

Mike Gross
2400 S 48th St
Springdale, AR 72762
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Letter of Appeal
Federal Communications Commission
2000 L Street, Northwest, Suite 200
Washington, DC 20036

Dear FCC:

Ozark Guidance has three locations that qualify for Rural Healthcare Funding. They are Berryville (HCP 13825), Huntsville (HCP 13826) and Siloam Springs (HCP 22247). Berryville and Siloam Springs originally had a 3Mb connection and Huntsville had a 1.5 Mb connection contract that was signed on 6/19/2009.

In late 2011 we decided we wanted to upgrade Berryville, Huntsville and Siloam Springs to a 6Mb connection. I filled out Form 465 for the 2011 Funding Year for all three sites and had them approved by Rural Health Care on 12/14/2011, 1/05/2012, and 1/06/2012. During the 28 day waiting period, I receive phones calls and emails from other bidders. I responded to all emails and phone calls and all potential bidders asked me who was my current carrier and what type of network I was currently using. I told them that Windstream was our existing carrier and we were using a MPLS network. I never received an actually quote from any of the potential bidders that called or emailed me other than our current carrier Windstream.

I filled out form 466 for all three sites and had RHC approve them on 03/19/2012. The person that was assigned to my case needed copies of contracts and bills, in order to start the reimbursement process. I told them that the 6MB connections had not been installed yet and asked do we need to try to use the existing ones. I was told yes, so form 466 was modified to reflect the current speeds. We did not officially have the 6 MB upgrades installed until 03/19/2012, (HCP 13825), 06/18/2012, (HCP 13826) and 06/15/2012, (HCP 22247).

The person assigned to my case had me supply additional information and I was asked if we had any competitive bids? I told them that I had receive multiple emails and phone calls and everyone I talked with asked me who are current carrier was and what type of network we were using. I told them Windstream was our current provider and had given us a quote. On 10/12/2012, my supervisor received a letter from RHC denying our discounted services for funding year 2011 because the circuit was not competitively bid. I believe it was competitively bid on and Ozark Guidance did wait over 28 days before signing a new contract with Windstream.

Sincerely,

Mike Gross
Assistant Information Systems Director