

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of)
Modernizing the E-) WC Docket No. 13-184
rate Program for)
Schools and Libraries)

Comments from the Montana State Library

(Filed September 16, 2013)

The Montana State Library is submitting comments in response to the Federal Communication Commission’s (FCC) Notice for Proposed Rule Making (NPRM) in order to express the needs of the rural, public libraries in our state and to share the realities they face day-to-day in their effort to secure and provide adequate broadband and other services to their communities.

71% of Montana’s public library systems applied for E-Rate in 2013. Of those, only 10% of the requests came from libraries serving populations of 25,000 or more while 30% came from libraries serving populations of less than 2,000. None of the individual requests was over \$5,000. Only 5% were over \$2,500. 79% of the funding requests were under \$1,000. Montana libraries are the epitome of small, rural, public libraries providing public access to the Internet in their communities.

As a state with predominantly rural communities, we believe it would be helpful to revisit some of the definitions used to define “rural.” The Goldsmith definition, in many cases, incorrectly identifies a public library as urban because it’s in the same county as an identified urban center. In Montana’s large counties, this has had ridiculous results. We’ve seen towns of less than 1,000 people defined as urban when they’re 50 miles or more from any city but are located in the same county. The Montana State Library suggests an additional definition of rural, remote to benefit Montana libraries which are indeed in remote areas with few services.

In general, the Montana State Library supports the overall shift in priority for E-Rate towards greater broadband deployment if it means that increased funding will be available to rural libraries to both deploy and afford the long term costs of increased broadband capacity. However, the elimination of Plain Old Telephone Service (POTS) from E-Rate program discounts will have a negative impact on

Montana public libraries. 30% of the funding requests in 2013 were for POTS only. For many, telephone is a greater expense than is Internet so the discounts on POTS helped make other services more affordable. Further Montana libraries appreciate that POTS discounts never carry the additional burdens of CIPA compliance and technology plans which can be extremely time consuming for Montana's single-staff libraries. If it is deemed necessary to eliminate POTS discounts in order to focus on broadband goals, we ask that it be phased out over several years to allow those most impacted to find alternate sources of funding.

From NTIA's May 23 report: U.S. Broadband Availability: June 2010 – June 2012¹, we learned that Montana was 50 out of 51 states for broadband availability at all levels measured. This lack of bandwidth means that Montana public libraries may be unable to meet arbitrary goals for library bandwidth such as the 1 Gbps goal proposed by the State Library of Kansas. We believe more reasonable and attainable bandwidth goals would be based on the service population which, in turn, should drive benchmarks like the number of public workstations at each library. Newly released Montana public computing center guidelines² encourage libraries to monitor bandwidth usage and to use the data collected to drive broadband upgrades. The Montana State Library will collect bandwidth data as part of our library statistics. This data would be available to USAC.

In light of the lack of overall broadband services available to Montana libraries, the Montana State Library suggests that the FCC create a separate, additional amount of funding in the E-rate program specifically directed to supporting the capital investment costs of deploying high-capacity broadband to libraries in areas like Montana where it is not currently available. Deployment should be tied to meaningful and attainable bandwidth goals and funding could be reduced overtime as broadband capacity goals are achieved nationwide.

Because increased bandwidth availability will naturally result in increased cost to libraries, the Montana State Library supports an increase in the E-rate cap to

¹ NTIA May 23 report: U.S. Broadband Availability: June 2010 – June 2012: http://www.ntia.doc.gov/files/ntia/publications/usbb_avail_report_05102013.pdf

² Best Practices for Public Computing Centers: http://docs.msl.mt.gov/word/digitalliteracy/publiccomputercenter/pcc/PCC_Best_Practices.docx

provide more funding on a permanent basis so that libraries can afford greater broadband services.

The Montana State Library suggests that E-Rate discounts further be available for internal data connectivity. 72% of Montana's public libraries participate in a shared catalog consortium where they access library holdings via a central server via the Internet. This service requires a consistent Internet connection. A single data line, rather than a line shared competing with public workstations, would make access to the system more reliable and would free up additional bandwidth for patron use but most Montana libraries cannot afford additional lines. If libraries were able to apply E-Rate discounts, this would allow more secure and consistent Internet connections that would benefit library patrons even if it were not something they would directly utilize.

Finally, and most importantly, we're submitting comments in response to the NPRM in order to beseech the FCC not to place any additional burdens on applicants to the E-Rate program. We're already in a situation where many public librarians choose not to apply and those that do often apply for minimal POTS discounts because the E-Rate program is widely viewed as "more trouble than it's worth." We believe that routine annual applications for Telcomm and Internet Access on-going cost discounts should receive minimal Program Integrity Assurance reviews and audits. This is not where waste, fraud and abuse in the program are occurring.

In rural Montana, we have little or no competition among telecommunications or Internet service providers. Most communities have one rural telephone cooperative providing phone and DSL Internet. Most libraries receive no bids at all for their 470 postings. Frequently they will not even receive a bid from their service provider. The applicant should not be penalized with additional paperwork when competitive bidding is nonexistent, particularly when it involves modest requests. The burden of proving LCP compliance should fall on the service provider, if anyone, not on the applicant.

On behalf of Montana's 82 public libraries we appreciate the opportunity to comment on the NPRM and we look forward to working with the FCC to further improve the E-Rate program.