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July 1, 2014

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

RE: Notice of Ex Parte Communication, WC Docket No. 13-184

Dear Secretary Dortch:

On July 1, 2014, Reed Hundt, outside counsel to the Urban Libraries Council (“ULC”), had a telephone call with Chairman Tom Wheeler to discuss the above-referenced proceeding.

During the call, Mr. Hundt asserted that any use of building square footage as a metric to set an E-rate funding cap for public libraries would be grossly unfair to the millions of patrons of the nation’s urban libraries, many of whom are disproportionately low-income, unemployed or underemployed. Mr. Hundt highlighted the widely disparate and inappropriate results that such an approach would entail. For example, a cramped, crowded and critically important library would receive less funding than a spacious, uncrowded library. Mr. Hundt also noted that a square footage metric would ignore the factors most relevant to WiFi performance. These include the number and density of users at one time, interference from adjacent environments and architectural or structural interference.

To ensure that all public libraries receive the funding necessary to deploy robust WiFi networks, Mr. Hundt advocated that the Commission employ the same people-based measurement for libraries that the Commission is contemplating for schools. It would be administratively easy for libraries to track and report the

Secretary Dortch
July 1, 2014
Page 2

number of individuals who access their buildings on a daily basis. This would be effectively the same as funding schools according to the number of students and teachers. Mr. Hundt also stated that applying the same methodology to both sets of institutions would ensure that E-rate funding is allocated on a non-discriminatory and consistent basis.

If the Commission retains building square footage as the metric for libraries, Mr. Hundt asked that rural and urban libraries not be subject to the funding cap contemplated by the order. Alternatively, the Commission must increase the amount allocated per square foot of library floor space. Based on recent data provided by ULC member libraries, Mr. Hundt maintained that the appropriate funding amount would be \$4/square foot. This amount is consistent with the costs incurred by ULC members for recent WiFi deployments and would ensure that all public libraries receive the funding necessary to deploy WiFi networks that meet the needs of their communities.

Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/

John M. Beahn

Counsel to Urban Libraries Council