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February 28, 2019

**Via ECFS**

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: *Ex Parte* Filing – Promoting Telehealth and Telemedicine in Rural America,  
WC Docket No. 17-310**

Dear Ms. Dortch:

The American Cable Association (ACA) represents smaller telecommunications and broadband providers that participate, or otherwise have an interest, in the Rural Health Care Telecommunications Program (RHC Program). Recently, a number of interested parties filed comments to refresh the record regarding the determination of rural rates for calculating support for the RHC Program in response to the Wireline Competition Bureau's Public Notice.<sup>1</sup> ACA agrees with the comments of NCTA – The Internet & Television Association, GCI, and others that explain why the Commission should refrain from subjecting rural rates for RHC-purchased services to strict regulatory oversight.<sup>2</sup> These services also are Business Data Services, which the Commission has decided for the most part should not be subject to price regulation. Moreover, over the past two decades, the Commission has moved to detariff rates for most telecommunications services offered by competitive and incumbent providers alike. This represents a recognition that it is difficult for the Commission to establish rates that reasonably reflect market conditions and that competitive forces should be relied upon wherever possible.

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<sup>1</sup> *The Wireline Competition Bureau Seeks Additional Comment on Determining Urban and Rural Rates in the Rural Health Care Program*, WC Docket No. 17-310, Public Notice, DA 18-1226 (WCB Dec. 4, 2018).

<sup>2</sup> Reply Comments of NCTA – The Internet & Television Association, WC Docket No. 17-310 (Feb. 13, 2019); Additional Reply Comments of GCI Communication Corp., WC Docket No. 17-310 (Feb. 13, 2019); Comments of TeleQuality Communications, LLC, WC Docket No. 17-310 (Jan. 30, 2019).

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Accordingly, the Commission should not adopt a highly regulatory regime to determine rural rates for the RHC program for services offered on a competitive basis. Rather, it should rely on a competitive bidding process and should simplify the rules to attract more providers to participate. Further, to lessen concerns about excessive rural rates, the Commission should require greater transparency in the RHC Program, including by making prospective bidders more aware of opportunities, releasing bid prices to the public, and filing detailed descriptions of funding requests.

This letter is being filed electronically pursuant to Section 1.1206 of the Commission's rules.<sup>3</sup>

Sincerely,



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<sup>3</sup> 47 C.F.R. § 1.1206.