to continue to manage the technology planning process for the purpose of E-rate and other federal grant programs.

The FCC's *Fifth Report and Order* states that a technology plan must be created prior to the submission of an applicant's Form 470. In the past there was not a specific rule indicating that technology plans must have the specific creation date on them. At the "Train the Trainer" held in September 2006 USAC communicated for the first time the need to document the creation date of technology plans. This rule was applied not only to 06-07 applications; it was also applied to 05-06 applications even though this rule was not in place during the 05-06 application cycle. Various revisions of technology plans made documenting this creation date challenging and very difficult to verify. After the school district or public library has put great effort into planning, getting bids, signing contracts, and doing the necessary paperwork for the various stages of the e-rate process, the denial based on a clerical omission which has not before been required, has been a hardship.

The E-rate program is similar to many federal programs that required applicants to ensure that specific items are in place before funding can begin. The SECA petition underscores this philosophy. Applicants should not be automatically denied due to deficiencies within technology plans.

Conclusion

We appreciate that the Commission has provided the opportunity to file comments on the petition for clarification and/or waiver of E-rate rules concerning technology plan creation and approval under the schools and Libraries Universal Service Fund.

Colorado supports the SECA petitions short-term solution that allows applicants who have an approved technology plan the opportunity to correct any problems within the plan that may arise and the long-term position that USAC should work with state agencies to understand and accept the state technology planning process.

We respectfully recommend that the Commission take into consideration the petition and the support surrounding this request. Furthermore, we stress the importance of a speedy and complete resolution.

Respectfully,

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