



September 16, 2010

**VIA ELECTRONIC COMMENT FILING SYSTEM (ECFS)**

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

**Re: Ex Parte Communication, 47 C.F.R. § 1.1206  
GN Docket No. 09-51; CC Docket No. 02-6**

Dear Ms. Dortch:

On September 15, 2010, Steve Traylor, NATOA Executive Director, Joanne Hovis, NATOA Board Member, Mitsuko Herrera, Montgomery County (MD) Cable Communications Administrator, and Sherwin Collette, CIO, Montgomery County (MD) Public Schools, met with Wireline Competition Bureau staffers Regina Brown, Patrick Halley, Rebekah Bina, and James Bachtell to discuss the issue of E-Rate funding.

More specifically, we discussed the fact that local governments want and need more options to provide broadband services to schools and libraries. We voiced our support to allow E-Rate funding to be used to lease dark fiber from any source, including municipalities. We also explained the efficiencies in allowing E-Rate funds to be used to lease lit fiber from any source, including municipalities. We explained that this would not only result in decreased costs, but would also move away from the current practice of "siloeing" networks.

We also discussed our preference that E-rate funding be indexed for inflation; that local government entities fully understand the financing and costs associated with network construction and operation; and that the relationship between school boards and local governing bodies does not create a conflict of interest that would result in an unlevel playing field between municipal and commercial network providers.

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Finally, we directed staff to a number of previously filings by NATOA that discuss these various issues, including:

CC Docket No. 02-6

Reply Comments of Montgomery County, Maryland – posted 07/27/10

Reply Comments of the National Association of Telecommunications Officers and Advisors, the National Association of Counties, and the New America Foundation's Open Technology Initiative – posted 07/26/10

Comments of the National Association of Telecommunications Officers and Advisors, the National Association of Counties, and the New America Foundation's Open Technology Initiative – posted 07/12/10

GN Docket No. 09-51

NATOA Ex Parte Communication – posted 09/17/09

Comments of the National Association of Telecommunications Officers and Advisors, National League of Cities, United States Conference of Mayors, and the National Association of Counties – posted 11/06/09

Pursuant to Commission rules, please include a copy of this notice in the record for the proceedings noted above.

Sincerely,  
*/s/ Steve Traylor*  
Executive Director  
NATOA

Cc: Ms. Regina Brown  
Mr. Patrick Halley  
Ms. Rebekah Bina  
Mr. James Bachtell