



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 12-1229

Release Date: July 31, 2012

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON
PROVIDENCE SEWARD MEDICAL AND CARE CENTER REQUEST FOR REVIEW
OF DECISION BY THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY**

WC Docket No. 02-60

Comment Date: August 14, 2012

Reply Comment Date: August 21, 2012

The Wireline Competition Bureau seeks comment on a request for review filed by Providence Seward Medical and Care Center (Providence Seward) seeking reversal of a decision of the Universal Service Administrative Company (USAC) in which USAC reduced Providence Seward's funding requests for Funding Year 2010 under the rural health care support mechanism.¹ Providence Seward argues that USAC erroneously applied a mileage-based charge in calculating Providence Seward's universal service support and that Providence Seward has been unfairly prejudiced by delays in USAC's determinations.²

Interested parties may file comments and reply comments on or before the dates indicated above. Comments are to reference **WC Docket No. 02-60** and may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

¹ See Letter from Daniel W. Hickey, Counsel for Providence Seward Medical and Care Center, to Federal Communications Commission, WC Docket No. 02-60 (filed Mar. 16, 2012) (Request for Review); see also *Wireline Competition Bureau Seeks Comment on Decision of the Universal Service Administrative Company*, WC Docket No. 02-60, Public Notice, 26 FCC Rcd 14505 (2011) (seeking comment on Providence Seward's September 24, 2011, request for review of a USAC decision in which USAC reduced Providence Seward's funding requests for Funding Year 2009 under the rural health care support mechanism).

² See Request for Review at 7-10; 47 C.F.R. § 54.613(a).

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

In addition, one copy of each pleading must be sent to each of the following:

- (1) Elizabeth V. McCarthy, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A364, Washington, D.C. 20554; e-mail: elizabeth.mccarthy@fcc.gov;
- (2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, D.C. 20554; e-mail: charles.tyler@fcc.gov.

The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for

³ 47 C.F.R. §§ 1.1200 *et seq.*

which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact Elizabeth V. McCarthy, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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