

Freepartner explaining that funding was reduced based on information received from AT&T representative Andy Rabung² in response to a request from Ms. Diaz regarding mileage charges associated with the PHS contract. See Ex. 7 - 10/13/10 6:58 a.m. email from H. Diaz to Maryann Freepartner. In her email, Ms. Diaz explained that the rural rate was adjusted based on information obtained from Mr. Rabung that reflected total billed miles for the circuits at 475 miles, that the cost per mile for the circuits was \$17.62 per mile, and that USAC could only cover funding up to the Maximum Allowable Distance of 85 miles, which reduced the funding by \$6,871.80 per line (charges over the MAD).

On October 14, 2010, Ms. Freepartner provided Ms. Diaz with a letter from AT&T which stated that the circuit costs for the PSMCC circuits were not mileage based, but were calculated based on the contract.

On October 15, 2010, Ms. Diaz informed Ms. Freepartner that if she did not agree with the information provided in the funding commitment letters, she could follow up with a formal appeal.

On October 26, 2010, Ms. Freepartner submitted her letter of appeal or request for reconsideration of the FY 2009 funding determination to USAC's RHCD. Ex. 8.

On April 1, 2011, Ms. Freepartner sent an email to USAC RHC Manager Elizabeth Anderson asking if she should proceed with filing the form 466s for the two T-1 circuits for FY 2010 while the appeal for FY 2009 was still pending. Ms. Anderson responded that Ms. Freepartner could file her FY 2010 Form 466s while the appeal was still pending.

On April 8, 2011, Ms. Freepartner submitted her Form 466s for the two T-1 lines. Ex.11.

On June 13, 2011, after many, many requests for status updates and being informed that PSMCC's request for reconsideration of the FY 2009 funding determination was "under review" and a call to USAC's complaint line, Ms. Freepartner was able to speak with USAC Rural Health Care Program Manager

² Mr. Rabung had been recently assigned to cover temporarily the PSMCC account in the absence of Amy Merchant, the AT&T representative who had been working on the account from its inception, and who was at that time on temporary maternity leave from AT&T.

Carol McCornac who informed Ms. Freepartner that USAC's reduction in funding based on miles exceeding the Maximum Allowable Distance had been correctly applied. Ms. McCornac informed Ms. Freepartner that PSMCC could continue to pursue the appeal, which would result in a formal Administrators Decision, or request its withdrawal. Ms. Freepartner subsequently requested a formal Administrator's Decision.

On July 1, 2011, in response to a request from Ms. McCornac, Ms. Freepartner sent Ms. McCornac an explanation of the basis for the need for the Anchorage-Kodiak-Seward route in lieu of an Anchorage-Seward route. See Ex. 9 - 7/1/11 11:07 a.m. email from Maryann Freepartner to Carol McCornac.

On July 27, 2011, two hundred seventy-four days after PSMCC filed its request for reconsideration of the FY 2009 funding determination, USAC issued its Administrator's Decision. Ex. 10. In its decision, USAC denied PSMCC's appeal based on the Maximum Allowable Distance limitation.

Through a letter dated September 8, 2011, one hundred fifty-two days after submission of the Form 466s and over two months into the FY 2011 funding period, Ms. Freepartner received Funding Commitment Letters for the two circuits for FY 2010. Ex.12. Consistent with its funding determination for FY 2009, USAC, again, adjusted the rural rate for the two circuits based on the Maximum Allowable Distance calculation.

On September 23, 2011, PSMCC, filed its request for further review/appeal of USAC's FY 2009 funding determination with the Federal Communications Commission. Ex. 13. That appeal remains currently pending with the FCC.

On October 28, 2011, Ms. Freepartner submitted her letter of appeal/request for reconsideration of USAC's funding determination for FY 2010 to USAC's RHCD. Ex.14.

On January 16, 2011, eighty days after PSMCC filed its request for reconsideration of the FY 2010 funding determination, USAC issued its Administrator's Decision. Ex. 1. In its decision, USAC again denied PSMCC's appeal based on the Maximum Allowable Distance limitation.

QUESTION PRESENTED FOR REVIEW: DID USAC CORRECTLY
CALCULATE THE AMOUNT OF SUPPORT FOR PSMCC'S T-1 CIRCUITS?

I. USAC incorrectly applied a mileage-based charge

In its funding decision, USAC relies on vague communications between USAC's Ms. Diaz and AT&T's Andy Rabung converting the rate charge and the mileage involved into a cost per mile, which USAC in turn erroneously relies on in denying most of PSMCC's funding request. Mr. Rabung was not involved in the negotiations with PHS for the purchase of the T-1 lines, and at the time USAC sent AT&T the email requesting a breakdown of "billed circuit miles, monthly mileage based charges, and cost per mile" he had only recently been assigned temporarily to cover the PSMCC account in the absence of AT&T Representative Amy Merchant, who was the person directly involved for AT&T in negotiations for the purchase of the T-1 lines service, their installation, and billing, and who had worked with Ms. Freepartner in filing the initial Form 466s. The information provided by Mr. Rabung was incorrect. The charge for the circuits was not a mileage-based charge. In spite of being apprised of this fact before making its initial determination, USAC nonetheless made its funding determination based on a fictitious mileage-based charge.

II. PSMCC is entitled to advanced telecommunication services at rates that are reasonably comparable to rates charged for similar services in urban areas.

The Universal Service program is administered under authority of 47 USC §254. 47 USC §254(b)(6) provides that the Joint Board and the Commission shall base policies for the preservation and advancement of universal service on the following principles:

(1) Quality and rates

Quality services should be available at just, reasonable, and affordable rates.

(2) Access to advanced services

Access to advanced telecommunications and information services should be provided in all regions of the Nation.

(3) Access in rural and high cost areas

Consumers in all regions of the Nation, including low-income and those in rural, insular and high cost areas, should have access to telecommunications and information services, including interexchange and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.

....

(6) Access to advanced telecommunications services for schools, health care, and libraries

... health care providers ... should have access to advanced telecommunication services as described in subsection (h) of this section.

(7) Additional principles

Such other principles as the Joint Board and the Commission determine are necessary and appropriate for the protection of the public interest, convenience, and necessity and are consistent with this chapter.

47 USC §254(h)(1)(A) provides:

A telecommunications carrier shall, upon receiving a bona fide request, provide telecommunications services which are necessary for the provision of health care services in a State ... to any public or nonprofit health care provider that serves persons who reside in rural areas in that State at rates that are reasonably comparable to rates charged for similar services in urban areas in that State (emphasis added).

III. The Maximum Allowable Distance limitation should not be applied as it results in a rate that is not reasonably comparable.

The purpose of the universal service program is to afford rural health care providers the opportunity to access telecommunications and information services

that are "reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas." 47 USC §254(b)(3).

Given PSMCC's unique circumstances – its remote location, the mountainous terrain and adverse climatic conditions that impact the functionality of terrestrial wirelines that service Seward, and the fact that the only alternative form of wireline service that could provide the needed bandwidth, diversity and redundancy is a submarine fiber optic cable that, of necessity, runs a course of 475 miles - applying the maximum allowable distance limitation under 47 CFR §54.613 is inconsistent with the purpose and legislative intent of the Universal Service mechanism.

IV. PSMCC has been unfairly prejudiced by the extraordinary delays associated with USAC's determinations.

As a final point in support of this appeal, PSMCC wishes to point out that it has been unfairly prejudiced by the extraordinary delays associated with USAC's determinations at virtually each stage of the process. The USAC did not make an initial decision on the first year of funding for these lines for FY 2009 until three months after the conclusion of FY 2009 funding period, and three months into the FY 2010 funding period, a total of two hundred twenty-five days after submission of the Form 466s for FY 2009. USAC then took a total of an additional two hundred seventy-four days to make a decision on PSMCC's request for reconsideration of its determination on FY 2009 funding, a step that PSMCC was encouraged to take before appealing to the FCC. Thus, the USAC had PSMCC's request for FY 2009 funding under consideration for a total of four hundred ninety-seven days before making a final decision on July 27, 2011, almost a month past the FY 2010 funding period and a month into the FY 2011 funding period.

USAC required an additional one hundred fifty-two days after submission of the Form 466s for FY 2010 funding to make an initial determination on FY 2010 funding, three months past the end of the FY 2010 funding period. The fact that the USAC delayed a decision on funding for FY 2009, the first year for these lines, until past the end of the second year funding period has severely prejudiced PSMCC with respect to both years' funding. It put PSMCC into a position where it had not received a determination on first year funding until after the entire costs of second year funding had been incurred. As such, USAC's administration of this program, in this instance, has been abusive and funding

should accordingly be approved for FY 2010 on this basis alone, based on PSMCC's detrimental reliance on USAC's reasonable administration of the universal services program.

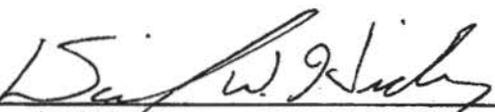
REQUEST FOR RELIEF

It cannot be overemphasized that the sole alternative for reliable communication services for PSMCC comparable to those available in an urban setting are these underwater T-1 lines that simply happen to run from Anchorage to Kodiak and Kodiak to Seward. There is no other alternative. Accordingly, funding should be calculated based on a comprehensive rate comparison method which would result in PSMCC paying a rate that an urban health care provider would pay for similar services. That calculation for the period ending June 30, 2011, is attached as Ex. 15.

Appellant provider PSMCC requests a hearing on this request for review/appeal and reserves the right to submit supplemental material in support of its appeal as appropriate. To the extent that this appeal is deemed to raise novel questions of fact, law or policy, a hearing is requested before the full Commission.

DATED this 16th day of March, 2012, at Anchorage, Alaska.

GRUENSTEIN & HICKEY
Attorneys for Providence Health & Services – Alaska

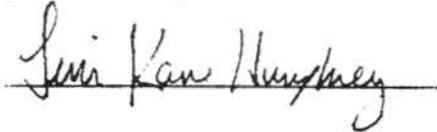
By: 
Daniel W. Hickey, ABA #7206026

cc: Susan Humphrey-Barnett
Area Operations Administrator
Providence Health & Services – Alaska

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 16th day of March, 2012, on:

Rural Health Care Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, D.C. 20036
(202-776-0200)

A handwritten signature in cursive script, reading "Lini Kan Humphrey", is written over a horizontal line.

Ex. 19

FCC Form
466

**Health Care Providers Universal Service
Funding Request and Certification Form**

Approval by OMB
3060-0804

The Deadline to submit this Form is the June 30th End of the Funding Year.

Estimated time per response: 3 hours

Read Instructions thoroughly before completing this form. Failure to comply may cause delayed or denied funding.

Block 1: HCP Information

1 HCP Name Providence Seward Medical & Care Center 2 HCP Number 10382

3 Form 465 Application #43124011 4 Consortium Name (If any)

Block 2: Bill Payer Information

5 Billed Entity Name Providence Seward Medical & Care Center 6 Billed Entity FCC RN 0013793187

7 Contact Name Maryann Freepartner

8 Address Line 1 PO Box 365

9 Address Line 2

10 City Seward 11 State AK 12 Zip 99664-0365

13 Contact Phone #(907) 224-2980 14 Fax #(907) 224-7248 15 E-Mail maryann.freepartner@providence.org

Block 3: Funding Year Information

16 Funding Year - Check only one box
 Year 2010 (7/1/2010-6/30/2011) Year 2011 (7/1/2011-6/30/2012) Year 2012 (7/1/2012-6/30/2013)

Block 4: Service Information

17 Type of Service & Circuit Bandwidth (Enclose documentation.) T1 or DS1 1.544 Mbps

18 Total Billed Miles 0 19 Maximum Allowable Distance (From Form 465) 85

20 Percentage of HCP's service used for the provision of health care. 100 (If less than 100%, please explain.)
 If the HCP indicated it is a part-time eligible entity (on Form 465), describe method of allocating prorated support.

21 Service Provider Name	Alascom, Inc. - DBA AT&T Alascom		
22 Service Provider Identification Number (SPIN)	143005817		
23 Service Provider Contact Person Name	David Murphy		
24 Service Provider Contact Person's Phone #	(907) 264-7142		
25 Service Provider Contact Person Email	dm028c@att.com		
26 Circuit Start Location	417 First Avenue Seward, AK 99664		
27 Circuit Termination Location	Anchorage, AK		
28 Billing Account Number	8002-765-6315		
29 Tariff, Contract or other document reference number	119828		
30 Date Contract Signed or Date HCP Selected Carrier	28-Aug-2009		
31 Contract Expiration Date (mm/dd/yyyy or NA if MTM)	09-Aug-2012		
32 Service Installation Date	03-Nov-2009		
33 Actual Rural Rate per Month (Enclose Documentation)	11333.75		

34 If you are a consortium member OR have multiple carriers, please attach a Circuit Diagram to show how the sites interconnect and which carrier(s) provides each circuit segment. Circuit Diagram included: Yes No

35 Are you a mobile rural health care provider? Yes No If yes, see instructions and attach a list of all sites to be served.

Please remember:

- You must submit one Form 466 for each service (i.e., circuit) for which you request reduced rates. For example:
 - If you are requesting reduced rates for two T1 lines, you must submit two Forms 466.
 - If you are requesting reduced rates for two ISDN lines & one Frame Relay line, you must submit three Forms 466.
- If the service described on this form is subject to the 28-day competitive bidding requirement, do not select a carrier or complete the Form 466 before or during the 28-day posting period.
- You must provide evidence of the urban rate if you have completed Block 6 and have not used the urban rates from the website.
- This form, attachments, and supporting documents should be combined in one envelope and sent to the RHCD.
- If the service described on this form changes (e.g., rate change) during the funding year, you must notify RHCD immediately and submit a revised Form 466.
- If you have any questions, call RHCD at 1-800-229-5476.

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 3 of the Commission's Rules authorize the FCC to request the information on this form. The data reported will be used to ensure that health care providers have selected the most cost-effective method of providing the requested services as set forth in 47 C.F.R. § 54.603(b)(4). The information will be used by the Universal Service Administrative Company and/or the staff of the Federal Communications Commission, to evaluate this form, to provide information for enforcement and rulemaking proceedings and to maintain a current inventory of applicants, health care providers, billed entities, and service providers. No authorization can be granted unless all information requested is provided. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Act Project (3060-0804), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to pra@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0804.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

This form should be submitted to:
Rural Health Care Division
30 Lanidex Plaza West, P.O.Box 685
Parsippany NJ 07054-0685

FCC Form 466

April 2008

EXHIBIT 19

Page 2 of 6

Funding Year 2012

FEB 12 2013

Urban rates for the Funding Year 2012

General Services	Recurring Charge	Nonrecurring Charge
Business Line	\$32.25	\$56.50
DDS (56 Kbps)	\$63.20	\$596.70
Private Line (Voice Grade)		
Two Wire	\$58.00	\$429.80
Four Wire	\$115.00	\$429.80
Satellite (128 Kbps)	\$126.40	\$596.70
T1 (1.544 Mbps)	\$198.30	\$965.60
T1 Optional Services		
DS-1 To Voice Multiplexing	\$317.00	\$100.00
DS-1 to Data Multiplexing	\$317.00	\$100.00
Digital Access Cross Connect Service (DACCS) -- Per Port	\$75.00	\$200.00
DACCS Reconfiguration		\$100.00
Additional Engineering		\$150.00
DS3		
Without DS3 to DS1 Multiplexing	\$3,788.06	\$736.50
With DS3 to DS1 Multiplexing	\$4,143.35	\$736.50

Private Line (Fractional T1)		
128 Kbps*	\$126.40	\$596.70
256 Kbps**	\$198.30	\$965.60
384 Kbps**	\$198.30	\$965.60
512 Kbps**	\$198.30	\$965.60
768 Kbps**	\$198.30	\$965.60

* Same as Satellite (128 Kbps)

** Same as T-1 (1.544 Mbps)

SOURCE:

REA. ALASKA. GOV / REA WEB / DOCUMENTS / TELECOMM

IF YOU ARE REQUESTING SUPPORT FOR MILEAGE-BASED CHARGES, COMPLETE BLOCK 5 ONLY AND SKIP BLOCK 6. (PLEASE SEE INSTRUCTIONS). IF YOU ARE REQUESTING SUPPORT BASED ON URBAN/RURAL RATE COMPARISON, SKIP BLOCK 5 AND COMPLETE ONLY BLOCK 6. YOUR APPLICATION CANNOT BE PROCESSED IF BOTH BLOCKS ARE COMPLETED.

Block 5: Mileage-based Charge Discount Request

Complete this block if you are seeking support for mileage (distance-based) charges only. Do not enter any other charges in this block. You may need to ask your service provider representative to provide this information

36 Billed Circuit Miles				
37 Monthly Mileage Charges (Exclude Channel Termination chgs, etc.)				
38 Cost per Mile per Month				

If Line 33 equals Line 37, please ensure that ONLY mileage-related charges are included in Line 37. (See instructions.)

Block 6: Comprehensive Rate Comparison Request

Complete Block 6 if you have not completed Block 5 and are requesting support for all elements of your telecommunications service necessary for the provision of health care. The information in this block will establish the difference between the urban and rural rates for your requested service. Please call RHCD at 1-800-229-5476 if you need assistance.

39 One-time Urban Rate Charge (in selected large city)	0			
40 One-time Rural Rate Charge (in city where HCP is located)	0			
41 Monthly Urban Rate (in selected large city). From RHCD web site: <input type="checkbox"/> or Other rate documentation attached: <input checked="" type="checkbox"/>	198.30			

If your circuit includes charges for mileage over the Maximum Allowable Dist., (Line 19), please complete Lines 42 to 44. Otherwise, skip to Block 7.

42 Billed Circuit Miles				
43 Monthly Mileage Based Charges				
44 Cost per Mile per Month				

Block 7: Bid Documentation

45 Did you receive any bids in response to the Form 465 Request for Services posted on the RHCD website? Yes No
If you checked yes, copies of the bids MUST be mailed to RHCD.

Block 8: Certification

46 I certify that the above named entity has considered all bids received and selected the most cost-effective method of providing the requested service or services. The "most cost-effective service" is defined in the Universal Service Order as the service available at the lowest cost after consideration of the features, quality of transmission, reliability, and other factors that the health care provider deems necessary for the service to adequately transmit the health care services required by the health care provider.

47 Pursuant to 47 C.F.R. Secs. 54.601 and 54.603, I certify that the HCP or consortium that I am representing satisfies all of the requirements herein and will abide by all of the relevant requirements, including all applicable FCC rules, with respect to universal service benefits provided under 47 U.S.C. Sec. 254. I understand that any letter from RHCD that erroneously states that funds will be made available for the benefit of the applicant may be subject to rescission.

48 I hereby certify that the billed entity will maintain complete billing records for the service for five years.

49 I certify that I am authorized to submit this request on behalf of the above-named Billed Entity and HCP, and that I have examined this form and attachments and that to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

50 Signature Electronically signed	51 Date 10-Sep-2012
52 Printed name of authorized person Maryann Freepartner	53 Title or position of authorized person Finance Manager
54 Employer of authorized person Providence Health & Services	55 Employer's FCC RN 0013793187

Please remember:

- ◆ You must submit one Form 466 for each service (i.e., circuit) for which you request reduced rates. For example:
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 - If you are requesting reduced rates for two ISDN lines & one Frame Relay line, you must submit three Forms 466.
- ◆ If the service described on this form is subject to the 28-day competitive bidding requirement, do not select a carrier or complete the Form 466 before or during the 28-day posting period.
- ◆ You must provide evidence of the urban rate if you have completed Block 6 and have not used the urban rates from the website.
- ◆ This form, attachments, and supporting documents should be combined in one envelope and sent to the RHCD.
- ◆ If the service described on this form changes (e.g., rate change) during the funding year, you must notify RHCD immediately and submit a revised Form 466.
- ◆ If you have any questions, call RHCD at 1-800-229-5476.

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This form should be submitted to:
Rural Health Care Division
30 Lanidex Plaza West, P.O.Box 685
Parsippany NJ 07054-0685

FCC Form 466
April 2008

EXHIBIT 19
Page 6 of 6

Ex. 20

Freepartner, Maryann

From: rhcadmin@usac.org
Sent: Tuesday, February 19, 2013 11:55 AM
To: Freepartner, Maryann
Subject: Funding Commitment Letter (FCL) for HCP 10382, FRN 12123381

Date: 19-Feb-2013

Funding Year: 2012
Health Care Provider (HCP) Name: Providence Seward Medical & Care Center
HCP Number: 10382
FCC Form 465 Application Number: 43124011
Funding Request Number: 12123381

The Rural Health Care (RHC) division of the Universal Service Administrative Company (USAC) has completed the review of the *Funding Request and Certification Form (FCC Form 466)* submitted on behalf of the Health Care Provider (HCP) named above. Based on the information provided, RHC has determined that the HCP is eligible for the estimated support listed below. Additionally, if the HCP submitted a contract or service agreement with the form, the outcome of the contract review is included in this letter.

HCP Physical Location: 417 1st Avenue, PO Box 365, Seward, AK, 99664
Service Type: T1 or DS1
Bandwidth: 1.544 Mbps
Service Provider Name: Alascom, Inc.
Service Provider Identification Number (SPIN): 143005617
Billing Account Number: 8002-765-6315

Funding Start Date	Funding End Date	Months of Support	Non-Recurring Support Amount	Monthly Recurring Support Amount	Total Support Amount
01-Jul-2012	27-Aug-2012	1.87097	\$0.00	\$10,838.91	\$20,279.28

It is the HCP's responsibility to review and verify that all information on this FCL is accurate. All account holders and the service provider listed on the form have received a copy of this FCL. A copy is also saved in the *My Documents* section of *My Portal*.

Contract/Service Agreement Endorsement Determination: Evergreen

Evergreen: For the life of the contract (without any optional or automatic extensions), you do not need to re-compete the service(s) identified above, or post a *Description of Services Requested and Certification Form (FCC Form 465)*. The HCP must apply for support of the contracted service by filing the FCC Form 466 and/or the FCC Form 466-A (and the FCC Form 467) to receive funding each year.¹

HCPs whose contracts have Evergreen status must post an FCC Form 465 and re-compete the service provider selection before the contract ends. An optional contract renewal is considered a new contract and can be selected only after the HCP has gone through the competitive bidding process by posting a Form 465.

Your responsibility:

It is the HCP's responsibility to review the information in this FCL. Contact RHC at rhc-admin@usac.org if there is an error with the amount of support or other information in this FCL.

If, at any time, the supported services are not being provided to the HCP or the HCP is not otherwise receiving the approved support, it is the HCP's responsibility to notify RHC immediately.

The Billing Account Number, certifications, and all other information provided on FCC Forms 465, 466, 466-A, and 467 may be subject to audit by RHC and the FCC.² HCPs are subject to audits and other reviews that the RHC and/or the FCC may undertake to ensure that the universal service support is being used in compliance with FCC program rules. If RHC discovers that supported services are not used in compliance with program rules, applicants will be subject to enforcement activities and other means of recourse by RHC and other appropriate federal, state, and local authorities.

Next Steps:

Complete and submit an FCC Form 467 (*Connection Certification*), which will confirm receipt of the services for which support has been approved, and the date on which the service provider began providing those services. Funding cannot be issued until this form is processed. To submit the FCC Form 467, go to the *My Forms* tab of *My Portal* and find the applicable Form 466 or Form 466-A and click on the "Create 467" button. Once the Form 467 is approved, the HCP and the service provider will receive a copy of the HCP Support Schedule (HSS). Receipt of the HSS is an indicator to the service provider that it should begin crediting the HCP for the support amount (if it has not yet done so) and may begin to invoice USAC.

Appeals:

Appeals must be electronically date-stamped or postmarked within 60 days of the date of this letter. Letters of appeal must contain the HCP Number, Funding Request Number(s), the SPIN, the affected funding year, and documentation of the decision being appealed (this FCL, denial letter, etc.)

Additionally, FCC rule section 54.721 requires "a statement setting forth the party's interest in the matter presented for review; a full statement of relevant, material facts with supporting affidavits and documentation; the question presented for review. . .[and] a statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought."

Failure to include the required information in the letter of appeal or the required documentation to support the appeal will result in a delayed response time, or the appeal may not be considered.

Detailed instructions on filing an appeal may be found at: www.usac.org/rhc/about/program-integrity/appeals.aspx.

Questions:

Details about and definitions of all terms used in this FCL are provided on the RHC website (www.usac.org/rhc).

If you have any questions or need assistance, call the RHC Help Desk at 1-800-229-5476, Monday through Friday, 8AM - 8PM, Eastern Time (or at rhc-admin@usac.org).

¹ 47 C.F.R. 54.623(d).

² 47 C.F.R. 54.619(c).

Freepartner, Maryann

From: rhcadmin@usac.org
Sent: Tuesday, February 19, 2013 11:55 AM
To: Freepartner, Maryann
Subject: Funding Commitment Letter (FCL) for HCP 10382, FRN 12123371

Date: 19-Feb-2013

Funding Year: 2012
Health Care Provider (HCP) Name: Providence Seward Medical & Care Center
HCP Number: 10382
FCC Form 465 Application Number: 43124011
Funding Request Number: 12123371

The Rural Health Care (RHC) division of the Universal Service Administrative Company (USAC) has completed the review of the *Funding Request and Certification Form (FCC Form 466)* submitted on behalf of the Health Care Provider (HCP) named above. Based on the information provided, RHC has determined that the HCP is eligible for the estimated support listed below. Additionally, if the HCP submitted a contract or service agreement with the form, the outcome of the contract review is included in this letter.

HCP Physical Location: 417 1st Avenue, PO Box 365, Seward, AK, 99664
Service Type: T1 or DS1
Bandwidth: 1.544 Mbps
Service Provider Name: Alascom, Inc.
Service Provider Identification Number (SPIN): 143005617
Billing Account Number: 8002-765-6315

Funding Start Date	Funding End Date	Months of Support	Non-Recurring Support Amount	Monthly Recurring Support Amount	Total Support Amount
01-Jul-2012	09-Aug-2012	1.29032	\$0.00	\$10,838.91	\$13,985.66

It is the HCP's responsibility to review and verify that all information on this FCL is accurate. All account holders and the service provider listed on the form have received a copy of this FCL. A copy is also saved in the *My Documents* section of *My Portal*.

Contract/Service Agreement Endorsement Determination: Evergreen

Evergreen: For the life of the contract (without any optional or automatic extensions), you do not need to re-compete the service(s) identified above, or post a *Description of Services Requested and Certification Form (FCC Form 465)*. The HCP must apply for support of the contracted service by filing the FCC Form 466 and/or the FCC Form 466-A (and the FCC Form 467) to receive funding each year.¹

HCPs whose contracts have Evergreen status must post an FCC Form 465 and re-compete the service provider selection before the contract ends. An optional contract renewal is considered a new contract and can be selected only after the HCP has gone through the competitive bidding process by posting a Form 465.

Your responsibility:

It is the HCP's responsibility to review the information in this FCL. Contact RHC at rhc-admin@usac.org if there is an error with the amount of support or other information in this FCL.

If, at any time, the supported services are not being provided to the HCP or the HCP is not otherwise receiving the approved support, it is the HCP's responsibility to notify RHC immediately.

The Billing Account Number, certifications, and all other information provided on FCC Forms 465, 466, 466-A, and 467 may be subject to audit by RHC and the FCC.² HCPs are subject to audits and other reviews that the RHC and/or the FCC may undertake to ensure that the universal service support is being used in compliance with FCC program rules. If RHC discovers that supported services are not used in compliance with program rules, applicants will be subject to enforcement activities and other means of recourse by RHC and other appropriate federal, state, and local authorities.

Next Steps:

Complete and submit an FCC Form 467 (*Connection Certification*), which will confirm receipt of the services for which support has been approved, and the date on which the service provider began providing those services. Funding cannot be issued until this form is processed. To submit the FCC Form 467, go to the *My Forms* tab of *My Portal* and find the applicable Form 466 or Form 466-A and click on the "Create 467" button. Once the Form 467 is approved, the HCP and the service provider will receive a copy of the HCP Support Schedule (HSS). Receipt of the HSS is an indicator to the service provider that it should begin crediting the HCP for the support amount (if it has not yet done so) and may begin to invoice USAC.

Appeals:

Appeals must be electronically date-stamped or postmarked within 60 days of the date of this letter. Letters of appeal must contain the HCP Number, Funding Request Number(s), the SPIN, the affected funding year, and documentation of the decision being appealed (this FCL, denial letter, etc.)

Additionally, FCC rule section 54.721 requires "a statement setting forth the party's interest in the matter presented for review; a full statement of relevant, material facts with supporting affidavits and documentation; the question presented for review. . .[and] a statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought."

Failure to include the required information in the letter of appeal or the required documentation to support the appeal will result in a delayed response time, or the appeal may not be considered.

Detailed instructions on filing an appeal may be found at: www.usac.org/rhc/about/program-integrity/appeals.aspx.

Questions:

Details about and definitions of all terms used in this FCL are provided on the RHC website (www.usac.org/rhc).

If you have any questions or need assistance, call the RHC Help Desk at 1-800-229-5476, Monday through Friday, 8AM - 8PM, Eastern Time (or at rhc-admin@usac.org).

¹ 47 C.F.R. 54.623(d).

² 47 C.F.R. 54.619(c).

Ex. 21

PO Box 365
Seward, AK 99664
t: (907) 224 5205
f: (907) 224 8826
www.providence.org/alaska



April 17, 2013

Rural Health Care Division
Universal Service Administrative Company
2000 L Street NW, Suite 200
Washington, DC 20036

Re: Appeal of Funding Commitment Letters
Funding Year: 2012
Health Care Provider (HCP) Name: Providence Seward Medical & Care Center
HCP No: 10382
FCC Form 465 Application No.: 43124011
Funding Request Nos. 1213371 and 1213381

Dear Sir:

This is an appeal of the February 19, 2013 Funding Commitment Letters (FCLs) relating to the above-referenced funding requests for T1 service to Providence Seward Medical and Care Center ("PSMC") for the year 2012. The issue appealed is the denial of funding for the period that the T1 lines remained in service following termination of the Evergreen contract with the service provider, AT&T.

Following receipt of the February 19, 2013 FCLs, I contacted USAC and advised that the contract term for the T1 lines was 36 months, that service was not initiated until November 9, 2009, and that service remained in effect until December 26, 2012. USAC Representative Claudio Ramos advised that I needed to file new form 466s for the period from the contract termination onward on a "month to month" basis. Pursuant to Mr. Ramos' instructions, on March 11, 2013 I submitted month-to-month form 466s for each of the T1 lines for funding for the period following termination of the contract in August, 2012 through termination of T1 service on December 26, 2012 (FRN nos. 1219560 and 1219563). I am still awaiting USAC's decision on those of those 466s, but am submitting this notice of appeal so that PSMC's right of appeal is preserved.

Sincerely,

A handwritten signature in black ink, appearing to read "Maryann Freepartner".

Maryann Freepartner, Finance Manager
Providence Seward Medical and Care Center
P.O. Box 365
Seward, AK 99664
maryann.freepartner@providence.org
Phone: 907-224-2980 (Alaska Time Zone)
Fax: 907-224-7248

EXHIBIT 21
Page 1 of 1

Ex. 22

Freepartner, Maryann

From: Freepartner, Maryann
Sent: Monday, September 27, 2010 9:17 AM
To: 'hdiaz'
Subject: RE: AT&T Alaska Response

Hazel, please proceed in processing our applications with the new information. Thank you so much for all your work on this.

*Maryann Freepartner
Finance Manager
Providence Seward Medical and Care Center
907-224-2980*

From: hdiaz [mailto:hdiaz@rhc.universalservice.org]
Sent: Thursday, September 23, 2010 8:32 AM
To: Freepartner, Maryann
Subject: FW: AT&T Alaska Response

Hi Mary,

Thank you for your help. Please review the email below.

If you have any questions please do not hesitate to contact me.

Thanks,

Hazel Diaz
Reviewer, Rural Health Care Division of USAC

P: (973)581-5028
F: (973)599-6514
hdiaz@rhc.universalservice.org

Note: USAC RHC mailing address has changed. Effective immediately, mailed items should be sent to:

Rural Health Care Division

30 Lanidex Plaza West

Parsippany, NJ 07054

From: hdiaz [mailto:hdiaz@rhc.universalservice.org]
Sent: Monday, August 30, 2010 3:52 PM
To: 'Rabung, Andrew (Andy)'
Subject: RE: AT&T Alaska Response

8/19/2011

EXHIBIT 22
Page 1 of 2

Hi Andrew,

Can you confirm if there are any total billed miles associated with the two T1 services delivered to Providence Seward Medical Center (HCP 10382). Thank you for your help. If there are total billed miles, can you provide me with a cost break down which includes the following:

Billed Circuit Miles:

Monthly Mileage Based Charges:

Cost per mile per month:

If you have any questions please do not hesitate to contact me.

Thanks,

Hazel Diaz

Reviewer, Rural Health Care Division of USAC

P: (973)581-5028

F: (973)599-6514

hdiaz@rhc.universalservice.org

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Ex. 23