



PRETORIA HIGH SCHOOL FOR GIRLS

PARK STREET ARCADIA
P/BAG X841 PRETORIA 0001
website: www.phsg.org.za

TEL: 012 430-7341
FAX: 012 342-1955
E-mail: info@phsg.org.za

22 January 2010

The Project Leader
ICASA
Private Bag X10002
Sandton
2146

Attention: Ms. Thenjiwe Dube
Tel: 011 566 3407
Fax: 011 566 3408
Email: tdube@icasa.org.za

BY EMAIL

Written representation on the "Draft E-rate Regulations" as published in Government Gazette No. 32789 (Notice 1610 of 2009) of 7 December 2009.

Dear Ms. Dube,

Pretoria High School for Girls wishes to thank ICASA for the opportunity to comment on the above mentioned document.

We wish to place on record the frustrations experienced with the existing regulations due to the lack of clarity in terms of the procedures to be used when applying for the e-rate discount where the licensee in question is not Telkom. As our internet services are provided by a third party provider (licensee) we were unable to finalise the legislated discounts. This inability was due to apparent disputes between licensees, the ISPA and ICASA.

Having examined the draft regulations we are of the opinion that while the inter licensee process has been clarified, there are no details regarding the process to be followed by educational institutions wishing to take advantage of this discount.

We would suggest that an additional section be added to regulation (2) Application process / Guiding principles to accommodate the application made by the educational institution.

- (a) An educational institution who wishes to take advantage of the 50% discount on the retail rate should make application with their immediate service provider (licensee who provides the internet access). The application should contain all relevant information as per the application form in Schedule A.
- (b) The service provider to whom the application is made must, within 7 (working) days make application to the upstream licensee and provide the school with confirmation of this application.

In terms of the disputes process, we would suggest that a time limit be set for the resolution of disputes. This could be achieved by adding the following to regulation (5).

- (c) Any dispute that is lodged in terms of regulation (2) (d) must be heard by the relevant authority within a period of 60 days.
- (d) Where disputes are resolved in favour of the educational institution the discount applicable should be applied retrospectively to the date of original application.

In terms of the invitation to make written representations we confirm that we have no wish to make oral submissions at a later date.

We look forward to the implementation of the new regulations and hope that the process will be simplified, allowing for an enhanced educational opportunity for the learners of our country.

Yours sincerely,

James Tubb
Chairman of the Governing Body
Pretoria High School for Girls