

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

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In the Matter of)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	
)	
A National Broadband Plan)	GN Docket No. 09-51
For Our Future)	
_____)	

**E-RATE CENTRAL COMMENTS IN RESPONSE TO THE
JULY 1, 2010 PUBLIC NOTICE REQUESTING COMMENTS
ON FORMS 470 AND 471 REVISIONS (DA 10-1248)**

Tel/Logic Inc., d.b.a. E-Rate Central, submits these Reply Comments in response to the FCC's Public Notice released July 1, 2010, designated DA 10-1248, seeking comment on proposed changes to the FCC's E-rate Form 470 and Form 471.

E-Rate Central is an independent firm providing E-rate application and consulting services to schools and libraries nationwide. It also provides E-rate support services for several states and is an active member of the State E-Rate Coordinators' Alliance ("SECA") and the E-Rate Management Professionals Association, Inc. ("E-mpa").

Timing of Form Revisions:

E-Rate Central commends the FCC for its efforts to revise and simplify FCC Forms 470 and 471, and we support many of the proposed changes. We are seriously concerned, however, with the timing of these revisions. If, as evidenced by the FCC's broad initiative to streamline and restructure the E-rate program embodied the NPRM, FCC 10-83, major program changes are to

be made for FY 2011 or FY 2012, then the form changes proposed in DA 10-1284 are likely to be of an interim nature.

We note that while there is some language in the proposed revisions reflective of proposed NPRM changes, we believe that the final rules will require still further changes to the Form 470 and Form 471. For example:

1. Certifications with respect to technology plan creation and approval will probably have to be changed in both Forms 470 and 471 to reflect the exact nature of Priority 1 exemptions.
2. Certifications with respect to competitive bidding procedures will have to be changed in the Form 470 to reflect full or partial exemptions from Priority 1 filings.
3. The Block 4 layout on the Form 471 would probably have to be changed to reflect single discount rate calculations for school districts. Depending upon discount matrix changes, different versions of the Block 4 may be required for Priority 1, Priority 2, and consortia

Changes to E-rate forms, necessary or desirable as they may be, are not without a cost. In particular:

1. Any form changes are likely to confuse a number of applicants, leading to filing errors and possible denials.
2. Form changes require extensive, expensive, and time-consuming changes to a number of USAC computer systems — resources that are needed for other system improvements.
3. More selfishly, E-Rate Central and other large participants in the E-rate program have developed sophisticated database and processing systems that would have to be changed to incorporate form revisions.

While we appreciate many of the proposed interim changes to simplify Forms 470 and 471, we believe that the current versions can continue be used until changes to the E-rate program are adopted. At this point, revised forms will undoubtedly be required. In our view, interim form changes are worse than no changes at all.

E-Rate Central urges the Commission not to adopt interim changes in the Forms 470 and 471.

Proposed Form Revisions:

Although E-Rate Central does not support revisions to Forms 470 and 471 at this time, we do agree with several of the changes proposed and urge their inclusion in future revisions. In particular, we support changes to the simplify the Form 470 by eliminating:

1. The check boxes for month-to-month and contract services, including multi-year and extendable contracts.¹
2. The check boxes for SPI/BEAR preferences.
3. The basic telephone check-off.
4. The technology resources check boxes.
5. The requirement to list telephone area codes and prefixes.
6. The requirement to list ineligible entities.

Conversely, E-Rate Central has several concerns with, or suggestions for, the proposed revisions, must particularly:

1. The requirement to identify consultants is premature. We note that the FCC requested comment on the identification of consultants in its Third Report and Order (FCC 03-323), but never ruled on this issue (much less proposed guidance to deal with the various concerns raised at the time). E-Rate Central supports the comments filed on this issue by the E-Rate Management Professionals Association (of which it is a founding member) in the NPRM proceeding (FCC 10-83).
2. The Summary Description of Needs in Block 2 of Form 470 continues to require an RFP or no RFP check-off, a prime source of denials in the Form 470 process. Additionally, by making the RFP/non-RFP distinction mutually exclusive, it has required applicants to file multiple Form 470s when some, but not all, services in a given category are covered by RFPs. E-Rate Central suggests that applicants be given the ability to indicate the existence of an RFP on service-by-service basis on a single Form 470.
3. The Notice and Draft Form 471 Instructions propose to require that the Item 21 attachment be submitted by the close of the filing window. SLD imposed this requirement for FY 2001 (Year 4) and found it difficult to implement. Item 21 attachments can take many forms. As enveloped were received at SLD's Client Service Bureau, staff there had difficulty identifying documents submitted as Item 21 attachments or, if identified as an Item 21 attachment, determining to which FRN the document applied. Numerous "pink postcards" were issued notifying applicants that they had not met the filing requirements for some or all FRNs because SLD had not received the associated Item 21 attachments, and later SLD had to reverse itself when the documents

¹ E-Rate Central's support for the elimination of the MTM/contract boxes is contingent upon a corresponding change in USAC procedures such that a failure to indicate these service options on a Form 470 will no longer be grounds for denial.

were reviewed. SLD abandoned this requirement for FY 2002 and later years. Reimposition of this requirement, even when simpler Item 21 attachments can be filed online, seems certain to result in increased denials of funding requests as applicants fail to meet the requirement and are deemed “out of window,” or as applicants meet the requirement but SLD fails to properly associate documents it receives. While this requirement might speed application processing somewhat, the Commission should consider at what price in terms of applicants receiving the funds to which they are entitled.

4. E-rate Central strongly disagrees with the proposed change to the Form 471 Block 4 worksheets that replaces the existing spreadsheet-like listing of entities with an individual entity format. While we recognize that this change is more aligned with the online Form 471 format, we would urge that changes be made in the other direction by creating an online Block 4 spreadsheet.

For any district with more than a few entities, the listing, updating, and review of Block 4 data is a critical process, prone to errors, whether done on paper or online. Most large applicants, with whom we are familiar, already maintain entity-related data in spreadsheet form. It is (for paper forms), or would be (for online forms), much easier to have Block 4 entries formatted to match these applicant spreadsheets. It would also make it easier for online filers who upload their Block 4 data (also in spreadsheet form) to check and reconcile the results of their electronic inputs.

It should also be noted that the proposed format would require many more pages for paper filers. The current Block 4 format lists six entities to a page; the revised version lists only six. This would almost triple to size of a paper application filed by a large city school district. In aggregate, even for smaller districts, the additional pages are significant. In Nassau County (NY), for example, there are 56 school districts and one BOCES, each with 2-20 schools and NIFs. In FY 2010, the basic Block 4s for these applicants required 88 pages in the current format. Under the proposed format, 209 pages would be required. It is difficult to imagine how this comports with OMB's paperwork reduction guidelines.

Respectfully submitted by:



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