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November 27, 2006

Federal Communications Commission
Washington, DC 20554

In the Matter of Rural Health Care Support Mechanism WC Docket No. 02-60

**COMMENTS OF THE FRONT RANGE GIGAPOP REGARDING NATIONAL LAMBDA RAIL, INC. PETITION FOR
RECONSIDERATION OR CLARIFICATION**

The University Corporation for Atmospheric Research (UCAR) is the managing entity for the Front Range GigaPoP (FRGP). The FRGP is a consortium of Universities, non-profit corporations, and government agencies in Colorado, Wyoming, and Utah that cooperate in an aggregation point to share Wide Area Networking (WAN) services, access to the commodity Internet, access to the Internet 2 (Abilene) network, and access to the National LambdaRail (NLR) network.

While connecting public and non-profit rural health care organizations to metropolitan hospitals and university medical centers is largely an intra-state matter, states and regional networking GigaPoP organizations should not be limited in their choice of interstate communications provider. Pilot programs, by their very nature, seek a range of new, flexible, and innovative solutions that should not be unnecessarily constrained as the FCC seeks to further the public good.

We believe that the public good would best be served by honoring National LambdaRail's petition to be a potential provider of services under this FCC initiative. In fact, we believe this is required to meet the FCC's directive to provide non-preferential access to advanced telecommunications and information services. In the September 29, 2006 FCC order, Section II Pilot Program paragraph 11, we quote:

"The pilot program satisfies the requirements of section 254(h)(2)(A). First, program will be 'competitively neutral,' which 'means that universal service support mechanisms and rules neither unfairly advantage nor disadvantage one provider over another, and neither unfairly favor nor disfavor one technology over another. The pilot program meets that requirement because eligible health care providers are free to choose any technology and provider of the broadband connectivity needed to provide telehealth, including telemedicine, services."

Respectfully submitted as representing the views of the following FRGP Member Institutions:

Colorado School of Mines
Colorado State University system
Denver University
Fort Lewis College
National Center for Atmospheric Research
National Oceanic and Atmospheric Administration
University of Northern Colorado
University of Utah
University of Wyoming

Peter O'Neil
UCAR

Scott Bailly
Co-Chair FRGP

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