

May 6, 2009
E-rate Reform Conference Call

Attendees:

Gina Spade, FCC

Jim Burke & Pankti Dave, University of Colorado Law School

- I. Introductions
 - a. Timeframe?
 - b. Status of Call? Associated filings?

- II. Background
 - a. Our Mission/Goals for the Semester

- III. Current E-rate Application/Appeals Process
 - a. Overview
 - b. Areas of Concern

- IV. Ideas for E-rate Reform
 - a. Analysis of Past Comments/Recommendations
 - b. Applicability of Administrative Law to the USAC
 - c. Reasonable Changes That Can Be Made Today

- V. Questions/Comments

Summary of Slides Discussed

New Strategy - Application of Administrative Law

- Overview of E-rate Application/Appeals Process

- Lack of current administrative structure
- Need for transparency
 - Appeals, processes, etc.
 - USAC opposed in comments to 2005 NPRM
- Application of APA
 - Admittedly, not clear cut
 - Can be a selective application - idea is to make process more fluid and benefit children

- Comments submitted to the FCC provide the answers.

- Steps FCC can take today:
 - Outline Performance Measures
 - Create firm deadlines for initial funding decisions and appeals
 - Streamline Priority 1 applications
 - Publish Operational Manual
 - Formalize communication mechanism between USAC and the FCC on policy interpretation. Make communication public
 - Advisory Committee
 - Include USAC Board members familiar with application and appeals process
 - Create contract between USAC and FCC