

October 22, 2010

**Ex Parte Notice**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Requests by Yukon-Kuskokwim Health Corporation and General Communication Inc. for Review of Decision by the Universal Service Administrator, WC Docket No 02-60

Dear Ms. Dortch:

On October 21, 2010, Yaron Dori of Covington and Burling, on behalf of the Yukon-Kuskokwim Health Corporation (“YKHC”), and John Nakahata of Wiltshire & Grannis, on behalf of General Communication Inc. (“GCI”) met with Zachary Katz, Legal Adviser to the Chairman, Carol Matthey, Deputy Chief of the Wireline Competition Bureau, Trent Harkrader, Chief of the Telecommunications Access Policy Division, Wireline Competition Bureau, and Ernesto Beckford, Erica Myers and Romanda Williams, all of the Telecommunications Access Policy Division, to discuss the above referenced requests for review.

Mr. Dori reviewed the history of YKHC’s efforts to improve the delivery of health care services in the Yukon-Koskowim Delta through telemedicine, as previously set forth in YKHC’s request for review. Messrs. Dori and Nakahata provided the FCC staff with the attached map, showing YKHC’s remote location 400 miles west of Anchorage. Mr. Nakahata noted that the only currently existing terrestrial facilities shown on the map are the Existing GCI Fiber and the western portion of TERRA-SW. Messrs. Dori and Nakahata also provided the staff with the attached pictures of Bethel, where YKHC’s hospital hub is located, and YKHC’s Aniak Sub Regional Clinic and Atmautluak Village Clinic.

Messrs. Dori and Nakahata explained that these requests for review arose from USAC’s pre-commitment Program Integrity Review of YKHC’s application for rural health care support. In its decision to deny approximately \$1.5 million in support, USAC promulgated a requirement that an applicant have all equipment necessary to fully utilize a circuit in place as of the date service starts. In so doing, USAC imposed requirements that the FCC specifically refused to adopt in its 1997 and 2003 Orders, 12 FCC Rcd 8776, 9151 ¶ 727 (1997) and 18 FCC Rcd 24546, 24575-6 ¶ 58 (2003). USAC had no authority to do this, and in fact is specifically

