

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
 )  
Addressing the Homework Gap ) WC Docket No. 21-31  
Through the E-Rate Program )

**REPLY COMMENTS OF CTIA**

CTIA provides this reply to the comments filed in response to the Federal Communications Commission’s (“Commission’s”) Further Notice of Proposed Rulemaking regarding the E-Rate Wi-Fi hotspot lending program (“FNPRM”).<sup>1</sup>

**I. INTRODUCTION AND SUMMARY.**

Wireless providers are significant contributors to the universal service fund, and CTIA strongly supports the efficient and effective use of all universal service support, including E-Rate funding. CTIA therefore supports the FNPRM’s goal of “ensur[ing] that limited E-Rate program funds are being used effectively and efficiently, and that Wi-Fi hotspots and services are being used for educational purposes and are not going unused.”<sup>2</sup> We also agree with comments from educational institutions that stakeholders will be better able to comment on the controls in the program once they have gained experience with them, and that program requirements should not impose burdens that outweigh the program’s benefits, as that could deter participation.

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<sup>1</sup> *Addressing the Homework Gap through the E-Rate Program*, WC Docket No. 21-31, Report and Order and Further of Proposed Rulemaking, FCC 24-76, ¶¶ 103-113 (rel. July 29, 2024) (“FNPRM”).

<sup>2</sup> *Id.* ¶ 103.

## II. DISCUSSION.

CTIA agrees that the success of the E-Rate Wi-Fi hotspot lending program depends on appropriate safeguards to ensure that the services and devices receiving E-Rate support are actually in use for an educational purpose. In the Order, the Commission adopted “a sensible approach for addressing non-usage by focusing on distribution, prohibiting warehousing, [and] terminating service to lines that go unused for approximately 90 days” to promote program efficiency and minimize E-Rate funded Wi-Fi hotspots and services going unused.<sup>3</sup> The comments from educational institutions involved in the E-Rate program, which represent nearly all of the record, encourage the Commission to “monitor the program in its first year to collect usage and cost data” and use this information “to better craft changes to the program in future years” if needed.<sup>4</sup> They also uniformly caution against “requiring additional steps or imposing additional limits on applicants, which will only further discourage participation in the program leaving need in communities unmet.”<sup>5</sup>

Consistent with that framework, the comments reflect that the Commission should not consider shortening the 90-day non-usage period at this time. As commenters observe, there is no evidence that the 90-day non-usage rule in the Order will be inadequate to identify significant periods of non-usage beyond normal periods of non-usage inherent in the academic calendar and

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<sup>3</sup> *Id.* (referring to the adoption of “a rule to prohibit E-Rate support for lines of service that have not been used for a period of three consecutive months and have gone through the required notice process.” *Id.* ¶ 61).

<sup>4</sup> American Library Association (“ALA”) Comments at 3. *See also* North American Catholic Educational Programming Foundation, Inc. and Mobile Beacon (“NACEPF/Mobile Beacon”) Joint Comments at 4. Unless otherwise specifically stated, references herein to a party’s “Comments” refer to the party’s initial comments in response to the FNPRM filed between Sept. 30 and Oct. 25, 2024, in this docket.

<sup>5</sup> Dallas Independent School District (“Dallas ISD”) Comments at 3. *See also* ALA Comments at 1, 2; Dallas ISD Comments at 3-4; NACEPF/Mobile Beacon Joint Comments at 9, 19-20; Kajeet Comments at 2.

experienced with respect to all E-Rate supported services.<sup>6</sup> Moreover, a shorter period, such as 30 days, may not provide enough time for service providers to give notice to schools and libraries of non-usage and/or for educational institutions to determine the reason for the non-usage and how to address it.<sup>7</sup>

The comments also indicate significant concerns with the submission of data-usage reports in the invoicing process.<sup>8</sup> Commenters agree that submitting such reports would create significant burdens on applicants and raise significant questions about user and student privacy.<sup>9</sup>

The record also shows that other mechanisms on which comment is sought in the FNPRM, including billing paradigms such as usage-sensitive billing and mechanisms for applicants to remotely discontinue and re-establish lines of service, already are available today to schools and libraries, so stakeholders will be able to employ them if they are beneficial, and gain experience with whether they work.<sup>10</sup> As such, no additional rules related to these issues are needed now.

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<sup>6</sup> ALA Comments at 2-3; Dallas ISD Comments at 4; NACEPF/Mobile Beacon Joint Comments at 9-10.

<sup>7</sup> ALA Comments at 2-3; NACEPF/Mobile Beacon Joint Comments at 11-12.

<sup>8</sup> Dallas ISD Comments at 4; Kajeet Comments at 5; NACEPF/Mobile Beacon Joint Comments at 19-20.

<sup>9</sup> NACEPF/Mobile Beacon Joint Comments at 19; Kajeet Comments at 5.

<sup>10</sup> Dallas ISD Comments at 5; Kajeet Comments at 4-5. *See also* Letter from Alan Buzacott, Executive Director, Federal Regulatory and Legal Affairs, Verizon, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 21-31, at 2 (Mar. 20, 2024).

### III. CONCLUSION.

CTIA agrees with commenters that the Commission will be better able to assess the effectiveness of usage controls in the E-Rate Wi-Fi hotspot lending program once parties gain experience with the existing rules, and that experience will help the Commission avoid overly burdensome requirements that would raise privacy concerns or undermine the program's ability to achieve its stated goals.

Respectfully submitted,

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