

Before the
Federal Communications Committee
Washington, D.C. 20554

In the Matter of)
Further Modernization of) CC Docket No. 02-60
the Rural Health Care Program)

**Reply Comments of Utah Education Network to
Petition for Rulemaking filed December 7, 2015 by
Schools, Health & Libraries Broadband Coalition and partners**

The Utah Education Network (“UEN”) respectfully submits these Reply Comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) December 15, 2015, Invitation for Comment on Petition for Rulemaking Seeking Further Modernization of the Rural Health Care Program. By state statute, UEN provides reliable broadband network connections to public schools, colleges, universities, libraries, and charter schools in the state. Utah’s land area is 82,170 square miles ranking as the 12th largest state with 33.6 persons per square mile as compared to the national average of 87.4 (2010 Census). UEN enriches the lives of students, educators, and citizens by bridging obstacles of time and distance in a largely rural state covering vast distances and mountainous terrain. UEN’s interactive video conferencing system (IVC) connects thousands of students and educators at more than 940 locations at public schools, applied technology centers and college campuses. UEN provides access to K-12 instruction, college-level classes, and curriculum across vast terrain otherwise not available to students and educators in rural communities.

UEN’s network connects approximately 95% of K-12 public schools, major city and county library systems, and many rural public libraries (over 20). UEN provides broadband connections with local telecom partners at over 320 rural schools and district buildings. As of January 1, 2016 21 of 29 Utah counties are considered “rural” under E-rate program rules.

In 2014, the Utah Legislature passed H.B. 92 to merge Utah Education Network and Utah Telehealth Network, creating the Utah Education and Telehealth Network (UETN). The Legislature believed that combining UETN and UEN would improve efficiencies as the two entities offer many of the same services (network, videoconferencing, statewide coordination of consortium funding requests, etc.) to non-profit and public entities in the same geographic locations using leased private sector broadband infrastructure. The legislation defined a governance structure and encouraged the merged UETN organization to look for opportunities to leverage the extensive UEN

leased infrastructure already in place for education to aid in the further development of healthcare, as it continues to expand use of broadband technologies in that sector, improving healthcare and access along the way.

I. Equalize Rural Discount Methodologies.

UEN agrees with commenters that greater alignment of discount methodologies for RHC/HCF and E-rate, the latter accounting for cost disparities in rural areas versus those in urban, is a wise choice. In rural areas that often qualify for an 80-90% discount in the E-rate program, the 65% cap on RHC/HCF discounts in these same areas no longer makes sense. Particularly for a consortium such as UEN/UTN, the disparity becomes all too obvious. Just as educational resources are concentrated in urban areas but made available via the education network to students and educators throughout rural areas of the state, health care resources are similarly concentrated in urban areas. It is essential for the future of quality healthcare in rural areas that the costs of broadband infrastructure be supported in a similar manner to that of E-rate. The UEN/UTN consortium can build upon the successes achieved for education to help accelerate distribution of health care resources while simultaneously improving broadband infrastructure for all providers involved in healthcare remote access and patient monitoring. We believe the FCC should acknowledge these and other benefits that consortium applicants for USF funds can bring to overall efficiencies in operations and administration of the various USF programs, especially RHC/HCF and E-rate. Discounts for such consortia should be equalized across both programs.

We concur with the Petitioners' recommendation for the Commission to consider closer alignment between E-Rate and RHC/HCF programs and develop clear guidelines for cost allocation of shared networks.

II. Similarities of changes to education and health care delivery – the Link to Lifeline

The Petitioners recommended that the Commission consider discounts for wireless broadband costs associated with remote patient monitoring as requested by CHRISTUS Health. This request illustrates the changing nature of health care delivery but falls short in comparing these changes to those very similar changes and challenges taking place in education. As healthcare is quickly moving to an individualized patient/provider interaction enabled by broadband technologies, remote patient monitoring, telemedicine consults, and patient education via mobile and home devices are rapidly becoming the norm.

Education is well on its way to realizing the benefits of broadband technology enabled individualized programs tailored to each student's talents and desires. A troubling aspect of this progress is the remaining "homework gap" where lower income students or student households without access to high speed broadband are deprived of opportunities to learn once they leave school or library premises.

We would like to emphasize these similarities in education and healthcare, in the hope that they become apparent to the FCC, and suggest that the FCC now has an opportunity to help eliminate the "homework gap" but to also intercede proactively to avoid such a gap occurring in healthcare. The potential to help reduce healthcare costs while also improving access in rural areas must be apparent to the FCC. Though not specifically related to this proceeding, further alignment of the USF programs, E-rate, RHC/HCF, and Lifeline appears to be an obvious opportunity for the FCC to remove more barriers to broadband adoption, reduce costs, and improve the lives of all Americans. We encourage the Commission to formally explore this issue.

III. Consortium Engagement

UEN's long experience in the E-rate program provides us with some insight regarding treatment of consortium participants in USF programs throughout the process of administering application for funding and coordination of participation among the eligible beneficiaries throughout our state. UEN acts as a primary clearinghouse of demographic and income related data which directly supports E-rate discount calculations in the state, but could also render assistance to the FCC in determining RHC/HCF support in rural areas and even aid community based eligibility determinations for the Lifeline support, should that opportunity arise in related proceedings. UEN respectfully requests that the FCC direct USAC to engage in collaborative efforts with consortia such as UETN to explore ways to further improve program administrative efficiencies and thereby improve progress towards our shared goals of broadband deployment and adoption while simultaneously reducing costs for taxpayers and ratepayers.

Respectfully submitted,

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