

July 30, 2019

***VIA ELECTRONIC MAIL***

Federal Communications Commission

445 12th Street SW,

Washington, DC 20554

**Re: RHC Telecommunications Program - FCC Form 466 - Denial Notice - HCP# 67148  
Dillingham / Bristol Bay Region - FY 2019**

To whom it may concern:

Dillingham / Bristol Bay Region hereby appeals the Rural Health Care Division's (RHCD) denial of funding notice issued May 31, 2019 (attached). This appeal is filed in a timely manner, on the 60<sup>th</sup> day from the notice of denial.

**About Hope Community Resources**

HCP #	HCP Name	HCP Location
67345	Soldotna/Kenai Peninsula (Consortium Lead)	47202 Princeton Avenue, Soldotna, AK 99669
16959	Soldotna/Kenai Peninsula	47202 Princeton Avenue, Soldotna, AK 99669
16957	Barrow/North Slope Region	5452 North Star Street, Utqiagvik, AK 99723
16882	Kodiak Aleutian Region	917 Mill Bay Road, Kodiak, AK 99615
67148	Dillingham/Bristol Bay Region	2301 Sockeye Circle, Dillingham AK 99576
66737	Hope Community Resources	540 W. International Airport Road, Anchorage, AK 99518
67341	Hope Discovery Center	650 W. International Airport Road, Anchorage, AK 99518
16960	Mat-Su Region	4901 East Mayflower Lane, Wasilla, AK 99654

Dillingham / Bristol Bay Region is part of Hope Community Resources ("HCR"), a non-profit organization providing community supports to individuals and families who experience intellectual and developmental disabilities, traumatic brain injury and mental health challenges. HCR provide services through regional offices located in Anchorage, the Mat-Su Valley, Dillingham, Kodiak, Seward, Barrow, and the Kenai Peninsula. In addition, HCR serves the

outlying areas and numerous rural communities within each region. The people who choose HCR range in age from infancy to the elderly, are of diverse ethnic background, and experience a range of disabilities. Each person is individual and unique in the supports they need and request.

Nancy Stuart Johnson came to Alaska with a pioneering spirit. She headed north from Florida with her husband, Don, and their four children in 1967. Nancy moved to Circle, Alaska in October, just weeks before the Tanana and the Chena Rivers flooded. A newcomer and barely settled in her own home, Nancy did not let that keep her from helping in the community during the disaster. Day care centers were set up around town to take care of children whose parents were busy fighting the flood. But Nancy recognized that some of the children needed extra care. Nancy worked with children with developmental disabilities in Florida, but only as a volunteer. That was enough. Her interest was piqued and she acted. Nancy went to the Department of Health and offered her services. Unwittingly, she tapped a serious need in the community. Nancy's single act of selflessness, the fostering of one child who experienced a developmental disability, led to the birth of Hope Community Resources.

A year after the floods, Nancy's family moved to Anchorage. Here, they began caring for fourteen foster children, all of whom experienced a disability. In order to continue caring for so many children, the state informed Nancy that she would have to apply for an institutional license.

On October 28, 1968, Nancy formally named her new organization Hope Cottage. Since then, the agency has undergone immense growth and numerous changes. In this new millennium HCR continues to grow as the State of Alaska works towards eliminating the wait list for services.

HCR is growing and in April of 2019 was looking to fill more than 50 job openings at its offices around the state, including Anchorage, Mat-Su, Kodiak and Dillingham. Reliable and quality broadband connectivity from HCR sites to Anchorage (where medical specialists and Internet points of presence are located) is costly. HCR relies heavily on these connections to provide remote access to specialty care and to access its health information systems.

### **Background for Funding Request**

A diligent step by step process was followed in an attempt to meet all deadlines. However, the administrative process prohibited HCR from filing online. Online filing was not an option so paper applications were submitted via E-mail and United States Postal Service Certified Mail. The E-mail requests were denied and we have not seen a response to the requests made via Certified Mail.

Timeline of Events (includes all activity):

- April 1, 2019: Filed 460 to register ineligible urban sites, RHC HCF Program - FCC Form 460 - Confirmation of Receipt - HCP# 66737 and 16960.
- April 9, 2019: RHC HCF Program - FCC Form 460 - Confirmation of Registration - HCP# 66737.
- April 10<sup>th</sup>, 2019: PQA issued to old contact: CASE ID: RHC-2018-11-Case-364.
- April 11, 2019: RHC HCF Program - FCC Form 460 - Confirmation of Registration - HCP# 16960.
- April 15<sup>th</sup> 2019: Confirmation that the Dillingham / Bristol Bay Region HCP (67148) performs Psychosocial Mental Health and Behavioral Health Services.
- April 17<sup>th</sup>, 2019: Re: Consortia Application – HCF, we attempted to resolve LOE expectations, per RHC-Assist: Thanks for reaching out to us, it was a pleasure speaking with you today. We spoke about the necessity of an LOE when the sites of a consortium are owned and operated by the same entity. As no sample LOE document was available on the website, I recommended to use the LOA as a template but to be sure to include all needed requirements.
- April 17<sup>th</sup> 2019: HCR site addresses confirmed and Form 460 filed for RHC HCF Program - FCC Form 460 - Confirmation of Receipt - HCP# 67148, 16882, 16959.
- April 18<sup>th</sup> 2019: RHC HCF Program - FCC Form 460 - Confirmation of Receipt - HCP# 16957.
- April 19<sup>th</sup> 2019: RHC HCF Program - FCC Form 460 - Eligibility Confirmation - HCP# 16959 and 16882.
- April 22<sup>nd</sup> 2019: PQA information returned to USAC.
- April 30<sup>th</sup> 2019: A reminder was received for an information request made on April 22<sup>nd</sup> of 2019 for 67148. However, the original request was never located.
- May 2<sup>nd</sup> 2019: Filed 460 to register ineligible urban sites, RHC HCF Program - FCC Form 460 - Confirmation of Receipt - HCP# 67341.
- May 2<sup>nd</sup> 2019: RHC HCF Program - FCC Form 460 - Eligibility Confirmation - HCP# 67148, and 16957.
- May 2<sup>nd</sup> 2019: 460 filed to create consortia of approved Health Care Providers, RHC HCF Program - FCC Form 460 - Confirmation of Receipt - HCP# 67345.
- May 2<sup>nd</sup> 2019: RHC Telecommunications Program - FCC Form 465 - Confirmation of Receipt, Review Pending - HCP # 67148, 16882, 16959, an 16957.
- May 2<sup>nd</sup> 2019: FCC Form 465 - Confirmation of Posting - HCP # 16882, 16959, an 16957. Note: 67148 was the only applicant that did not post. A procurement document was posted and shared with bidders that could potentially respond. The Invitation to Bid is located at [http://adsadsi.com/itb22/ITB\\_2019-20\\_HCR.pdf](http://adsadsi.com/itb22/ITB_2019-20_HCR.pdf) and addresses both Telecommunication Program and Healthcare Connect Fund requests.
- May 2<sup>nd</sup> 2019: RHC HCF Program - FCC Form 461 - Confirmation of Receipt - HCP# 16882, 67148, 16959, and 16957.

- May 7<sup>th</sup> 2019: RHC HCF Program - FCC Form 461 - Form Approval - HCP# 16882, 16882, 67148, 16959, and 16957.
- May 8<sup>th</sup> 2019: RHC HCF Program - FCC Form 460 - Eligibility Confirmation - HCP# 67345
- May 9<sup>th</sup> 2019: Resubmitted LOA/LOE information, RHC HCF Program - Letter of Exemption (LOE) - Confirmation of Receipt - LOE ID: 568451. Information was originally submitted on April 17<sup>th</sup> of 2019.
- May 10<sup>th</sup> 2019: RHC HCF Program - LOE Determination LOE ID: 568451.
- May 10<sup>th</sup> 2019: RHC HCF Program - FCC Form 461 - Confirmation of Receipt - HCP# 67345.
- May 14<sup>th</sup> 2019: RE: Info Request- Telecom FCC Form 465 67148 Hope Community Resources.
- May 14<sup>th</sup> 2019: RHC HCF Program - FCC Form 461 - Form Approval - HCP# 67345.
- May 20<sup>th</sup> 2019: RHC Telecommunications Program - FCC Form 465 - Confirmation of Posting - HCP # 67148 – 18 days after submitting.
- May 30<sup>th</sup> 2019: RHC Telecommunications Program - FCC Form 466 - Confirmation of Receipt - HCP # 16959 and 16882 for existing services.
- May 31<sup>st</sup> 2019: RHC HCF Program - FCC Form 462 - Confirmation of Receipt - HCP# 67345 for Network Equipment. Note the Form 462 for Internet Service should have been filed online at this point.
- May 31<sup>st</sup> 2019: RHC Telecommunications Program - FCC Form 466 - Confirmation of Receipt - HCP # 16959, 16957, and 16882. Note the Form 466 for 67148 should have been filed online at this point.
- May 31<sup>st</sup> 2019: Paper Form 462 filed vial E-mail and via US Postal Service for 67345. E-mail received saying paper forms could not be accepted. As of this writing, no response received from requests submitted via US Postal Service.
- May 31<sup>st</sup> 2019: Paper Form 466 filed vial E-mail and via US Postal Service for 67148. E-mail received saying paper forms could not be accepted. As of this writing, no response received from requests submitted via US Postal Service.

### **Waiver for Paper Submission**

The RHC Division of USAC is engaging a third party to review its business process. This situation is a prime example of a potential process fix that may also help justify the request for waiver.

Please note in working with the Schools and Libraries Division of USAC it is easy to request a Billed Entity number and takes very little time to have one assigned. In the Rural Health Care division the process can be quite lengthy as demonstrated in the timeline above. HCR is working to provide a valuable service in the Alaskan Community and the filing window deadline should not be a barrier for program participation when the process is burdened with administrative delays.

Eligibility reviews could be easily satisfied once the application is submitted. The normal review process could/should validate eligibility, regardless of pre-application considerations. For instance, sometimes a license will expire or not be renewed.

Administrative process review took up to 15 days in the Healthcare Connect Fund and the Form 465 for 67148 took 18 days to review. Valuable time was lost due to the process. Note that 67148 was already approved to participate in the Healthcare Connect Fund when the 465 was filed. If approved in one program, approval in the other program should be automatic.

The Invitation to Bid was published for 28 days at [http://adsadsi.com/itb22/ITB\\_2019-20\\_HCR.pdf](http://adsadsi.com/itb22/ITB_2019-20_HCR.pdf). A copy of the procurement documents were sent to bidders that could potentially respond.

Relief was granted to Healthcare Connect Fund Applicants that needed additional time due to unusual circumstances. HCR faces unusual circumstances and files this waiver request to allow the paper applications to be accepted and reviewed for funding consideration.

#### **Hope Community Resources Complies with Federal Rules**

ADS Advanced Data Services, Inc. works to support Universal Service Fund (USF) beneficiaries for a flat fee (not a percentage of reimbursement). The goal of serving the community in which our clients reside is of the utmost importance. Our clients utilize our online tools to manage the bid process, assuring that a fair and competitive bid process that selects the most cost effective solution (cost is always the most important factor). When evaluating cost, the low cost option is divided by the option being evaluated. So a true and objective percentage of cost is represented in the evaluation. We utilize the more stringent School and Library Division "E-rate" evaluation rules.

In conclusion, we ask the FCC to recognize the application as timely filed and process it accordingly with the other applications that were received on a timely basis. Thank you in advance for your prompt consideration of this request.

Sincerely,

/s/

Dan Kettwich

ADS Advanced Data Systems, Inc. on behalf of Hope Community Resources

Attachments:

-Denial Email from USAC with Form Submission and Certified US Postal Service Receipts



**Health Care Providers Universal Service  
Funding Request and Certification Form**

The deadline to submit this form is the June 30th end of the funding year.

Estimated time per response: 3 hours

**Read instructions thoroughly before completing this form. Failure to comply may cause delayed or denied funding.****Block 1: HCP Information**

1 HCP Name Dillingham/Bristol Bay Region	2 HCP Number 67148
3 Form 465 Application # 43195417	4 Consortium Name (If any)

**Block 2: Bill Payer Information**

5 Billed Entity Name Hope Community Resources	6 Billed Entity FCC RN 0016724577
7 Contact Name Jerry Kung	
8 Address Line 1 540 W. International Airport Rd	
9 Address Line 2	
10 City Anchorage	11 State AK 12 Zip 99518
13 Contact Phone #907 443 4801	14 Fax #888 802 6428 15 Email jkung@hopealaska.org

**Block 3: Funding Year Information**

16 Funding Year - Check only one box	<input checked="" type="checkbox"/> Year 2019 (7/1/2019-6/30/2020)	<input type="checkbox"/> Year 2014 (7/1/2014-6/30/2015)	<input type="checkbox"/> Year 2015 (7/1/2015-6/30/2016)	<input type="checkbox"/> Year 2016 (7/1/2016-6/30/2017)
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**Block 4: Service Information**

17 Type of Service & Circuit Bandwidth (Documentation required) MPLS 10 Mbps
18 Total Billed Miles 0 19 Maximum Allowable Distance (From Form 465)
20 Percentage of HCP's service used for the provision of health care. 100 (If less than 100%, please explain.) If the HCP indicated it is a part-time eligible entity (on Form 465), describe method of allocating prorated support.

21 Service Provider Name	GCI Communications			
22 Service Provider Identification Number (SPIN)	143001199			
23 Service Provider Contact Person Name	Ariel Burr			
24 Service Provider Contact Person's Phone #	907 968 7125			
25 Service Provider Contact Person Email	aburr@gci.com			
26 Circuit Start Location	2301 Sockeye Circle, Dillingham AK 99576			
27 Circuit Termination Location	6831 Arctic Boulevard Anchorage, AK 99518			
28 Billing Account Number	RH000220102			
29 Tariff, Contract or other document reference number				
30 Date Contract Signed or Date HCP Selected Carrier	31-May-2019			
31 Contract Expiration Date (mm/dd/yyyy or NA if MTM)	30-Jun-2020			
32 Service Installation Date	01-Jul-2019			
33 Actual Rural Rate per Month (Enclose Documentation)	62283.00			
34 If you are a consortium member OR have multiple carriers, please attach a Circuit Diagram to show how the sites interconnect and which carrier(s) provides each circuit segment. Circuit Diagram included: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
35 Are you a mobile rural health care provider? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, see instructions and attach a list of all sites to be served.				



IF YOU ARE REQUESTING SUPPORT FOR MILEAGE-BASED CHARGES, COMPLETE BLOCK 5 ONLY AND SKIP BLOCK 6. (PLEASE SEE INSTRUCTIONS). IF YOU ARE REQUESTING SUPPORT BASED ON URBAN/RURAL RATE COMPARISON, SKIP BLOCK 5 AND

COMPLETE ONLY BLOCK 6. YOUR APPLICATION CANNOT BE PROCESSED IF BOTH BLOCKS ARE COMPLETED.

**Block 5: Mileage-based Charge Discount Request**

Complete this block if you are seeking support for mileage (distance-based) charges only. Do not enter any other charges in this block. You may need to ask your service provider representative to provide this information

36 Billed Circuit Miles				
37 Monthly Mileage Charges (Exclude Channel Termination chgs, etc.)				
38 Cost per Mile per Month				

If Line 33 equals Line 37, please ensure that ONLY mileage-related charges are included in Line 37. (See instructions.)

**Block 6: Comprehensive Rate Comparison Request**

Complete Block 6 if you have not completed Block 5 and are requesting support for all elements of your telecommunications service necessary for the provision of health care. The information in this block will establish the difference between the urban and rural rates for your requested service. Please contact RHCD at (800 453-1546 if you need assistance.

39 One-time Urban Rate Charge (in selected large city)	0.00			
40 One-time Rural Rate Charge (in city where HCP is located)	0.00			
41 Monthly Urban Rate (in selected large city). From RHCD website: <input type="checkbox"/> or Other rate documentation attached: <input type="checkbox"/>	240.00			

If your circuit includes charges for mileage over the Maximum Allowable Dist., (Line 19), please complete Lines 42 to 44. Otherwise, skip to Block 7.

42 Billed Circuit Miles	0			
43 Monthly Mileage Based Charges				
44 Cost per Mile per Month	0.0			

**Block 7: Bid Documentation**

45 Did you receive any bids in response to the Form 465 Request for Services posted on the RHCD website? ☒ Yes ☐ No  
If you checked yes, copies of the bids MUST be submitted to RHCD.


**Block 8: Certification**

46 ☒ I certify that the above named entity has considered all bids received and selected the most cost-effective method of providing the requested service or services. The "most cost-effective service" is defined in the Universal Service Order as the service available at the lowest cost after consideration of the features, quality of transmission, reliability, and other factors that the health care provider deems necessary for the service to adequately transmit the health care services required by the health care provider.

47 ☒ Pursuant to 47 C.F.R. Secs. 54.601 and 54.603, I certify that the HCP or consortium that I am representing satisfies all of the requirements herein and will abide by all of the relevant requirements, including all applicable FCC rules, with respect to universal service benefits provided under 47 U.S.C. Sec. 254. I understand that any letter from RHCD that erroneously states that funds will be made available for the benefit of the applicant may be subject to rescission.

48 ☒ I hereby certify that the billed entity will maintain complete billing records for the service for five years.

49 ☒ I certify that I am authorized to submit this request on behalf of the above-named Billed Entity and HCP, and that I have examined this form and attachments and that to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

50 Signature 	51 Date MAY 31, 2019
52 Printed name of authorized person Dan Kettwich	53 Title or position of authorized person RHC Manager
54 Employer of authorized person ADS Advanced Data Services, Inc.	55 Employer's FCC RN 0015361231



**Please remember:**

- ♦ You must submit one Form 466 for **each service** (i.e., circuit) for which you request reduced rates. For example:
  - If you are requesting reduced rates for **two** T1 lines, you must submit **two** Forms 466.
  - If you are requesting reduced rates for **two** ISDN lines & **one** Frame Relay line, you must submit **three** Forms 466.
- ♦ **If the service described on this form is subject to the 28-day competitive bidding requirement, do not select a carrier or complete the Form 466 before or during the 28-day posting period.**
- ♦ **You must provide evidence of the urban rate if you have completed Block 6 and have not used the urban rates from the website.**
- ♦ This form, attachments, and supporting documents should be combined in one envelope and sent to the RHCD.
- ♦ If the service described on this form changes (e.g., rate change) during the funding year, **you must notify RHCD immediately** and submit a revised Form 466.
- ♦ If you have any questions, contact RHCD at (800) 453-1546.

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

Part 3 of the Commission's Rules authorize the FCC to request the information on this form. The data reported will be used to ensure that health care providers have selected the most cost-effective method of providing the requested services as set forth in 47 C.F.R. Section 54.603(b)(4). The information will be used by the Universal Service Administrative Company and/or the staff of the Federal Communications Commission, to evaluate this form, to provide information for enforcement and rulemaking proceedings and to maintain a current inventory of applicants, health care providers, billed entities, and service providers. No authorization can be granted unless all information requested is provided. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Act Project (3060-0804), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [pra@fcc.gov](mailto:pra@fcc.gov). PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0804.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

This form should be submitted online through the RHC Program online application system, My Portal.  
<https://forms.universalservice.org/usaclogin/login.asp>

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WASHINGTON, DC 20005

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PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7019 0160 0001 1226 0208

License Application

**dkettwich@adsadsi.com**

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**From:** RHC-Assist <rhc-assist@usac.org>  
**Sent:** Friday, May 31, 2019 10:43 PM  
**To:** dkettwich@adsadsi.com  
**Subject:** RE: [External Sender] Fwd: paper filed 466  
**Attachments:** 466 mail receipt.pdf; 466 mail receipt.pdf; 466paper - HCR Dillingham TP.pdf

Hi Dan,

Per the Form 466 instructions:

*Where to File-The FCC Form 466 must be filed with the Rural Health Care Program online through the online application system, My Portal (<https://forms.universalservice.org/usaclogin/login.asp>).*

In addition, we have a record of communications with you over the last two weeks, and you did not indicate that you were experiencing any My Portal issues that prevented you from submitting the form. Based on your statements below, you mentioned that the portal was slow but also “the issue was not submitting”. Therefore, we are unable to accept your mailed Forms 466.

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On 5/23/2019 2:32 PM, [dkettwich@adsadsi.com](mailto:dkettwich@adsadsi.com) wrote:

Thanks for checking. Been busy filing forms.

The issue was not submitting, but being kicked out of the active session. In addition, the system has been slow. Even in off hours.

Thanks, Dan

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Dan Kettwich  
Direct: 281.465.8888

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**From:** [rhc-assist@usac.org](mailto:rhc-assist@usac.org) <[rhc-assist@usac.org](mailto:rhc-assist@usac.org)>  
**Sent:** Thursday, May 23, 2019 1:24 PM  
**To:** [dkettwich@adsadsi.com](mailto:dkettwich@adsadsi.com)  
**Subject:** Re: System Problems?

Hi Dan,

Thank you for your email. Although we are still waiting for your response below, we looked into the situation you mentioned regarding HCP not find any issues. Please move forward with submitting the Form 466 for HCP 10728 if you still wish to seek funding.

If you have any other questions please email us at [rhc-assist@usac.org](mailto:rhc-assist@usac.org).

Warm Regards,  
LaQueca  
RHC-Assist Support Team

Thank you,  
Nicole Taylor  
RHC-Assist Support Team  
Rural Health Care Program  
Universal Service Administrative Company  
[RHC-Assist@usac.org](mailto:RHC-Assist@usac.org)

On 5/31/2019 11:24 PM, [dkettwich@adsadsi.com](mailto:dkettwich@adsadsi.com) wrote:

Please note the attached and forward to the correct department.

Additional information may be sent via email.

Thanks, Dan

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Dan Kettwich, ADS Advanced Data Services, Inc.  
410 North Jefferson, STE 326, Mount Pleasant, TX 75455  
Mobile: 936.230.1111  
Direct: 281.465.8888  
Toll Free: 888.465.8820 x702  
[www.adsadsi.com](http://www.adsadsi.com)

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