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February 21, 2014

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

Re: Notice of *Ex Parte* in WC Docket No. 13-184
E-rate Modernization
**Panhandle Area Education Consortium, North East Florida
Educational Consortium, Heartland Educational Consortium**

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide notice of a written and oral ex parte presentation in connection with the above captioned proceeding. On Wednesday, February 19, 2014, the following individuals and undersigned counsel met with Commissioner Rosenworcel, Christi Barnhart, Legal Advisor to the Commissioner (acting), and Priscilla Argeris, Legal Advisor to the Commissioner: Thomas P. Moffses, Jr., Superintendent, Hamilton County (Florida) School District; Shay Starling, Associate Executive Director, North East Florida Educational Consortium ("NEFEC"); Rick Everitt, Program Coordinator Technology Support, Panhandle Area Education Consortium ("PAEC"); Liz Zucco, President and Chief Strategist, MarketSYSUSA, Inc.; and Noelle M. Ellerson, Associate Executive Director, Policy & Advocacy, AASA: The School Superintendents Association. Mr. Starling was present also on behalf of Heartland Educational Consortium (HEC).

On Thursday, February 20, 2014, the aforementioned met separately with: Rebekah Goodheart, Legal Advisor to Commissioner Clyburn; Nicholas Degani, Legal Advisor to Commissioner Pai; and with the following representatives from the Office of the Chairman ("OCH"), Office of Strategic Planning & Policy Analysis ("OSP"), Wireline Competition Bureau ("WCB"), and WCB Telecommunications Access Policy Division ("TAPD"): Daniel Alvarez, Legal Advisor to Chairman Wheeler; Paul Waters, OCH; Jonathon Chambers, Chief, OSP; Nick Alexander, Special Counsel, OSP; Trent Harkrader, Associate Bureau Chief, WCB; Mark Walker, TAPD; Regina Brown, TAPD; Kate Dumouchel, TAPD; and Mark Nadel, TAPD.

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Finally, on Friday, February 21, 2014, Superintendent Moffses, Mr. Starling, Mr. Everett, Ms. Zucco, and undersigned counsel met with Commissioner O'Reilly, and Amy Bender, Legal Advisor to the Commissioner.

The purpose of each of the meetings above was to discuss the separate comments filed by PAEC, NEFEC, and HEC in the E-rate Modernization proceeding. We discussed a broadband survey conducted on behalf of the three consortia demonstrating that most of these rural Florida school districts lack access to adequate broadband. In most cases these areas are served by a single provider that does not have fiber facilities. Where fiber facilities are nearby, they are either not made available, or services are offered at prices that are prohibitively high. As the Commission grapples with how to use limited E-rate funding more efficiently, we urged consideration of direct funding of capital investments as a way to (1) reduce demand for recurring support and (2) to provide greater incentives for existing providers to better serve underserved areas.

In order to ensure such capital investment occurs only where it is needed, we urged the Commission to adopt the proposed rule – similar to the rule adopted in the Rural Health Care program in 2012 – which would allow school districts seeking Wide Area Network capability to consider *competitive* bids from network builders. This type of competition is sorely needed in rural areas and would provide strong incentives to existing providers to upgrade their networks, and to make dark fiber and broadband services available at affordable prices. We emphasized that only open competitive bidding can definitively establish where existing providers are willing and able to provide the advanced services that are in dire need.

Materials distributed during the meeting are attached to this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey A. Mitchell".

Jeffrey A. Mitchell
Counsel for PAEC, NEFEC, and HEC

Attachments