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February 26, 2014

**Via ECFS**

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: *Ex Parte* Filing of the American Cable Association (ACA) on Modernizing the E-rate Program for Schools and Libraries (WC Docket No. 13-184)**

Dear Ms. Dortch:

On February 24, 2014, Ross Lieberman (ACA) and the undersigned, Thomas Cohen (Kelley Drye & Warren LLP, Counsel to ACA), had a telephone call with Jon Chambers, Patrick Halley, Michael Steffen, Trent Harkrader, and Mark Walker of the Commission staff to discuss the Notice of Proposed Rulemaking on modernizing the E-rate program.<sup>1</sup> Mr. Lieberman noted on the call that many ACA members had networks capable of providing either or both “best efforts” or dedicated broadband access services to schools and libraries and either were already participating as service providers in the E-rate program or had a desire to do so. Accordingly, in its comments in this proceeding, ACA advocated and provided support for two main policies: require schools and libraries to use support to procure services from existing service providers to the maximum extent before using support to construct their own dedicated facilities; and simplify and amend the application process to facilitate and encourage greater participation by service providers, particularly smaller providers.<sup>2</sup> Mr. Lieberman then emphasized that because of the capabilities and experiences of ACA members, they would be able to provide additional data that should prove useful for the Commission staff as it

<sup>1</sup> See *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Notice of Proposed Rulemaking, FCC 13-100 (rel. July 23, 2013).

<sup>2</sup> See Comments of the American Cable Association, WC Docket No. 13-184 (filed Sept. 16, 2013) and Reply Comments of the American Cable Association (filed Nov. 8, 2013), available at: <http://apps.fcc.gov/ecfs/document/view?id=7520943994>, <http://apps.fcc.gov/ecfs/document/view?id=7520957213>.

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develops its policies. He informed the staff that he would contact these members presently and would encourage them to provide their responses.

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules.

Sincerely,

A handwritten signature in blue ink that reads "Thomas Cohen".

Thomas Cohen  
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cc: Jon Chambers  
Patrick Halley  
Michael Steffen  
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