

BEFORE THE
FEDERAL COMMUNICATION COMMISSION
Washington D.C. 20554

In the Matter of Request for Review by Watertown
Regional Medical Center-Ixonia Clinic of the
Decision of the Universal Service Administration
Corporation-Rural Health Care Division (USAC)

Docket No. 02 -60

**WATERTOWN REGIONAL MEDICAL CENTER -IXONIA CLINIC
REQUEST FOR REVIEW OF COMMITMENT ADJUSTMENT by the
THE RURAL HEALTH CARE DIVISION**

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 2008 & FY2012 & FY2013
Funding Request Number 40872 & 12288671/12288721/13504031
& 13504101

Submitted by: Michael O'Connor USF Consultants

I. Overview

I'm seeking a reversal of USAC determination to request the return of funding associated with the Commitment Adjustment Letter for Watertown Regional Medical Center - Ixonia Clinic. The Universal Service Administration Corporation determined the location was not rural but urban for purposes of the program. The Commitment Adjustment Letter is dated October 21, 2015 and is directed to the attention of Time Warner.

II Reason to Provide Funding

In the determination, USAC placed the blame 100% on the Healthcare Provider. It is USAC who reviews the request, verifies the information and then certifies the location to be rural and assigns an HCP number and Maximum Allowable Distance. As part of the attachment to the Funding Adjustment Letter, USAC provided information based on the A&M data search for 2010. However, the location was provided an HCP number in 2008. The correct database would be ffiec for the 2000 census. At that time, Jefferson County was 100% rural.

As I look at the Google map, provided as an attachment, I note Ixonia with its population of 4400 inhabitants is located the farthest from the mega population centers of Madison and Milwaukee. Is this not rural? Where is the associated MSA(Metropolitan Service Area)?

In addition, the digital communication services which would be denied funding terminate in the mega city of Watertown [Population 24,000 which is an eligible rural site]. The service could have been funded for the Watertown.

To set the record straight, I would request USAC provide the original information sent with the initial form 465 and the additional information USAC secured to determine the location was rural.

III Personal Note

I enjoy USAC continuously requesting feedback on how they are doing and what they can do to improve the experience. I would hope they would be less of a Dick. Rather than discuss the issue with the healthcare provider, USAC goes into attack mode in the form of the Commitment Adjustment Letter.

IV Conclusion

I am requesting the FCC to reverse the decision of USAC and deny the Commitment Adjustment Letter pending further review of USAC records and direct USAC to produce all the information used in the determination the eligibility of the site.

Dated this 19th Day of December, 2015.

Respectfully submitted,

USF Consultants, Inc

By:



Michael O'Connor
Chairman

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Google Maps



Map data ©2015 Google 5 mi

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Rural Health Care Division
www.usac.org/rhc
1-800-453-1546

COMMITMENT ADJUSTMENT LETTER

October 21, 2015

Mr. David Lafrance
Time Warner Cable Information Services (Wisconsin), LLC
13820 Sunrise Valley Drive
Herndon, VA 20171

Dear Mr. Lafrance:

Our routine review of Rural Health Care (RHC) program funding commitments revealed applications in which funds were committed in error or in violation of program rules. USAC must now adjust the funding commitments and recover the funds. The attached Funding Commitment Report includes a list of the Funding Request Number(s) (FRNs) for the health care provider (HCP) for which adjustment is necessary. The HCP mailing contact is also being notified so you may work with them to implement this adjustment.

If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the funds disbursed. If the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. To remit payments, please review the payment addresses below and use the attached Payment ID Worksheet to identify the payment amount and reason for return.

If you wish to appeal this decision, you may file an appeal with USAC. The appeal **must be submitted to USAC within 60 days of the date of this letter**. Parties seeking waivers of FCC rules can appeal directly to the FCC. See 47 CFR Sections 54.719 and 720. Detailed instructions for filing appeals are available at: <http://www.usac.org/rhc/about/program-integrity/appeals.aspx>.

If you have questions or need help, you may call the Customer Service Support Center at 1-800-453-1546.

Sincerely,
/USAC

Attachments

Copy to: Mark Pieper, Watertown Regional Medical Ctr-Ixonia Clinic

Payment Addresses

U.S. Postal Service/Standard Mail for Payments:	USAC P.O. Box 105056 Atlanta, GA 30348-5056
Courier/Overnight Packages:	USAC c/o Bank of America (105056) 1075 Loop Road Atlanta, GA 30337 404.209.6377
ACH Payments:	Should be sent in a CCD+ format to ABA Routing #071000039, Account #5590045653
Wire Transfers:	Bank Name: Bank of America Location: 100 West 33rd Street, New York, NY 10001 Bank ABA Routing Number: 026009593 Bank Account Number: 5590045653 Account Type: DDA Account Name: UNIVERSAL SERVICE ADMINISTRATIVE COMPANY

More payment instruction information can be found at: <http://www.usac.org/cont/making-payments/payment-instructions.aspx>.

A Guide to the Funding Commitment Report

- ◆ **Funds to be Recovered:** This represents the amount of Funds Disbursed to Date that exceeds the Adjusted Funding Commitment amount. These funds will have to be recovered.
- ◆ **Funds Disbursed to Date:** This represents the total funds which have been paid up to now to the identified service provider for this FRN.
- ◆ **Adjusted Funding Commitment:** This represents the adjusted total amount of funding that RHCD has committed to this FRN. If this amount exceeds the Funds Disbursed to Date, RHCD will continue to process properly filed invoices up to the new commitment amount.
- ◆ **Funding Request Number (FRN):** An FRN is assigned by the RHCD to each Funding Commitment Letter. This number is used to report to applicants and service providers the status of funding requests for all RHC Programs.
- ◆ **Service Provider Identification Number (SPIN):** A unique number assigned by USAC identify service providers seeking payment from universal service fund programs.
- ◆ **Billing Account Number (BAN):** The account number your service provider has established with you for billing purposes, if any.

Please send Payment Identification Worksheet with your payment.



Funding Commitment Report

HCP 17474 (Watertown Regional Medical Ctr - Ixonia Clinic)

Applicant: Watertown Regional Medical Ctr - Ixonia Clinic
HCP Contact Person: Mark Pieper
RHC Program: Telecommunications Program

SPIN: 143029320
Service Provider Name: Time Warner Cable Information Services (Wisconsin), LLC
Services Ordered: Ethernet and voice grade business lines
Billing Account Number: 707637101

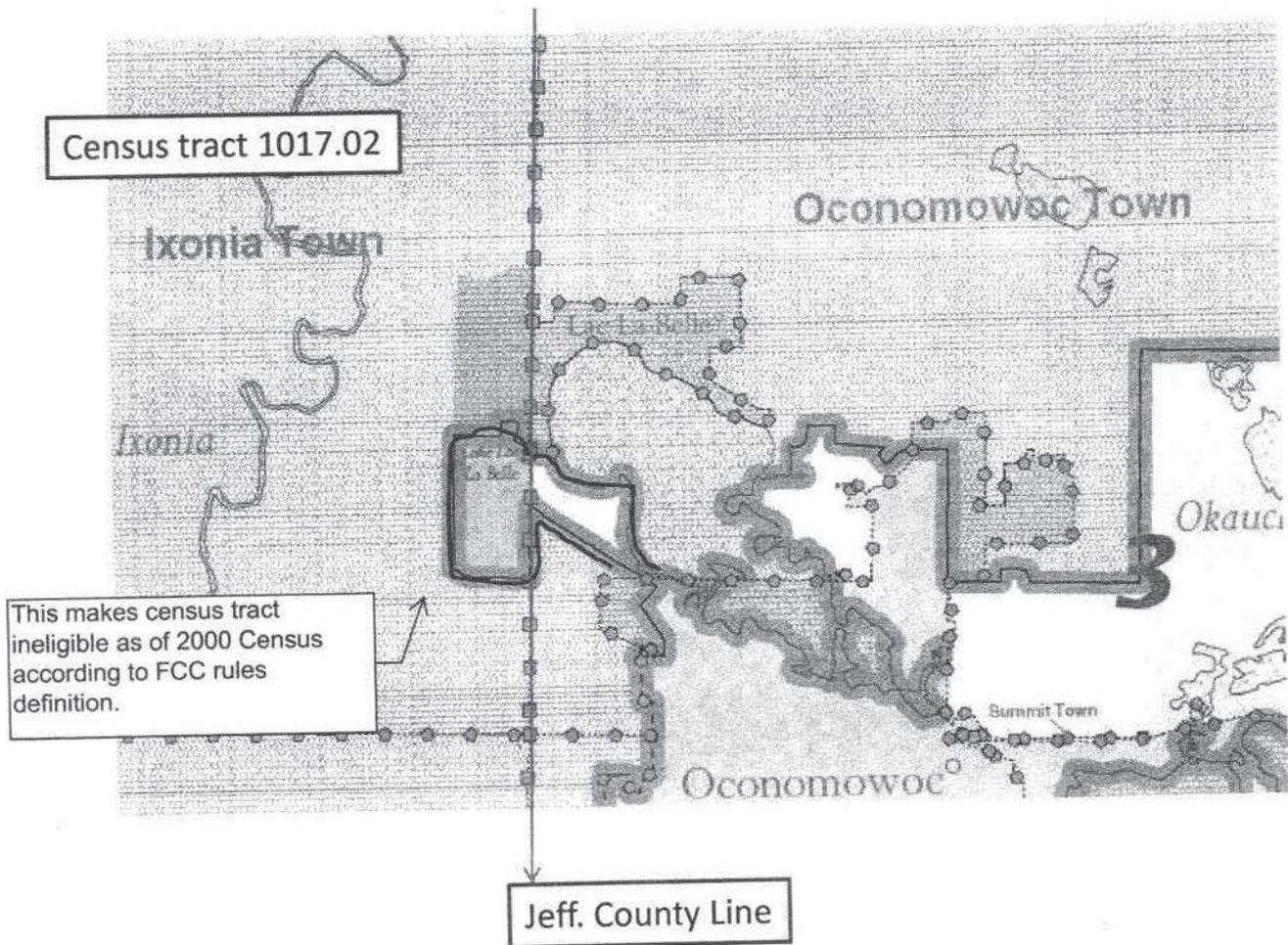
FRN	Fund Year	FCL Date	Payment Date	Amount Paid
12288671	2012	1/14/2014	2/21/2014	\$ 311.68
12288721	2012	2/25/2014	3/21/2014	\$ 2,002.45
13504031	2013	12/22/2014	4/6/2015	\$ 1,024.80
13504101	2013	12/17/2014	4/6/2015	\$ 4,630.56
40872	2008	11/24/2009	2/8/2010	\$ 256.56
Total				\$ 8,226.05

Total Funding Commitments: \$ 8,226.05
Adjusted Funding Commitment \$ 0.00
Funds Disbursed to Date: \$ 8,226.05
Funds to be Recovered: \$ 8,226.05

Funding Commitment Adjustment Explanation:

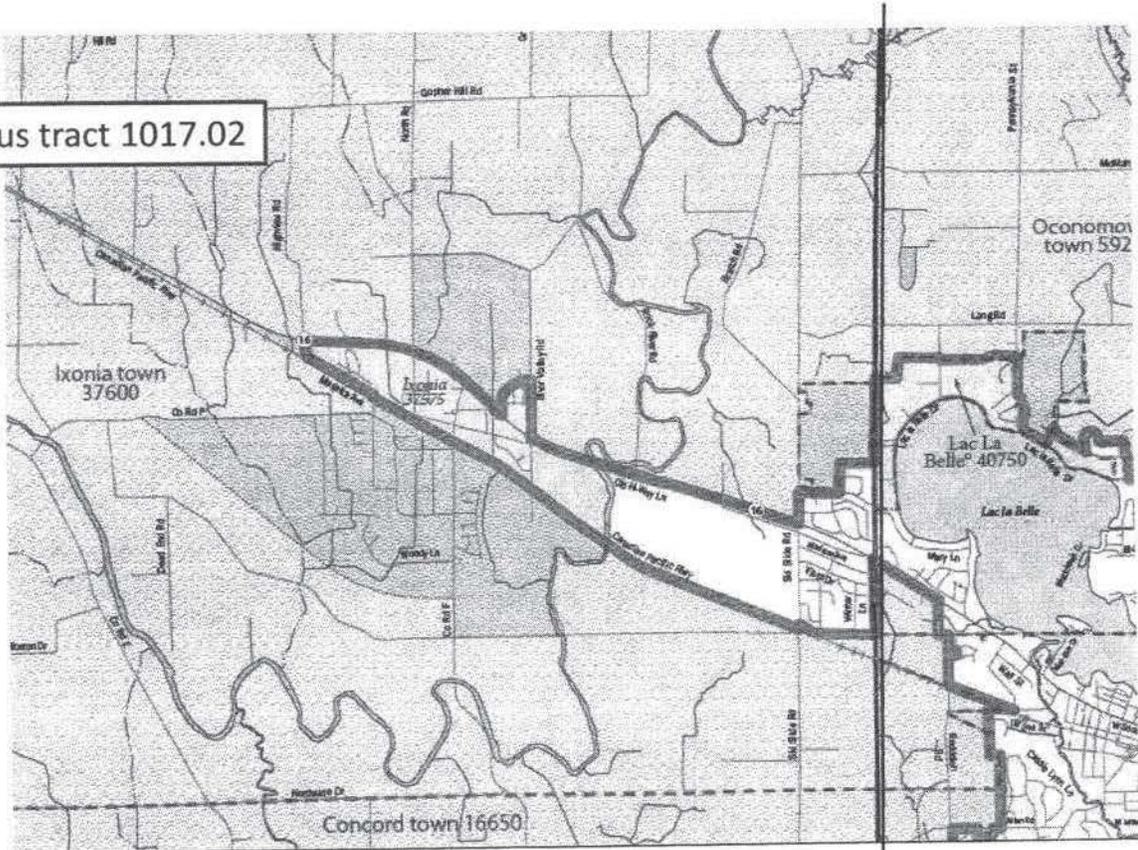
HCP is not eligible for the Telecommunications or HCF programs as a rural HCP as defined by FCC rules. See attached screenshots showing census tract and reason why HCP is not eligible.

2000 Census map – Milwaukee urban area border (in red)



2010 Census map – Milwaukee urban area border (in green)

Census tract 1017.02



Jeff. County Line

Texas A & M site address lookup for census tract

Input address data

Street Address	W1046 Marietta Ave
City	Ixonia
State	WI <input type="button" value="v"/>
Zip	53036
Year of Census data to intersect with	TwoThousandTen <input type="button" value="v"/>
<input type="button" value="Geocode"/>	

[Click here for advanced options](#)

Best Geocode Output Census Values

Census Year	1990	2000	2010
Census Block			2036
Census Block Group			2
Census Tract			1017.02
Census County FIPS			055
Census Place FIPS			37575
Census MSA FIPS			
Census MCD FIPS			37600
Census CBSA FIPS			48020
Census CBSA Micropolitan			1
Census MetDiv			
Census State FIPS			55

Post Office Box Number	
City	Ixonia
Consolidated City	
Minor Civil Division	
County Subregion	
County	Jefferson
State	WI
ZIP	53036

USAC site state eligibility for Jefferson County, WI

Wisconsin	Jackson	Rural
Wisconsin	Jefferson	Rural only in 1001.00, 1002.00, 1003.00, 1004.00, 1005.00, 1006.01, 1006.02, 1007.00, 1008.00, 1009.00, 1010.00, 1011.00, 1012.01, 1012.02, 1013.00, 1014.00, 1015.00, 1016.00, 1017.01
Wisconsin	Juneau	Rural

Census tract for Ixonia (1017.02) is not eligible because it doesn't appear on list.

FCC Definition of Rural Area

§ 54.600 Terms and definitions.

(b) *Rural area.* (1) A "rural area" is an area that is entirely outside of a Core Based Statistical Area; is within a Core Based Statistical Area that does not have any Urban Area with a population of 25,000 or greater; or is in a Core Based Statistical Area that contains an Urban Area with a population of 25,000 or greater, but is within a specific census tract that itself does not contain any part of a Place or Urban Area with a population of greater than 25,000. For purposes of this rule, "Core Based Statistical Area," "Urban Area," and "Place" are as identified by the Census Bureau.

(2) Notwithstanding the definition of "rural area," any health care provider that is located in a "rural area" under the definition used by the Commission prior to July 1, 2005, and received a funding commitment from the rural health care program prior to July 1, 2005, is eligible for support under this subpart.

(c) *Rural health care provider.* A "rural health care provider" is an eligible health care provider site located in a rural area.