



**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	
)	

**COMMENTS ON REVISIONS ON FCC FORMS 470 AND 471
(DA 13-1590)**

The State E-Rate Coordinators' Alliance (SECA) submits these Comments in response to the FCC's Public Notice released July 17, 2013 (designated DA 13-1590) seeking comment on the proposed revisions to FCC Forms 470 and 471.

SECA understands that OMB requires the periodic updates and/or revisions of E-rate forms, and that it is time to revise or reauthorize FCC Forms 470 and 471. Unfortunately, with the recent release of the Notice of Proposed Rulemaking (FCC 13-100) for *Modernizing the E-rate Program for Schools and Libraries*, this is not the most convenient time to propose major changes to these forms. Changes proposed or at least considered in the new E-Rate 2.0 NPRM are likely to require significant changes in Forms 470 and 471 (or their new equivalent versions) well before the next OMB revision date.

As a general proposition, therefore, SECA believes that any revisions to these two forms should be made so as to avoid, or at least minimize, transitional impacts on both applicants and USAC. Most specifically, every effort should be made to avoid changes in data fields that would require USAC IT system modifications.¹ Our comments on these proposed form revisions reflect this concern.

Signature Pages — Forms 470 and 471:

Both the existing and revised versions of the Forms 470 and 471 include a checkbox indicating “Check here if the Item [7 or 6g, respectively] is the Authorized Person.” Essentially, this permits a consultant to self-certify his or her own authorization to sign these forms. In light of the NPRM’s proposal to “require all E-rate forms submitted by E-rate applicants to be signed by someone with authority equivalent to that of a corporate officer,” SECA believes that either:

1. This checkbox should be removed and the form instructions should be changed to require an applicant signature; or
2. At a minimum, the checkbox should be used to trigger an additional certification by the signing consultant that the consultant has obtained specific authorization by the applicant to make all of the form certifications and is the applicant’s authorized person.

Form 470 Revisions:

SECA concurs with the proposed decision to combine all Priority 1 service descriptions into Block 2, Item 8. This change is clearly in line with the reorganization of Priority 1 services implemented in the Eligible Services List for FY 2013, and will help avoid applicant confusion. We note that by making Block 2, Item 9, a reserved field, no changes are required in other Item numbers. More importantly, it appears that no implementing changes will be required in USAC IT systems.

¹ A good example of the problems cause by such data field changes is the disruption of the online invoicing process experienced with the recent the approval of revised FCC Forms 472 and 474.

SECA recommends that a small change be made in the wording for the RFP-related language in Block 2, Items 8, 10, and 11. One confusion applicants have with the RFP checkboxes is the handling of situations within a given service category when some services are being requested by RFP and others are not. Technically, the only way to handle this situation today is to file two Form 470s, one indicating that there is an RFP for some services and one indicating that there is not an RFP for other services. SECA believes that there is little chance for service providers to be confused as long as they know that an RFP is available for one or more services per category. To permit an applicant to file only one Form 470 for both RFP and non-RFP purposes, we suggest that the RFP checkbox language be changed to read:

YES, I have released or intend to release an RFP for one or more of these services; and

NO, I have not released and do not intend to release an RFP for any of these services.

Please note that the Form 470 Instructions contain Item number errors which are a result of eliminating the need for a Block 2, Item 9. The Instructions as currently proposed for Items 9-12 should be for Items 10-13.

Form 471 Revisions — Data Collection Change:

The major proposed change to the Form 471 involves the replacement of the current Block 2 with an extensive Block 5 Item 24 table of connection lines and download speeds (and two other questions). SECA opposes this change. In particular:

1. We note that the E-Rate 2.0 NPRM seeks “comment on how to best collect data on the speed and quality of schools and library connections.” Thus this change in data collection effort appears pre-mature — particularly to the extent that it would require changes to USAC’s IT system.
2. The proposed new page is not simply an equivalent replacement for the current Block 2. Since the page must apparently be completed for every broadband or connectivity FRN,² it would cause many applicants to complete multiple speed and connection tables in lieu

² Note that the on-form instructions seem to assume that an application has only one FRN, directing the applicant to “**skip to Item 25**” if the Block 5 request does not involve broadband or connectivity.

of the single current Block 2 table. This requirement seems out of line with the “streamlining” goal of a modernized E-rate program.

3. The proposed Item 24b questions are likely to confuse many applicants (particularly because “spaces” is not defined in the instructions), and will be unduly difficult for consortia.

The timing of a revised Form 471 may also be an issue. Most recently, in the case of revisions to Forms 472, 473, and 474, comments were requested on March 8, 2013, and the revised forms became effective on July 22, 2013, approximately four and one-half months later. A similar approval cycle for revisions to Form 471 would lead to an effective date in early December, about the time the FY 2013 application window opened last year. This would not be much of a problem if the Form 471 remained basically unchanged. But as proposed, major data field changes could lead to delays in the window opening as USAC updated its online Form 471 filing system. Further, from an applicant perspective, the approval would come well after USAC completes its 2013 fall applicant training schedule.

SECA believes that if the FCC needs better connectivity data before the issuance of a Report and Order on the pending NPRM, every attempt should be made to make use of a revised Block 2. If the number of fields in the current Block 2 can be maintained, USAC should be able to capture and summarize that data with minimal IT system changes.

Form 471 Revisions — Other Changes:

The first page of the revised Form 471 includes an additional Item 5b checkbox for “Federal Entity.” As a simplification in this revision cycle, for both applicants and USAC, SECA suggests that this addition be eliminated. If it must be added, the checkbox should also be added to the revised Form 470, and the Instructions for both forms should define “Federal Entity.”

The instructions for completing the Block 4 Discount Calculation Worksheets should explicitly provide guidance for applicants using the Community Eligibility Option. USAC is currently

advising that Column 10 (Alt Disc Mech) be checked for CEO schools, but this guidance has not been formalized.

SECA suggests that the negative certification in Item 26f (Item 25f of the current Form 471)³ either be eliminated or be replaced with a positive certification stating that the applicant is not receiving funds from a service provider. As currently written, the box is too often checked in error by applicants requiring wasteful follow up by USAC's Selective Review team.

Respectfully Submitted by:

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³ Note that, as drafted with the renumbered certifications, Items 26 c, d, and e are incorrectly referring to the current Items 25 a-e.