

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

In the Matter of

Inquiry Concerning the Deployment of Advanced )  
Telecommunications Capability to All Americans )  
in a Reasonable and Timely Fashion, and Possible ) GN Docket No. 14-126  
Steps to Accelerate Such Deployment Pursuant to )  
Section 706 of the Telecommunications Act of )  
1996, as Amended by the Broadband Data )  
Improvement Act )

**Comments of AASA, The School Superintendents Association, Association of  
Educational Service Agencies, National Rural Education Association, and National  
Rural Education Advocacy Coalition**

On behalf of AASA, The School Superintendents Association, representing more than 10,000 school system leaders across the country, we write to relay our response to the Federal Communications Commission's (FCC) recent Notice of Inquiry (NOI) examining the important work of ensuring equitable access across the nation's communities. The NOI, dated January 29, 2015 looks at the deployment of advanced telecommunications capability to all Americans in a reasonable and timely fashion. AASA is joined in this filing by the Association of Educational Service Agencies (AESA), the National Rural Education Association (NREA), and the National Rural Education Advocacy Coalition (NREAC), hereinafter referred to collectively as 'the schools'.

To the extent this NOI is examining the persistent connectivity gaps that exist between communities, especially urban and rural communities, we write to highlight the unique role that Educational Broadband Services (EBS) can play in bridging that gap and to relay our continued support for ensuring that the EBS program remains committed to its original education-centric focus.

The schools' advocacy related to the EBS program is not new. Originally known as the Instructionally Televised Fixed Services (ITFS) program, EBS represents a collection of microwave channels that the FCC licenses to certain educational institutions, including K12 schools. The program was originally designed as a way to support educational agencies in delivering live/pre-recorded instructional television in an educational setting. These educational entities include universities, community colleges, school districts and the Catholic schools. We were deeply involved in a yet-to-be-resolved discussion in 2008 related to the licensing of white space adjacent to the EBS licenses.<sup>1,2</sup>

EBS spectrum has a unique role to play in helping to bridge the connectivity gap that can exist between communities, most notably between urban and rural communities. EBS is used to provide wireless broadband. The connectivity speed is slower than that of the E-Rate program and is not used to connect schools to the Internet, but it still remains beneficial to schools. That is, the benefit of EBS to schools and other licensees lies not in their direct utilization of the EBS frequencies, but in using the spectrum, or leasing it, for the purpose of providing wireless broadband to a school district's community.

What is now called EBS has gone through several incarnations since it was conceived of in the early 1960s. Initially, it was intended to deliver instructional television programs from a central hub to outlying schools. Next, as instructional use began to wane, the Commission permitted educational licensees to benefit financially by leasing it to deliver wireless cable services. Later, when wireless cable failed, the Commission

---

<sup>1</sup> AASA et al *Comments on WT Docket No. 03-66 RM-10586; WT Docket 03-67; MM Docket No. 97-217; WT Docket No. 02-68 RM-9718; [http://www.aasa.org/uploadedFiles/Policy\\_and\\_Advocacy/NREAC/EBSCCommentsFILED092208.pdf](http://www.aasa.org/uploadedFiles/Policy_and_Advocacy/NREAC/EBSCCommentsFILED092208.pdf) (Sept. 2008)*

<sup>2</sup> AASA et al *Reply Comments on WT Docket No. 03-66 RM-10586; WT Docket 03-67; MM Docket No. 97-217; WT Docket No. 02-68 RM-9718; <http://apps.fcc.gov/ecfs/document/view;jsessionid=V6gLOTBpM9LrhCn5GjH9lMxwkr2fcQh0CTYgDgvmZ2mpCFQy4qVF!-224088840!NONE?id=6520176955> (Oct. 2008)*

converted the spectrum to the current utilization, wireless broadband, again permitting educational licensees to benefit financially from leasing it to commercial wireless broadband providers.

In 1995, the Commission froze further licensing of EBS spectrum. This year, the freeze will celebrate its twentieth anniversary. In approximately half the geographical area of the United States, the spectrum lies fallow. No licenses have been issued.

Much of the unlicensed areas are rural communities where commercial wired broadband service is unavailable because it is uneconomical. Such communities stand to derive the greatest benefit if the Commission should lift the freeze to permit educational institutions to obtain licenses and, one way or the other, deliver broadband to rural areas.

In 2008, the Commission launched a proceeding aimed at lifting the freeze and adopting new rules for awarding EBS licenses. But like the spectrum itself, this proceeding has lain fallow for the past seven years. AASA, the schools, and other sister, educational organizations filed comments in that proceeding giving their views on how new EBS licenses should be issued to the benefit both of educational institutions and their communities. We won't repeat those arguments in detail here, and provided citation to those comments in a previous footnote. Suffice it to say, new EBS rules should have two objectives. The first is to encourage wireless broadband deployment, particularly in rural areas where wireless seems the only way for students to have access to the Internet from home. The second is that to the extent EBS licensees benefit financially from a license, that benefit should extend to all eligible entities in the service area of the license.

In 2014, the FCC demonstrated unprecedented leadership in bolstering programmatic and funding changes to the E-Rate program designed to expand broadband and WiFi connectivity to classrooms and libraries across the country. This will be of great benefit to educators. The schools believe the same thing will happen if the freeze on wireless broadband licensing is lifted.

AASA and the schools visualize that in rural areas, EBS licensees will build wireless broadband facilities themselves or lease to their county, town or local government for the purpose of providing a municipal wireless broadband connection for the general community. In urban areas, especially urban areas where new licenses are granted to educational agencies (including new licenses related to white space), the license holders would realize a revenue stream from the leased licenses. While the revenue stream would be larger in the urban areas, the benefit to all communities is clear: the leased licenses bring broadband to communities, a connectivity that is especially critical in rural communities who may never see fiber. The direct educational benefit is related to the homework gap that FCC Commissioner Jessica Rosenworcel is so keen to talk about: while kids are increasingly connected in an equitable manner in the classroom setting, the same cannot be said for Internet access in the home, meaning some children are at a distinct homework disadvantage (this is the homework gap). EBS is a direct path to closing the homework gap and working to ensure that students have access to broadband when they are home.

Respectfully submitted

Noelle Ellerson  
Associate Executive Director, Policy & Advocacy  
AASA, The School Superintendents Association  
1615 Duke Street  
Alexandria VA 22314  
703-875-0764  
[nellerson@aasa.org](mailto:nellerson@aasa.org)

Legislative Liaison,  
AESA, NREA and NREAC

Leslie Finnan  
Policy Analyst  
AASA, The School Superintendents Association  
1615 Duke Street  
Alexandria VA 22314  
703-875-0738  
[lfinnan@aasa.org](mailto:lfinnan@aasa.org)

Legislative Liaison,  
AESA, NREA and NREAC

March 5, 2015