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May 4, 2011

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VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: Notice of *Ex Parte* Meeting
Schools and Libraries Universal Service Support Mechanism (CC
Docket No. 02-6); A National Broadband Plan For Our Future (GN
Docket No. 09-51)

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this letter notifies the Commission that on Wednesday, May 4, 2011, Ricardo Dreyfous, Ph.D., president of Nevesem, Inc., Henry M. Rivera and the undersigned of Wiley Rein LLP, met with Brad Gillen, Wireline Legal Advisor to Commissioner Meredith Attwell Baker.

Nevesem discussed the attached presentation regarding the progress of the E-Rate program in Puerto Rico and presented a video on Nevesem's Eduplatform product (available at: <http://www.youtube.com/watch?v=VHngUFMi85M>). Nevesem also discussed the use of E-Rate funds to support wireless Internet access services used with portable learning devices off-premises. Specifically, Nevesem noted that E-Rate recipients should be permitted to make their existing Wi-Fi signals available to students and patrons to permit them to access the Internet outside the recipients' buildings but within the area immediately adjacent to the recipients' buildings after normal business hours without having to engage in cost allocation. Nevesem noted that such action would promote full utilization of the learning opportunities that portable wireless devices can provide without increasing the size of the Universal Service Fund.

Please direct any questions regarding this filing to the undersigned.



Marlene H. Dortch
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Respectfully submitted,

/s/ Edgar Class

Edgar Class
Counsel for Nevesem, Inc.

cc: Brad Gillen



E-Rate and Puerto Rico

Nevesem, Inc.

Washington, DC

May 4, 2011

Who we are

- Ricardo Dreyfous, Ph.D.
 - Founder and President of Nevesem, Inc.
 - An educator
 - Owns and has established four patented educational products, which have been used successfully in Puerto Rico and other parts of the United States, South America, Europe and the Caribbean

Why we are here

- Describe Nevesem's work in education and technology
- Provide an update on the E-rate program in Puerto Rico
- Discuss the Commission's Sixth Report and Order (FCC 10-175) released September 28, 2010

A New Vision in Educational Services and Materials (Nevesem)

- Puerto Rico-based company.
- Its mission is to develop and bring innovative educational and technological services and materials to students and educators.
- Internet Service Provider since 2001 to private schools and public libraries in Puerto Rico that benefit from E-rate funding.

Nevesem (cont'd)

- Librarian Certifications
 - Offers courses to librarians seeking to become certified as Library Technology Specialists and Library Managers.
- Seminars and workshops
 - Offers, free of charge, seminars and workshops on topics such as:
 - Bullying and cyberbullying
 - Effective tools to integrate technology into the classroom

Nevesem (cont'd)

- Eduplatform
 - Pioneering tool used by teachers to create and distribute digital lessons to students.
 - Allows teachers to merge a variety of digital resources (i.e., PowerPoints, video files, web pages, Word documents) into a single file that students can access from their individual computers.
 - Provides lessons to students adapted to their individual educational needs.
 - Gives teachers full control over the information that students can access from their computers, including Internet websites.
 - Video demonstration

E-rate and Puerto Rico

- The E-rate program had a rocky start in Puerto Rico
 - In 2001, USAC/FCC found fraud by the Puerto Rico Department of Education (PRDOE).
 - The FCC and USAC mistakenly treated the private schools as public schools managed by the PRDOE.
 - Therefore, upon discovery of fraud, when USAC stopped E-rate funding of public schools, it also stopped funding private schools.
 - This caused great hardship on private schools and their ISPs.

E-rate and Puerto Rico (cont'd)

- The situation has improved significantly and the E-Rate program in Puerto Rico is a huge success for private schools and public libraries
 - Very important to Puerto Rico where the median average household income is \$13,189. Median income in the rest of the U.S. is \$34,809 (*Sixth Broadband Deployment Report*, FCC 10-129, Appendix B).
 - Prior to the E-rate program, few private schools and public libraries had Internet access.
 - Today, approximately 116 private schools representing over 75,000 students, and approximately 120 public libraries serving a population of over 400,000 are connected to the Internet.
 - This would not have been possible without the E-rate program.

E-rate and Puerto Rico (cont'd)

- Factors Contributing to the Success
 - FCC has taken active steps to improve and simplify the program.
 - USAC personnel have visited Puerto Rico on several occasions to provide much needed training and guidance to all participants.
 - Schools have become more knowledgeable in E-rate procedures.

Sixth Report and Order

- The National Broadband Plan recommended full E-rate support for wireless Internet access services used with portable learning devices used off-premises.
- In response, the Sixth R&O established a pilot program (“Learning On-the-Go”) to investigate the merits and challenges of wireless off-premises use to determine whether it should receive E-rate support.
- Nevesem commends the Sixth R&O
 - Recognizes that learning no longer stops at the classroom or library door as technology provides educational opportunities for students and patrons anywhere there is a broadband connection.
 - Off-premises use of wireless Internet access allows applicants to make use of the service seven days a week, twenty-four hours a day.

Sixth Report and Order (cont'd)

- Sixth R&O said:
 - “[w]e recognize that schools and libraries face different issues when considering off-premises use, and we would like to gain a greater understanding about how *libraries* are using remote access to serve their communities.” (¶ 45)
- Libraries have begun to make mobile devices available for use by their patrons beyond their premises.

Sixth Report and Order (cont'd)

- A public library in Puerto Rico has a pilot laptop-lending program for public school students.
 - Laptops are provided by the municipality.
 - Students can access the Internet on library premises during regular hours and on library premises adjacent to the library's main building after regular business hours.
 - Enables students that do not have a computer or a broadband connection to have access to both.
 - If successful, the municipality may extend the laptop lending program to other libraries.

Sixth Report and Order (cont'd)

- However, current E-rate program rules discourage off-premises use of libraries' broadband capability:
 - If a laptop is taken off-premises, E-rate applicants are required to allocate the cost of the broadband connection between the on- and off-premises uses (a process that is burdensome and difficult to audit) and the E-rate program does not pay for the off-premises use.
 - If the laptop is used only on-premises, the E-rate program pays 100 percent of the E-rate applicant's non-discount share for wireless Internet access use.
- This distinction undermines educators' and students' ability to capitalize on broadband technology and, as the Sixth R&O acknowledged, prevents full utilization of the learning opportunities that portable wireless devices can provide off-premises (§ 41).

Sixth Report and Order (cont'd)

- Supporting off-premises use of wireless Internet access is critical to Puerto Rico given the poverty level:
 - The average median household income in Puerto Rico is \$13,189 as compared to \$34,809 for all areas of the United States and \$28,627 for unserved areas generally.
- The Commission has a unique opportunity to use the E-rate program to help bridge this broadband digital divide.

Conclusion

- Nevesem appreciates of the steps the Commission has taken to make the E-rate program a success in Puerto Rico.
- Nevesem applauds the Commission's Learning On-the-Go pilot program.
- The Commission should approve the use of E-rate support for wireless Internet access service for devices that are used off-premises.