



Advocates for Rural Broadband

Mark M. Gailey  
President

Kelly Worthington  
Executive Vice President

May 8, 2014

**Filed Via ECFS**

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

**RE: WC Docket No. 13-184**

Dear Ms Dortch:

On Wednesday, May 7, 2014, Jeff Dupree of the National Exchange Carrier Association (“NECA”); and Derrick Owens, Noah Cherry and Gerry Duffy representing WTA - Advocates for Rural Broadband (“WTA”) met with Deena Shetler of the Wireline Competition Bureau (“WCB”); Kalpak Gude and Pam Arluk (by telephone) of the WCB’s Pricing Policy Division; and James Bachtell, Kate Dumouchel and Lisa Hone of the WCB’s Telecommunications Access Policy Division, to discuss various tariff matters relating to services provided in connection with respect to the Schools and Libraries (“E-Rate”) Program.

The NECA tariff provides terms, conditions and rates for various capacities of special access services that are used: (a) to connect schools and libraries with other schools and libraries; and (b) to connect schools and libraries with the Internet. In some cases, the Issuing Carriers in the NECA tariff provide special access services directly to school and library entities; in other instances, they provide special access transmission services to Internet service providers (“ISPs”) that may or may not be affiliated with the Issuing Carrier) and that then incorporate them into the non-regulated, non-tariffed information services the ISPs sell to the schools and libraries.

There was considerable discussion as to how Issuing Carriers and the Commission should resolve potential conflicts between requirements for Issuing Carriers to charge their applicable tariffed prices to all customers, and other requirements that schools and libraries be provided services at discounted prices. It was noted that whereas the current NECA tariff treats school and library customers the same as other business customers, there are certain mechanisms available to all customers – such as term and volume discounts and fixed rate options – that can provide some pricing relief and certainty for school and library customers. It was also noted that both affiliated and non-affiliated ISPs are not subject to tariff requirements and other rate regulation, and can offer discounts or other pricing approaches.

There was also some discussion as to how the School and Libraries Program bidding process works with respect to tariffed services. Generally, where an Issuing Carrier in the NECA tariff participates in this bidding process, it must bid its applicable tariffed rates.

WTA reiterated that it knows of none of its members that has declined to provide requested broadband service to a school and library in its service area. Schools and libraries are located in towns and other rural population centers, and virtually never require extensive or expensive line extensions that would entail extra charges under NECA's little-used Special Construction Tariff (NECA Tariff F.C.C. No. 3). Rather, WTA members and other rural telephone companies are generally eager to provide broadband to the schools and libraries that serve their families and neighbors.

Pursuant to Section 1.1206(b) of the Commission's Rules, this submission is being filed for inclusion in the public record of the referenced proceeding.

Respectfully submitted,

Gerard J. Duffy  
WTA Regulatory Counsel

Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP  
2120 L Street NW (Suite 300)  
Washington, DC 20037  
Telephone: (202) 659-0830  
Email: [gjd@bloostonlaw.com](mailto:gjd@bloostonlaw.com)

cc: Deena Shetler  
Kalpak Gude  
Pamela Arluk  
James Bachtell  
Kate Dumouchel  
Lisa Hone