

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

States of Louisiana and Mississippi Request
for Further Waiver of FCC Rules to Extend
Relief Provided in FCC 05-178 to Schools and
Libraries in Louisiana and Mississippi Directly
Affected by Hurricane Katrina

CC Docket No. 02-6

CC Docket No. 96-45

COMMENTS OF AT&T INC.

AT&T Inc. (AT&T) respectfully submits the following comments in support of the States of Louisiana and Mississippi Request for Further Waiver of FCC Rules to Extend Relief Provided in FCC 05-178 to Schools and Libraries in Louisiana and Mississippi Directly Affected by Hurricane Katrina (“Petition”).

As the Petitioners make clear in their Petition, and numerous news report underscore, the Gulf Coast’s recovery from Hurricane Katrina is far from complete. The effectiveness of waiver and other relief previously granted by the Commission,¹ as the Petitioners point out, turned on states’ ability to reopen the beneficiary schools and libraries. That has not happened as all had hoped, which Petitioners poignantly describe in their Petition. Thus, further appropriate relief from the Commission is clearly needed.

Accordingly, it appears to AT&T that good cause is shown for the relief requested in the Petition. Ninety per cent (90%) discount eligibility for schools and libraries directly affected by

¹ See *Federal-State Joint Board on Universal Service*, WC Docket Nos. 02-6, 03-109, CC Docket Nos. 96-45, 02-6, Order, 20 FCC Rcd 16883 (2005) (*Katrina Relief Order*); *Federal-State Joint Board on Universal Service*, WC Docket Nos. 02-6, 03-109, CC Docket Nos. 96-45, 02-6, Order, 21 FCC Rcd 2803 (2006) (*Katrina Relief Order Extension*).

Katrina for an additional funding year² is warranted to ensure the availability of funding for Priority Two services for those facilities as they are reopened. The prospect that schools and libraries, so hard hit by the catastrophe, might finally become operational again yet lack effective access to connectivity due to rules restrictions, adds insult to injury, and should be avoided. The States' request, in this regard, is eminently reasonable.

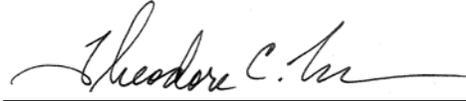
Similarly, good cause is shown in the Petition for the States' request that priority treatment not be limited to those projects required to restore pre-Katrina functionality.³ The request reflects recognition that technology has moved on even as progress on post-Katrina recovery has been slow. The preservation of a technology *status quo ante*, thus, would only ensure that, once pre-Katrina functionality is restored, the affected schools and libraries will be two plus years behind the technology curve. This result is not consistent with the overall goals of the E-Rate program, which promote the establishment of a level technological playing field for the nation's most economically disadvantaged schools and libraries. Petitioners' request, thus, is sensible and appropriate.

² See Petition at 4.

³ See *id.*

For the foregoing reasons, the Commission should grant the Petition.

Respectfully submitted,

A handwritten signature in cursive script, reading "Theodore C. Marcus", written in black ink. The signature is positioned above a horizontal line.

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