

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petitions for Reconsideration by	)	
	)	
ADS Advanced Data Services, Inc.	)	
	)	
New England Telehealth Consortium and	)	
Connections Telehealth Consortium	)	
	)	
Rural Health Care Support Mechanism	)	WC Docket No. 02-60
	)	
Promoting Telehealth in Rural America	)	WC Docket No. 17-310

ORDER ON RECONSIDERATION

Adopted: November 21, 2025

Released: November 21, 2025

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this Order, we grant petitions filed by ADS Advanced Data Services, Inc., (ADS) and jointly by New England Telehealth Consortium (NETC) and Connections Telehealth Consortium (CTC) seeking reconsideration of denials of requests to waive the funding year 2025 application filing deadline for the Rural Health Care (RHC) Program.¹ We also waive the application filing deadline as it applies to these petitioners and direct the Universal Service Administrative Company (USAC) to accept and process the petitioners' funding year 2025 applications listed in Appendix A as if they were timely filed.

II. BACKGROUND

2. The Commission's RHC Program consists of two component mechanisms: (1) the Healthcare Connect Fund (HCF) Program and (2) the Telecommunications (Telecom) Program.² The HCF Program promotes the use of broadband services and facilitates the formation of health care provider consortia that include both rural and urban health care providers by providing a flat 65% discount on an array of advanced telecommunications and information services.³ The Telecom Program subsidizes the difference

¹ Petition for Reconsideration of ADS Advanced Data Service, Inc., WC Docket No. 02-60 (filed Oct. 30, 2025), <https://www.fcc.gov/ecfs/search/search-filings/filing/1030542426275> (ADS Reconsideration Petition), Petition for Reconsideration of New England Telehealth Consortium and Connections Telehealth Consortium, WC Docket No. 02-60 (filed Oct. 30, 2025), <https://www.fcc.gov/ecfs/search/search-filings/filing/1030190621059> (NETC/CTC Reconsideration Petition). The associated Funding Request Numbers (FRNs) are listed in Appendix A. The ADS Reconsideration Petition also lists a funding request for Ouzinkie Clinic (FRN RHC20250016006) that was not part of the waiver request submitted on August 26, 2025. As this funding request was not previously denied, we dismiss the FRN from reconsideration as there is no Bureau action to reconsider.

² *Promoting Telehealth in Rural America*, WC Docket No. 02-60, Report and Order, 34 FCC Rcd 7335, 7337, para. 4 (2019).

³ See 47 U.S.C. § 254(h)(2)(A); 47 CFR §§ 54.611, 54.612; *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Report and Order, 27 FCC Rcd 16678, 16680-81, paras. 1-3 (2012).

between the rates in the health care provider's rural area and rates for comparable services available in urban areas within the health care provider's state.⁴

3. In order to obtain RHC Program support, eligible health care providers (HCPs) must file funding requests (using the FCC Form 462 for the HCF Program and FCC Form 466 for the Telecom Program) with USAC during an application filing window established for each funding year.⁵ For funding year 2025, the application filing window opened on July 1, 2024, and was set to close on April 1, 2025. However, due to several changes implemented for funding year 2025 as part of a multi-year effort to streamline administrative tasks and improve communication with RHC Program participants, the Wireline Competition Bureau (Bureau) waived section 54.621(a)(1) of the Commission's rules to extend the application filing deadline to June 2, 2025.⁶ In its decision, the Bureau noted the availability of case-by-case waivers for applicants that required additional time to file applications.⁷ ADS, on behalf of several Alaska-based health care providers, and NETC/CTC submitted waiver requests seeking such additional time, citing issues related to the new eligibility form and RHC Connect migration.⁸ The Bureau denied the waiver requests in a streamlined public notice released on September 30, 2025, for failing to show special circumstances to justify waiver of the rules.⁹ ADS and NETC/CTC now seek reconsideration of the waiver denials, maintaining that the Bureau failed to consider all of the reasons offered by the petitioners explaining why the extended filing deadline was insufficient for them to submit their applications and that the public interest would be served by allowing them funding year 2025 support.¹⁰

⁴ See 47 U.S.C. § 254(h)(1)(A); *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9093-161, paras. 608-749 (1997).

⁵ In the RHC Program, funding year 2025 runs from July 1, 2025, to June 30, 2026. The application filing window typically opens one year in advance (e.g., on July 1, 2024, for funding year 2025) and closes no later than 90 days prior to the start of the funding year. See 47 CFR § 54.621(a)(1).

⁶ See *Rural Health Care Support Mechanism, Promoting Telehealth in Rural America*, WC Docket Nos. 02-60 and 17-310, Order, 40 FCC Rcd 1629 at 1632, para. 7 (WCB 2025) (*Filing Deadline Waiver Order*) (citing delayed access to a new standard eligibility form (the revised FCC Form 460) and the migration of that form to the USAC's newly modernized RHC Connect application platform as the special circumstances warranting extension of the application filing deadline).

⁷ See *id.* at 1632, para. 8.

⁸ Petition for Waiver, CC Docket No. 02-60 (filed Aug. 26, 2025) (ADS Waiver Request); Petition for Waiver, WC Docket No. 02-60 (filed July 25, 2025) (NETC-MA Waiver Request); Petition for Waiver, WC Docket No. 02-60 (filed July 25, 2025) (ATC Waiver Request); and Petition for Waiver, WC Docket No. 02-60 (filed July 3, 2025) (NETC-VT Waiver Request).

⁹ See *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, WC Docket No. 02-60, Public Notice, DA 25-874, at 16-18 (WCB Sept. 30, 2025).

¹⁰ See ADS Reconsideration Petition at 2-3 and NETC/CTC Reconsideration Petition at 7-8, 11-12. Petitioners also maintain that they might have timely submitted some applications within 14 days of the extended filing deadline if not for "misleading" USAC guidance regarding our the 14-day grace period for late-filed applications announced in the *Bartlett Regional Hospital* decision. See ADS Reconsideration Petition, Declaration of Dan Kettwich, at 3, 6; and NETC/CTC Reconsideration Petition, Declaration of Brian Thibeau, at 4 (citing *Requests for Waiver by Bartlett Regional Hospital, et al.*, WC Docket No. 02-60, Order, 39 FCC Rcd 3931 (WCB 2024) (*Bartlett*)). For support, petitioners rely on a Commission decision waiving an E-Rate application filing deadline following an inaccurate USAC confirmation notice regarding an application's status. See ADS Reconsideration Petition at 16; and NETC/CTC Reconsideration Petition at 9 (relying on *Application for Review of a Decision by the Wireline Competition Bureau by Pribilof School District, St. Paul Island, Alaska, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 33 FCC Rcd 8378 (2018)). Given the special circumstances and public interests cited herein supporting a grant of the petitions for reconsideration, we need not address the effect of petitioners' reliance on allegedly misleading USAC guidance.

III. DISCUSSION

4. We grant the requests of the petitioners and waive the funding year 2025 application filing deadline to permit USAC to accept and perform routine reviews, and process as if the applications had been timely submitted. The Commission's rules may be waived for good cause shown.¹¹ The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.¹² In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.¹³ Waiver of the Commission's rules is appropriate if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest.¹⁴

5. We find that, in the case of these petitioners, special circumstances exist to justify a waiver of the extended application deadline. Petitioners cite numerous interrelated problems during the 2025 application window, starting with late arrival of the FCC Form 460 and exacerbated by various delays and challenges associated with utilizing RHC Connect for the first time.¹⁵ As previously noted, the final version of the updated FCC Form 460 became available in October 2024, a full three months into the 2025 funding year.¹⁶ This new form had to be integrated into RHC Connect processes, presenting various difficulties and delays for both USAC and applicants.¹⁷ Petitioners also flag problems with using a new communication system within RHC Connect that moved the Request for Information process onto the platform. NETC states that it missed an information request while it was preparing to open its competitive bidding process, thereby pushing its competitive bidding window beyond the application deadline.¹⁸ Letters of Agency were also shifted onto the RHC Connect platform, which generated additional work for USAC's reviewers and slowed response times in some cases.¹⁹

6. We recognize that applicants were required to use RHC Connect for the first time in funding year 2025 for multiple critical processes, and in the context of a transition to a new system like this, a system issue or delay can generate cascading delays, especially in the last weeks of the application cycle. Allowing more time for applicants impacts our ability to review applications, measure overall demand for funds, and operate the rest of the program. Nonetheless, these 40 applications can be accommodated without significant negative impacts on RHC Program operations generally, and it is in the public interest to provide RHC Program support to rural areas of Alaska, Oregon, New Mexico, Massachusetts, and

¹¹ 47 CFR § 1.3.

¹² *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

¹³ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

¹⁴ *Northeast Cellular*, 897 F.2d at 1166. See 47 CFR §§ 0.91; 0.291 (delegating to the Bureau the ability to act on waiver requests).

¹⁵ See NETC/CTC Reconsideration Petition at 8 (Consortia staff "were also facing continuing problems adding authorized users and system instabilities such as unexplained portal time-outs during the critical weeks before the window closed, kicking NETC and ATC personnel off the system."). See also ADS Reconsideration Petition at 11 (The Kodiak Area Native Association (KANA) had to submit separate bid-request forms for each Telecom Program service location and "instead of posting all KANA Form 465s on the same day for the different participating service locations (as was the practice under USAC's old application system for the Telecom Program), USAC staggered them, seemingly randomly, across several days," which had the effect of establishing unique competitive bidding deadlines for each site.).

¹⁶ See *Filing Deadline Waiver Order*, 40 FCC Rcd at 1629, para. 2.

¹⁷ See ADS Reconsideration Petition, Declaration of Dan Kettwich, at 3, 6.

¹⁸ See NETC-VT Waiver Request, at 1.

¹⁹ See ADS Reconsideration Petition, Declaration of Dan Kettwich, at 3; and NETC/CTC Reconsideration Petition, Declaration of Brian Thibeau, at 2.

Vermont.²⁰ On balance, the public interest is best served by accepting these 40 applications. We find that that the burdens experienced by the petitioners are unique to the rollout of the new eligibility form within the RHC Connect processing platform, and constitute special circumstances that support waiving the application filing deadline to provide petitioners with another opportunity to request program support. While we grant the petitions in these unique cases, we emphasize that all applicants must be cognizant of all filing deadlines and be aware of the need to show special circumstances when seeking waiver of the application filing deadline in future funding years.²¹

IV. ORDERING CLAUSES

7. ACCORDINGLY, IT IS ORDERED that, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, and 1.106(a)(1) of the Commission's rules, 47 CFR §§ 0.91, 0.291, 1.3, and 1.106(a)(1), the Petition for Reconsideration of ADS Advanced Data Service, Inc., and the Petition for Reconsideration of New England Telehealth Consortium and Connections Telehealth Consortium ARE GRANTED to the extent described herein.

8. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, 1.3, and 54.719(c) of the Commission's rules, 47 CFR §§ 0.91, 0.291, 1.3, and 54.719(c), that section 54.621(a)(1) of the Commission's rules, 47 CFR § 54.621(a)(1), IS WAIVED to the extent provided herein.

9. IT IS FURTHER ORDERED, that pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Joseph S. Calascione
Chief
Wireline Competition Bureau

²⁰ In addition to numerous tangible examples offered by petitioners, *see also* Letter from Gina Spade, counsel for Alaska Communications, to Marlene H. Dortch, FCC (Nov. 11, 2025) (available at <https://www.fcc.gov/ecfs/document/111198428584/1>) and Letter from Jennifer P. Bagg and Mohammed M. Ali, counsel to GCI Communication Corp., to Marlene H. Dortch, FCC (Nov. 14, 2025) (available at <https://www.fcc.gov/ecfs/document/111459493633/1>).

²¹ *See Bartlett*, 39 FCC Rcd 3931, para. 7.

Appendix A**Funding Requests to be Accepted as if Timely Filed for Processing in Funding Year 2025**

Alaska Health Care Providers (Advanced Data Service, Inc.)

Health Care Provider (HCP)	FRN
Akhiok Clinic	RHC20250008017
Alaska Healthcare Broadband and Technology Consortium	RHC20250016010, RHC20250016012, RHC20250016013, RHC20250016014
Alaska Island Community Services – Coffman Cove	RHC20250016002
Alaska Island Community Services – Gustavus Community Clinic	RHC20250016055
Aleutian Pribilof Islands Association Consortium	RHC20250013872
Bristol Bay Area Health Corporation d/b/a Kanakanak Hospital	RHC20250015600, RHC20250016016
Cordova Community Medical Center	RHC20250015996, RHC20250015997
Hope Community Resources Hcp16959	RHC20250016003
Kodiak Area Native Association	RHC20250015906, RHC20250015907, RHC20250016007, RHC20250016008, RHC20250016009, RHC20250016020
Larsen Bay Clinic	RHC20250008069, RHC20250016004
Mt. Edgecumbe High School Student Health Center	RHC20250016054
Old Harbor Health Clinic	RHC20250008077
Ouzinkie Clinic	RHC20250008082
Port Lions Clinic	RHC20250008087, RHC20250016005
Searhc – Mt. Edgecumbe Hospital	RHC20250016000
Searhc – Thorne Bay Health Center	RHC20250015940
South Peninsula Hospital – Renew	RHC20250015998
South Peninsula Hospital Rehabilitation Services	RHC20250015999
Wrangell Medical Center	RHC20250016001

Massachusetts Health Care Providers (New England Telehealth Consortium)

Health Care Providers (HCP)	FRN
Salem Family Health Center and North Shore Community Health, Inc.	RHC20250016021
Peabody High, Gloucester Family Health Center, Peabody Family Health Center, Salem Family Health Center, Salem High	RHC20250016032

New Mexico Health Care Provider (Advanced Data Service, Inc.)

Health Care Provider (HCP)	FRN
Ihs/Abq Alamo Health Center	RHC20250016015

Oregon Health Care Provider (Connections Telehealth Consortium d/b/a American Telehealth Consortium)

Health Care Provider (HCP)	FRN
LaPine Community Health Center	RHC20250016023, RHC20250016027, RHC20250016030, RHC20250016034, RHC20250016035

Vermont Health Care Provider (New England Telehealth Consortium)

Health Care Provider (HCP)	FRN
Springfield Medical Care Systems/Lane Eye Associates, Howard Center/Pine Street Counseling, Howard Center/Westview House	RHC20250015952