August 2, 2007

Via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW, TW – A325
Washington, DC 20554

Re: Written Ex Parte Presentation
WT Docket No. 07-16 and WT Docket No. 07-30

Dear Ms. Dortch:

On August 1, 2007, Rick Chessen, Senior Legal Advisor to Commissioner Michael Copps met with Dr. Gerardo E. de Los Santos, President and CEO, League for Innovation in the Community College, Dr. Edward Leach, Vice President, Services and Programs, League for Innovation in the Community College, Dr. Warren Nichols, President of Volunteer State Community College, Dr. Tony Zeiss, President of Central Piedmont Community College, and Mr. James Boyle, President, College Parents of America and the undersigned.

During the meeting, the participants explained that the technological advances of the Digital Age provide unparalleled access to information — but only for those who have and can afford access. In the field of Education, this access is a mission-critical ingredient to a quality education but in the Community College sector, where more than 10 million students are enrolled annually, a large proportion of students are rural, lower-income and minority students who do not have or cannot afford access. The resulting situation has been commonly referred to as the "Digital Divide," where technological opportunities are disproportionately distant from rural, minority and lower income populations. Such a divide has dire economic consequences on U.S. competitiveness and on workforce training. Each participant shared his perspective on the importance of affordable and accessible broadband connections for community colleges and their students and noted strong, enthusiastic support for the pending application by M2Z Networks in which the company seeks to offer students, and others, free access to the broadband Internet while adhering to strict build-out requirements (thus, making the service available to at least 95% of the population).

The Higher Education Wireless Access Consortium (HEWAC)
5607 Braddock Farms Way • Clifton, VA 20124
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Dr. de los Santos and Dr. Leach explained the role and goals of the League for Innovation in the Community College ("The League"). The League is the only major international organization specifically committed to improving community colleges through innovation and experimentation. The League's membership includes 860 community colleges and assists member institutions by creating forums through which schools can work to apply information technology to improve teaching and learning, student services, and institutional management. Dr. de los Santos spoke authoritatively on a book he co-authored entitled "From Digital Divide to Digital Democracy" which resulted from more than 10 years of research gathered by the League. He explained that while the earliest research on the Digital Divide focused on the "haves and have nots" for computers and a basic Internet dial-up connection, research now recognized the increasingly critical importance of closing the divide in broadband Internet access.

Dr. Leach further explained that with innovation and advances in IT, both instructional materials and students services (e.g. admissions applications, financial aid, counseling) were moving increasingly online so students with the greatest need were usually the ones with the least amount of access and therefore, were least able to benefit from IT innovations and advances. Both individuals explained how M2Z's proposed service would help ensure greater digital inclusion for these student populations.

Dr. Nichols explained that his college serves 15,000 students from a dozen counties in rural Tennessee and that while the campus is fortunate to have Wi-Fi access which enables him to serve students while on-campus, as soon as those students stepped off the campus grounds, they often became disconnected. He further explained that because many of his students are low income, access to computers was not the real issue because there are college and federal aid programs that loan laptop computers to students. The critical issue for Dr. Nichols' students is that many cannot afford the recurring monthly charges of broadband access. He further noted that in the rural portions of Tennessee served by Volunteer State Community College there are very limited broadband options in light of the fact that telecommunications and cable providers do not provide service in those areas. Therefore, M2Z would go a long way to solving many of the immediate and long-term challenges faced by his student population.

Dr. Zeiss explained that his college serves over 70,000 students through six campuses in the urban Charlotte-Mecklenburg, North Carolina area and that 38,000 of those students participated in some kind of online coursework. More students could, however, if additional broadband competition in the area made prices more competitive. Dr. Zeiss explained that because only one fifth of U.S. jobs require a baccalaureate degree, the community college system is critical to developing skills for the bulk of the workers in the U.S. economy and therefore served as the foundation of a well trained and well re-trained workforce. He further explained that the U.S. was facing an increasingly severe skilled labor shortage and so the U.S. immediately needed a service, such as M2Z's, to bolster educational and economic competitive.

Mr. Boyle explained that the goal of College Parents of America was to make higher education affordable, accessible, and successful, for all Americans and on behalf of approximately 109,000 active members and subscribers and over 125 institutional members, including colleges and universities. He further explained that over the past five years, the average cost of in-state tuition and fees at public colleges has jumped 35% (after adjustment for inflation) and in the past 25 years, the average cost of tuition and fees has risen faster than personal income, and all major items in the consumer price index including gas and health insurance. He explained that most college students, while able to access some sort of broadband connection on campus, lived off campus and therefore, families faced a "hidden surcharge" in trying to manage the cost of education. M2Z's service, he explained, would provide much needed relief to those students and parents and bring the overall cost of higher education within reach to a greater number of students.

Brian Christie of the Higher Education Wireless Access Consortium (HEWAC) whose membership includes over 300 colleges and universities, cited statistics which showed that the average annual cost for tuition and fees for a public two year community college was $2,272 and $5,836 per year for public 4-year colleges. Considering the average annual cost of a broadband connection could range from $500 to over $1,000 per year, broadband connectivity – an essential ingredient to the college experience – was prohibitively expensive for most community college students as many struggled to meet the direct cost of tuition and fees. M2Z's planned free service was in the public interest as it would reduce the overall cost of education and allow educational institutions to cast a wider net and train more students.

During the presentation, Mr. Chessen was provided with copies of the documents attached to this letter. Consistent with the Commission's rules, an electronic copy of this letter is being filed. Please let me know if you have any other questions regarding this submission.

Sincerely,

Brian Christie
Senior Vice President
Higher Education Wireless Access
Consortium (HEWAC)

cc: Mr. Rick Chessen

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Summary of Organizers and Participants

College Parents of America:
College Parents of America is the only national membership association dedicated to advocating and to serving on behalf of current and future college parents. College Parents of America members include not only parents, but also more than 100 colleges and universities as well as local school systems, corporations, associations and other organizations dedicated to making higher education accessible – and successful – for all Americans.

Higher Education Wireless Access Consortium (HEWAC):
The Higher Education Wireless Access Consortium (HEWAC) is the only member-driven organization focusing solely on wireless technology for higher education and representing over 300 member colleges and universities. The vision of HEWAC is to promote and enable the rapid deployment of wireless computing and other wireless access technology at all higher education institutions worldwide.

League for Innovation in the Community College:
The League is an organization founded in 1968 to catalyze the community college movement. Now with more than 800 member institutions, the League hosts conferences and institutes, develops Web resources, conducts research, produces publications, provides services, and leads projects and initiatives with member colleges, corporate partners, and other agencies in a continuing effort to make a positive difference for students and communities. Over the last 39 years the League has made a difference in community college education and in the lives of millions of educators and students.

Volunteer State Community College:
Volunteer State Community College is a public, comprehensive community college offering associate degrees and technical certificates. Volunteer State serves the Nashville community as well as its home area of Gallatin, some 30 miles (48 km) to the northeast. Volunteer State is committed to providing quality innovative educational programs; strengthening community and workforce partnerships; addressing the needs of a global society; promoting cultural and economic development; inspiring lifelong learning; and preparing students for successful careers, university transfer, and meaningful civic participation through the use of exemplary faculty and staff. In Fall of 2006 more than 7,300 full and part-time students were registered and nearly 900 students graduated in May of 2007, the largest graduating class ever at the school.

National Institute for Staff and Organizational Development (NISOD) in the College of Education at the University of Texas at Austin:
Since 1978, NISOD has been making a difference nationally and internationally through its excellence awards, membership programs, partnership projects, and more. The organization is also known as the primary outreach arm of UT Austin's Community College Leadership Program (CCLP). Celebrating more than 60 years of excellence in preparing leaders, CCLP

faculty and staff are engaged in a host of projects and activities. Through NISOD, members learn more about and participate in projects and programs like the Community College Survey of Student Engagement (CCSSE), Achieving the Dream, the MetLife Initiative on Student Success, and the Community Colleges Bridges to Opportunity project.

Central Piedmont Community College:
Central Piedmont Community College celebrated 40 years of service in 2003. The College has become the gateway for thousands of students who want to enhance their skills, explore new careers, or seek a degree or certification. This innovative, open door college serves close to 70,000 students each year and continues to remain accessible via its six campuses and on-line offerings. In 1963, there were 23 degree and diploma programs; now there are more than 60, along with a comprehensive literacy program and an extensive array of corporate and continuing education offerings. In 1969, it became a member of the League for Innovation in Community Colleges and has been identified as one of the top five of the nation's two-year colleges in teaching excellence.

END

THE STATE
Journal Register

Our Opinion

Published Sunday, June 03, 2007

A chance to close digital divide

IN THE 12 or so years since the Internet entered our lives, we have seen the World Wide Web go from a fun novelty to an unprecedented medium for personal, educational and commercial communication.

Yet for as fast as the Internet has grown in its reach and import, it also has left many Americans behind. Due to geography or economics - sometimes both - about 100 million Americans still lack broadband access to the Internet. The phone and cable companies that provide broadband access to 95 percent of those Americans who have it have shown little interest in moving into much of the country's most remote and economically deprived areas.

In effect, broadband Internet service in the United States is controlled by a duopoly made up of telecommunications and cable television companies that are licensed by the Federal Communication Commission. They control the communication spectra needed for broadband and have proved adept at operating where profits are greatest while keeping competitors out.

FROM A BUSINESS standpoint, that's terrific. That's how things work in a market-driven economy, and it's how the big companies that provide most of our broadband got so big. But for the long-term good of the country - in deploying the power of the Internet as an educational and communication tool - that is not good at all. In fact, America's market-driven approach to broadband access has quickly taken us from being the top industrial nation for broadband penetration to 12th place.

If the Internet were still merely the plaything it was in the mid-1990s, that would not be a big deal. Today, though, high-speed Internet access or lack thereof can be an educational, social and cultural dividing line that, increasingly, separates the haves and have-nots. Like telephone service a century ago, it has transcended luxury status and become a necessity.

That's why we believe the FCC should approve a plan by M2Z Networks that shows considerable promise in erasing the line between the digital haves and have-nots. M2Z, a consortium headed by Milo Medin - founder of @Home Networks - and John Muleta - former head of the FCC's Wireless Telecommunications Bureau with an extensive private sector telecommunications background - wants a license that will allow it to provide free broadband access to 95 percent of the country within a decade.

ITS PLAN is to take unused spectrum and use it to set up a nationwide wireless network. It would put broadband Internet access everywhere and would offer, free of charge, broadband service filtered to block pornographic Web sites.

That is an extreme shorthand explanation of M2Z's proposal. There would be fees, but the gist is that almost all of the country would soon have broadband access. M2Z compares its plan to that forwarded in the 1940s by proponents of free, over-the-air television.

The problem is getting the FCC to act. While the commission has acted quickly on transactions like the massive merger of AT&T and BellSouth, which was approved in 273 days, the FCC has sat on M2Z's application for more than a year. The phone companies have sought to keep M2Z's application tied up in the FCC's ample rule-making process. These are the same companies that tried to block the technology for text-messaging from which they now reap millions.

This is nonsense. M2Z is begging to fill a niche now ignored, and a niche that has far-reaching consequences for this country. We urge anyone interested to visit www.m2znetworks.com, read more about the company's plan and sign its petition. The FCC should be fostering advances in communications technology, not impeding them.

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OPINION

Broadband critical to distance education in rural America

By Gregory Powell

When people ask me as a college president what they can do to support education, I surprise them with four short words: "Help us get broadband."

Don't misunderstand me. Broadband is just part of what we need. Like any college president, I would like our students to have a larger library, a wider selection of course offerings, distinguished visiting scholars to complement an outstanding permanent faculty and beautiful physical facilities.

However, for a community college in rural Texas (or anywhere in rural America), one of the greatest immediate benefits for our students would be the ability to have the high-speed Internet connection known as broadband in their own homes.

Along with 14 other colleges and universities in Northeast Texas, my college, Panola College, uses the Internet and interactive TV to provide distance learning to students who can't attend classes on a campus but want to earn a college degree or enhance their professional background with technical or continuing education courses. This collaborative program, which reaches 50 counties comprising 46 percent of the state's rural population, is called the Northeast Texas Distance Learning Consortium (NETnet.org). It enables students in rural Texas to stay at home to keep the family farm or business alive while also getting an education.

Panola College's online offerings include 105 courses and three degrees in areas such as business, registered nursing and teacher education. We provide instruction to firefighters, police, first responders and folks on different work schedules. We also offer dual credit, early admission courses in English, history, math and biology for rural high school students who can't travel to a college campus.

As a measure of our success, Panola's enrollment in online courses has jumped from approximately 300 to more than 3,000 students in the past six years. In addition, through NETnet, students can earn bachelor's and graduate degrees.

With broadband, a student is not confined to time or place and can do schoolwork for as long as he or she wants at a time of their choosing. This flexibility is especially important for students like ours who often work varying shift hours at full-time jobs or live by the natural rhythm of a farm or ranch.

But as good as our distance learning program is, many students get much less than they could if they had at-home hook ups to broadband—the always online connection necessary for streaming video; to replay a missed lecture; to participate in online discussion with classmates and professors; and to readily download large studies, academic reports and other information materials that are standard fodder in the typical college course.

With broadband at home (as it is for any city resident who wants it), such educational tools are available whenever the student wants. With broadband, a student is not confined to time or place and can do schoolwork for as long as he or she wants at a time of their choosing. This flexibility is especially important for students like ours who often work varying shift hours at full-time jobs or live by the natural rhythm of a farm or ranch.

However, for most of our students, broadband at home simply is not an option—either the wires do not run to their community, or the service is so expensive they cannot afford it. The way distance learning works now, students must drive to locations where they can get access to high speed Internet.

At home, most of them rely on dial-up connections that tie up the family phone line whenever somebody connects to the Internet, is restricted to one user per line (a special problem in a multi-student household solved by broadband), can take hours to download a large file and cannot handle streaming video at all. Sometimes, an incoming call or other glitch knocks the connection offline—in the middle of a download, a lecture or an online discussion. It is as if we have given our students a very good bicycle but are asking them to compete in a world where everybody else owns a sports car.

America is supposed to be a land of equal opportunity, but, in the 21st century, that is not true when some students have access to broadband and some do not. If anybody thinks otherwise, they should visit us at Panola College to see how much more we could deliver if our students had home access to broadband.

Powell is president of Panola College (Texas), which specializes in distance learning as part of the Northeast Texas Distance Learning Consortium.

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