



PUBLIC NOTICE

Federal Communications Commission
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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON HEALTHCARE CONNECT FUND FCC FORMS 460, 461, 462, AND 463

WC Docket No. 02-60

Comment Date: April 29, 2013
Reply Comment Date: May 13, 2013

In December 2012, the Federal Communications Commission (Commission) issued an order creating a new Healthcare Connect Fund (HCF) to provide support for broadband connectivity for eligible individual and consortium health care provider applicants.¹ To implement the new program, the *HCF Order* required the creation of new forms.² In this Public Notice, the Commission's Wireline Competition Bureau (Bureau) seeks comment on the attached proposed new FCC Forms 460, 461, 462, and 463, and their accompanying instructions.³

FCC Form 460 (Eligibility and Registration Form). All applicants to the HCF will be required to obtain an eligibility determination from the Universal Service Administrative Company (USAC) for each health care provider site through Form 460.⁴ Additionally, applicants will use Form 460 to register ineligible health care provider sites, off-site data centers, and off-site administrative offices.⁵ Consortia also must file a Form 460 and list all sites on that form. Finally, applicants will use Form 460 to notify USAC when information for a site or consortium has changed.⁶

FCC Form 461 (HCF Request for Services Form). Unless exempt from the competitive bidding requirement, all entities participating in the HCF must complete the competitive bidding process before submitting a funding request.⁷ To initiate the competitive bidding process, applicants must submit

¹ *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Report and Order, 27 FCC Rcd 16678 (2012) (*HCF Order*).

² *See id.* at 16818-89, 16892-905, para. 354 and Appendix E.

³ Pursuant to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, the Bureau also is revising existing information collection 3060-0804 to include these new forms. *See* 44 U.S.C. § 3507 (setting forth requirements when an agency seeks to adopt or revise a public information collection); 60-Day PRA Notice for Collection 3060-0804, 78 Fed. Reg. 19479 (April 1, 2013).

⁴ *See HCF Order*, 27 FCC Rcd at 16773, para. 214; 47 C.F.R. § 54.630.

⁵ *See* 47 C.F.R. § 54.637.

⁶ *See HCF Order*, 27 FCC Rcd at 16773, para. 214; 47 C.F.R. § 54.601(b).

⁷ *HCF Order*, 27 FCC Rcd at 16778, para. 230; 47 C.F.R. § 54.642.

a Form 461 request for services, which must be posted on USAC's website for no less than 28 days.⁸ Form 461 and supporting documentation will: (1) provide potential vendors with sufficient information about the requested services, network equipment, and/or facilities to enable an effective competitive bidding process; and (2) provide USAC with the required certifications and other information necessary to prevent waste, fraud, and abuse.⁹

FCC Form 462 (HCF Funding Request Form). After Form 461 is posted and the competitive bidding process is completed, applicants must file Form 462 to request a funding commitment for the selected eligible services, network equipment, and/or facilities.¹⁰ Form 462 provides USAC with the information necessary to evaluate an applicant's funding request.¹¹

FCC Form 463 (HCF Invoice and Request for Disbursement Form). Form 463 is the invoice that serves as an applicant's request to USAC for disbursement of funding from the HCF for the services, equipment, and/or facilities set forth in an applicant's funding commitment letter.¹² The applicant initiates the filing of the Form 463, and the vendor has the opportunity to review and revise the Form 463 before it is submitted to USAC for processing and payment.¹³

We seek comment on the attached proposed FCC Forms 460, 461, 462 and 463, and their accompanying instructions. Interested parties may file **comments on or before April 29, 2013, and reply comments on or before May 13, 2013.** All pleadings are to reference **WC Docket No. 02-60.** Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.¹⁴

- *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. 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 must be disposed of before entering the building.

⁸ *HCF Order*, 27 FCC Rcd at 16785-86, paras. 243-46; 47 C.F.R. § 54.642(g).

⁹ *HCF Order*, 27 FCC Rcd at 16782, para. 240.

¹⁰ *Id.* at 16796-800, paras. 279-93; 47 C.F.R. § 54.643.

¹¹ *See HCF Order*, 27 FCC Rcd at 16796, para. 279.

¹² *Id.* at 16804, paras. 304-05; 47 C.F.R. § 54.645.

¹³ *See id.*

¹⁴ *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1999).

- 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, we request that one copy of each pleading be sent to each of the following:

- (1) Mark Walker, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-B418, Washington, DC 20554; or e-mail: Mark.Walker@fcc.gov; and
- (2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-B521, Washington, DC 20554; or 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.¹⁵ 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 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 Mark Walker, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400, TTY (202) 418-0484.

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¹⁵ 47 C.F.R. §§ 1.1200 *et seq.*