

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of )  
 )  
Healthcare Connect Fund ) WC Docket No. 02-60  
FCC Forms 460, 461, 462 and 463 )

**REPLY COMMENTS OF  
THE UNITED STATES TELECOM ASSOCIATION**

The United States Telecom Association (“USTelecom”)<sup>1</sup> respectfully submits these reply comments in response to comments filed pursuant to the Public Notice (“*Notice*”)<sup>2</sup> released by the Wireline Competition Bureau (“Bureau”) seeking comment on Healthcare Connect Fund FCC Forms 460, 461, 462 and 463. USTelecom will confine its remarks to the Form 463, the Rural Health Care Universal Service Healthcare Connect Fund (“HCF”) Invoice and Request for Disbursement Form.

**I. Block 6, Line 12 is Confusing and Unnecessary and Accordingly Should be Stricken**

USTelecom agrees with the comments of Sprint Nextel Corporation (“Sprint”) that Block 6, Line 12 of Form 463 is confusing and unnecessary and thus should be removed.<sup>3</sup> As proposed, Block 6, Line 12 appears to require vendors to post credits in the amount of anticipated USAC reimbursements on participating health care provider (“HCP”) invoices. Not only is this approach not required or contemplated by the Commission’s rules or its orders,

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<sup>1</sup> USTelecom is the premier trade association representing service providers and suppliers for the telecommunications industry. USTelecom members provide a full array of services, including broadband, voice, data and video over wireline and wireless networks.

<sup>2</sup> See Public Notice, *Wireline Competition Bureau Seeks Comment on Healthcare Connect Fund FCC Forms 460, 461, 462 and 463*, WC Docket No. 02-60 (rel. April 1, 2013).

<sup>3</sup> See Comments of Sprint Nextel Corporation (“Sprint”) at 1.

applying credits on the invoice of an HCP would be administratively complicated and confusing. As noted by Sprint, leaving the unpaid portion of the invoice (the expected USF support) on the account as an unpaid balance due, pending receipt of the support from USAC, is an administratively cleaner and simpler approach to billing for services provided.<sup>4</sup> Under the procedure contemplated by the Form 463, unnecessary extra steps would be involved. The vendor providing the service would have to apply and then remove the credit and apply the USAC payment. And, as Sprint notes, this would diminish Commission efforts towards ensuring program accountability by obscuring the actual amount due.<sup>5</sup> Additionally, the vendor should not be limited to a particular process (e.g.; crediting the HCP prior to the invoice being submitted,) especially since it is not required by FCC rule or order.<sup>6</sup>

A vendor may be able to certify that it will not seek payment from the HCP for the amount of USF support submitted, approved and paid to the vendor, *as determined by USAC, based on data related to the amount shown in Block 4, Column P, of the invoice.* But the vendor cannot unequivocally certify that the amount shown in Block 4, Column P is the “correct” amount, since that amount in Column P is a derived amount based on an algorithm from inputs an HCP applicant makes on its Form 462 Application (in which the vendor is not involved.) Also, while Column P shows the anticipated USF support based on this algorithm, the actual amount of USF support eventually approved by USAC and paid to the vendor may be a different

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<sup>4</sup> *Id* at 2.

<sup>5</sup> *Id.*

<sup>6</sup> Requiring a vendor to place a credit on its bill to an HCP in advance of the USAC invoice process may also lead to confusion on the part of USAC reviewers or auditors when they later review a particular month’s bill and try to match a specific credit amount on that bill with an eventual amount of USF support that was determined much later in the invoice process.

amount. This “approved and paid” amount is the amount to which the vendor should be able to certify that it will not seek payment from the HCP.<sup>7</sup>

**II. Vendor Completion of Block 6, Line 13 of Form 463 is Dependent Upon Information Provided by the HCP and the Bureau Should Scale Back the Scope of This Certification**

The vendor may be able to state that the total undiscounted cost invoiced (Block 3, Column L) is correct, but only if the HCP is required to enter the full amount shown on the vendor’s bill for the BAN (Billing Account Number) listed in Block 2, Column B. If the HCP is not required to enter that amount, the vendor can not verify the amount in Block 3, Column L.

More importantly, it is unreasonable to require a vendor to certify to items that are populated on the Form 463 by the HCP. It is even more unreasonable to require a vendor to incur the extreme time and expense of verifying the accuracy of specific minute detail such as the individual dates and quantities (Columns H – K) that the HCP has populated on the Form 463. Instead, the Commission should revise the form to require a vendor to certify that (1) it will not seek recovery from the HCP for amounts that it is reimbursed by USAC, which is based on (but, as we note above, may not necessarily always be the amount shown on) the “USF Support Amount to be Paid” (Block 4, Column P), and possibly (2) that the “Total Cost Undiscounted (Invoiced)” (Block 3, Column L) is accurate, but only if the HCP is required to enter the full amount shown on the vendor’s bill for the BAN listed in Block 2, Column B.

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<sup>7</sup> If instead of eliminating Line 12, the Commission finds it necessary to retain vendor certification, USTelecom suggests the following: “The Vendor will not seek payment from the HCP for the amount of USF support submitted, approved and paid to the vendor, as determined by USAC based on data related to the amount in Block 4, Column P of this invoice.”

### III. Conclusion

USTelecom respectfully requests the deletion of Block 6, Line 12 from Form 463 as confusing and unnecessary. The vendor should only have to complete Block 6, Line 13, if the HCP is required to enter the full amount shown on the vendor's bill for the BAN listed in Block 2, Column B. Vendors should not have to certify to items populated on Form 463 by the HCP. Finally, USTelecom endorses Sprint's recommendation that USAC hold a training workshop with service providers<sup>8</sup> when the HCF forms have been finalized to review filing requirements and to answer procedural questions.

Respectfully submitted,

UNITED STATES TELECOM ASSOCIATION



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<sup>8</sup> *Id.*