

BEFORE THE
FEDERAL COMMUNICATION COMMISSION
Washington D.C. 20554

In the Matter of Request for Review by Columbus
Community Hospital of the Decision of the
Universal Service Administration Corporation
Rural Health Care Division (USAC)

Docket No. 02 -60

**COLUMBUS COMMUNITY HOSPITAL REQUEST FOR REVIEW OF FUNDING
FROM
THE RURAL HEALTH CARE DIVISION
UNIVERSAL SERVICE ADMINISTRATION CORPORATION**

To: Marlene H. Dortch
Federal Communication Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: Universal Service Fund Appeal FY 2018
Columbus Community Hospital Funding Request Number
(FRN) 1839315

Submitted by: Michael O'Connor USF Consultants

I. Request for USAC Reversal

On September 30th, 2019 Columbus Community Hospital ("CCH") and USF Consultants received an email from USAC denying our appeal of April 8th, 2019.¹ We request the Federal Communication Commission review the denial of funding and reverse the USAC decision.

USAC, in their denial notification of March 29th, 2019², specified the only reason for the denial was the failure to provide information by 02/13/2019. No other reason was presented. USF Consultants did respond on 02/20/2019 11:43 AM to the request for information

¹ USAC Denial letter of September 30th 2019 Exhibit A

² USAC Denial notification of March 29th, 2019 Exhibit B

which was provided in a timely manner per the USAC email of 02/06/2019 1:16 PM which extended the deadline to 02/20/2019.³

II Overview of the Process

On January 23rd, 2019, USAC deviated from the standard procedure associated with the Telecommunication Program when requesting additional information. The normal process is notification by email there is a pending question which requires accessing the USAC Web Portal to retrieve the specific request. The notification is sent to the Primary Account Holder and Secondary Account Holders, ie consultants.⁴

On this day, USAC wished to include the Carrier Contact in the email along with the Primary Account Holder and Secondary Account Holders. The 4 page email was directed to validate the cost of the rural service.

USF Consultants received 66 requests in one day concerning the rural cost of services. My initial reaction was to contact USAC via the toll free number, unfortunately, the staff were not aware of the Rural Rate Request and responded to use the standard procedure to log in to receive the question. Incoming calls to USAC cannot be transferred and we relied on our internal staff to contact the carriers and begin the process of justifying costs.

The carriers were tasked with the cost justification and responded to USAC directly or to USF Consultants to forward to USAC. USF Consultants provided state and federal tariff rate information directly to USAC as additional carrier support information or individually. The notification of January 23rd, 2019 provided the standard 14 days to respond (calendar days). On or near the deadline of February 6th, 2019, I began to request extensions of 14 and 21 days.

I am not sure of the number of rural rate requests the communication carriers were processing which had been simultaneously requested on January 23rd, 2019, but the 14 day window was closing. The task to find competitive rates or provide copies of non healthcare clients billing information was labor and staff intensive.

On February 6th, 2019 9:15 AM my first email to USAC was to ask for additional time, 14 days, for all 66 informational requests I had received on January 23rd, 2019. USAC responded each FRN had to be requested individually with the proper subject line for tracking which must include the HCP Number and FRN. I began the task for all the FRNs.

The email request for additional time to respond to FRN 1839315 for Columbus Community Hospital, HCP 13192, was submitted to USAC at 9:54 AM on February 6, 2019. Request an additional 21 days to respond.⁵ I continued to send requests for similar time extensions for all pending information requests.

³ USAC email Feb 6 2019 1:16 PM Exhibit C

⁴ USAC email Jan 23 2019 2:39 PM Exhibit D

⁵ email to USAC requesting extension Exhibit E

On February 6th, 2019 1:16 PM, I received notification, similar to the original information request of January 23rd, 2019 which extended the deadline to respond until 02/20/2019. This email provided an additional 14 calendar days. Not the 21 I was hoping for, but workable.

On February 7th, 2019 9:53 AM, I received an email from USAC extending the deadline until 02/13/2019.⁶ This was a single sentence email without including the Primary Account Holder or the Carrier Contact.

The last email of note is from February 7th, 2019 2:25 PM⁷, which was not in the same format as the previous emails concerning the rural rate and looked similar to a standard program notification. It was addressed to Phil Roberts only, subject: Urgent; Information on Telecom Program Rural Rate Information. The email had no HCP Number or FRN designation. [I received a similar single generic email at 3:25 PM EST.⁸] The email goes on to state the previous day a courtesy email had been sent and the heading of the message incorrectly listed the deadline to respond to the information request. The heading of the previous days email, February 6th, 2019, was Urgent: RHC Telecommunications Program - Rural Rate Information Request HCP 13192 - FRN 1839315. As you might note, the heading did not mention the deadline. The deadline information was listed in the middle of the 1st page. This was a 4 page email.

I have included the main heading information and subject line for each of the emails. Full email are included as exhibits to this appeal.

Information contained in the email

January 23, 2019 2:39 PM

RHC Telecommunications Program - Rural Rate Information Request HCP 13192 - FRN 1839315

From: RHC-Review

To: Phil Roberts (*Primary Account Holder Hospital*)

Cc: Tommy Johnson (*Charter*), Michael-Laura-Maryann (*USF Consultants*), RHC Review

Date	01/23/2019
Program	Telecommunications Program
Fund Years	2018
Health Care Provider	Columbus Community Hospital
HCP Number	13192
Funding Request Number	1839315
Deadline	02/06/2019

⁶ USAC email Feb 7 2019 9:53 AM Exhibit E

⁷ USAC email Feb 7 2019 2:25 PM Exhibit F

⁸ USAC email Feb 7 2019 3:25 PM Exhibit G

February 6, 2019 1:16 PM

URGENT: RHC Telecommunications Program - Rural Rate Information Request HCP 13192 - FRN 1839315

To: Phil Roberts (*Primary Account Holder Hospital*)

Cc: Tommy Johnson (*Charter*), Michael-Laura-Maryann (*USF Consultants*), RHC Review

URGENT RESPONSE REQUIRED TODAY

Date	02/06/2019
Program	Telecommunications Program
Fund Years	2018
Health Care Provider	Columbus Community Hospital
HCP Number	13192
Funding Request Number	1839315
Deadline	02/20/2019

February 6, 2019 9:54 AM

RHC-Review (usac.org) RHC Telecom Program -Rural Rate Information Request HCP 1312 FRN 183 9315

From; Michael O'Connor

To: RHC-Review, Jimmy Fish, Tony Smullen

Request an additional 21 days to respond.

February 7, 2019 9:53 AM

RHC-Review (usac.org) RHC Telecom Program -Rural Rate Information Request HCP 1312 FRN 183 9315

From: RHC-Review

To: Michael O'Connor, Jimmy Fish, Tony Smullen, RHC-Review

Your request for an extension has been granted. You will receive a 7-day extension, which will make your deadline 11:59 PM EST Wednesday February 13, 2019.

February 7, 2019 2:25PM CST

Urgent: Information on Telecom Program Rural Rate Information

From: USAC Rural Health Care Program

To: Phil Roberts

Important Information on Your FY2018 Rural Rate Information Request

"Yesterday, you received a courtesy email from USAC reminding you that it was the last day for you to submit a response to an information request regarding rural rates

for your funding request in the RHC Telecommunication program. The original information request dated January 23rd, 2019 stated that you had until February 6, 2019 to respond, or to request an extension of the deadline. Please note, the heading of yesterday's message incorrectly listed the deadline to respond to the information request. To limit any confusion, USAC has now extended your deadline until tomorrow, Friday February 8th at 11:59 pm EST."

III Argument

We can agree, the first email has no issues. The subject line identifies the HCP and the FRN. The Primary Account Holder, Secondary Account Holders and the Carrier Contact.

The next email, in time order, is the request for 21 additional days to respond.

The next email is the one which clearly extends the deadline to 02/20/2019. Again, the subject line identifies the HCP and the FRN. The Primary Account Holder, Secondary Account Holders and the Carrier Contact.

At this point in time, February 6th, 2019 11:59 PM EST the deadline presented by USAC in their initial email has expired. All parties to the initial email have been advised the new deadline is 02/20/2019.

It is now the next day, February 7th, 2019 there is an email which extends the deadline to 02/13/2019. The email does not follow the protocol established by USAC to include the Primary Account Holder or the Carrier Contact.

Later in the afternoon, on February 7th, is about this time USAC has the meltdown. A blast email is sent to help convey the situation. The email is sent without HCP Numbers or FRN Identification just a hey, "yesterday you received a courtesy email." Ignore the email and by the way the deadline is now 02/08/2019. But just a few hours earlier the deadline was extended to 02/13/2019 on this specific FRN. So this email does not apply to FRN 1839315 or does it?

So what is the deadline? 02/08/2019 or 02/13/2019 or 02/20/2019.

The answer is 02/20/2019. USAC requires the Primary Account Holder be notified of all USAC decisions and requests. In this case, USAC advised the Primary Account Holder, the Carrier Contact, and Secondary Account Holders the deadline was 02/20/2019. This allowed all parties to prioritize their efforts in meeting a burdensome task. The USAC email of 02/07/2019 does not clearly identify, in the subject line, which Funding Request is being discussed. Since, CCH had multiple pending requests.

Once USAC reestablished the deadline for FRN 1839315 of 02/20/2019 and communicated the deadline to all parties, the deadline date became 02/20/2019. If USAC wished to revise the deadline date, the same process should have been followed. An email with the

appropriate subject line including HCP Number and FRN should have been crafted and transmitted to the Primary Account Holder, Carrier Contact, and Secondary Account Holders.

I disagree with USAC, the email of February 6th, 2019 was a courtesy email. There is no indication on the document the email is a courtesy and should be ignored. Which USAC emails should I follow and which are optional as they are a courtesy?

As an example [different FRN] of a properly formatted email of a follow up Rural Rate Request email noting a new deadline, USAC addresses the email to the Lead Consultant, Cc Primary Account Holder, Carrier Contact, and Secondary Account Holders. HCP 13192 FRN 1839627⁹ All parties involved with the Rural Rate Information Request are simultaneously notified of the new deadline for information.

Lastly, I find it extremely alarming, USAC would be so disingenuous to state in their findings, "USAC contacted CCH shortly thereafter to clarify the deadline specified in the original request" when the contact in question was nothing more than a blast email noting a deadline of 02/08/2019. No HCP number, no FRN, just a last minute cover your ass attempt. If USAC will go to this lengths, in an appeal process, to distort the facts, can the process be trusted.

IV Conclusion

USAC acknowledges in their response transmitting an email identical in format with the original request having a deadline of February 20, 2019 to respond. The email of February 6th, 2019 included notification to all parties included in the original request of January 23rd, 2019.

USAC should admit they made a mistake. Instead there is a need to classify an email as courtesy in an attempt to marginalize the fact a new deadline was established. And then compound the issue by a misleading statement about contacting CCH shortly thereafter to clarify the deadline.

⁹ USAC email Feb 26, 2019 9:50 AM Exhibit H

V Request for Immediate Reversal of USAC Finding and Grant Full Funding

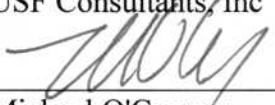
I am requesting the FCC to reverse the decision of USAC based upon the information provided in the above sections. I also request the FCC to grant full funding without any delay and direct USAC to issue a Health Care Provider Support Schedule ("HCPSS") for the communication service in the amount of \$113,635.08 to CCH for FRN 1839315, Funding Year 2018.

Dated this 7th Day of November, 2019

Respectfully submitted,

USF Consultants, Inc

By:


Michael O'Connor
President

Contact Information:
Michael O'Connor
USF Consultants
PO Box 23
Gladstone, MI 49837
(906) 420-8590
Michael@usfnw.com



Rural Health Care Division

Administrator's Decision on Rural Health Care Program Appeal

Via Electronic Mail

September 30, 2019

Mr. Jimmy Fish
Columbus Community Hospital
1515 Park Ave
Columbus, WI 53925

Re: Columbus Community Hospital – Appeal of USAC's Decision for
Funding Request Number 1839315

Dear Mr. Fish:

The Universal Service Administrative Company (USAC) has completed its evaluation of the April 8, 2019 letter of appeal (Appeal) submitted on behalf of Columbus Community Hospital (CCH), health care provider (HCP) number 13192.¹ On March 29, 2019, USAC denied CCH's funding request for support under the federal Rural Health Care Telecommunications Program (Telecom Program).² The Appeal requests that USAC reverse its denial of funding for funding request number (FRN) 1839315 and permit CCH to receive support under the Telecom Program for funding year 2018 (FY 2018).³

USAC has reviewed the Appeal and the facts related to this matter and has determined that Federal Communications Commission (FCC) rules and requirements support the denial of FRN 1839315 because CCH failed to timely respond to USAC's request for information and documentation to demonstrate that the rural rate for its funding request complies with Telecom Program rules, as required by the FCC. Therefore, USAC denies the Appeal.

Background

The Telecom Program provides eligible health care providers (HCPs) with universal service support for the difference between urban and rural rates for eligible telecommunications services, subject to limitations set forth in the Commission's rules.⁴ HCPs request funding through the Telecom Program by submitting an FCC Form 466 on which they provide the

¹ See Letter from Michael O'Connor, USF Consultants, on behalf of Columbus Community Hospital, to Rural Health Care Division, USAC (Apr. 8, 2019) (Appeal).

² See Email from Rural Health Care Division, USAC to Columbus Community Hospital (Mar. 29, 2019) (Administrator's Denial).

³ See Appeal.

⁴ See 47 C.F.R. §§ 54.602(a), 54.604(b).

Exhibit A

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monthly urban and rural rates for the requested service to receive base rate support (i.e., the difference between the urban and rural rates), or mileage charges for funding requests for mileage-based support.⁵ HCPs that request base rate support are also required to submit supporting documentation for the urban and rural rates provided.⁶ HCPs must submit the FCC Form 466 and all supporting documentation prior to the end of the relevant funding year.⁷

After reviewing the funding requests, USAC issues funding decisions in accordance with the Commission's rules.⁸ The FCC clarified that, beginning with FY 2015, when USAC determines that an applicant lacks all supporting documentation accompanying its FCC Form 466 or the supporting documentation is inadequate, USAC shall inform the applicant promptly in writing of the omission or inadequacy and give the applicant 14 calendar days from receipt of that notice to submit the missing or relevant supporting documentation.⁹ The FCC stated that "if applicants do not provide timely responses to USAC requests for omitted or adequate supporting documentation, USAC shall deny the associated funding requests."¹⁰ USAC is not authorized to waive the FCC's documentation requirements.¹¹

CCH's Funding Request & Appeal

On May 15, 2018, CCH submitted an FCC Form 466 seeking support for services in the Telecom Program under FRN 1839315.¹² To support the rural rate reported on its FCC Form 466, CCH submitted an invoice from its selected service provider, CenturyLink Qwest Communications

⁵ See Health Care Providers Universal Service, Funding Request and Certification Form, OMB 3060-0804 (July 2014) (FCC Form 466); Form 466 Instructions, Rural Health Care Universal Service Mechanism, OMB 3060-0804 at 1, 3-6 (July 2014) (FCC Form 466 Instructions).

⁶ See 47 C.F.R. § 54.609(a)(2).

⁷ See 47 C.F.R. § 54.675(b); FCC Form 466 at 1; USAC, Rural Health Care Telecommunications Program: Submit Funding Requests, <http://www.usac.org/rhc/telecommunications/health-care-providers/step04/> (last visited Sept. 30, 2019); USAC, Rural Health Care Telecommunications Program: Supporting Documentation, <http://www.usac.org/rhc/telecommunications/health-care-providers/documentation.aspx> (last visited Sept. 30, 2019). Supporting documentation includes proof of the rural and urban rate, cost of service, copy of the signed contract (if applicable), and copies of bids received. *Id.* FCC rules also require applicants to maintain records to document compliance with program rules and orders for at least five years after the last day of service delivered in a particular funding year. See 47 C.F.R. § 54.619(a)(1). In addition, service providers must retain records related to the delivery of discounted services for at least five years after the last day of the delivery of the supported services, as well as any other document that demonstrates compliance with the statutory or regulatory requirements for the rural health care mechanism. See 47 C.F.R. § 54.619(d).

⁸ See USAC, Rural Health Care Telecommunications Program: Review, Approve, Submit, <http://www.usac.org/rhc/telecommunications/health-care-providers/step05/> (last visited Sept 30, 2019).

⁹ See *In the Matter of Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, 30 FCC Rcd 230, 231 at para. 3 (2015) (FCC Form 466 Deadline Order).

¹⁰ *Id.*

¹¹ See generally, 47 C.F.R. § 54.702(c) ("[USAC] may not make policy, interpret unclear provisions of the statute or rules, or interpret the intent of Congress."); 47 C.F.R. § 1.3 ("The provisions of this chapter may be suspended, revoked, amended, or waived for good cause shown, in whole or in part, at any time by the Commission, subject to the provisions of the Administrative Procedures Act and the provisions of this chapter.").

¹² See FY 2018 FCC Form 466 for FRN 1839315 (May 15, 2018).

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Company, LLC (CenturyLink).¹³ The invoice from CenturyLink was not sufficient to support the rural rate provided on CCH's FCC Form 466.

On January 23, 2019, USAC sent an information request to CCH requesting an explanation as to how the rural rate was calculated, as well as documentation to support the information provided in its response.¹⁴ USAC gave CCH fourteen (14) calendar days (*i.e.* until February 6, 2019) from the receipt of its notice to respond to the information request.¹⁵

On February 6, 2019, USAC emailed CCH to remind it that a response to the information request was due that day.¹⁶ However, because the reminder email noted the incorrect date for the response deadline, USAC sent a second email notifying applicants of the error and clarifying the correct response deadline.¹⁷

On February 6, 2019, CCH requested additional time to respond to USAC's information request.¹⁸ USAC gave CCH an additional seven (7) days to respond to its information request, which made the deadline for CCH to respond to the information request February 13, 2019.¹⁹ CCH responded to USAC's information request on February 20, 2019, which was seven (7) days after the extended deadline.²⁰ Therefore, on March 29, 2019, USAC denied FRN 1839315.²¹ CCH appealed the denial on April 8, 2019.²²

In the Appeal, CCH asserts that (1) its response to the information request was timely because USAC extended the response deadline to February 20, 2019, which was the date on which CCH submitted its response, and (2) its response to the information request was sufficient to support the rural rate for the funding request at issue.²³ We address these claims in our decision below.

Administrator's Decision on Appeal

As an initial matter, contrary to CCH's claim in the Appeal, USAC did not give CCH until February 20, 2019 to respond to the information request for FRN 1839315. Instead, USAC initially gave CCH

¹³ See CenturyLink, Invoice No. 1430520156 (Jan. 15, 2018).

¹⁴ See Email from Rural Health Care Division, USAC, to Columbus Community Hospital (Jan. 23, 2019) (Information Request).

¹⁵ See *id.*

¹⁶ See Email from Rural Health Care Division, USAC, to Columbus Community Hospital (Feb. 6, 2019).

¹⁷ See Email from Rural Health Care Division, USAC, to Columbus Community Hospital (Feb. 7, 2019, 4:06 PM).

¹⁸ See Email from Michael O'Connor, USF Consultants, on behalf of Columbus Community Hospital, to Rural Health Care Division, USAC (Feb. 6, 2019).

¹⁹ See Email from Rural Health Care Division, USAC to Columbus Community Hospital (Feb. 7, 2019, 9:53 AM).

²⁰ See Email from Michael O'Connor, USF Consultants, on behalf of Columbus Community Hospital to Rural Health Care Division, USAC (Feb. 20, 2019).

²¹ See Administrator's Denial.

²² See Appeal.

²³ See *id.*

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until February 6, 2019 to respond to the information request,²⁴ and subsequently extended the response deadline to February 13, 2019.²⁵ Although USAC's reminder email stated an incorrect response deadline, USAC contacted CCH shortly thereafter to clarify the deadline specified in the original information request.²⁶ Therefore, we reject this argument presented in the Appeal.

CCH also argues that its response to USAC's information request was sufficient to demonstrate that the rural rate for FRN 1839315 was in compliance with Telecom Program rules. However, as explained above, USAC is required to deny funding requests where applicants fail to timely respond to information requests.²⁷ The fact that CCH provided additional information to support the rural rate after the specified response deadline is immaterial. Therefore, we dismiss this argument.

Based on its review of the facts, USAC finds that CCH did not timely respond to its request for information and documentation required to support the rural rate noted on the FCC Form 466 for FRN 1839315, as required by the FCC. Without adequate support for the rural rates reported on CCH's FCC Form 466, USAC is unable to find that FRN 1839315 complies with FCC rules governing rural rates in the Telecom Program. USAC is not authorized to waive the FCC's documentation requirements for the Telecom Program.²⁸ Therefore, USAC denies the Appeal.

If you wish to appeal this decision to the FCC or request a waiver, you can follow the instructions pursuant to 47 C.F.R. Part 54, Subpart I (47 C.F.R. §§ 54.719 to 725). Further instructions for filing appeals or requesting waivers are available at:

<http://www.usac.org/about/about/program-integrity/appeals.aspx>.

Sincerely,

/s/ Universal Service Administrative Company

cc: Michael O'Connor, USF Consultants

²⁴ See Information Request.

²⁵ See Email from Rural Health Care Division, USAC, to Columbus Community Hospital (Feb. 7, 2019, 9:53 AM).

²⁶ See Email from Rural Health Care Division, USAC, to Columbus Community Hospital (Feb. 7, 2019, 4:06 PM).

²⁷ See *FCC Form 466 Deadline Order*, 30 FCC Rcd at 231, para. 3.

²⁸ See *supra* note 11.



Michael O'Connor <michael@usfnw.com>

RHC Telecommunications Program - FCC Form 466 - Denial Notice - HCP # 13192

rhc-assist@usac.org <rhc-assist@usac.org>

Fri, Mar 29, 2019 at 12:10 PM

To: proberts@cch-inc.com, laurie@usfnw.com, jfish@cch-inc.com, michael@usfnw.com, maryann@usfnw.com, rwiegel@cch-inc.com, e-rate@centurylink.com

Date: 29-Mar-2019
Program: Telecommunications Program
Funding Year: 2018
Health Care Provider (HCP) Name: Columbus Community Hospital
HCP Number: 13192
Funding Request Number (FRN): 1839315
FCC Form 465 Application Number: 43171907

The Universal Service Administrative Company (USAC)'s Rural Health Care (RHC) Program reviewed the FCC Form 466 (Funding Request and Certification Form) and supporting documentation submitted by the HCP referenced above. Based on the information provided, USAC is unable to provide support for the following reason(s):

1. On 1/23/2019 USAC issued an information request to the HCP requesting an explanation of the method used to calculate the rural rate for the FRN referenced above, as well as documentation to support the calculation. USAC gave the HCP until 2/6/2019 to provide the required documentation. The HCP requested an extension, which was granted with a deadline of 2/13/2019. However, the HCP did not respond to USAC's request before the specified deadline. In the absence of sufficient information and documentation to support the rural rate, USAC is unable to find that the FRN referenced above complies with Federal Communications Commission (FCC) rules governing rural rates in the Telecom Program. See 47 C.F.R. Â§ 54.607. The FCC requires USAC to deny funding requests where applicants do not provide timely responses to USAC's requests for omitted or adequate supporting documentation. See Rural Health Care Support Mechanism, WC Docket No. 02-60, Order, 30 FCC Rcd 230, 231, para. 3 (2015). Therefore, USAC denies the FRN.

Service Provider Name: CenturyLink Qwest Communications Company, LLC
Service Provider Identification Number (SPIN): 143037412

Next Steps

To appeal this decision, deliver a letter of appeal to USAC within 60 days of the date of this letter. Detailed instructions for filing appeals are available at: <http://www.usac.org/about/about/program-integrity/appeals.aspx>.

For More Information

Please do not reply directly to this email, as emails to this account will not be delivered to the RHC Program team. For questions or assistance, contact the Rural Health Care Program Help Desk at (800)-453-1546 or by email at RHC-Assist@usac.org.

For more information about the Telecommunications Program application process, refer to the Telecom Program Getting Started web page at <http://www.usac.org/rhc/telecommunications/process-overview/default.aspx/>.

For more information about the FCC Form 466, visit the Telecommunications Program Forms web page at <http://www.usac.org/rhc/telecommunications/tools/forms/>.

The HCP mailing contact, all account holders related to this circuit, the contact at the HCP's physical location have been copied on this email. In addition, a copy of this letter has been sent to the entity identified above as your selected telecommunications carrier.

Exhibit B

Michael O'Connor <michael@usfnw.com>

**URGENT: RHC Telecommunications Program - Rural Rate Information Request HCP 13192 -
FRN 1839315**

2 messages

RHC-Review <RHC-Review@usac.org>

Wed, Feb 6, 2019 at 1:16 PM

To: "proberts@cch-inc.com" <proberts@cch-inc.com>

cc: "e-rate@centurylink.com" <e-rate@centurylink.com>, "michael@usfnw.com" <michael@usfnw.com>, "laurie@usfnw.com" <laurie@usfnw.com>, "maryann@usfnw.com" <maryann@usfnw.com>, RHC-Review <RHC-Review@usac.org>

URGENT - RESPONSE REQUIRED TODAY

Date: 02/06/2019

Program: Telecommunications Program

Funding Year(s): 2018

Health Care Provider (HCP) Name(s): Columbus Community Hospital

HCP Number(s): 13192

Funding Request Number(s) (FRNs): 1839315

Deadline 02/20/2019

Rural Health Care Telecommunications Program Questions

The Universal Service Administrative Company (USAC) is requesting additional information and/or documentation to support the funding request(s) submitted for funding year (FY) 2018 in the federal Universal Service Rural Health Care Telecommunications Program (Telecom Program). The Telecom Program provides eligible health care providers (HCPs) with support for the difference between urban and rural rates for eligible telecommunications services, subject to limitations set forth in Federal Communication Commission (FCC or Commission) rules.¹ You are receiving this request outside of My Portal due to concerns that the rural rate stated on your FY 2018 FCC Form 466 may not comply with the Commission's rules for calculating the rural rate in the Telecom Program. In the absence of documentation as described below, your FCC Form 466 may be denied.

Rural Rates

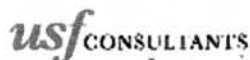
HCPs request funding through the Telecom Program by submitting an FCC Form 466 on which they provide the monthly urban and rural rate for funding requests for base rate support (i.e., the difference between the urban and rural rates).² HCPs that request base rate support are required to submit supporting documentation for the stated urban and rural rates.³

FCC rules provide that "[t]he rural rate shall be the average of the rates actually being charged to commercial customers, other than health care providers, for identical or similar services provided by the telecommunications carrier providing the service in the rural area in which the health care provider is located."⁴ "Similar services" are services that are functionally equivalent from the perspective of the end user with respect to bandwidth and whether the service is symmetrical or as does not provide similar or identical service in the rural area where the HCP is located. The carrier must compare the rates for the service being provided to the rates for similar or identical services in that rural area, over the same distance as the eligible service by other carriers. If there are no such tariffed or publicly available rates, or the carrier "reasonably determines that this method for calculating the rural rate is unfair," the carrier must submit its rural rates to the state commission (for intrastate rates) or the FCC (for interstate rates) for approval.⁷ Program participants and service providers are required to maintain records to document compliance with program rules.⁸

Exhibit C

perspective of
ations carrier
age of the
he same or

1. The rural rate must be determined using one of the following three methods below. Please identify which method you used to determine your rural rate and provide an explanation as to how it was calculated.



Michael O'Connor <michael@usfnw.com>

RHC Telecommunications Program - Rural Rate Information Request HCP 13192 - FRN 1839315

1 message

RHC-Review <RHC-Review@usac.org>

Wed, Jan 23, 2019 at 2:39 PM

To: "proberts@cch-inc.com" <proberts@cch-inc.com>

Cc: "e-rate@centurylink.com" <e-rate@centurylink.com>, "michael@usfnw.com" <michael@usfnw.com>, "laurie@usfnw.com" <laurie@usfnw.com>, "maryann@usfnw.com" <maryann@usfnw.com>, RHC-Review <RHC-Review@usac.org>

Date: 01/23/2019

Program: Telecommunications Program

Funding Year(s): 2018

Health Care Provider (HCP) Name(s): Columbus Community Hospital

HCP Number(s): 13192

Funding Request Number(s) (FRNs): 1839315

Deadline: 02/06/2019

Rural Health Care Telecommunications Program Questions

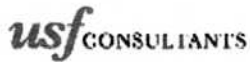
The Universal Service Administrative Company (USAC) is requesting additional information and/or documentation to support the funding request(s) submitted for funding year (FY) 2018 in the federal Universal Service Rural Health Care Telecommunications Program (Telecom Program). The Telecom Program provides eligible health care providers (HCPs) with support for the difference between urban and rural rates for eligible telecommunications services, subject to limitations set forth in Federal Communication Commission (FCC or Commission) rules.¹ You are receiving this request outside of My Portal due to concerns that the rural rate stated on your FY 2018 FCC Form 466 may not comply with the Commission's rules for calculating the rural rate in the Telecom Program. In the absence of documentation as described below, your FCC Form 466 may be denied.

Rural Rates

HCPs request funding through the Telecom Program by submitting an FCC Form 466 on which they provide the monthly urban and rural rate for funding requests for base rate support (i.e., the difference between the urban and rural rates).² HCPs that request base rate support are required to submit supporting documentation for the stated rural rates.³

Exhibit D

FCC rules provide that "[t]he rural rate shall be the average of the rates actually be [redacted] tomers, other than health care providers, for identical or similar services provided by the tel [redacted] carrier providing the service in the rural area in which the health care provider is located."⁴ "Similar services" are services that are functionally equivalent from the perspective of the end user with respect to bandwidth and whether the service is symmetrical or asymmetrical.⁵ If the telecommunications carrier does not provide similar or identical service in the rural area where the HCP is located, "the rural rate shall be the average of the tariffed and other publicly available rates, not including any rates reduced by universal service programs, charged for the same or similar services in that rural area, over the same



Michael O'Connor <michael@usfnw.com>

**RHC-Review (usac.org) RHC Telecom Program - Rural Rate Information Request
HCP 13192 FRN 183 9315**

2 messages

Michael O'Connor <michael@usfnw.com>

Wed, Feb 6, 2019 at 9:54 AM

To: RHC-Review <RHC-Review@usac.org>, "Fish, Jimmy" <JFish@cch-inc.com>

I ma requesting an additional 21 days to respond.

Mike O'Connor
USF Consultants
906 428 2608

RHC-Review <RHC-Review@usac.org>

Thu, Feb 7, 2019 at 9:53 AM

To: Michael O'Connor <michael@usfnw.com>, RHC-Review <RHC-Review@usac.org>, "Fish, Jimmy" <JFish@cch-inc.com>

Good Morning,

Your request for an extension has been granted. You will receive a **7-day extension**, which will make your deadline **11:59 PM EST Wednesday, February, 13 2019.**

Please work with your service provider to provide the information needed for this request.

Thank you,

Ariana Thompson

Rural Health Care Program

1 (800) 453-1546

rhc-hcp@usac.org | [Health Care Connect Fund](#)

[Quoted text hidden]

The information contained in this electronic communication and any attachments and links to websites are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, or the person responsible for delivering this communication to the intended recipient, be advised you have received this communication in error and that any use, dissemination, forwarding, printing or copying is strictly prohibited. Please notify the sender immediately and destroy all copies of this communication and any attachments.

Exhibit E

From: USAC Rural Health Care Program [mailto:rhc-donotreply@lists.universalservice.org]

Sent: Thursday, February 7, 2019 2:25 PM

To: Roberts, Phil <proberts@cch-inc.com>

Subject: Urgent: Information on Telecom Program Rural Rate Information

View this message as a web page



Universal Service
Administrative Co.

Rural Health Care
Program

February 7, 2019

Important Information on Your FY2018 Rural Rate Information Request

Yesterday you received a courtesy email from USAC reminding you that it was the last day for you to submit a response to an information request regarding rural rates for your funding request in the RHC Telecommunications Program. The original information request dated January 23, 2019, stated that you had until February 6, 2019 to respond, or to request an extension of the deadline.

Please note, the heading of yesterday's message incorrectly listed the deadline to respond to the information request. To limit any confusion, USAC has now extended your deadline until tomorrow, Friday February 8th at 11:59 p.m EST.

**You must respond to this information request by February 08, 2019 11:59 p.m. ET
or risk denial of your funding request.**

For guidance on how to respond to this information request, please view the Rural Rate Best Practices tip sheet.

*Please disregard if you have already sent in your Information Request response

Need Help? Contact Us!

For more information about the Telecommunications Program, please contact our RHC Help Desk at (800) 453-1546 or via email.

Exhibit F

You are receiving this as proberts@cch-inc.com.

Please do not reply to this email; instead, email us if you have questions.

Universal Service Administrative Company



Michael O'Connor <michael@usfnw.com>

Urgent: Information on Telecom Program Rural Rate Information

2 messages

USAC Rural Health Care Program <rhc-donotreply@lists.universalservice.org>
To: michael@usfnw.com

Thu, Feb 7, 2019 at 3:25 PM

View this message as a web page



February 7, 2019

Important Information on Your FY2018 Rural Rate Information Request

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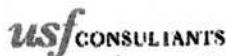
You are receiving this as michael@usfnw.com.

Please do not reply to this email; instead, email us if you have question

Universal Service Administrative Company
700 12th Street NW, Suite 900 • Washington, DC 20005 • usac.org

Exhibit G

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Michael O'Connor <michael@usfnw.com>

RE: RHC Telecommunication Program Rural Rate REquest HCP 13192 1839627

2 messages

RHC-Review <RHC-Review@usac.org>

Tue, Feb 26, 2019 at 9:50 AM

To: Michael O'Connor <michael@usfnw.com>, RHC-Review <RHC-Review@usac.org>, "Fish, Jimmy" <JFish@cch-inc.com>, "snowrock@att.com" <snowrock@att.com>

Cc: "proberts@cch-inc.com" <proberts@cch-inc.com>, "laurie@usfnw.com" <laurie@usfnw.com>, "maryann@usfnw.com" <maryann@usfnw.com>

RHC Telecommunications Program Request for Additional Information – HCP 13192 FRN 1839627

Date: 02/26/2019

Program: Telecommunications Program

Funding Year(s): 2018

Health Care Provider (HCP) Name(s): Columbus Community Hospital

HCP Number(s): 13192

Funding Request Number(s) (FRNs): 1839627

Deadline: 03/05/2019

On 1/23/2019, the Rural Health Care (RHC) division of the Universal Service Administrative Company (USAC) issued an information request to you. RHC has reviewed your response to the information request, and has identified certain issues and/or deficiencies that must be addressed before USAC can continue its review.

Not Clear Which Method For Determining The Rural Rate Was Selected

You have not indicated in your response which of the three methods available to determine the rural rate was used. Please determine the rural rate based on one of the three methods outlined in the original information request.

Method 1**Exhibit H**

The rural rate shall be the average of the rates actually being charged to commercial customers, other than HCPs, for identical or similar services provided by the service provider providing the service in the rural area in which the HCP is located. The narrative and/or supporting documentation for Method 1 should include the following:

Narrative explanation:

- The specific geographic region (e.g., county, Census tract) used to determine the rural rate and why this particular geographic region was used, including an explanation as to how you identified this particular region and the characteristics you used to identify it;