In the Matter of	)	
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Modernizing the E-Rate Program	)	WC Docket No. 13-184
For Schools and Libraries	)	
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COMMENTS OF THE WRITERS GUILD OF AMERICA, WEST, INC.

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Introduction

Writers Guild of America, West, Inc. (WGAW) is pleased to submit the following comments in response to the Federal Communication Commission's (FCC) Notice of Proposed Rulemaking (NPRM), "Modernizing the E-Rate Program for Schools and Libraries," released on July 23, 2013, WC Docket No. 13-184.

WGAW is a labor organization representing more than 8,000 professional writers working in film, television and new media, including news and documentaries. Virtually all of the entertainment programming and a significant portion of news programming seen on television and in film are written by WGAW members and the members of our affiliate, Writers Guild of America, East (jointly, "WGA"). Increasingly, video programming produced for initial distribution on the Internet is also written by WGA members.

The Internet has played a transformative role in society, altering communication, commerce, political discourse, education, news and entertainment. It has become the town square of the 21st century and Internet access is considered a basic human right. However, 19 million Americans currently lack access to broadband. As we have noted in numerous filings before the Commission, the lack of competition among both wired and wireless Internet providers has kept prices high, making Internet access, particularly high-speed access, unaffordable for many American families.[1] As such, connecting schools and libraries to the Internet is vital to ensuring that all Americans have Internet access and that children are taught the skills necessary for information age jobs. The E-Rate program has been integral to achieving this goal. Expansion of

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[1] See Comments of The Writers Guild of America, West, Inc., *Policies Regarding Mobile Spectrum Holdings*, WT Docket 12-269, November 28, 2012 , and Comments of the Writers Guild of America, West, Inc., *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Docket 12-268, January 25, 2013, and Comments of the Writers Guild of America, West, Inc., *In the Matter of Seventeenth Annual Report on the State of Mobile Wireless Competition*, WT Docket 13-135, June 17, 2013.

the E-Rate program will allow schools and libraries to keep pace with the demands of new technology. In addition, allowing public institutions that receive E-Rate funds to open their wireless networks to the local community will help expand Internet access, particularly in lower income areas. Such action will further the goals of the Universal Service Fund (USF) program and address the digital divide.

Expand E-Rate Funding to Support Broadband in Schools and Libraries

When the E-Rate program began in 1996 only 14% of classrooms were connected to the Internet. Today, nearly 100% of classrooms have Internet access, demonstrating the success of the Commission's program. Unfortunately, Internet speeds have not kept pace with adoption. About half of E-Rate schools report Internet speeds of 3 megabits per second (Mbps) or less.[2] Adoption of Internet-connected devices such as smart boards and digital textbooks that incorporate video require faster networks with more bandwidth. As a result, network capacity will face increased demand as schools integrate technology in curriculums. In addition, many districts are issuing students WiFi-connected devices or allowing students to bring their own devices to class for instruction and assessments. In Los Angeles, the school district will use bond funding to provide each of its 640,000 students with iPads. Such initiatives are exceptionally important and ensure that all students have access to 21st century tools regardless of income.[3] To support the integration of technology into the classroom school networks must increase network speed and capacity. In a recent survey, 89% of E-Rate recipients said that E-books and devices

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[2] Federal Communications Commission, Press Release, "FCC Releases Data From E-Rate Program and Broadcast Usage Survey—Survey finds faster broadband needed in schools and libraries," January 6, 2011, http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-303959A1.pdf

[3] Howard Blume, "LAUSD launches its drive to equip every student with iPads," LA Times, 8/27/2013, http://www.latimes.com/local/la-me-lausd-ipads-20130828,0,906926.story

will increase funding needs; 85% felt their institution was not equipped to meet future demands.[4] Current demand for funding has already exceeded the program's cap. For the 2013 fiscal year, the Universal Service Administrative Company (USAC), which administers the E-Rate program, received 46,189 applications seeking $4.9 billion in support, exceeding the program's cap by over $2 billion.[5]

To meet the administration's ConnectED goal of Internet speeds of 100 Mbps per 1000 students, the WGAW supports increased E-Rate funding through a temporary removal of the current program cap. In comments already filed with the Commission, many institutions have requested raising the cap to $5 billion. The Commission could also maximize the effectiveness of available funds to increase Internet access, speed and capacity by updating current Commission rules on services eligible for funding under the E-Rate program. For example, the Commission should retire funding for some outdated Priority 1 services, such as paging and directory assistance. Such action will ensure funds are put towards improving Internet services. We also suggest the Commission reform its Priority 2 process, which only allows institutions to apply for such services 2 out of every 5 years. Some Priority 2 services, such as funding for routers and cabling, can help increase network speeds and should be available to all E-Rate recipients. We encourage the Commission to consolidate appropriate funding categories and allow institutions to apply for the services that they choose. This will allow schools and libraries to prioritize services according to need, with a focus on increasing network speeds.

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[4] Funds for Learning, "USF for Schools and Libraries, FY 2013 and Beyond," 2/8/2013, slide 5.
[5] Notice of Proposed Rulemaking, *In the Matter of Modernizing the E-Rate Program for School and Libraries*, WC Docket 13-184, July 23, 2013, ¶45, ¶58

Schools and Libraries Should be Allowed to Open Wireless Networks for Community Use

Currently 19 million Americans, of which 14.5 million live in rural communities, lack access to fixed broadband. Even in geographies served by broadband providers, only 40% of Americans subscribe to broadband at the National Broadband Plan benchmark speed of 4 Mbps, estimated to be the minimum speed necessary to stream high quality video and use web browsers at the same time.[6] In a survey of non-broadband households, the National Telecommunications and Information Administration (NTIA) found that the entry cost of buying a computer or connected device and high monthly service bills are the major deterrents to broadband adoption.[7] NTIA's National Broadband data show that there are only seven states where 50% of the population has a choice between four or more providers.[8] The lack of competition among wired Internet providers has led to higher prices for consumers. While mobile devices have become important for Internet access, expensive data plans mean that cellphones and tablets are not affordable substitutes for wired broadband. Allowing anchor institutions to open their wireless networks for community use could introduce a basic level of service in low income and unserved communities.

E-Rate funding levels are indexed to need as measured by the percentage of students eligible for the National School Lunch Program (NSLP). Of the 50 million students served by E-Rate, 18 million are enrolled in institutions receiving 80-90% discounts, indicating that many of

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[6] FCC, *Eight Broadband Progress Report*, GN Docket 11-121, Released August 21, 2012, ¶5
[7] *Ibid* ¶147
[8] National Broadband Map, http://www.broadbandmap.gov/rank/all/state/percent-population/within-nation/speed-download-greater-than-3mbps-upload-greater-than-0.768mbps/ascending/number-of-wireline-service-providers-greater-than-3/number-of-wireline-service-providers-greater-than-6/number-of-wireline-service-providers-greater-than-4

these students qualify for NSLP and are from lower income households.[9] For families at 130% and 185% of the poverty line broadband may not be affordable.[10]

Average Price for Residential, Stand-Alone Broadband (2011)[11]					
Speed	Monthly Price	Annual Cost	Broadband as a Percent of Income[12]		
			At Poverty Line	At 130%	At 185%
1-5 Mbps	$35	$420	1.8%	1.4%	1%
5-15 Mbps	$44	$528	2.3%	1.8%	1.2%
15-25 Mbps	$56.50	$678	3%	2.3%	1.6%

In 2010, the Commission allowed E-Rate recipients to open their facilities to the community for the purpose of providing Internet access.[13] However, as Oakland Unified School District (OUSD) noted in a 2011 waiver request, opening the campus after hours raised institutional costs and required students and community members to travel through high crime areas in order to use a facility's Internet connection. To address these problems, the school district requested the ability to offer Internet to the community by opening its wireless network.

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[9] *Supra* 4, slide 9

[10] Pew has found the groups with the highest rates of home broadband adoption are whites, college graduates and households earning over $50 k a year. Pew Internet & American Life Project, "Home Broadband 2013," http://www.pewinternet.org/Reports/2013/Broadband/Findings.aspx

[11] FCC, *International Broadband Data Report*, GIB Docket 10-171, Released August 21, 2012, ¶33

[12] In 2011 the poverty line for a family of four was $22,350; at 130% it was $29,055 and at 185% it was $41,348

[13] *School and Libraries Universal Service Support Mechanism*, CC Docket 02-6, Order and NPRM, Released February 19, 2010

OUSD proposed that a nonprofit group would purchase and install wireless access points and the district would supply the network connection.[14]

Community WiFi programs support the Commission's access and education goals. WiFi networks will allow students to use the Internet for homework and research. Wireless internet access can also help promote digital literacy among older generations. Pew Research Center found that 21% of households that do not subscribe to broadband cite digital literacy as a major barrier.[15] Community WiFi will complement other USF initiatives, including the Connect America Fund and the Low Income program, both of which will expand Internet access.

Conclusion

The goals of the Universal Service Fund, which operates the E-Rate program, include increasing nationwide access to advanced telecommunications services and promoting the availability of quality services at fair and affordable rates for all consumers. These are important public policy goals and the WGAW strongly supports programs that expand access to high-speed Internet. The E-Rate program has played an important role in connecting our schools and libraries to the Internet. Expansion of the program to enable institutions to increase network speeds and capacity is vital to keep pace with technology. Further, allowing public institutions to use E-Rate funding to provide WiFi to the local community is critical to making Internet access more widely available and closing the digital divide.

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[14] Oakland Unified School District, *Request for Waiver of "Community Hotspots" Concept*, Docket 03-6, 1/11/2011
[15] *Ibid* ¶153