



Feb 15, 2022

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Ex Parte Filing

Establishing Emergency Connectivity Fund to Close the Homework Gap, WC Docket No. 21-93;
Modernizing the E-rate Program for Schools and Libraries -- WC Docket No. 13-184

Dear Madam Secretary:

Pursuant to Federal Communications Commission's *ex parte* rules, I hereby submit the following summary of our February 11, 2022 conversation with the FCC staff listed below about the need for an extension of time for schools and libraries to use their funding from the Emergency Connectivity Fund (ECF). The following individuals participated in the call along with the undersigned:

Chantez Neymoss, Interim Chief Strategy and Innovation Officer, Charlotte Mecklenburg Library.

Elaine Williams, CEO of ConnectED Consulting Services, LLC, on behalf of the Puerto Rico Department of Education.

Ashley Schweitzer, Program Manager & Strategist, Office of Broadband & Digital Inclusion, Hennepin County, Minnesota.

Sheryl Mase, Director, Mid-Michigan Library League,

Janelle Morgan, Consultant, Elite Fund, Inc.

Michael Flood, Senior VP and GM, Education for Kajeet.

FCC Staff: Sue McNeil, Associate Bureau Chief, WCB

Allison Baker, Economic Advisor, WCB

Jodie Griffin, Division Chief, TAPD

Johnnay Schrieber, Deputy Chief, TAPD

Kate Dumouchel, Special Counsel, TAPD

Gabby Gross, Special Counsel, TAPD

Zack DiLeo, Attorney, TAPD

Molly O'Connor, Attorney, TAPD

Veronica Garcia-Ulloa, Attorney, TAPD

The participants from the school and library community made the following points:

- Chantez Neymoss: The Charlotte Mecklenburg Library is currently experiencing response delays and supply issues related to our approved funding request of \$8 million for 20,000 laptop computers. These delays are hindering our ability to carry out the program at the scale we had hoped. The current vendor cannot provide devices on credit, and the Library has no additional funding to purchase the devices and services up front. So the Library had to wait until it received USAC approval before moving forward on the purchase of devices and services. The Library understood from USAC training videos and written confirmation (Case # CSC-02112453) that it could submit a pre-reimbursement request for funding from USAC before paying the vendor. But on January 4, 2022, the Library received new advice from USAC that it could not obtain pre-reimbursement funding until the computers were actually delivered. This confusion over the rules has delayed the Library's distribution of devices. The Library is now exploring an RFP process to select additional vendors and will try to switch to a vendor that will allow the Library to purchase the computers on credit. We are looking at the possibility of only receiving 25% of our allotted funding because it takes time to work through the RFP process and distribute the devices.
- Sheryl Mase and Janelle Morgan: The Mid-Michigan Library League is a library cooperative of 36 mostly small, rural public libraries, 25 of which were part of a consortial application for ECF funding submitted on July 16, 2021. The libraries asked for 129 new hot spots, monthly service for 164 devices, and 100 computing devices of various kinds, for a total request of around \$116,000. Mid-Michigan Library League received funding notification on Nov. 8, 2021. There was some difficulty navigating the SAM registration process because the headquarters moved to a new address across the street. The libraries began to deploy in January, which means they will only receive about 5 months of service. We estimate that approximately 27% of approved application funding will be unspent by June 30, 2022. Some of the devices quoted and included in the original application were no longer obtainable due to supply chain and computer chip issues. Reimbursement requests have taken 1 to 3 months to be approved. The reviewers are asking for more information in the review process than was indicated originally, such as packing slips, so it has been a struggle to find some receipts months later. Also, they are finding it difficult to find inexpensive ways to lock down and filter some of the devices.

- Elaine Williams: The Puerto Rico Department of Education has 857 schools, 265,000 students, and 33,000 teachers. The PRDE conducted a survey and found that 61% of students and 80% of teaching staff did not have sufficient internet at home for remote learning and teaching, which made it difficult for the students to use the laptops and iPads that the school district issued. The PRDE initially requested \$75 million in August for 188,000 hot spots but received approval in November for about \$70 million in funding in November, 2021. Unfortunately, two service providers notified the PRDE that they could not supply the initially scheduled devices on time because of supply chain problems. So, the vendors had to find a more readily available product. The PRDE submitted a service substitution request, which was filed with USAC Nov. 23, and which was approved Dec. 30. Then the PRDE launched its program on Jan. 17, 2022. But then a vendor said it needed an additional change, so another substitution request was filed. But USAC could not accept the second substitution request because it had not yet issued a Funding Commitment Letter for the first substitution request (even though it had already approved that request in writing.) So this has caused further delay.
- It is taking about 90 days for vendors to fill the orders for devices. There are significant delays on hot spots as well as delays for computers, tablets and consumer devices. Also, it is a large amount of work to distribute 188,000 devices during the middle of pandemic. As of today, the PRDE has received 120,000 applications for hot spots, 95,000 have been approved, and only 35,000 have actually been received by people. USAC staff has been very responsive, but the fact is that the program will only benefit students for a portion of the second semester despite everyone's best efforts.
- The PRDE's best estimate is that \$20-30 Million will be unused by June 30 because of approval and distribution delays. It would be a huge benefit for the students and teachers if the PRDE could use the full amount of the awarded funding for the next school year to complete distribution of the devices and for internet service. The PRDE is deeply worried about what to do if the program is not extended. For them, providing emergency relief for only 4-5 months would almost be worse than no relief, given the tremendous amount of time and effort it has taken to prepare for equipment distribution, service commencement and compliance reporting.
- Ashley Schweitzer: Hennepin County is the largest county in Minnesota including Minneapolis and several surrounding rural towns that have very different connectivity needs. In some rural areas 30% of households do not have internet access. Hennepin County partnered with the library system, which has 41 library locations, to apply for ECF funding. The County applied August 11, 2021 and received approval in October. However, we could not launch the program right away because we needed to develop the process. For instance, the libraries were not comfortable using the same circulation process for distributing devices. Also, the lawyers determined that individuals needed to provide a wet signature (not electronic), which added an administrative burden. Further, we wanted to leverage the existing state master contracts, but later learned

that we had to develop new special contracts specifically for this program. For instance, the contracts with the vendors often had specific language intended for schools, and needed to be re-worded to work for libraries. Now that we have worked through how to stand things up, we are confident we can meet these needs. This will be a successful program. But we very much need an extension of time. As a library system, we do not close in June, we are open year round, so we would love to provide service in the summer months.

- Michael Flood: Kajeet has focused on off-campus access and digital equity for 11 years, well before the COVID pandemic. Our company's mission is closely aligned with the purpose of the ECF program. Kajeet serves 2,500 schools, districts, libraries, colleges, and non-profits connecting students, staff and patrons off-campus; and about 250 are not yet able to deploy or are still awaiting approval. Even among those schools who have received funding commitments, many devices have not yet been deployed, either because of delays in the distribution process or because of contract problems. For those applicants only recently approved, they will start to deploy in March/April and will only have 3-4 months of service even though they received 12 months of funding. Because of this continuing need, it makes sense to extend the service delivery deadline to June 30, 2023.
- Also, a third application window is needed, preferably in April, with a much faster approval process (preferably before July 1). But the service delivery extension needs to ASAP and before announcement of a third window, so that applicants will know whether they can spend all of their allotted funding before they submit applications for the third window (and so that time is not wasted and to prevent any unintended duplication of funding requests).

Sincerely,



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